

Address:	78 Adelaide Road London NW3 3PX	
Application Number:	2010/0292/P	Officer: Hannah Parker
Ward:	Belsize	
Date Received:	13/01/2010	
Proposal: The erection of a 4-storey building with a basement and attic floor to provide 9 self-contained residential units (Class C3) with 3 car parking spaces (following the demolition of the existing detached dwelling house).		
Drawing Numbers: Lifetimes home compliance; Sustainable Homes Assessment Site location plan; 887-BA-003; 002; 004; 005; 006; 007; 008; 011; 012; 009; 010; 014revB; 015revC; 016revC; 017revC; 018revC; 019revC; 020revC; 021revC; 023revB; 024revC; 022revC; 026revC; 029revB; 030revB;		
RECOMMENDATION SUMMARY: Grant Permission Subject to a Section 106 agreement		
Applicant:	Agent:	
Mr Alex Zadah Arlington Investment Company Ltd. C/O Agent	Donald Shearer Architects Scholar's House Shottery Brook Office Park Timothy's Bridge Road Stratford-Upon-Avon Warwickshire CV37 9NR	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3	<i>Dwelling House</i>	341 m ²
Proposed	C3	<i>Dwelling House</i>	996.71 m 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>					1				
Proposed	<i>Flat/Maisonette</i>	3	1	4		1				

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	2	0

Proposed	3	0
----------	---	---

OFFICERS' REPORT

Reason for Referral to Committee: The scheme involves the erection of a building containing more than five flats [Clause 3 (ii)].

1. SITE

- 1.1. The application site is located on the northern side of Adelaide Road, midway between Primrose Hill Road and Fellows Road. The existing building on site is a 3-storey plus lower ground floor dwellinghouse. There is a crossover on the left hand side of the site accessing a vehicular hardstanding. The site is not within a conservation area and the existing building is not listed.
- 1.2. The existing property is located at a transition point between the blocks of flats on the estate to the west and a strip of detached houses to the east at nos. 68-78 Adelaide Road. No. 78 is one of six properties of similar scale (4-storeys high) and appearance that are set back consistently along Adelaide Road.
- 1.3. This part of Adelaide Road has historically undergone many changes to its character. This includes the construction of the estate blocks in the mid-1950s. In the mid-1960s, with the exception of no. 78 Adelaide Road, the sites at nos. 68-76 Adelaide Road retained the buildings to the front of their sites but otherwise, the plots of land were amalgamated to form the Adelaide Community Garden to the rear. The garden is accessed from both Fellows Road and also via no. 72 Adelaide Road, after the house on this site was demolished.

2. THE PROPOSAL

Original

- 2.1. The application seeks planning permission for the erection of a 4-storey plus attic and basement residential building comprising 9 units, following the demolition of the existing 3-storey over lower ground floor residential building.
- 2.2. The proposed building would measure approximately 14m in width and 18m in depth. It would have a hipped roof and the proportions of the front and rear elevations would reflect that of neighbouring properties. The rear elevation would be staggered to prevent loss of light to the adjacent 76 Adelaide Road. To the front of the building, there would be three off-street parking spaces, replacing two serving the existing property. Two large lightwell surrounded by railings would provide light to the basement level, alongside an enclosure for refuse storage.
- 2.3. Internally, the building would have an unusual arrangement, with four large units occupying the lower floors, with the property's generous garden divided to provide each with private amenity space. Two of these units would have separate accesses, set back from the front elevation. The other seven units are all generously proportioned and accessed via the central entrance hall.

2.4. Revisions

- Addition of solar panels to the roof
- Internal reconfiguration in order that no unit have an exclusively north facing aspect.
- Redesign of cycle storage and addition of a cycle lift
- Refinement of the front façade
- Obscure glazing to windows on the side elevation in order to prevent harmful overlooking toward Hutchington House.

3. RELEVANT HISTORY

Subject site – 78 Adelaide Road

3.1 2010/0940/P- Not yet determined

Erection of a five storey building comprising 1 x 4 storey 3 bedroom house and 1 x 4 storey 4 bedroom house, and 2 x 1 bed, 2 x 2 bed, 1 x 3 bed and 1 x 4 bed self contained flats (Class C3) with 3 fore court parking bays (following the demolition of existing four storey residential dwelling).

3.2 2010/0282/P- Not yet determined

Additions and alterations in association with the construction of 4 maisonettes and 5 flats (Class C3) following demolition of existing dwelling house.

