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| Delegated Report (Members Briefing) | | Analysis sheet | | Expiry Date: | 19/07/2010 |
| | | N/A / attached | | Consultation Expiry Date: | 25/06/2010 |
| Officer | | | Application Number | | |
| Aysegul Olcar-Chamberlin | | | 2010/2190/P | | |
| Application Address | | | Drawing Numbers | | |
| 139 Gloucester Avenue London NW1 8LA | | | See decision notice | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | |
| | | | | | |
| Proposal Conversion of second and third floor maisonette and first floor bedroom flat into one (3 bedroom) maisonette (Class C3) including replacement of rear window with French doors on first floor level, along with a roof terrace over existing rear addition on first floor level, excavation of basement beneath front garden to extend existing lower and upper ground floor maisonette (including reinstatement of external staircase and new door in the front lightwell), new window on rear lower ground floor elevation and filling in door opening on side of rear addition. | | | | | |
| Recommendation: | | Grant Planning Permission | | | |
| Application Type: | | Full Planning Permission | | | |

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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 13 | No. of responses | 02 | No. of objections | 01 |
| | | | No. Electronic | 00 | | |
| Summary of consultation responses: | <p>A site notice was displayed from 02/06/2010 to 23/06/2010.</p> <p>The occupiers of first floor flat 137 Gloucester Avenue objected to the proposal.</p> <ul style="list-style-type: none"> The applicant did not consult the owners of 137 Gloucester Avenue. The proposed first floor terrace could cause noise disturbance and would overlook to the bedroom window of that flat. Smoking on the proposed roof terrace could raise odour, fumes and dust. <p>The occupiers of 141 Gloucester Avenue supported the application as long as their privacy and daylight/sunlight is not infringed.</p> <p><i>Response: Please refer to the assessment part of the report.</i></p> | | | | | |
| CAAC/Local groups comments: | <p>Primrose Hill CAAC objected to the proposal. In summary, their concerns are:</p> <ul style="list-style-type: none"> The proposed bedroom window at the rear of the ground floor level should match in width, proportions and details the window directly above it, in order to preserve or enhance the character and appearance of the conservation area. Overlooking from the first floor terrace: Screening may solve this problem. The loss of one unit is not the first of a series of cumulative adsorptions. An informative for retaining the separate flats at basement and ground floor should be attached to the decision notice to protect smaller residential units from absorption. <p><i>Response: Please refer to the assessment part of the report.</i></p> | | | | | |
| Site Description | | | | | | |
| <p>The application is a three-storey mid-terrace property with basement level and attic level accommodation on the south-western side of Gloucester Avenue in the Primrose Hill Conservation Area. The property has been indentified as positive contributor to the appearance and character of the conservation area. It has been divided into three flats.</p> <p>That part of the conservation area has been served an 'Article 4 direction' to limit the permitted development rights to single family dwellinghouses.</p> | | | | | | |
| Relevant History | | | | | | |
| <p><u>Application site:</u> H10/11/30/15119R – Planning was granted on 14/02/1973 for the conversion of upper floors of 139 Gloucester Avenue, NW1, into two self- contained dwelling units including the erection of an additional storey.</p> | | | | | | |

Neighbouring Properties:

137 Gloucester Avenue – Planning permission was granted on 05/05/2010 for the erection of a single storey extension at lower ground floor level to the rear of residential flat (ref: 2010/0687/P). The rear elevation of the lower ground floor extension would be largely glazed. A new application (ref: 2010/2507/P) has been made for a roof terrace on upper ground floor (above the approved lower ground floor extension). No decision has been for the later application yet.

141 Gloucester Avenue – Planning permission granted on 18/05/2007 for the change of use including works of conversion of the basement flat into the remainder of the house to form a single family dwelling (2007/0678/P). It is likely that the railings above the flat roof of the two storey rear addition have been erected after obtaining this planning permission. The Council has no planning records for the railings. The Council's Enforcement Section has been informed.

143 Gloucester Avenue - Planning permission was granted on 03/04/2006 for the installation of black painted metal railings to first floor rear roof in connection with use of flat roof as a communal terrace for residential flats (ref: 2006/0634/P).

Relevant policies

Replacement Camden Unitary Development Plan 2006

SD6 – Amenity for Occupiers and Neighbours

H3 - Protecting existing housing

H7 - Lifetime homes and wheelchair housing

B1 – General Design Principles

B3 - Alterations and Extensions

B7 – Conservation Areas

Camden Planning Guidance 2006

Primrose Hill Conservation Area Statement

Other Material consideration: *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.*

CS5 – Managing the impact of growth and development

CS6 – Providing quality homes

CS14 – Promoting high quality places and conserving our heritage

DP2 – Making full use of Camden's capacity for housing

DP6 – Lifetime homes and wheelchair housing

DP24 – Securing high quality design

DP25 – Conserving Camden's heritage

DP26 – Managing the impact of development on occupiers and neighbours

DP27 – Basements and Lightwells

Assessment

Proposal

The proposal is for the conversion of second and third floor maisonette and first floor flat into one (3 bedroom) maisonette including replacement of rear window with French doors on first floor level, along with a roof terrace over existing rear addition on first floor level, excavation of basement beneath front garden to extend lower and upper ground floor maisonette (including reinstatement of external staircase and new door in the front lightwell) and a new window on the rear lower ground floor elevation and filling in the door opening on the west side of rear addition.

