

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>08/12/2010</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	22/11/2010
<b>Officer</b>			<b>Application Number</b>	
Aysegul Olcar-Chamberlin			2010/5086/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
land Adjacent to 2B Briardale Gardens LONDON NW3 7PP			See decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal</b>				
Variation of condition 9 of planning permission 2009/1017/P granted (subject to S106) on 9th July 2010 (for erection of a 3-storey and basement detached dwelling house including balcony at rear and with forecourt car parking (Class C3)) to allow for a minor material amendment involving increase in height of second floor flat roof, reducing width of approved house immediately adjacent to 2B Briardale Gardens, extending basement to match ground floor footprint of property, inserting new door to basement on front elevation and external staircase from forecourt to basement.				
<b>Recommendation:</b>		Grant planning permission subject to deed variation to s106.		
<b>Application Type:</b>		Variation or Removal of Condition(s)		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>15</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
			No. electronic	<b>01</b>		
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 27/10/2010 to 17/11/2010.</p> <p>The occupiers of 41 Platts Lane objected the proposal. In summary their concerns are:  Design:  <ul style="list-style-type: none"> <li>The beautiful view of greenery will be destroyed.</li> <li>The proposal would be out of character with the original Edwardian, Victorian, 1920s and 1930s properties nearby the site.</li> </ul> <i>Response: Please refer to the assessment section of the report.</i></p> <p>Amenity:  <ul style="list-style-type: none"> <li>Any extension would make matters worse.</li> <li>The proposal would affect their use of garden and block their daylight.</li> <li>The houses, by being larger, will need more car space.</li> <li>Loss of garages would cause loss of parking on Briardale Gardens.</li> </ul> <i>Response: Please refer to the assessment section of the report.</i></p> <p>Consultation:  <ul style="list-style-type: none"> <li>A site notice is not a good way of informing residents.</li> <li>There is no notice in Clorane Gardens</li> <li>No letter from the Council informing the new planning applications was received.</li> <li>Wondering if the all previous objectors who live near the house have been consulted.</li> </ul> <i>Response: All the adjoining properties and residents who objected to the original application were sent consultation letters on 01/11/2010 and were given 21 days to respond. 1, 3 and 5 Clorane Gardens were also sent consultation letters.</i></p> <p>Others:  <ul style="list-style-type: none"> <li>The construction works would cause noise, pollution and disruption.</li> </ul> <i>Response: S106 obligation for Construction Management Plan which was imposed with the original planning permission to minimise the disturbance to the neighbourhood would also apply to this application.</i></p> <ul style="list-style-type: none"> <li>The new foundations would be strong enough to support a large block of flats up to six stories. That would be an over development within the context of the site.</li> </ul> <i>Response: Not relevant to the assessment of this application.</i>					
<b>CAAC/Local groups* comments:</b> *Please Specify	No response has been received.					

### Site Description

The application site contains a traditional double garage in brick with pitched roof and 2 black painted doors, which is currently vacant. It forms part of the larger site of 2b Briardale Gardens, which contains a 2-storey dwelling house adjoining the garage and which formerly used the garage for car parking and storage. The house is a modern 1980s design of no architectural merit, which has been extended at the rear by a large

conservatory. The whole site originally formed part of the rear gardens of nos. 1-3 Clorane Gardens, and probably originally contained garages for the use of these properties fronting onto Briardale Gardens; the garage subject to this application may have been the original garage for no.3 Clorane Gardens.

The garage adjoins on its other side a small dwelling house at no. 2a Briardale Gardens, which is 2-storeys high with gabled mansard roof shape. This cottage was also built in the 1980's as a side extension to no.2. Nos. 2-4, along with other properties in this road, are substantial 2-storey semi-detached dwelling houses with large attic spaces and steep tiled roofs and rendered front gables; they date from 1890 and were designed by Quennell in a vernacular Arts and Crafts style, but are unlisted. Because of their size and design with narrow gaps between the buildings, they form a characteristic terrace of buildings to this street. The properties to the rear and side in Clorane Gardens and Platt's Lane are also 3-4 storey late C19th semi-detached houses.