3.3 2009/3876/P – Withdrawn by applicant

Erection of a five storey building containing 8 residential units (Class C3) with 3 internal garages and car parking on lower ground floor level (following the demolition of existing four storey residential dwelling).

3.4 2008/4572/P – Granted 17/09/2009

Erection of 2x semi-detached dwellinghouses, following the demolition of the existing detached dwellinghouse.

3.5 2007/3564/P – Refused 02/10/2007

Change of use from vacant Class D1 mental health facility to a Class C3 single family dwelling house, including removal of external fire escape and erection of a two storey rear extension on lower ground and ground floors.

The application was refused on the following grounds: *The proposed rear extension would, by virtue of its excessive depth, bulk, scale and massing, dominate the existing building to the detriment of the appearance of the building and its surroundings contrary to Policies B1 (General design principles) and B3 (Alterations and extensions) of the London Borough of Camden Unitary Development Plan 2006 and to approved Camden Planning Guidance 2006 relating to rear extensions.*

3.6 2007/5334/P – Granted 12/12/2007

Change of use from vacant mental health facility (Class D1) to a single-family dwellinghouse (Class C3) and to the rear, erection of a part single-storey, part two-storey rear extension on lower ground and ground floors, alterations to fenestration, roof lights in the existing outhouse, juliette balcony and roof terrace

enclosed by railings at upper ground floor level and steps from terrace to rear garden.

3.7 **72 Adelaide Road**

9301211 – Granted 02/12/1993

The redevelopment of the site by the erection of a building comprising lower and upper ground floors and two upper storeys to provide eight self-contained residential units.

4. **CONSULTATIONS**

4.1. **Statutory Consultees**

None.

4.2. **Other Consultees**

Thames Water: No objection to application with regard to sewerage or water infrastructure.

4.3. **Local Groups**

No responses to date.

4.4. **Adjoining Occupiers**

	Original
<i>Number of letters sent</i>	93
<i>Total number of responses received</i>	1
<i>Number in support</i>	0
<i>Number of objections</i>	1

4.5. Immediate neighbours were consulted by letter and site notice displayed from 27th January 2010. One letter was received from an occupant of a flat at 7-9 Fellows Road, raising concern about the level of traffic and parking difficulties on Adelaide Road.

5.0. **POLICIES**

5.1. **Replacement Unitary Development Plan 2006**

- SD6 – Amenity for Occupiers & Neighbours
- SD7 and SD8 – Light, noise + vibration pollution and disturbance
- SD9 – Resources and energy
- H1 – New housing
- H2 – Affordable housing
- H7 – Lifetime homes and wheelchair housing
- H8 – Mix of units
- B1 – General design principles
- N5 – Biodiversity
- N4 – Public open space
- N8 – Ancient woodlands and trees

- T1 – Sustainable transport
- T3 – Pedestrians and Cycling
- T8 – Car Free Housing and Car Capped Housing
- T7 – Off street parking, city car clubs + city bike schemes
- T9 – Impact of parking
- T12 – Works affecting highways

5.2 **Camden Planning Guidance**

5.3 **LDF Core Strategy and Development Policies**

As the draft LDF Core Strategy and Development Policies documents have now been published they are material planning considerations particularly where they directly stem from and accord with national policy. However, as a matter of law, limited weight should be attached to them at this stage because they cannot override the Council's legal duty to determine planning applications in accordance with its existing development plan unless material considerations indicate otherwise. At the present time it is likely to be difficult to justify refusal of any application based solely on draft LDF policies and members should always seek specific officer advice before considering voting for refusals on this basis;

5.4. Core Strategy:

CS6 Providing quality homes

CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

CS11 Promoting sustainable and efficient travel

CS13 Tackling Climate change through promoting higher environmental standards

5.5. Development Plan Policies

DP2 Making full use of Camden's capacity for housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair housing

DP22 Promoting sustainable design and construction

DP23 Water

DP29 Improving access

DP17 Walking, cycling and public transport

DP21 Development connecting to the highway network

DP26 Managing the impact of development on the occupiers and neighbours

DP28 Noise and vibration

6.0. **ASSESSMENT**

6.1. The principal considerations material to the determination of the applications are summarised as follows:

- Design
- Amenity
- Mix of units
- Standards of accommodation

- Affordable Housing
- Refuse and Recycling
- Sustainability
- Open Space Contributions
- Educational Contributions
- Trees and landscaping
- Transportation Issues

