

Address:	Gordon House 6 Lissenden Gardens London NW5 1LX	
Application Number:	2010/2564/P	Officer: Elizabeth Beaumont
Ward:	Highgate	
Date Received:	11/05/2010	
Proposal: Erection of an additional storey at roof level to create 5 self contained residential dwellings (Class C3) (2 x 1 bedroom flats, and 3 x 2 bedroom flats) along with the creation of associated roof terraces at second floor level, and layout alterations of existing office space (Class B1a) at first floor level.		
Drawing Numbers: Site location plan; EX/01; EX/02; EX/03; EX/04; EX/05; EX06; PP/01; PP/02; PP/03; PP.04; PP/05A PP.06 A; Code for Sustainable Homes TA.LG.NW5; Sunlight and Daylight report dated May 2010.		
RECOMMENDATION SUMMARY: Grant Planning Permission subject to a S106 Agreement		
Applicant:	Agent:	
BE Gordon House Ltd 117 George Street London W1H 7HF	Tasou Associates 4 Amwell Street London EC1R 1UQ	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	<i>Sui Generis B1a Business - Office</i>		664m ² 588m ²
Proposed	<i>Sui Generis B1a Business - Office C3 Dwelling House</i>		664m ² 588m ² 425.44m ²

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>	2	3							

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	4 (for office)	0
Proposed	4 (for office)	0

OFFICERS' REPORT

Reason for Referral to Committee: **The Director of Culture and Environment has referred the application for consideration as it involves the creation of five residential flats [Clause 3 (iii)].**

1. SITE

- 1.1 The site is located on the east side of Lissenden Gardens on the corner with Gordon House Road. The property is recessed back from the road with a driveway to the front. The site is bounded to the north by Glenhurst Avenue, to the west by Salcombe Lodge, Heathview to the south and offices/commercial buildings to the west.
- 1.2 The site comprises a two storey commercial building with flat roof built in the middle of the 20th century. The building is currently in use as a garage on the ground floor with office accommodation above.
- 1.3 The site is located within the Dartmouth Park Conservation Area in the Lissenden Gardens sub-area. This area is designated within the Conservation Area Statement as a compact grouping on the west side of Highgate Road comprising three elements; the mansion blocks; the early 20th century terraced housing and the commercial development. The most noticeable characteristic of this area is the larger scale of development with the predominant built form being higher and denser than other parts of the conservation area. This part of Gordon House Road supports a variety of built forms and heights. The building is not noted as being of merit to the wider conservation area.

2. THE PROPOSAL

Original

- 2.1 This application seeks planning permission for the erection of second storey extension on the flat roof of the existing building to create 5 residential units. The residential units will comprise 3 x 2 bedroom units and 2 x 1 one bedroom units. Each unit would have amenity space in the form of a roof terrace. The roof terrace would be positioned along the Lissenden Gardens and the Gordon House Road elevations.
- 2.2 The additional storey will be constructed from aluminium panels with thin framed aluminium windows. It is proposed to render the existing building and to replace a number of the doors at ground floor level to create separate entrances in to the residential units and office accommodation.
- 2.3 The proposal involves the internal reconfiguration of the office space on the first floor with a number of skylights to allow additional light into the first floor.

Revisions

- 2.4 The proposal was revised during the course of the application to amend the shape and size of the stair structure at second floor level. The proposed treatment of the façade of the extension was revised from timber cladding to aluminium cladding.

3. RELEVANT HISTORY

- 3.1 **14/08/1985** – p.p. refused (85004440) for the Outline application for the erection of a block of 8 flats. Reason for refusal – 1) the proposal would involve the loss of existing warehouses and industrial accommodation; 2) the proposal exceed the Council’s plot ratio standards for the area and is considered to be overdevelopment of the site; 3) it is likely the proposed development would result in a total density in excess of the that indicated as appropriate in the Greater London and 4) it is likely that the Council’s daylighting standards would not be complied with, and access of adequate natural light to adjoining premises would be prevented.

