

Delegated Report		Analysis sheet		Expiry Date:		17/07/2007	
		N/A / attached		Consultation Expiry Date:		04/07/2007	
Officer				Application Number(s)			
Conor McDonagh				2007/2412/P 2007/2413/C			
Application Address				Drawing Numbers			
35 Upper Park Road London NW3 2UL				Site Location Plan 1; 2; 3; 4; 5; 6; 7; 8; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Demolition of existing single family dwelling house and erection of 2 single family dwelling houses adjoining existing terrace (C3).							
Recommendation(s):		Refuse Planning Permission Refuse Conservation Area Consent					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	76	No. of responses	02	No. of objections	02
				No. electronic	01		
Summary of consultation responses:		37 Upper Park Road Objects <ul style="list-style-type: none"> Poor pastiche design Fenestration is out of sync Overmassing at rear Loss of privacy from rear balconies Too many habitable rooms in density terms Building height is too high Overshadowing from rear projections Building will harm views of Grade II listed building Barn Field Block from gardens of Upper Park Road and Lawn Road 					
CAAC/Local groups* comments: <small>*Please Specify</small>		Belsize Residents Assoc. Objects <ul style="list-style-type: none"> Gross overdevelopment of site Harmful impact from underground basements. The rear façade is out of character. Parkhill CAAC No response					

Site Description

The existing building is 3-storey a 1950s dwelling house within the Parkhill Conservation Area. It is not noted in the conservation area statement as making a positive contribution. The site itself is located between a Victorian terrace and a yellow face-brick modernist dwelling. Further to the south there are two significantly larger blocks of 1960s-1970s style apartments, of limited architectural quality. Directly opposite the site to the east are "two long blocks of decent post-war council flats in a Neo Georgian spirit" that are Grade II listed and are currently being renovated.

The front garden contains a single semi mature tree set well back from the street and includes seasonal planting and other established shrubbery. The rear garden consists of a paved terrace adjacent to the dwelling, coupled with a flat lawn and a steep sloping rear portion heavily planted with shrubs held in place by brick retaining walls.

Relevant History

A planning application and conservation area consent were lodged in early 2006 (**ref: 2006/3566/P and 2006/3440/C**), but were later **withdrawn**, on the basis of a number of concerns raised by LBC officers, predominantly in relation to the proposed height/bulk and massing of the replacement building and the significant degree of excavation proposed. This was deemed to injuriously impact on the character and appearance of the conservation area, by virtue of the whole front garden being removed and replaced by access driveways, basement car parking and pedestrian paths, with limited opportunity for any genuine replacement planting. Similarly, the degree of excavation to the rear was deemed unacceptable, given its impact on the existing, established garden.

A further planning application and conservation area consent were lodged in December (**ref: 2006/5212/P and 2006/5211/C**) and were **refused** on 8/02/2007 for reasons relating to detailed design and its attachment to the adjoining Victorian terrace. It was considered to appear as an incongruent element in the streetscene and therefore harmful to the character and appearance of the existing terrace thereby failing to preserve or enhance the special character or appearance of the conservation area.

A resubmission of the above refusal (**ref: 2007/1710/P and 2007/1711/C**) was **approved subject to a section 106** by the DC Committee.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Replacement Unitary Development Plan 2006

- SD1 Quality of life
- SD2 Planning obligations
- SD4 Density of Development
- SD6 Amenity for occupiers and neighbours
- SD9 Resources and energy
- B1 General design principles
- B7 Conservation Areas
- N5 Biodiversity
- N7 Ancient woodlands and trees
- H1 New housing
- H7 Lifetime homes and wheelchair housing
- H8 Mix of units
- T1 Sustainable transport
- T3 Pedestrians and cycling
- T4 Public transport
- T8 Car free housing and car capped housing
- T12 Works affecting highways

Camden Planning Guidance Consultation Draft 2006

Parkhill Conservation Area Statement

London Plan 2004

Assessment

Overview

The applicant seeks to demolish the existing detached house and erect two new single dwellings with sub basement, basement, four upper storeys and an attic. These two dwellings would be attached to the end of an existing Victorian terrace located on the west side of Upper Park Road. The front elevation is to be flush with the existing building line in a pastiche design with the rear being of a contemporary design with 5.1 metre deep two storey projection at ground and first floor levels and a 1.7 metre deep projection at second floor level. Second and third floor balconies with privacy screening will occupy the roofs of these projections.

Demolition of unlisted building in conservation area

The proposal seeks to demolish the existing dwelling which dates from 1957 and a small garden structure. The national guidance on heritage matters is PPG15. Local authorities are 'required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in question'. Paragraph 4.27 states that the presumption should be 'in favour of retaining buildings which make a positive contribution to the appearance of a conservation area.

Although not unattractive the building is a relatively normal post-war dwelling and does not have any special character that warrants its retention. The building also relates poorly to the street environment in terms of set back and scale. The conservation area statement does not recognise the building as making a positive contribution to the conservation area. Therefore replacing this building is not considered to be contentious in principle, provided that the replacement is of equal or greater merit in the conservation area.