6.2. **Design**

- 6.3. **Principle of demolition and development:** The existing building is located outside a conservation area and therefore consent is not required for demolition. Notwithstanding, it is considered that the existing building on the site is of no particular architectural merit and there is no objection in principle to the demolition.
- 6.4. The existing building sits comfortably at the convergence of the adjoining development types; namely the estate blocks to the west and the Victorian villas to the east. It is considered that any replacement building on this site should respect the existing building lines, scale and pattern of development of the neighbouring villas on this part of Adelaide Road.
- 6.5. **Building Layout:** The proposed building footprint appropriately maintains the siting and consistent front setback on this part of Adelaide Road. In replacing the existing property, the proposed building footprint extends to the side boundary of the site at the lower levels. Setbacks from the side boundary have been provided on the upper levels, referencing the rhythm and spacing of the other villas within the group. The proposed building layout, bulk and massing is appropriate in the context of the surrounding development and generous proportions of the subject site.
- 6.6. **Adelaide Road Elevation – Scale & Presentation:** The proposed building would be higher than the existing, but would be approximately the same height as the extant permission for the site (ref: 2008/4572/P). The height of the eaves is slightly lower, but the ridge height would not alter. This results in a slightly steeper roof, though this is not considered to be detrimental to the overall appearance of the new property within the context of the street scene. The proposed 4-storey scale (height) plus basement and attic level to Adelaide Road is considered acceptable in this location. Although essentially another storey has been added, it has been done so sensitively retaining much of the previous character and form. The proposed style of the new building is considered sympathetic to the setting of its neighbouring villas, adopting a similar eaves line, fenestration pattern and roof form. The scheme has been amended from the originally proposed as the proportions of fenestration and rhythms of solid to void were not as defined as would be preferred. The windows follow the pattern of the original dwelling and complement both of its neighbouring properties.
- 6.7. **Rear Elevation – Scale & Presentation:** The increase in proportions of the proposed building results in an increased number of windows on the rear elevation; however, the fenestration pattern and detailed design is considered to

be acceptable in the context of the style of the building. The fenestration pattern results in an appropriate finish to this elevation.

- 6.8. Summary and Conditions: The proposal is considered to comply with policy B1 of the UDP. To ensure the highest possible quality materials, it will be necessary to require details by condition. A sample materials board should be erected on site for Local Planning Authority inspection. Since two of the units could be conceived to be houses [due to the naming and layouts on the application drawings] for the avoidance of doubt an informative has been placed on the permission which clearly states that all units are considered to be flats or maisonettes, and thus none have permitted development rights.

6.9. **Amenity**

- 6.10. Overlooking: The BRE guidelines recommend distances of 18-35m between residential windows which directly face each other, to ensure that privacy is maintained, although acknowledging that such distances are generally unachievable in a central urban location such as this. Policy SD6 of the UDP seeks to ensure that privacy is maintained and overlooking is not of an unacceptable level. Windows on the west elevation, which faces Hutchington House, will be obscurely glazed, and as such are not considered to raise issues of overlooking into the adjoining properties. A condition will be attached ensuring this is so.

- 6.11. The roof lights on the side profile are set sufficiently away from the side boundary to not raise issues of overlooking into the adjoining property. The dormer window at roof level is higher than the habitable windows of Hutchington House. Therefore, the small recessed balcony is not considered to be detrimental to the privacy of those at Hutchington House.

- 6.12. For the avoidance of doubt, a condition will be placed on the permission preventing the use of the flat roofs on the rear and side elevation to be used as roof terraces, in order to prevent overlooking into the adjoining properties.

- 6.13. Overshadowing: Given the additional size of the proposal compared to the existing building on the site, there is potential for loss of light to adjacent properties. However, the scheme has been designed to minimise this, with a staggered rear elevation ensuring that a 45 degree angle from windows to habitable rooms at the rear of 76 Adelaide Road is not breached. This 45 degree test was carried out on all floors above the existing boundary wall. As such the proposal would not cause unacceptable loss of light to no76.

- 6.14. Hutchington House borders the boundary of the site to the west. There are no habitable rooms on Hutchington House that will face the development and the gap between the two properties is wide enough that no adverse overshadowing will occur. This is further assisted by the fact that Hutchinson House is set back further in the site relative to the proposed scheme.

6.15 **Mix of Units**

Policy H8 requires that new residential schemes provide a mix of unit sizes, large and small. The mix of the development is detailed below.

Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6	Unit 7	Unit 8	Unit 9
<i>marked on plans House 1</i>	<i>marked on plans House 2</i>	<i>marked on plans Duplex 1</i>	<i>marked on plans Duplex 2</i>	as marked on plans Flat 1	as marked on plans Flat 2	as marked on plans Flat 3	as marked on plans Flat 4	as marked on plans Flat 5
3 beds	5 beds	3 beds	2 beds	1 beds	1 beds	1 beds	3 beds	3 beds

The mix is considered satisfactory for a development of this type.

