

Delegated Report		Analysis sheet		Expiry Date:		24/08/2010	
		N/A / attached		Consultation Expiry Date:		12/08/2010	
Officer				Application Number(s)			
Carlos Martin				2010/2908/P			
Application Address				Drawing Numbers			
50a Fairhazel Gardens London NW6 3SJ				Refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
The retention of a panelled glass roof enclosing a rear lightwell of a single dwelling house (Class C3).							
Recommendation(s):		Grant permission					
Application Type:		Householder Application					
Conditions:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	11	No. of responses No. electronic	00 00	No. of objections	00
Summary of consultation responses:		Site notice displayed – No response.					
CAAC/Local groups comments:		None received. <i>N.B. There is no CAAC for Swiss Cottage CA.</i>					
Site Description							
<p>The application site relates to a 3-bedroom single-family dwellinghouse (Class C3), located to the rear of 50 Fairhazel Gardens on land which originally formed its garden. The building comprises ground, first and a second floor which is largely accommodated within the roof space and dates from the 1980s.</p> <p>The building is not listed, but is situated within the Swiss Cottage Conservation Area. The adjoining land to the south comprises a recently built dwelling house comprising basement and ground floor level.</p>							
Relevant History							
<p>2007/4397/P: PP granted for excavation of basement with front and rear lightwells and link bridge over front lightwell to provide additional residential floorspace and elevational changes to existing single-family dwellinghouse (Class C3).</p> <p><i>(There are a number of enforcement cases relating to this property although none of them is directly related to the enclosed lightwell.)</i></p>							

Relevant policies

Replacement Unitary Development Plan 2006

SD6 Amenity for occupiers and neighbours
B1 General design principles
B3 Alterations and extensions
B7 Conservation areas

Camden Planning Guidance 2006

19 Extensions, alterations and conservatories
10 Conservation areas

Swiss Cottage Conservation Area Statement

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. However, as a matter of law, limited weight should be attached to them at this stage.

DP24 Securing high quality design
DP26 Managing the impact of development on occupiers and neighbours
CS14 Promoting high quality places and conserving our heritage
DP25 Conserving Camden's Heritage

Assessment

Retrospective planning permission is sought for the installation of panelled glass roof enclosing a rear lightwell of a single dwelling house (Class C3).

Design and conservation

The affected lightwell is located to the rear of the property and it is not visible from the public realm. It is considered to be acceptable in design and conservation area terms.

Impact on neighbouring properties

The panelled enclosure is at the level of the ground floor and does not interfere with the outlook of any neighbouring property. Therefore, no issues of loss of amenity to adjoining properties are raised.

Standard of accommodation

The existing basement accommodation, approved in 2007, was considered to be inadequate, as it did not comply with the Residential Development Standards outlined in CPG. However, as the basement was to provide additional residential floorspace to an existing dwellinghouse, the rest of which benefited from a good level of natural daylight, it was considered that refusal could not be justified on this basis. It was then noted that in respect of the planning appeal on the adjoining site (2004/3252/P) which included the provision of basement level accommodation served by lightwells of a similar size, the Inspector concluded that *'although the amount of natural daylight reaching the basement bedrooms will be limited by adjoining structures, the level of light is likely to be adequate. My conclusion on this issue is that the proposed development will not have an unduly adverse effect on the living conditions of the future occupiers of the proposed dwelling'*.

The proposed enclosure, being constructed in glass, allows for a degree of light to pass through. In addition, the affected basement room benefits from a second set of glazed doors opening onto the larger front lightwell. It is therefore considered that, although the proposal would reduce the level of light entering the basement, in the light of the previous inspector's conclusions, the impact of the enclosure upon the basement accommodation would not be such as to warrant the refusal of the application.

Overall, the proposal complies with UDP policies SD6, B1, B3 and B7 and consequently is considered acceptable.

Recommendation: Grant permission

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