4. CONSULTATIONS

Statutory Consultees

- 4.1 None

Conservation Area Advisory Committee

- 4.2 Dartmouth Park CAAC – none received

Local Groups

- 4.3 **Heathview Housing Co-operative** – object for the following reasons;
- Loss of sunlight, daylight and privacy
 - The building already loses light from the rear due to TPO trees.
 - Noise nuisance from construction and people using the terraces
 - Traffic and parking

Adjoining Occupiers

<i>Number of letters sent</i>	175
<i>Total number of responses received</i>	38
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	38

- 4.4 The following letters of objection were submitted from - Nos. 15, 16, 18, 21, 24 (x2), 26 and 29 Salcombe Lodge; nos. 1, 3, 7, 10, 17 Chester Court; 26 and 47 Lissenden mansions; nos. 3, 6, 7, 9, 10, 11, 14, 17, 21 (x3), 22, 23 (x2), 46a (x2) Glenhurst Avenue; 54 Parliament Hill Mansions; 20 Gordon House Road; 10 (Chairman of Heathview Tenants Co-operative), 13, 17, 21, 23, 24, 26, 37, 38, and 53 Heathview. The main issues are as follows;

Parking

- Not enough parking spaces for existing residents or businesses
- Lots of problems with traffic and pollution
- Difficult for older disabled people to park and this will be made worse.
- No cycle stands are proposed

Design

- It would harm the aesthetic appeal of the Edwardian Houses.
- The stair structure brings the building much further forward than the existing roof.
- It would do nothing to enhance the conservation area
- Increasing height will affect the building.
- It would not preserve the conservation area

Noise and disruption

- The noise already is at impossible levels with the sirens, engines and alarms from Kwik Fit, fumes, traffic and dust from construction.
- Noise from development would disturb our sleep/ amenity

Amenity

- Will affect the quality of life of residents
- Loss of sunlight and daylight
- Loss of privacy/overlooking
- Light pollution from stairwell structure
- Increased sense of enclosure
- Roof terraces will overlook neighbouring properties
- Concerns regarding the accuracy of the daylight/sunlight report that has been submitted – does not assess the rooflight on no. 23 Glenhurst Avenue

Density

- Five flats would increase the population density in the area putting pressure on local services.
- New development not needed when older properties can be subdivided
- These flats are not needed
- More residential accommodation is not needed.

Refuse storage

- The proposed storage facilities are not big enough for 5 flats and recycling
- Facilities for storage of domestic waste which may attract rodents and foxes.

Trees

- Please confirm that no trees would be removed. This would have a detrimental impact on the conservation area and these trees should be protected.

Lifetime homes

- Access for disabled people is not assessed.

Planning history

- Previous application was withdrawn and the council turned down plans to demolish to building. The reasons for refusal were loss of industrial accommodation, over-development and breach of day light standards

Other

- Sightlines for the building on the SW corner of Glenhurst Avenue will be badly affected.
- The site is infested with pigeons
- Affordable housing should be provided

5. POLICIES

5.1 Replacement Unitary Development Plan 2006

SD6 (Amenity for Occupiers and Neighbours)

SD9 (Resources and Energy)

B1 (General design principles)

B3 (Alterations and extensions)

B7 (Conservation Areas)

E2 (Retention of Existing Business Uses)

H1 (New Housing)

H2 (Affordable Housing)

H7 (Lifetime Homes)

H8 (Mix of Units)

N4 (Provision of Public Open Space)

N5 (Biodiversity)

N8 (Ancient woodlands and Trees)

T3 (Pedestrian and Cycling)

T8 (Car-free housing and car capped housing)

T12 (Works Affecting Highways)

5.2 Supplementary Planning Policies

Dartmouth Park Conservation Area Statement Adopted 22 January 2009

Camden Planning Guidance 2006

5.3 LDF Core Strategy and Development Policies

The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound.

This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and these LDF policies the Planning Inspectorate would consider it reasonable to follow the latter .

However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)
CS6 (Providing quality homes)
CS11 (Promoting sustainable and efficient travel)
CS14 (Promoting high quality places and conserving our heritage)
CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity)

DP2 (Making full use of Camden's capacity for housing)
DP3 (Contributions to the supply of affordable housing)
DP5 (Housing size mix)
DP6 (Lifetime homes and wheelchair homes)
DP13 (Employment premises and sites)
DP17 (Walking, cycling and public transport)
DP18 (Parking standards and the availability of car parking)
DP19 (Managing the impact of parking)
DP24 (Securing high quality design)
DP25 (Conserving Camden's heritage)
DP26 (Managing the impact of development on occupiers and neighbours)

6. ASSESSMENT

Principle of development

6.1 Both UDP Policy E2 (Retention of Existing Business Uses) and LDF Policy DP13 (Employment premises and sites) relates to retention of employment floorspace where there is potential for that use to continue. Although as an extension to an existing building these proposals do not involve the loss of any employment floorspace, it should be ensured that the introduction of residential uses on the site does not prejudice the on-going operation of the premises as a car repairs garage. It is considered that given the office accommodation at first floor level this would be sufficient to prevent noise from the ground floor use disturbing the residential units.