6.16 Standard of Accommodation

The sizes the flats are detailed in the table below in sqm.

Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6	Unit 7	Unit 8	Unit 9
marked on plans House 1	marked on plans House 2	marked on plans Duplex 1	marked on plans Duplex 2	marked on plans Flat 1	marked on plans Flat 2	marked on plans Flat 3	on plans Flat 4	marked on plans Flat 5
166.27	211.57	149.03	127.29	68.97	43.21	43.67	95.85	90.85

The proposed residential units are all generously proportioned and exceed the minimum space standards for residential units outlined in Camden Planning Guidance (2006). All but one of the bedrooms meet the Council's expectation of 11m² for a first or double bedroom and 6.5m² for single bedrooms. This is in flat 3, where the bedroom is 10.73sqm. However, the flat at 43.67sqm is large enough overall to discount this minor shortfall in bedroom accommodation. The proposed dwellings will all receive adequate natural light and ventilation. The scheme has been amended in order that all houses have a dual aspect. The original submission included houses with only north facing rooms. This was not considered to be acceptable in terms of overall amenity standards.

6.17 The windows have been appropriately sited within the development to ensure a good level of amenity for each new dwelling, and to ensure that there is no overlooking between the new dwellings proposed as part of the development. The CPG encourages the provision of open space for new residential developments. All the family sized dwellings have access to private outdoor amenity space.

6.18 Affordable housing requirement

6.19 The overall size of the development at 996.71sqm falls slightly short of the requirement for the consideration of the need for affordable housing in floor space terms. However, due to the large size of some of the units there is the potential to subdivide which would create 10 or more units. This would put the development into the category where there is the need to consider an affordable

housing contribution. Therefore, it is considered necessary to add a head of term into the S.106 which would enable the Council to consider an affordable housing contribution for the overall development in the event that the development is implemented and further subdivision is proposed. Also, as the development is so close to the 1000sqm benchmark, it is necessary to add a further head of term to the S.106 which would ensure that, should any further extensions to the built form be proposed in future that would take the quantum of residential floorspace over 1000sqm, the Council could seek an affordable housing contribution. This would require that, if at any time after the signing of the S.106 and the grant of planning permission, planning permission is subsequently granted to develop additional floorspace for residential purposes or to subdivide existing units, occupation of any new residential unit will not be permitted until such time as the Council has considered and agreed an affordable housing contribution based on the overall development.

6.20 Lifetime Homes and Wheelchair Housing

6.21 Policy H7 encourages all new dwellings to be designed to Lifetime Homes Standards and 10% to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The applicant has stated that the new building will be formed both internally and externally to allow full account to be taken of Lifetime Homes standards, with all the relevant points being addressed. It has also been confirmed that one flat will be fully accessible to the disabled. An informative will be placed on the decision advising that all efforts should be made to meet Lifetime Home Standards in the new building.

6.22 Refuse and Recycling

6.23 The proposal includes the provision of separate storage areas at ground floor level, which would be of an acceptable size. A condition will be imposed on the permission to ensure that refuse and recycling facilities are provided prior to the first occupation of the residential units, and permanently retained thereafter.

6.24 Sustainability

6.25 In line with policy requirements, all new residential schemes will be required to meet a minimum Level 3 rating under the Code. A minimum score of 50% of the credits available in each of the Energy, Water and Materials sub-sections.

6.26 The applicant has submitted a general assessment which, although it appears not to have been carried out by a registered BRE assessor, indicates that the scheme can comply with the minimum CfSH targets.

6.27 The assessment details sustainability measures including solar photovoltaic panels, energy efficient argon filled double glazed windows, water limiting features such as flow reducing taps, 6-9 litre per minute showers, 18 litre volume dishwashers and 60 litre volume washing machines. The units are all designed to have heat and power generation within the latest CHP domestic units. These units will not only provide for the space heating but also to generate 80-90% of all the electric required by the properties.

6.28 Given that the proposal is a new build scheme, orientated towards the south, there is no reason why the sustainability targets set out in Camden's planning policies cannot be achieved. Therefore, it is recommended that the S106 agreement includes a requirement to submit a full assessment, undertaken by an assessor registered with the BRE, with an expectation the minimum Level 3 score is achieved, as well as the required scores in each of the relevant sub-categories.

