

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	05/08/2010
		N/A / attached		Consultation Expiry Date:	14/07/2010
Officer			Application Number(s)		
Max Smith			2010/3114/P		
Application Address			Drawing Numbers		
25 West Cottages London NW6 1RJ			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of a part 2-storey and part 3-storey residential building comprising basement, ground, first, second and third floor levels to provide four flats (Class C3).					
Recommendation:		Grant planning permission subject to a S.106 agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	38	No. of responses	06	No. of objections	06
			No. Electronic	00		
Summary of consultation responses:	<p>Neighbours were consulted by letter and a site notice placed outside the site. Objections were received from the occupants of flats on West End Lane raising the following points:</p> <ol style="list-style-type: none"> 1. Loss of light to neighbours 2. Loss of privacy from proposed balconies 3. The area is already overcrowded without this additional burden 4. The legal right of access across the site must be maintained. 5. Harm to structural integrity of neighbouring buildings from basement. 6. On previous application, applicants were opaque about construction methods. 7. If approved, a clear schedule should be in place to ensure neighbouring properties are not at risk. 8. No community consultation, yet scheme effects many properties. 9. A party wall agreement is necessary. 10. Noise and disturbance from building work. 11. Loss of view, affecting property values. 12. Harm to conservation area. 13. Encroachment on public space highly sensitive following development at the West Hampstead Interchange. 14. Acute pressure on car parking. Development should be car free. 15. Space should be retained for building maintenance access. 					
CAAC/Local groups comments:	<p>West End Green CAAC objects on the grounds that the development has windows facing the West End Mansions and they are too close for privacy. The proposals are considered to be overdevelopment.</p> <p>West Hampstead Amenity and Transport object on the following grounds:</p> <ol style="list-style-type: none"> 1. The area is one of the most historic parts of West Hampstead 2. Property companies are seeking to wreck it with unsuitable developments 3. It appears that the developer is moving the building line forward. 4. Encroachment on public space is a highly sensitive issue 5. There is acute pressure on parking in the area and any development here should be car free. 					
Site Description						
<p>West Cottages is located off the west side of West End Lane close to West End Green. The site is located within the West Hampstead Town Centre and the West End Green conservation area. The site was previously occupied by a two storey office building, which has been demolished. Construction work has seemingly commenced on site, based on the extant permission, but has now halted. The site is accessed via a private road from West End Lane.</p>						
Relevant History						
<p>2009/4171/P: Erection of a part 2-storey and part 3-storey residential building plus basement floor to provide 4 x 2-bedroom and 1 x 1-bedroom flats (Class C3). Withdrawn.</p> <p>2009/4163/P: Erection of a part 2-storey and part 3-storey residential building comprising basement, ground, first, second and third floor levels to provide 3 x 2-bedroom and 1 x 3-bedroom flats (Class C3). Withdrawn.</p> <p>2008/0978/P and 2008/0978/C: Erection of a building comprising basement, ground, first and (part) second floor level to provide 1 x 1-bedroom, 1 x 2-bedroom and 1 x 3-bedroom flat (Class C3). Granted 31/03/2009.</p>						

2007/3987/P and 2007/4830/C: Demolition of existing two-storey office building (Use Class B1a) and re-development by the erection of a part two-storey and part-three storey residential building providing for 2 x 3-bedroom flats and 1 x 1-bedroom flat with off-street parking (Use Class C3). Withdrawn.

Relevant policies

Replacement Unitary Development Plan 2006

SD1 Quality of life
SD2 Planning obligations
SD3 Mixed use development
SD6 Amenity for occupiers and neighbours
SD9 Resources and energy
H1 New housing
H7 Lifetime homes and wheelchair housing
H8 Mix of units
B1 General design principles
B7 Conservation areas
T3 Pedestrians and cycling
T7 Off street parking
T8 Car free housing and car capped housing
T9 Impact of parking
T12 Works affecting highways

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.

Core Strategy Policies

CS3 – Other highly accessible areas
CS6 – Providing quality homes
CS11 – Promoting sustainable and efficient travel
CS13 – Tackling climate change through providing higher environmental standards
CS14 – Promoting high quality places and conserving our heritage

Development Policies

DP2 – Making full use of Camden's capacity for housing
DP3 – Contributions to the supply of housing
DP5 – Homes of different sizes
DP6 – Lifetime homes and wheelchair homes
DP16 – The transport implications of development
DP17 – Walking, cycling and public transport
DP18 – Parking standards and the availability of parking
DP19 – Managing the impact of parking
DP21 – Development connecting to the highway network
DP22 – Promoting sustainable design and construction.
DP24 – Securing high quality design
DP26 – Managing the impact of development on occupiers and neighbours
DP27 – Basements and lightwells

Camden Planning Guidance 2006.

West End Green Conservation Area Statement

Assessment

Proposal

A block of four flats would be constructed on the site, consisting of 3 three-bed and one two-bed units. The building would comprise of a basement, ground, first and (part) second floor. Two three-bedroom flats would occupy a section each of the ground and basement levels, a third three bedroom units taking up the whole of the 1st floor, with the 2 bed unit on the top floor.

The building would measure 19m in length and 8.1m in width at its widest point. The basement would have a depth of 2.5m.

The exterior of the building would be completed in a combination of brickwork to match adjacent properties, timber shiplap boarding (painted white), timber windows and a green roof. Roof terraces would serve two of the flats at 1st and 2nd floor level on the front elevation.

