

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		28/07/2010	
		N/A / attached		Consultation Expiry Date:		06/07/2010	
Officer				Application Number(s)			
Carlos Martin				2010/2490/P			
Application Address				Drawing Numbers			
25A Carlingford Road London NW3 1RY				Refer to draft decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of lower ground floor rear infill extension with associated rear elevation alterations including installation of two lightwells, external terrace area at ground floor level, revised access arrangements and alterations to windows and doors at ground floor level, all to lower ground and ground floor maisonette (Class C3)							
Recommendation(s):		Grant					
Application Type:		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	17	No. of responses	05	No. of objections	05
			No. Electronic	05		
Summary of consultation responses:	<p>An occupier at <u>Raised Ground Floor Flat 18 Kemplay Road</u> has no objection under one condition – that construction works are not carried out at weekends (see A below).</p> <p>The owner of <u>Raised Ground Floor Flat 18 Kemplay Road</u> objects to loss of outlook and privacy (see B below); disruption during construction (see A below); and, reduction in size of garden caused by the proposed development (see C below).</p> <p>An occupier of <u>2nd floor flat 23 Carlingford Road</u> has no objection to the extension but has concerns that the inclusion of raised trellis fencing will lead to a loss of sunlight and daylight to an existing terrace at No. 23 (see D below).</p> <p>An occupier at No. <u>23 Carlingford Road</u> objects to loss of daylight, sunlight and privacy caused by the provision of trellis fencing and a terrace area at ground floor level (see B and D below).</p> <p>An occupier of the upper floors of <u>No 18 Kemplay Road</u> objects on the following basis:</p> <ul style="list-style-type: none">- loss of outlook to occupiers at 2nd and 3rd floors of 18 Kemplay Road (vegetation screening not present except in summer) (see B below);- Size of garden too small to allow further developments, especially under the new PPS3 context, which restricts development in rear gardens (see C below).- Back gardens areas should be conserved, as new Article 4 will be applied in the near future. Modern style alterations would be detrimental to the CA (see E below).- Increase sense of enclosure as a result of extension (see F below).- Materials not in keeping with the CA (see G below)- The elevated terrace would be a source of light and noise pollution (see H below).- Nuisance from building works (see A below). <p>Officer's response:</p> <p>A) Nuisance from building works is not a material consideration in the determination of an application of this nature. An informative reminding the applicant about permitted working hours will be attached to the permission.</p> <p>B) The proposal does not approximate the existing building line above ground floor level towards the rear of 18 Kempley Road. The proposed fenestration would have larger areas of glass, however, overlooking levels would not be significantly increased given that windows and glazed doors already exist in the rear elevation of the application site. In relation to adjoining Carlingford Road properties, The proposed boundary between the proposed terrace and the existing one at no. 23</p>					

	<p>would be 1.8m high and would prevent direct overlooking. While it is acknowledged that both terraces would be very close, this is a common situation between adjoining gardens and cannot be considered a reason to warrant refusal on these grounds only.</p> <p>C) The application site has a rear garden of approximately 8.m in depth. The proposal would turn part of it into steps to allow access from basement level to the garden. However, these steps would not be enclosed and therefore the garden surface area would remain as existing. In short, a sufficient sized garden will be retained.</p> <p>D) The proposed alterations on the boundary of nos. 25 and 23 would involve the replacement of the existing fence and trellis with a solid masonry wall and the erection of a new timber trellis 0.7m high above it. The total height of the boundary in relation to the adjoining terrace at no. 23 would be 1.8m. This height is not considered to cause an unreasonable loss of light to the adjoining property, especially given that 0.7 m of it would be trellis. Furthermore, these works can be undertaken under permitted development under Part 2, Class A (b) of the GPDO 1995 (as amended) as the works are under 2m in height.</p> <p>E) The rear of the application site and that of its neighbour at no. 27 have already been altered substantially and, in this context, it is not considered that contemporary alterations at ground and basement level would be detrimental to the CA.</p> <p>F) The proposed extension would be at basement level and is not expected to result in an increased sense of enclosure to any neighbouring properties.</p> <p>G) All the affected external walls would be treated with matching brickwork and this is secured by condition.</p> <p>H) The proposed terrace would only be 0.6m above the rear garden level. Its impact in terms of light and noise disturbance is unlikely to be substantially bigger than the potential impact of a rear garden.</p>
CAAC/Local groups* comments: *Please Specify	Hampstead CAAC – No response.

Site Description

The application site relates to a four-storey terrace property located in the south side of Carlingford Road. The property is divided in flats and is not listed, although it is located within Hampstead Conservation Area. This application relates solely to the lower ground and ground floor maisonette.

Relevant History

9301522: Pp **granted** for renewal of planning permission (Ref: **8804258/R2**) granted on 10.01.1989 for the change of use and alterations comprising the erection of a mansard roof extension at third floor level to provide a two bedroom self-contained maisonette at 2nd and 3rd floor levels the formation of a one bedroom flat on the first floor and retention of a maisonette at basement and ground floors.

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

10 - Conservation areas

19 – Extensions, alterations and conservatories

Hampstead 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.

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

1. Planning permission is sought for the erection of a rear infill extension at lower ground floor with an associated roof terrace above at ground floor level and two lightwells to serve the lower ground floor accommodation. In addition, new steps will lead up to the existing garden and alterations to the existing door/window arrangements will facilitate a new access point at ground floor level to the rear garden area.

1.1 The proposed plans also show a replacement boundary wall with a new timber trellis up to 1.8m in height. Given that this is below 2m in height, it does not require planning permission as it is considered to constitute permitted development under Part 2, Class A of the GPDO 1995 (as amended).

Design

2. The proposed extension and alterations would only affect the ground and basement level and would not be visible from the public realm, as all works are to the rear of the building. The rear of this terrace has already been altered with other extension and alterations at various levels. Moreover, the proposed works are considered to be appropriate in design terms, applying a range of materials which are considered to be appropriate to the host building and area in general. Therefore, the proposal is considered to preserve the character of this part of the conservation area.

Amenity

3. Concerns have been raised by neighbours in terms of loss of light, outlook and privacy and increase sense of enclosure. However, the proposed extension would be at lower ground floor level and is thus not considered to raise any of these concerns. The proposed terrace area at ground floor level is not considered to exacerbate existing levels of mutual overlooking possible between the garden areas at present. All fenestration alterations all replace existing openings and thus no significant overlooking would occur. The proposed alterations would not block any views from neighbouring windows and their impact in terms of outlook would not be such as to warrant a refusal on those grounds. In terms of noise and disturbance, the provision of an external terrace at ground floor level would not significantly increase the potential for noise and disturbance in the local area. This is given the context of existing provision of garden areas and terraces at higher floor levels in the local area.

3.1. Overall the proposal would comply with the relevant UDP design and amenity policies and can be considered acceptable.

Recommendation: Grant.

DISCLAIMER

Decision route to be decided by nominated members on Monday 26th July 2010. For further information see

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