Design

In terms of design it is proposed to match the front elevation of the two new dwellings with the existing Victorian façade of the terrace to which they would be attached. At ground floor and first floor levels the proposed bays, steps and front entrances follow the rhythm of the existing terrace and is acceptable in design terms. However at second, third and fourth levels the rhythm of the existing terrace is disturbed. Unlike the existing terrace which has only a second and third floor at this level, the proposed dwellings have included an additional floor. This has resulted in a fenestration pattern which does not follow the established pattern of prominent upper floor windows in the existing terrace. The proposed front elevation therefore appears discordant and disproportionate to the Victorian terrace to the detriment of the character and appearance of the conservation area. The proposal is therefore considered as a poor attempt of a Victorian pastiche development and would unduly harm the visual amenities of the street scene.

Amenity

In terms of amenity the rear projections at ground, first and second floor levels are set in by 4.3 metres from the north boundary of the neighbouring property 37 Upper Park Road. It is therefore considered that this property would not suffer any significant light or outlook losses to either their garden or habitable room windows. No. 33 Upper Park Road is located south of the proposed building. This building is also set back from the boundary. It is not considered that this premises will be unreasonably affected by the proposal given the orientation coupled with this building having no openings on its southern elevation that would suffer any undue enclosure or privacy loss.

The proposal contains a large area of glazing at first floor level and terraces at second and third floor

level to the rear. The glazing and terraces face towards the north and west. Due to the orientation of the proposed building coupled with the separation distance between other dwellings only the property no. 37 to the north is potentially affected in terms of overlooking or loss of privacy. The glazing at first floor level is effectively at ground level and due to the proposed 1.8 metre high boundary treatment and will not result in unreasonable privacy loss to this neighbour. The 3.4 metre deep terrace at 2nd floor incorporates bamboo privacy screening which prevents the overlooking of the rear windows serving 37 Upper Park Road. The 3rd floor balcony is shallower at 1.7 metres deep and would not result in any privacy affects.

Transport

The site is within 5 minutes walking distance of Belsize Park Underground Station (Northern Line). The site is also situated within very close proximity to the nearest bus routes on Haverstock Hill. The site has a public transport accessibility level (PTAL) of 3 (moderate).

The site is located within the CA-B (Belsize) Controlled Parking Zone (CPZ), which allows parking by permit only Monday to Friday 09:00 – 18:30 and Saturday 09:30 – 13:30. Upper Park Road is a heavily parked street' in the recently updated heavily parked streets database, and there is chronic parking stress in the immediate area. The CA-B CPZ also has a ratio of parking permits to car parking spaces of 1.13, meaning there are more residential parking permits issued than there are on-street residents parking bays available. It is therefore recommended that the scheme be car-capped, such that one of the two dwellings be designated car-free. One of the residential dwellings will be able to have an on site car parking space in keeping with the site's current entitlement.

Given the sensitive nature of the surrounding residential land use and the heavily parked nature of Upper Park Road, a construction management plan (CMP) will need to be submitted and approved prior to works commencing. The CMP should include a construction methodology and drawings, and should seek to avoid adverse impacts on neighbouring residents and Upper Park Road. The CMP will need to be secured by s106 agreement if any approval given.

The applicant has failed to enter into a S106 agreement for a car free house or a CMP.

Trees

There are no trees of significant value on the site. In the rear garden to the left looking away from the house, there is a specimen of *Prunus Cerasifera* (Purple Leafed Cherry Plum) and on the right specimens of *Acer Davidii* (Snake Bark Maple) and *Malus Eleyii*. Otherwise the rear garden has only mature shrubs and bamboo. A large *Philadelphus* (Mock Orange) lean over from the next door property (No.33) and in the same garden is a large and healthy specimen of *Pyrus Communis* (Common Pear). In the front garden there are a number of small shrubs and trees. The development will require the removal of all vegetation on the site. None of the trees to be removed are exceptional specimens of their type.

Mix of Housing

Policy H8 seeks a mix of small and large units. The proposal replaces a fairly large unit with two exceptionally large units. However, given that there are only two units, the housing mix is considered acceptable.

Density

The site area is given as 415.6 sq m (= 0.04156 ha), and (ignoring the 'portion of the highway' element), that gives a density of 48 dw/ha. Given that the houses are large, there are about 12 habitable rooms in each (or more, depending on whether rooms without natural light are included), which gives 576 hr/ha.

The site is located very close to Belsize Park tube station, but just over 1km from both Camden and Hampstead town centres. On the London Plan density matrix, it is considered the site falls at the centre of the matrix, ie with a policy range of 200-300 hr/ha and 50-110 dw/ha. Although the density

falls short this is only by two units per hectare. Furthermore there is an increase of one unit on the site and the development will be in keeping with the density of the adjoining terrace. The proposal therefore complies London Plan policy 4B.1 and UDP policy SD4.

Lifetime Homes

Policy H7 seeks design of all new housing to Lifetime Homes Standards (set out in Camden Planning Guidance section 24). The standards do not appear to be addressed by the application submissions.

Given the modern and spacious internal layout of the dwelling, it should be possible to achieve all 16 standards. In the current design, the dwellings are entered via an external staircase, which does not comply with point (3) (or point (2) for the dwelling with a parking space). The scheme therefore fails to adequately meet Lifetime Homes standards.

Waste and recycling

On the plans there is an area set aside for recycling bins at street level, which easily accessible and therefore acceptable.

Planning permission should be **refused** on design, density, lifetime homes and S106 grounds.

Conservation consent should be **refused** in the absence of an acceptable replacement scheme.