Main Issues

The principle of the redevelopment of the site to provide a three storey block of flats has already been established by the previous permission 2008/0978/P. The main issues are therefore the impact of the latest scheme in terms of its impact on the conservation area, transport, residential amenity and residential development standards in the context of the approved scheme and emerging policy in the LDF.

Impact on conservation area

This new submission is very similar to the previously approved scheme on the site.

The basement would be extended by approximately 40m² compared to the approved scheme, but as this is at rear and would be built over it would have a negligible affect on the conservation area. The bulk of the building at ground and first floor level at the rear is extended further back to line through with the rear of the Salmon Mews. Given the much larger height and bulk of the buildings which immediately flank this proposal, it is not considered that the additional floor area at the rear is harmful to the conservation area. At second floor level the floor area is increased marginally by 1.5 square metres. Such a small increase in the rearwards projection is not considered to have any greater impact than the approved scheme.

On the rear elevation it is proposed to introduce larger glazed doors at ground and first floor. These are not dissimilar to those already approved on the side and front elevation and are not considered to harm the appearance of the building.

The proposed scheme is considered to preserve the character and appearance of the conservation area and therefore it is recommended that permission is granted. Conditions requiring details of the timber cladding, finishing materials and a sample panel board should be attached to ensure the visual quality of the replacement building.

Neighbourhood amenity

Daylight and sunlight: The proposed development would be marginally larger than the one approved on site. The application has submitted a revised Daylight/Sunlight report to address this issue.

There windows were assessed on the rear of West End Lane and one at Salmon Mews, as these were considered to be the worst affected by the development. All would suffer limited loss of light, but this would be well within the 20% reduction considered acceptable under BRE standards.

Loss of privacy/overlooking: As with the previous approval, the proposed building would have windows on its east elevation facing towards the rear of flats at 25 West End Lane. A condition was attached to the planning permission requiring windows on this elevation to be fixed shut and for the lower pane in the sash windows to be obscurely glazed. This condition should be repeated on the current scheme to address overlooking on that elevation.

Two roof terraces and windows would be located on the front elevation. Flats at Carton house are on the

opposite side of West Cottages, although windows on this building would not be immediately opposite those on the proposed development. It is considered that there is a sufficient separation distance across the private road. The building is designed to prevent lateral views from the roof terrace from causing loss of privacy. The development is therefore considered to comply with policy SD6 of the UDP and DP26 of the LDF.

Residential development standards

The floor flats would be of a generous size. The three bedroom units would be 110, 107, and 96 sqm in floorspace whilst the two bed unit would be 55 square metres. This would amply exceed the minimums set out in Camden Planning Guidance. Bedrooms are also of an acceptable size.

Each flat would also have a reasonable outlook. There is concern about the level of natural light that would be enjoyed by the habitable rooms in the basement, as this would be provided by rooflights, lightwells and sun pipes. The applicant has conducted an assessment of the Average Daylight Factor that would be available in each habitable basement room. This shows that the 1% minimum ADF required by BRE standards would be exceeded in each case. Whilst the ADF test does appear to be somewhat optimistic about the performance of the sun pipes that would provide light to bedroom 3 in flat one, in general the assessment is robust. Of the two flats with rooms in the basement, both also occupy part of the ground floor and so would have good natural light to the majority of their floorspace. On balance, it is considered that the standards enjoyed by future occupants would be acceptable.

The Design and Access Statement indicates that the 16 lifetime homes criteria would be complied with where applicable.

Sustainability

A sustainability plan has been submitted with the application, outlining a number of sustainability measures that would be incorporated into the proposed design. These include a green roof and insulation to exceed the requirements of the building regulations. It is anticipated that the scheme would achieve Code for Sustainable Homes level 3. Although not a policy requirement for a scheme of this size, the incorporation of the features are welcome. A post construction review would be secured through the section 106 agreement.

Mix of accommodation

The provision of 3 three-bed units and one two bed unit is considered to comply with policy H8 of the UDP and policy DP5 of the LDF, which seek a mix of units of various sizes within developments.

Refuse and recycling

An area for refuse and recycling is indicated at the front of the site adjacent to the building. It is considered that this would provide sufficient space. A condition should be imposed on the development for the applicant to provide further details of this facility prior to the commencement of development, and to provide it before any of the flats are occupied.

Basement

A basement has already been approved in a development at the site and some work has already been undertaken towards its construction. Given that the basement would be within the envelope of the proposed building and is not in an area considered to be at risk of flooding by the Environment Agency, the proposal is considered to comply with policy DP27 (Basements and Lightwells) of the LDF.

Transport Considerations

There is vehicular access to the site via the private road. The site has a PTAL of 6a (excellent).

Cycle Parking: The proposal is for 4 residential units; therefore 4 cycle storage/parking spaces are required. The applicant has included provision for the required amount of cycle storage/parking in the proposed design in the form of Sheffield stands to the front of the site.

Car-free and Car-capped Development: West Cottages is a private road where it is not possible to restrict parking by design. However, the Controlled Parking Zone beyond West Cottages is highly stressed, the site has a Public Transport Accessibility Level of (PTAL) of 6a (excellent) and is within the West Hampstead Town Centre. Therefore it is considered appropriate to make the new units car capped in accordance with policies DP18 and DP19 of the LDF.

Construction Management Plan: Given the tight access to the private road from West End Lane and the scale of the development, as with the previous scheme a Construction Management Plan is required in accordance

with policy DP21 of the LDF.

Recommendation: Grant planning permission subject to a S.106 agreement and conditions.

DISCLAIMER

**Decision route to be decided by nominated members on Monday 20th September 2010.
For further information see**

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