6.2 In terms of the provision of new housing, the Council's UDP policy H1 and LDF Policy DP2 seek the fullest use of underused sites and buildings for housing, provided that the accommodation reaches acceptable standards. This proposal would provide 5 self-contained residential units and as such complies with policies

Mix of units

6.3 UDP Policy H8 and LDF policy DP5 seek to secure a range of unit sizes within developments, including large and small units, in order to address housing need in the Borough. In summary the scheme proposes 2 x 1-bed units and 3 x 2-bed units. There is a predominance of two-bed units within the proposed unit mix. The most up to date housing needs surveys, including the Camden Housing Needs Survey Update and the London Strategic Housing Market Assessment suggest that the largest demand in the private sector is for two-bed units. This has been reflected in the emerging LDF, of which Development Policy DP5 seeks to address housing demand within different tenures. However, the Camden Housing Needs Survey also identifies a general need for larger family sized dwellings, with that need being concentrated particularly in the Bloomsbury, Holborn and Kings Cross and

Euston/Somers Town Wards. In light of this the proposed mix is considered broadly acceptable.

Affordable housing

- 6.4 The Further Alterations to the London Plan were published by the Mayor on 19 February 2008, when they became part of Camden's development plan. London Plan Policy 3A.11 expects that affordable housing is provided on sites with a capacity to provide 10 or more homes. This is supported by LDF policy DP3, and overall both generally seek affordable housing on sites of 10 units or 1000sqm or more.
- 6.5 In this case, the proposals involve 5 units, which is well below the qualifying threshold based on unit numbers. The total floorspace is 425.44m², below the 1000sqm floor space threshold. This does not suggest that the applicants have artificially kept the unit numbers below 10 in order to avoid meeting the affordable housing threshold.
- 6.6 The applicants have submitted a Lifetime Homes assessment which complies with the requirements of UDP Policy H7 and LDF policy DP6.

Bulk/height/position

- 6.7 The existing building is considered to be of limited merit, with large openings at ground floor level which support the car repair workshop function, and a simple first floor with metal framed windows within a brick elevation.
- 6.8 The surrounding buildings are predominantly more than 3 storeys in height with the exception of the two storey Victorian properties along Glenhurst Avenue. The principle of a roof extension is considered to be acceptable as it would not result in the building appearing out of scale in the wider context, nor would it compromise the architecture of the existing building.
- 6.9 The existing parapet wall would be raised in height and the proposed extension would be set behind. The extension is set back from the main southern and western elevations of the building. It is considered that the extension would be subordinate to the host building and would have limited impact in the streetscene in terms of its bulk and height.
- 6.10 Furthermore the proposed stairwell structure was revised to reduce the height and design, creating a slope away from the side elevation. The structure would be stepped in from the parapet wall by 0.8m and is 0.3m set down from the height of the bulk of the extension by 0.3m. It is considered that this would serve to reduce the dominance of this element of the overall scheme.
- 6.11 Furthermore, it is considered that the proposed extension would not interrupt any significant views within this part of the conservation area.

Detailed design

- 6.12 The detailed design of the extension was revised from timber cladding to aluminium panels which are considered a more appropriate facing material in this urban context and the context of the host building. The use of aluminium would replicate the materials of the fenestration of the building. The proposed Reglit panels along the rear elevation and rendered brickwork along the side elevation would be appropriate in the context of the host building.
- 6.13 The fenestration details have been revised from thick-framed fenestration to thin slim line frames to echo the design of the slim metal framed windows on the lower floors. The proposed balustrade has been revised to be set behind the parapet wall in order to reduce the potential visual clutter at high level. It is considered that the building is of limited merit and the proposal to render the existing brickwork would be considered acceptable.
- 6.14 It is recommended that conditions are attached to any decision notice to require the submission and approval of details of the facing materials, handrails and detailed sections of all fenestration to ensure the proposal would not detract from the character and appearance of the building and the wider conservation area.
- 6.15 It is considered that the proposed detailed design of the addition, with use of aluminium panels, aluminium windows, Reglit and rendered walls would not detract from the host building or the character and appearance of the wider Dartmouth Park Conservation Area.

