

Delegated Report		Analysis sheet	Expiry Date:	02/10/2009
		N/A / attached	Consultation Expiry Date:	28/09/09
Officer			Application Number(s)	
Aysegul Olcar-Chamberlin			2009/3802/P	
Application Address			Drawing Numbers	
64 Avenue Road London NW8 6HT			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Amendment to planning permission granted on 01/04/2009 (2009/0790/P) for the erection of summer house in rear garden to dwelling house (Class C3), namely, increasing the size of the summer house and installation of condenser unit in the roof of the summer house.				
Recommendation(s):		Grant Planning Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice
Informatives:	

Consultations

Adjoining Occupiers:	No. notified	06	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	No reply from the adjoining occupiers is received.					
CAAC/Local groups* comments: <small>*Please Specify</small>	No reply is received.					

Site Description

The application site is located on the east side of Avenue Road and has a detached red brick house dwellinghouse in vernacular classical style, dating from c1930s. The house has two main storeys, with multi pane timber framed sash windows and timber door case, and steeply pitched roof behind parapet up stand. The building has a wide side addition. Avenue Road is characterised by large dwellinghouses in generous grounds, set back from the road. The materials palette is predominantly brick and the buildings are often in a vernacular classical style, however contemporary examples exist, as do half-timbered and stucco-fronted buildings in the surrounding area.

The application site is not listed or in Conservation Area. However, the rear boundary of the site is on the west border of the Elsworthy Conservation Area.

Relevant History

2009/0790/P – Planning permission was granted on 01/04/2009 for the erection of summer house in rear garden to dwelling house.

2009/0795/P – Planning permission was granted on 02/04/2009 for the alterations and extensions to the dwelling house including erection of a rear single storey extension with roof terrace to replace existing two storey rear extension, a front dormer and a side dormer extension, creation of a rear first floor terrace, and erection of external steps to the side elevation to provide access.

2007/5670/P- Certificate of Lawfulness was granted on 20/12/2007 for the provision of a new outdoor swimming pool in the rear garden. This has not been implemented on site.

Relevant policies

Camden Replacement Unitary Development Plan 2006

SD1 – Quality of Life

SD6 – Amenity for occupiers and neighbours

SD7B – Light, noise and vibration pollution

SD8 – Disturbance

B1 – General design principles

B3 – Alterations and extensions
N5 - Biodiversity
N8 – Ancient woodlands and trees
Appendix 1 – Noise and Vibration Thresholds

Camden Planning Guidance 2006

Assessment

This is a resubmission of the previous scheme for a summer house which was granted permission on 01/04/2009. The proposed summer house would have an 'L' shape and be wider, deeper and slightly higher than the approved summer house. The design and fenestration details of the proposed summer house would be similar to the approved summer house but it would cover an area of 55.28sqm more than approved summer house. It would have a width of 13.1m, a depth of between 5.6m and 8.8m and a maximum height of 4.7m with a low pitched roof. The parapet walls of the summer house would be 4m above the garden level.

A new condenser unit would also be installed in the roof of the summer house for the swimming pool. Although the drawings submitted with this application do not show any details of the swimming pool, the submitted 'design and access statement' confirms that the condenser in the roof of the summer house would serve the swimming pool in it.

The existing single storey timber structures in the rear garden will also be removed.

Impact on Appearance and Character

Although the Council has no specific policy and guidance for outbuildings and garden structures, the proposal would be assessed against policies B1 and B3 of the adopted UDP.

The proposed summer house would not be visible from the street scene and would have a matching style to the classical vernacular style of the existing dwellinghouse. The proposed front (south) elevation of the summer house would have a row of French doors separated by timber pilasters and would echo the appearance of the existing single storey rear extension (portico style) at the house. It would have red brickwork which would match the main house and a metal roof. Use of matching brickwork and timber doors and windows to the existing house are considered to be suitable for that part of the garden space.

The main house has a very large rear garden space. The summer house would be approximately 15m from the single storey rear extension at the house. Although the proposed summer house would cover an area more than twice as much the approved summer house, it would still take up less than half of the garden space. Given the size of the site and the size, bulk and site coverage of the proposed summer house and its proximity to the main house, the proposal would not significantly reduce the amenity value of the existing open space and would still provide plenty of usable rear garden space for the occupiers of the main house.

Impact on Trees

The TPO at this site relates to a Plane at the front which will not be affected by the proposals. There are also Acer trees with amenity value close to the rear boundary wall of the site in the Elsworthy Conservation Area.

An 'arboricultural impact assessment report' has been provided to demonstrate that the proposals will not be injurious to trees within or adjacent to the site. However there could be a potential indirect damage to the trees with amenity value during demolishing existing garden structure and constructing the proposed summer house. Furthermore, the arboricultural report does not include the details of foundations and the swimming pool. The Council's tree officer recommended that any planning permission should be conditional on the submission and approval of a method statement for the

protection of trees to be retained on application and adjoining sites.

Residential Amenity

The proposed summer house would be approximately 2.5m from the nearest residential property (70 Elsworthy Road) and would not have any openings facing the side windows of that property. The doors and windows of the summer house would face the rear of the main house. It should also be noted the application property has high boundary walls which would screen a significant part of the summer house.

Given the positioning and height of the proposed outbuilding, its proximity to the neighbouring properties and the high boundary walls, the proposal would not have a significant impact on the amenities of the neighbouring properties in terms of loss of light, outlook or increase sense of enclosure.

However the proposed condenser unit in the roof of the summer house when operating, by reason of its proximity to 70 Elsworthy Road, could potentially cause noise nuisance to the occupiers of that property. The submitted 'design and access statement' states that no additional noise impact would result from the proposed condenser unit, and the unit would have controlled attenuation incorporated to ensure apparent noise will not exceed ambient background levels during operation, no acoustic report has been submitted with the application.

In the absence of an acoustic report to demonstrate the proposed equipment would operate in accordance with the Council's noise standards, it would not be possible to demonstrate that the proposal would not cause unacceptable noise nuisance to the nearest noise sensitive facades. Thus, the proposal would be contrary to policies SD7B and SD8 of the UDP and supporting advice contained within Camden Planning Guidance 2006.

Recommendation: As the submitted acoustic report fails to demonstrate that the noise level caused by the proposed condenser unit when operating would comply with the Camden Council's noise criteria planning permission should be refused.

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