6.29 **Open Space and Educational contributions**

6.30 Open space: Policy N4 requires the provision of 9 sqm of open space per person for residential developments providing 5 or more additional dwellings. Open Space provision will initially be expected to be provided on site. Where a site cannot provide open space provision on site the preferred option would be to provide suitable open space off-site, but at a maximum of 400m from the development. If either of the above is not practical a financial contribution to open space will be acceptable.

6.31 In this case the proposed development would retain a large proportion of the existing garden area to the rear of the site. The site is also located adjacent to the Adelaide Road Community Garden. Given this, it is not considered appropriate to seek a financial contribution towards open space in this instance.

6.32 Educational contributions: In line with Policy SD2 and guidance within the CPG, a contribution towards educational infrastructure in the area should be sought for each unit with two or more bedrooms. Based on the current unit numbers and mix, a contribution of £33,436 should be sought, secured via a S.106 agreement.

6.33 **Trees and landscaping**

6.34 The site has limited established vegetation. Some of the trees in the rear garden will be felled as part of the scheme. Due to the fact that the application is located outside a conservation area and that none of the trees are of particular merit, there is no objection to the works. Further details of hard and soft landscaping details for the dwellings will be required by condition.

6.35 **Transportation issues**

The site is located west of Camden Town centre. There is direct vehicular access to the site and it has a Public Transport Accessibility Rating of 3.

6.36 Cycle Storage: Camden's Parking Standards for cycles (*Appendix 6 of the Unitary Development Plan*), 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. There is sufficient room for the required amount to be provided in the basement store which is to be served by a cycle lift. Full details of the proposed arrangement should be submitted prior to the occupation of the dwelling.

- 6.37 The applicants have provided cycle storage at basement level which is accessed via a cycle lift. This is considered to be acceptable as level access is still achievable.
- 6.38 Off-street parking: The development provides off-street parking for three vehicles. This accords with the parking standards and is acceptable in the area with a PTAL of 3. As part of the section 106 the applicant should submit details of which of the units will be using the parking spaces.
- 6.39 Car-capped/ Car free development: A S.106 would make the 8 additional residential units car-capped. An obligation of the S.106 will be that the applicant submits details of the addresses to be made car-capped before the new units are occupied.
- 6.40 Not making the development car-free car-capped would increase demand for on-street parking in the Controlled Parking Zone (CPZ) the site is within. This is considered unacceptable in CPZs that are highly stressed where overnight demand exceeds 90%. Belsize (CA-B) CPZ operates Mon-Fri 09:00-18:30, Sat 09:30-13:30 and 117 parking permits have been issued for every 100 estimated parking bays within the zone. This means that this CPZ is highly stressed.
- 6.41 Future occupiers will not be able to secure residents parking permits and therefore the development will not add to the parking stress.
- 6.42 Safety and Operation of the Highway: The design of the parking spaces on site will require a second crossover. In addition, the design does not provide space for vehicles to turn around so they will have to reverse onto the highway. The visibility is good however due to the wide footway and therefore this is acceptable. The wall to the front of the property however should not be more than 600mm in height to ensure the visibility is sufficient.
- 6.43 Construction Management Plan (CMP): UDP Policy T12 seeks to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. The scale and type of this development including the basement excavation results in the requirement of a CMP to minimise disruption and protect the safety and operation of the highway network.
- 6.44 Highways Works: 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 financial contribution should be required to repave the footway adjacent to the site and the vehicular crossover. This is in line with UDP policies T3 and T12.
- 6.45 This work and any other work that needs to be undertaken within the highway reservation will need to be secured through a S.106 agreement with the Council. The Council will undertake all works within the highway reservation, at the cost to the developer. 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.

7. CONCLUSION

7.1 The footprint, massing and height of the new building is acceptable in relation to the built form on the surrounding properties and plot size, and would not prejudice the amenities of neighbouring occupiers. The proposal provides a good range of accommodation of the site, catering for the diverse needs of the borough. Whilst the development does not currently make a contribution to the supply of affordable housing in the borough, this position is safeguarded in the event of future development. The proposal is considered to have due regard for the requirements of the UDP and is considered to be suitable for support.

7.2 Planning Permission is recommended subject to a S.106 Legal Agreement to secure the following:

- Sustainability measures
- Car-capped housing
- Affordable housing claw back if units subdivided
- Affordable housing contribution if floorspace increases over 1000sqm
- Educational Contributions
- Associated highways works
- Construction management plan

7.3 Planning Permission is recommended subject to a S106 Legal Agreement.

8. LEGAL COMMENTS

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

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613