The scheme originally submitted has been revised to address the concerns of Primrose Hill CAAC. The revision are:

- An opaque glass screen with a height of 1.7m above the roof terrace level would be installed on the east side of the roof terrace immediately adjacent to the boundary with no. 137.
- The size and design of the proposed new window on the rear ground floor elevation was altered to match the proportions and detailing of the existing sash window directly above it.

The proposal would reduce the number of total of self-contained units from three to two and provide 11.5sqm additional floor area to the maisonette on the lower and upper ground floors.

Principle of Conversion

Policy H3 states the Council will not grant planning permission for a development that would involve the net loss of two or more residential units unless it creates large affordable housing units; or any loss is necessary to bring sub-standard units up to an acceptable standard. As the proposal would result in the net loss of only one unit, it would comply with policy H3 and is acceptable in principle.

The existing mix of units are 1x3 bed, 1x1 bed and 1x2 bed. The proposed alterations would not change the number of bedrooms in the lower maisonette. Although the proposed maisonette on first, second and third floor levels would result in loss of a small (one bed) unit on the first floor level, it would have a good layout with very good access to natural light and suitable for range of householders including families.

Design and Appearance

Alterations to rear of property: The proposed alterations to the rear of the property would be well screened from the public views and would be minor scale.

The new railings and French doors associated with the proposed first floor roof terrace would be acceptable in design terms as there is an established pattern of railings at this level in the terrace. The proposed railings would be of cast iron and appropriate to the age and design of the building. The proportions and detailing of the proposed French doors would also be sympathetic to the hierarchy of the rear elevation. No details of the proposed opaque screen on the east side of the terrace have been submitted, so this would be secured by condition.

The new window on the lower ground floor elevation would replicate the positioning, size and detailing of the existing sash window above and acceptable in design terms.

Overall, the proposed extensions and alterations are considered to be in scale with the proportion of the existing building and would not harm the architectural integrity of the existing building or the appearance and character of the wider Conservation Area. The proposal is considered to be acceptable in design terms and in accordance with policies B1, B3 and B7 of the UDP.

Alterations to front lightwell and garden: The proposed basement excavation would be small in scale. The garden above it would be reinstated. The basement excavation would not affect form and size of the existing

front lightwell. However the new external staircase from the lightwell to the front garden would have additional steps towards the front boundary wall. The new staircase would take up a small proportion of the front garden and would be screened by the front boundary wall. Therefore it is considered to be acceptable in principle subject to a condition for further details of the external staircase.

The new door in the front lightwell which would provide access to the lower ground floor from the garden level would be well screened from public views and would not affect the front elevation of the building. It is considered to be acceptable in principle subject to a condition for further details.

The proposed alterations to the front lightwell and garden including new external staircase would hardly be noticed on the front elevation of the building, and would not harm the appearance and character of the existing building and wider conservation area.

Amenity

Policy SD6 of the UDP states the Council will not grant planning permission for development that it considers harms to the amenity of occupiers and neighbours.

The proposed roof terrace would have depth of 5.5m and a width of 2.9m. There would be separation distance of 4.1m between the proposed roof terrace and the closest window on the first floor rear elevation of no.141. No. 141 has an existing roof terrace on the first floor level which is immediately adjacent to the shared boundary with the application property. The roof terrace at no.141 overlooks the first floor and ground floor windows at the rear of the application property. Given the separation distance there would a much angled view from the proposed roof terrace to the closet rear window of no.141. There would a mutual overlooking from the proposed roof terrace to the roof terrace at the no.141.

The proposed roof terrace would be in close proximity (approximately 1.6m) to the ground and first floor habitable windows on the rear elevation of no.137. The applicant has proposed 1.7m high opaque glass screen on the side of the proposed roof terrace to prevent overlooking to that property.

Given the proliferation of similar terraces at neighbouring buildings and the degree of reciprocal overlooking caused by existing established ad informal terraces, it would be unreasonable to refuse permission. Subject to a safeguarding condition for an obscure glass screen to protect the privacy of no.137, it is considered that the proposal is in accordance with policy SD6.

Others

The proposal would not change the main access points to the building. As the building already exists, it would be unreasonable to expect the proposal to comply with the all of the Lifetime Homes standards. It is considered that adequate consideration has been given to the Lifetime Homes standards in the internal layout of the proposed maisonette. Thus, the proposal complies with policy H7.

Recommendation: Grant conditional planning permission.

DISCLAIMER

Decision route to be decided by nominated members on Monday 28th June 2010. For further information see

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