Residential Standards

- 6.16 The proposed floorspace of the all the new residential units are above with the minimum floorspace as specified in the Camden Planning Guidance 2006. It is considered that the units have appropriate layouts with adequate natural light and ventilation. Furthermore each unit has access to amenity space in the form of a balcony.

Refuse/storage

- 6.17 It is proposed to store refuse to the front of the entrance to the flats adjacent to the existing car parking spaces. The Council's Street Environmental Team considers that there is sufficient space for the storage of residual waste containers.

Lifetime Homes

- 6.18 The scheme was revised to ensure the proposal complies with Lifetime Homes assessment and the requirements of Policy H7.

Daylight/Sunlight

- 6.19 Camden Planning Guidance 2006 specifies that 'the Council will carefully assess proposed development that has the potential to impact on daylight and sunlight levels that would result in an unreasonable loss of amenity to both surrounding

occupiers and future occupiers. The proposed development will increase the height of the building by 3m. The roof extension is set in from the edge of the roof by 1.8m from the Lissenden Gardens elevation and 1.4 from the Gordon House elevation. The bulk of the extension is set 1.6m the first floor north elevation and 8m from the ground floor extension. The extension is surrounded by a 1m parapet wall along the Gordon House and Lissenden Gardens elevations.

- 6.20 The proposed extension would be positioned 29m from Salcombe Lodge to the west, 15m from Heathview to the south, between 5 and 7m from the offices to the east, and between 6m (from the rear elevation of the ground floor extension at no. 23) and 12m from the rear elevation of the properties along Glenhurst Avenue.
- 6.21 Given the substantial distance (29m) of the application site from Salcombe Lodge to the west a simple test to assess the impact of the new development on daylight was initially undertaken. This involved drawing a 25° line projecting from the centre of the lowest window on the existing building. The whole of the new extension would be lower than this line therefore it is considered unlikely that the addition would have a substantial effect on the daylight enjoyed by the existing building.
- 6.22 A Sunlight and Daylight Report was submitted as part of the application to assess the likely impact of the development on the surrounding neighbours and occupiers. The Report assesses the impact of the development under the BRE's "Site layout planning got daylight and sunlight: A Guide to Good practice". The report takes in consideration 19-20 Gordon House Road, Heathview, Salcombe Lodge, Chester Court and Nos. 19-23 Glenhurst Avenue.
- 6.23 The report does not assess the sloped rooflight on the roof of the ground floor extension of no. 23. This is due to BRE Guidelines only being applicable to vertical windows and not rooflights. It is considered however that given the slope and the size of the window that it is unlikely that the proposal would detrimental impact the amount of sunlight or daylight to this window in comparison to the existing situation.
- 6.24 This report shows that daylight levels to the majority of adjoining properties remain in accordance with BRE recommendations using the VSC analysis, either in absolute terms or in ratio of reduction (in that a 20% difference between existing and proposed daylight levels is not considered significant). There are a few instances where there is a reduction that exceeds the 20% level. These are where windows are set behind recessed balconies at Salcombe Lodge. As the windows are so deeply recessed there is no reasonable level of light to them currently. If the measures were taken at the balcony edge they would comply with the guidance. The daylight levels to the houses assessed along Glenhurst Avenue would remain in accordance with BRE recommendations.
- 6.25 Sunlight levels also generally meet the BRE criteria for all surrounding properties. The property to the southeast known as 'Heathview' is positioned approximately 15m from the application site. There is one inset balcony positioned on each floor with a window recessed from the front elevation. The report shows that none of the windows on the front elevation of Heathview would be detrimentally affected by the extension. In the case of no. 21 Glenhurst Avenue three windows, two comprising two window panels within a bay window will have reductions in winter sunlight (as

with daylight, a reduction greater than 20% is considered to be significant). However the amount of winter sunlight received by the two panels of bay windows is only marginally below the minimum required level of winter sunlight. Furthermore the ground floor windows form part of a single family dwelling house and the first floor windows on the rear elevation of the single family dwelling house continue to receive adequate levels of sunshine. With regard to winter sunshine, it is rare to achieve good levels of winter sun in urban locations and these losses are not unexpected in a built up location. Furthermore the three affected windows still continue to receive over the recommended 25% of total annual probable sunlight hours. Overall, whilst there would be minimal reductions these are not seen as significant in the context of BRE Guidelines for both daylight and Sunlighting.