The site and surroundings are within the Redington/Frognaal Conservation Area. The site i.e. both the house at no. 2b Briardale Gardens and its adjacent garages, is classified in the Conservation Area Statement [CAS] as detracting from the character and appearance of the CA.

### **Relevant History**

**2009/1017/P** – Planning permission (subject to S106 agreement) was granted on 09/07/2010 for the erection of a 3-storey and basement detached dwelling house including balcony at rear and with forecourt car parking. This permission has not been implemented yet and expires on 09/07/2013.

**2009/1019/C** – Conservation Area consent for the demolition of existing garage block was granted on 19/03/2010.

**2010/5560/P** – Planning application for the alterations to approved house (yet to be constructed) including increasing height of second floor flat roof and height of chimney by 200mm as revision to planning permission granted on 9th July 2010 (ref: 2009/1017/P) was withdrawn by the agent on 05/11/2010.

### **Relevant policies**

#### **LDF Core Strategy and Development Policies**

##### **Core Strategy**

- CS5 - Managing the impact of growth and development
- CS6 – Providing quality homes
- CS11 – Promoting sustainable and sufficient travel
- CS13 – Tackling climate change through promoting higher environmental standards
- CS14 - Promoting high quality places and conserving our heritage
- CS15 - Protecting and improving our parks and open spaces and encouraging biodiversity
- CS19 – Delivering and Monitoring the Core Strategy

##### **Development Policies**

- DP2 – Making full use of Camden's capacity for housing
- DP6 – Lifetime homes and wheelchair homes
- DP17 – Walking, cycling and public transport
- DP18 – Parking standards and the availability of car parking
- DP19 – Managing the impact of parking
- DP21 – Development connecting to the highway network
- DP24 - Securing high quality design
- DP25 – Conserving Camden's Heritage
- DP26 - Managing the impact of development on occupiers and neighbours
- DP27 – Basements and lightwells

#### **Redington/Frognaal Conservation Area Statement**

**Camden Guidance Note: New Basement Development and Extension to Existing Basement Accommodation (Draft 2009)**

## Assessment

### Proposal

This application is for some minor alterations to the scheme for a 3 bed house which was approved on 09/07/2010 (ref: 2009/1017/P). The proposal has been revised since it was originally submitted. The withdrawn proposal to increase the height of the approved second floor flat roof (by 200mm) has been incorporated to the proposed revisions for this application. The proposed revisions would be:

- increasing height of the second floor flat roof by 200mm;
- reducing width of the approved house immediately adjacent to 2B Briardale Gardens by 500mm;
- extending basement to match the ground floor footprint of the property;
- inserting new door to the basement on the front elevation; and
- excavation of new external staircase from forecourt to basement which would be covered by hinged steel gratings.

The proposed basement would have approximately 13sqm more floor area than the approved basement and would accommodate bicycle store. The proposed new door and staircase would provide access to the basement level from the front.

The proposal would not significantly change the layout of the approved house. The proposed house would also have 3 bedrooms.

### Design

Only the front part of the approved roof which is almost a storey lower than the rear part would be minimally increased in height. Further set back of the approved house by 500mm from No. 2B would minimally reduce the width and bulk of the approved house. It is considered that the footprint, bulk and height of the approved house would not be significantly affected by the proposal.

The proposed basement level in term of its size would still comply with the Camden's basement guidance. The new access arrangement to the basement from the forecourt parking area would be the only visible manifestation of the basement level from the street. Given the new stairs would be covered with steel gratings their visibility from the public realm would be limited. The new door on the front basement elevation would be of timber and match to the front door of the approved house. Less than half of the new door would be noticed on the front elevation.

In terms of concerns regarding the different view of the site, the proposed house would not appear any larger than the approved house and therefore the loss views of the sky due to the additional second floor roof height is considered to be negligible. It is also noted the redevelopment of the site is encouraged as the existing garage on site is considered to be a negative feature of the area and the proposed house in terms of its height and bulk be in keeping character with surrounding properties.

