

Delegated Report		Analysis sheet		Expiry Date:		16/04/2010	
		N/A		Consultation Expiry Date:		19/03/2010	
Officer				Application Number			
John Sheehy				2010/0709/P			
Application Address				Drawing Numbers			
28 Lower Merton Rise London NW3 3SP				Refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal							
Erection of single storey conservatory to rear of single dwelling house.							
Recommendation:		Grant conditional permission					
Application Type:		Full Planning Permission					
Conditions:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	11	No. of responses No. electronic	2 0	No. of objections	0
Summary of consultation responses:		<p>Site notice displayed from 26th of February to 19th of March.</p> <p>The occupier of 39 Elliott Square commented as follows: "I have no objections to the application but it will bring their back doors nearer to our garden so I would suggest that they might rebuild the garden fence between us to help keep the noise down on summer evenings".</p> <p><i>Response: This cannot be reasonably required of the applicant as a necessary condition of the approval.</i></p> <p>The occupiers of 26 Lower Merton Rise commented as follows: "We have no objection in principle to the erection of the conservatory in accordance with the submitted plans. We are concerned that the amenity of our property is protected in the future. It is for this reason that we would prefer that where a new enclosed living space is to be created (as opposed to the existing patio garden) ... the potential for increased overlooking does not occur... We would request that the Council imposes a condition requiring a glazed window to be installed and permanently maintained in the southern flank wall".</p> <p><i>Response: This is required by condition.</i></p>					
Local groups comments:		None received.					

Site Description

The site is located on the eastern side of Lower Merton Rise, a residential street situated between King Henry's Road and Adelaide Road. The building on the site is the last house on the northern end of a 3-storey terrace.

The site is not located in a Conservation Area and the building on the site is not listed.

Relevant History

February 1979 Permission granted for comprehensive development on a parcel of land bounded by Adelaide Road, King Henry's Road, Elsworthy Rise and part of Lower Merton Rise in (ref. 26008).

There are no records of any subsequent planning history for the application site, nor any relevant planning history for neighbouring sites.

Relevant policies

Camden Replacement Unitary Development Plan 2006

SD6 Amenity for occupiers and neighbours

B1 General design principles

B3 Alterations and extensions

Camden Planning Guidance 2006

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

CS14 – Promoting high quality places and conserving our heritage

DP24 – Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

Assessment

Proposal: construction of a substantially-glazed extension with a rectangular footprint partially underneath an existing first floor balcony. The extension would project from the rear wall of the house by 3.0m; would be 4.135m in width and 2.4m in height. The extension would occupy the majority of the width of the rear elevation, leaving 0.7m wide passageways to either side.

The property had its permitted development rights removed under Condition 3 of the original permission outlined above.

Assessment

The proposed rear extension would have minimal impact on the overall bulk and appearance of the house and would not harm the appearance of the surrounding area given its secluded position at the rear of the property. The detailed design with a brick finish, large windows and French doors is also considered to be acceptable.

As noted above, there are no properties immediately to the north of the application site. Since the proposed rear extension would be one storey in height, the impact of the proposal on the access to sunlight and daylight of residents of neighbouring properties is considered to be minimal and acceptable. A condition has been attached to ensure that the southern flank window would be obscure glazed and fixed shut to a height of 1.70m: there would therefore no loss of privacy to occupiers of 26 Lower Merton Rise.

It is recognised that the creation of additional accommodation to the rear could have the potential to cause extra noise and vibration. However, since the use of the proposed new floorspace is residential the increase in noise is considered to be minimal compared to the existing situation: it is not considered to be reasonable or necessary to require additional attenuation or screening measures by condition.

Recommendation: grant conditional permission.

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