Privacy/overlooking

- 6.26 A number of concerns have been raised in response to the loss of privacy and increased levels of overlooking from the windows and terraces of the proposed units into adjacent properties. The roof extension would be positioned approximately 15m away from Heathview and 29m away from Salcombe Lodge. Camden Planning Guidance 2006 states that in order to ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other.
- 6.27 The proposed distance between the extension and Heathview is below this guidance however it is considered that given the context of the site across a busy two-way street that this distance would be sufficient in the urban context of the site. Furthermore the windows are set back from the edge of the building behind a parapet wall. Therefore it is considered that distance is adequate to ensure that the new development would not overlook the neighbouring properties windows to an unreasonable degree.
- 6.28 The existing sloping windows at first floor level on the north elevation of the building will be retained. Following revisions during the course of the application only two panel windows are proposed on the elevation facing the rear of properties on Glenhurst Avenue. These windows would be obscure glazed and top openable which would overlook the properties along this street. The proposed windows along the rear elevation of the property facing the offices to the rear would be obscure glazed with restricted openings.
- 6.29 The glazed window in the north elevation of the existing building at 1st floor window would be retained. It is considered that the proposed development would not result in unreasonable levels of overlooking or loss of privacy in comparison to the existing situation.

Outlook/sense of enclosure

- 6.30 A number of concerns have been submitted relating to creation of a sense of enclosure and an overbearing appearance from the proposed additional storey. This specifically relates to nos. 19-23 Glenhurst Avenue. Camden Planning Guidance 2006 states that the planning system cannot protect views from individual private properties, but it can take into account outlook in terms of the effect of

buildings that have an overbearing appearance or impact on neighbouring properties. Accordingly the Council will resist extensions that harm the outlook of neighbouring properties by being unduly dominant and oppressive.

- 6.31 The additional storey would be 3m higher than the existing flat roof. There is a full depth ground floor extension at no. 23 which abuts the ground floor element of the host building. The distance between the rear elevations of no. 19-23 and the main bulk of the roof extension is approximately 15m. The distance from the rear elevation and the stair structure is approximately 12m. The distance to the rear garden boundaries is approximately between 7 and 10m. The ground floor extension at no. 23 (5m deep) with a partly glazed roof which is positioned a distance of approximately 7m to 10m from the proposed extension. There are windows on the rear elevations of the buildings at ground and first floor level, no. 21 also has a dormer window.
- 6.32 The existing outlook from the ground and first floor windows would be across the gardens and the side elevation of the existing building. The view from the dormer window would be across the flat roof of the existing building. The resulting outlook following the development would be across the gardens and the side elevation of the host building and part of the side elevation of the extension. The outlook from the windows on the rear elevation of nos. 21 and 23, specifically the outlook from the dormer window at no. 21 would be altered following the development. However it is considered that given the distance between the properties, the scale and position of the extension that the extension in the context of the site would not be unduly dominant or oppressive in comparison to the existing situation.
- 6.33 It is considered that given the 15m distance from the proposal and the building known as 'Heathview' to the southeast of the site and as the extension would be set 1.5m at roof level that it could not be considered that the proposed addition would be unduly dominant or oppressive in comparison to the existing situation.

Lightspill

- 6.34 Concerns have been raised relating to possible lightspill from the glazed panels facing the rear elevation of properties along Glenhurst Avenue. The scheme was revised to isolate the use of Reglit (glazing) to the rear elevation of the building. The Reglit proposed originally proposed on the north elevation has been replaced with the aluminium panels and a painted rendered wall with panelled windows. The two panel windows are the only windows on the side elevation and will be obscure glazed and top openable. It is considered that the obscure glazing and the small size of the windows would be sufficient to lessen any potential lightspill issues and possible disturbance from the extension.