Condition 8 of the original planning permission which removes permitted development rights for extensions and alterations would also safeguard the visual amenities of the area.

In summary the proposed alterations to the approved scheme are considered to be minor in scale and will not compromise the quality of the building nor the character or appearance of the conservation area. However the success of the scheme depends upon the quality of the materials. Condition 3 (details of facing materials) of the original planning permission should be adequate to ensure that.

### Residential Amenity

The proposed scheme is considered not to cause any material loss of outlook, daylight and privacy to the neighbouring properties.

41 Platt's Lane is located approximately 26m from the property and is not directly opposite the development. It is acknowledged that many of the windows will overlook the site; however, guidelines require new buildings to have a minimum distance of 18m between the windows of habitable rooms of different units that face each other. As that property is a significant distance away, there will not be any loss of daylight to that property.

The new windows at the rear will be at least 25m away from houses in Clorane Gardens and 16m away from their rear gardens, so no overlooking will occur. The front and rear flat roof will only be used for maintenance purposes and condition 2 of the original planning permission would ensure that the flat roofs would not be used

as a roof terraces.

The rear facade will project 2.5m beyond that of no. 2a adjoining; however this respects the 45° angle on plan recommended to maintain daylight to the 2 habitable room windows on rear ground and 1<sup>st</sup> floors, and it will not adversely affect their outlook. The rear façade and increased height will have no impact on daylight/sunlight or outlook to no.2b on the other side or to properties behind and opposite.

It is considered that the revised scheme complies with the aims of policies CS5 of the LDF Core Strategy, DP26 and DP28 of the LDF Development Policies.

### **Trees and Landscaping**

The proposal would not significantly change the provisional landscaping arrangements for the front garden as approved. The proposed new staircase would be on the paved area for car parking and therefore it would not affect the area which would be reserved for the soft landscaping.

Subject to obligation of S106 agreement for the removal and replacement of the Silver Birch at a cost of £500 and conditions 4, 5, 6 and 7 of the original planning permission the proposal is considered not to raise any material landscaping and tree issues.

### **Lifetime Homes**

The proposed houses in the revised scheme would still meet the 'Lifetime Homes' standards and would therefore have a good level of accessibility in compliance with policy DP6.

### **Transport**

There is existing vehicular access to the site which it is proposed to retain. The site has a Public Transport Accessibility Level (PTAL) of 3. The applicants intend to start the works in March 2011.

The revised scheme would not change the approved parking arrangements or result in additional demand for off-site parking. Given small scale of the proposed basement addition, the proposal would not be likely to worsen the impact of the proposed scheme on the transport conditions than the approved scheme.

The Construction Management Plan, which is required by S106 agreement of the original planning permission, has not been submitted to the Council as yet. Therefore no additional S106 obligations or conditions are required in relation to transport matters.

In summary the proposed revisions would have no material transport implications and are considered to be acceptable in transport terms subject to the terms of S106 of the original planning permission.

### **Others:**

The approved is aiming to achieve a Code for Sustainable Homes level 3-4. The proposal would not affect the sustainability measures (eg solar thermal panels, a rainwater harvesting system, external blinds, basement cellar, high level insulation and use of recycled materials, permeable paving and sustainable urban drainage system) of the approved scheme which were agreed to secure their implementation by the S106 agreement.

**Recommendation:** Grant permission subject to a deed variation for s106 (for the revised drawing numbers).

The Section 106 Planning Obligation would still relate to the following heads of terms:

- Car Capped Housing
- Construction Management Plan
- Payment to Arboricultural Services for removal and replacement of Silver Birch (£500)
- Highways works/ contribution (to be obtained)
- Implementation of the Sustainability measures set out within the design and access statement, and a post-construction review to ensure that this is achieved.

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 6<sup>th</sup> December 2010.**

**For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>