

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>18/05/2010</b>	
		N/A		<b>Consultation Expiry Date:</b>		<b>05/05/2010</b>	
<b>Officer</b>				<b>Application Number</b>			
John Sheehy				2010/1653/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
1A Prince Arthur Road London NW3 6AX				Refer to decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal</b>							
Amendments to planning permission reference 2009/2722/P, granted 23/11/2009 for the excavation of enlarged basement, erection of part single storey, part two-storey rear extension, creation of balcony at rear ground floor level with steps to rear garden, repositioning of dormer window on north roofslope and alterations to eaves/windows/doors of existing single dwelling house, incorporating alteration to front basement layout and to window openings on the northern flank elevation of the building.							
<b>Recommendation:</b>		<b>Grant conditional permission</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<b>Conditions:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>15</b>	No. of responses No. electronic	<b>1</b> <b>0</b>	No. of objections	<b>1</b>
<b>Summary of consultation responses:</b>		<p>Site notice displayed from 14<sup>th</sup> of April to 5<sup>th</sup> of May.</p> <p>One letter Flat 4, 3 Prince Arthur Road: in summary the following points were raised:</p> <ul style="list-style-type: none"> <li>Views from living room will be blocked;</li> <li>Privacy of flat will be reduced;</li> <li>Proposal will have negative impact on sunlight and daylight;</li> <li>Additional noise from balcony.</li> </ul>					
<b>CAAC/Local groups comments:</b>		<p><b>Fitzjohns/Netherhall Conservation Area Advisory Committee</b> "We object to the loss of garden space and hard landscaping in place of soft. The extension of the basement under the shield of the extended ground floor contravenes the intention of emerging policy D27. We object to the roof height and mass and the stacking of roof dormers".</p> <p><b>Heath and Hampstead Society</b> "The revised application is unclear as to precisely where revisions have taken place, since no "before and after" drawings are submitted. However one detail is clear: the omission of any light or ventilation to the basement servant's room. Are we to return to the 19<sup>th</sup> century with its disregard for the safety and comfort of the servant class?"</p>					

## Site Description

The site is located on the southern side of Prince Arthur Road, a sloping residential street to the west of Fitzjohns Avenue.

The building on the site is a detached single-family dwellinghouse comprising accommodation at lower ground, ground, first floor level and roof level. The building is not listed, but is situated within the Fitzjohns/Netherhall Conservation Area. The building is not identified as contributing positively to the character and appearance of the Conservation Area.

## Relevant History

### Original permission

**February 2009** Planning permission granted for excavation of enlarged basement, erection of part single storey, part two-storey rear extension, creation of balcony at rear ground floor level with steps to rear garden, repositioning of dormer window on north roofslope, alterations to eaves on rear south-eastern and south-western corners and alterations to windows/doors on south and north elevations at basement and ground floor level, ref. 2008/4131/P.

### Applications to revise the original permission

**September 2009** Planning permission refused for revisions incorporating alterations to the roof and fenestration details on the north facade, relating to previously approved scheme ref 2008/4131/P dated 12/02/2009 for the excavation of enlarged basement, erection of part single storey, part two-storey rear extension, creation of balcony at rear ground floor level with steps to rear garden, repositioning of dormer window on north roofslope, alterations to eaves on rear south-eastern and south-western corners and alterations to windows/doors on south and north elevations at basement and ground floor level, ref. 2009/3637/P.

**November 2009** Planning permission granted for revisions including a further extension to create additional accommodation in the roofspace and an additional dormer on the rear elevation to planning permission granted 12/02/2009 (2008/4131/P) for the excavation of enlarged basement, erection of part single storey, part two-storey rear extension, creation of balcony at rear ground floor level with steps to rear garden, repositioning of dormer window on north roofslope and alterations to eaves/windows/doors, ref. 2009/2722/P.

### Approval of details application

April 2010 Conditions 3 and 4 of the original planning permission which required submission of details of tree protection and the planting of a replacement tree for the Magnolia in the rear garden which is to be removed discharged, ref. 2010/0950/P.

## Relevant policies

### **Replacement Unitary Development Plan 2006**

SD6 Amenity of Occupiers and Neighbours  
B1 General Design Principles  
B3 Alterations and Extensions  
B7 Conservation Areas

### **Camden Planning Guidance (2006)**

#### **Fitzjohns/Netherhall 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  
DP24 Securing High Quality Design  
DP25 Conserving Camden's Heritage  
DP27 Basements and Lightwells

## Assessment

### Proposal:

Condition 5 of the original permission ref. 2008/4131/P, granted permission in February 2009 is as follows:

“Notwithstanding the details on the approved drawings this planning permission does not give approval for the excavation under the front garden area to be used to provide a car lift. Revised drawings showing the car lift omitted and the excavated area used to provide additional habitable residential floorspace shall be submitted to and approved by the Council prior to the commencement of development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

*Reason: To ensure that the property does not have excessive off-street car parking contrary to policy T7 of the London Borough of Camden Replacement Unitary Development Plan 2006.”*

The approved basement layout indicates the part of the basement which had been reserved for the car-lift. This is an elongated area located underneath the front hard-landscaped area of the property, roughly half the width of the house.

The proposed basement plan indicates an alteration to the layout of this area. In the proposed layout the front basement would comprise the continuation of the basement floor forward by 3.9m over the full width of the property. The basement area would comprise space for storage and plant. There would be no change to the external appearance of the building as a result of alteration to the basement layout and there would be no increase in the external volume of the building.

In addition to the proposal to vary the basement layout, the applicant has also proposed alterations to the openings on the northern flank elevation and the insertion of a new basement window on the southern flank elevation.

### Assessment:

The alteration to the layout of the basement area would not result in a substantially larger basement area and there would be no impact on the appearance of the building as a result of this element of the proposal.

As noted above, it is proposed to alter the pattern of fenestration on the northern flank elevation of the building. In addition, a basement window is to be inserted in the southern elevation. The proposed pattern of openings and the detailed window design is considered to be acceptable in relation to both elevations. As a result, no design or conservation issues are raised.

It is considered that the proposal would have no impact on the amenity of neighbouring occupiers in terms of sunlight, daylight, outlook or privacy.

Whilst the basement layout differs from the previously approved layout, no issues are raised in planning terms with this alteration. It is recommended that planning permission be granted. This effectively discharges condition 5 of the original permission, and this is referred to by informative.

### Issues raised as a result of consultation

The issues raised by the neighbouring occupier appear to relate to works to the rear which form part of the approved scheme and benefit from a permission which is now being implemented. The amendments under consideration here relate to the front of the property and to the northern and southern flank elevations. The issues raised by the neighbouring occupier are not considered to be relevant to the assessment of this application.

Natural light would be provided to the au-pair accommodation at basement level via a window in the southern flank elevation: the proposed floor plan has been amended to correct the earlier omission of this window.

**Recommendation:** grant permission, with an informative regarding the discharge condition 5 of the original permission.

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