Sustainability/Biodiversity

- 6.35 In line with UDP/LDF and CPG requirements, all new residential schemes of 5 units or more will be required to meet a minimum Level 3 rating under the Code. We also require a minimum score of 50% of the credits available in each of the Energy, Water and Materials sub-sections.

- 6.36 A Code for Sustainable Homes Pre-Assessment Report was submitted during the course of the application. The report concludes that the development would meet a Level 3 rating, with over 50% being achieved in the energy, water and material subsections. The development would achieve more than 100% in surface water run-off, 85.71% in waste, 75% in pollution, 66% in management and 66% in ecology.
- 6.37 The Council expects that development schemes consider introducing biodiversity measures into schemes, including creating wildlife habitats. The applicants were encouraged to consider the viability of introducing a green roof on site. However this was not possible to the permissible loadings that can be imposed on the existing structure. The required depth of the roof construction would also need to be increased in order to accommodate a green roof. It is therefore considered that a condition requiring the provision of a green roof will not be recommended.

Cycle Parking

- 6.38 Camden's Parking Standards for cycles states that 1 storage or parking space is required per residential unit, however for larger residential units (3+ beds), the London plan requires 2 cycle parking spaces per unit. The proposal is for 5 residential units, with a mix of one and two-beds; therefore 5 cycle storage/parking spaces are required. The applicant has not included provision for the required amount of cycle storage/parking in the proposed design.
- 6.39 However, there is sufficient space within the site at ground floor to adequately include the required cycle parking, therefore a condition is recommended to be placed on the planning permission ensuring provision for a minimum of 5 cycle storage/parking spaces designed to Council specifications.

Parking

- 6.40 There is currently off-street parking associated with the existing ground floor uses. No parking is proposed for the new residential units. There is a problem with the ground floor parking as the crossover is only able to serve two parking bays at most. However 4 cars are currently parking on the site and are driving over the footway illegally. It is not possible to extend the existing crossover due to an on-street parking bay and a tree. It is therefore a condition is recommended to limit the amount of parking in this area to two spaces by design. This could be achieved with a simple boundary treatment. The space created, by the loss of the two ad-hoc parking bays can be used to accommodate the required cycle parking.
- 6.41 Given that The London Plan Consolidated with Alterations since 2004 (February 2008) should be taken into consideration (policies 3C.1, 3C.17 and 3C.23) as well as the UDP (policies T1, T8 and T9) and Camden's Draft LDF Development Policies (draft policy DP18); car-free should not only be sought for housing but also for developments in general and should be ensured by Boroughs in areas of high public transport accessibility. Therefore, the new residential units should be made car-free through a Section 106 planning obligation as Lissenden Gardens is listed in Camden's Planning Guidance as suffering from parking stress.

Construction Management Plan

- 6.42 For some developments there may need to be control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. However due the scale and kind of development and the likely method of construction a CMP is not considered necessary in order to mitigate any adverse impacts. Any occupation of the highway, such as for hoarding, skips or storage of materials, will require a licence from Highways Management and this, along with the existing on-street waiting and loading controls, should be sufficient to ensure the work is carried out in such a way as to not adversely affecting the safety or operation of the public highway.

Highway Issues

- 6.43 In order to mitigate the impact of the increase in trips this development will generate, and to tie the development into the surrounding urban environment, a S106 for highways works should be required to repave the footway and existing vehicular crossovers along the frontage of this site on Lissenden Gardens. This work and any other work that needs to be undertaken within the highway reservation will need to be secured through a Section 106 (Town and Country Planning Act 1990) Agreement with the Council. The Council will undertake all works within the highway reservation, at the cost to the developer.
- 6.44 An added benefit of the highways works is that damage caused to the highway in the area of the proposed highways works during construction can be repaired. This S106 obligation should also require plans demonstrating interface levels between development thresholds and the Public Highway to be submitted to and approved by the Highway Authority prior to implementation.

Trees

- 6.45 There are a number of plane trees located on the pavement to the front of the application site along Lissenden Gardens. Given the nature of the development it is unlikely that the proposal would have a detrimental impact on these trees. However to ensure that construction works do not affect the trees a condition is recommend requiring the submission and approved of details of how the trees will be protected during construction works. It is considered that this will be sufficient to ensure the trees are not affected.

Planning Obligations

- 6.46 In this case the proposed development would result in 8 additional bed spaces being created. This equates to a requirement of 72sqm (8 x 9sqm) open space provision. As a financial contribution based on the full requirement would amount to £6012, which includes maintenance costs over a five-year period.
- 6.47 In line with UDP/LDF policies and guidance within the CPG a contribution towards educational infrastructure in the area should be sought. This is based on all private housing of 2 or more bedrooms (excluding any affordable housing elements of a

scheme). Based on the current unit numbers and mix, contribution of £9444 should be sought.

7. CONCLUSION

7.1 The proposed extension to create a second storey is considered appropriate in terms of bulk, height, form and detailed design. It is considered the addition will preserve the character and appearance of the existing building and the wider conservation area. The extension will not harm neighbour amenity in terms of outlook, light, privacy or sense of enclosure.

7.2 Planning Permission is recommended subject to a S106 Legal Agreement for the following heads of terms;

- Car free
- Financial contribution to repave the crossover
- Open Space contribution
- Education construction
- A Sustainability code assessment and post-construction review.

8. LEGAL COMMENTS

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The details of the facing materials, handrails and detailed sections of all fenestration to be used on the building shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies B1 (General design principles), B3 (Alterations and extensions) and B7 (Conservation areas) of the London Borough of Camden Replacement Unitary Development Plan 2006; policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 3 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage to the satisfaction of the Council. Details shall be submitted to and approved by the Council before works commence on site to demonstrate how trees to be retained shall be protected during construction work: such details shall follow guidelines and standards set out in BS5837:2005 "Trees in Relation to Construction"

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy N8 of the London Borough of Camden Replacement Unitary Development Plan 2006

- 4 Before the development commences, details of the proposed cycle storage area for 5 cycles shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T3 of the London Borough of Camden Replacement Unitary Development Plan 2006; policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans Site location plan; EX/01; EX/02; EX/03; EX/04; EX/05; EX06; PP/01A; PP/02A; PP/02A; PP/03A; PP.04A; PP/05A; PP.06A; Code for Sustainable Homes TA.LG.NW5; Sunlight and Daylight Report dated May 2010.

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Planning and Public Protection Division (Compliance and Enforcement Team), Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 5613 or by email ppp@camden.gov.uk or on the website www.camden.gov.uk/pollution) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 3 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Council's Records and Information Team, Culture and Environment Directorate, Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ (tel: 020-7974 5613).
- 4 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Street Environment Service (Waste) on 020 7974 6914 or see the website www.camden.gov.uk/waste
- 5 You are advised that the appropriate standards for tree work are set out in BS 3998: 1989. Failure to ensure that the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Urban Design and Renewal, Camden Town Hall, Argyle Street, WC1H 8EQ
- 7 Reasons for granting planning permission:-

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies SD6 (Amenity for Occupiers and Neighbours), SD9 (Resources and Energy), B1 (General design principles), B3 (Alterations and extensions), B7 (Conservation Areas), E2 (Retention of Existing Business Uses), H1 (New Housing), H2 (Affordable Housing), H7 (Lifetime Homes), H8 (Mix of Units), N4 (Provision of Public Open Space), N5 (Biodiversity), T3 (Pedestrian and Cycling), T8 (Car-free housing and car capped housing) and T12 (Works Affecting Highways); the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), CS6 (Providing quality homes), CS11 (Promoting sustainable and efficient travel), CS14 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity); the London Borough of Camden Local Development Framework Core Strategy, with regard to policies DP2 (Making full use of Camden's capacity for housing), DP3 (Affordable housing); DP5 (Housing size mix), DP6 (Lifetime homes and wheelchair homes), DP13 (Employment premises and sites); DP17 (Walking, cycling and public transport), DP18 (Parking standards and the availability of car parking), DP19 (Managing the impact of parking), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours).

- 8 Further more the proposal accords with the specific policy requirements in respect of the following principle considerations:- The proposed extension to create a second storey is considered appropriate in terms of bulk, height, form and detailed design. It is considered the addition will preserve the character and appearance of the existing building and the wider conservation area. The extension will not harm neighbour amenity in terms of outlook, light, privacy or sense of enclosure.