

Delegated Report		Expiry Date:	15/04/2014	Officer:	David Peres Da Costa
Application Address		Application Number(s)	1st Signature	2nd Signature	
Land to rear 80 Cricklewood Broadway London NW2 3EP		2014/0444/P			
Proposal(s)					
Erection of a 3 storey rear extension to provide 3 studio units following demolition of existing rear garages.					
Recommendation(s):		Refuse planning permission			
Application Type:		Full planning permission			
Consultations	Date advertised	21 days elapsed	Date posted	21 days elapsed	
Press notice	n/a		Site notice	28/2/14	21/3/14
	Date sent	21 days elapsed	# Notified	# Responses	# Objections
Adjoining Occupier letters	26/2/14	19/3/14	20		3
Consultation responses (including CAACs):	<ul style="list-style-type: none"> • Serious and substantial loss of daylight, sunlight and privacy to the rear of my property • Noise nuisance from proposed flats • Impact on parking • The proposed flats with the existing flats would lead to 10 flats which is out of keeping with neighbouring properties and overcrowding • Loss of garages and parking spaces 				
Site Description					
The subject site is situated on the corner of Cricklewood Broadway and Ebbsfleet Road. The site is occupied by a 3 storey building, that accommodates retail at ground floor towards the front of the site, and self-contained studio flats to the rear and on the upper levels. The site does not fall within a conservation area. The building on the opposite side of Ebbsfleet Road, 82-84 Cricklewood Broadway, is provided with a two storey building to the rear.					
Relevant History					
2007/3265/P: Erection of a two-storey plus roof level building with dormer windows to rear and side, plus single-storey link to the rear of the main building to create 1x 1-bed self-contained flat and 1x 2-bed self-contained maisonette. <u>Granted Subject to a Section 106 Legal Agreement 02/05/2008</u>					
TPD1630/19884: Erection of precast concrete double garage at rear of 80, Cricklewood Broadway. <u>Granted 04/09/1964</u>					
<u>82-84 Cricklewood Broadway</u>					
9300855: The erection of a first floor rear extension to provide additional storage facilities for the ground floor restaurant. <u>Refused 15/10/1993 Appeal allowed 16/02/1994</u>					

Relevant policies

LDF Core Strategy and Development Policies

CS1 (Distribution of Growth)

CS5 (Managing the Impact of Growth and Development)

CS6 (Providing quality homes)

CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting High Quality Places and Conserving Our Heritage)

DP2 (Making full use of Camden's capacity for housing)

DP5 (Homes of different sizes)

DP6 (Lifetime homes)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and limiting the availability of car parking)

DP24 (Securing High Quality Design)

DP26 (Managing the Impact of Development on Occupiers and Neighbours)

Camden Planning Guidance

CPG1 – Design

CPG6 – Amenity

CPG7 – Transport

London Plan 2011

NPPF 2012

Assessment

Proposal: The existing single storey double garage would be demolished and permission is sought for a 3 storey building linked to the rear of the existing 3 storey projecting wing. The 3 storey building would step forward (towards Ebbsfleet Road) whilst the link to the projecting wing would be in line with the existing building but would have projecting terraces at 1st and 2nd floor level (in line with the 3 storey element). The proposed building would include a mansard style roof with dormers, French doors with Juliette balcony at 1st floor level. The building would provide 3 studio flats, one on each floor. Permission is also sought for alterations to the ground floor projecting wing consisting of replacing a door with a window on the rear elevation and the insertion of a window on the side elevation (facing Ebbsfleet Road).

Assessment:

Land use:

The applicant has indicated that the garage is in use as a residential dwelling. There is no formal permission for the change of use of the garage to residential. It is unclear whether this change of use is now lawful. However it is noted that the officer's report for the previous consented scheme referred (in the planning history) to the demolition of single storey detached building and no assessment was made relating to the loss of car parking spaces. Given the previous approval, the principle of the demolition of the existing garage is acceptable.

Homes of different sizes:

The Council expects a mix of large and small homes in all residential developments (policy DP5) and that residential development contributes to meeting the dwelling size priorities identified in the Local Development Framework. For market housing, studio flats and 1 bedroom flats are a lower priority and 2 bedroom flats are very high priority. The proposed development (3 studio flats) would not contribute to the creation of mixed and inclusive communities by containing a mix of large and small homes overall. The Council resists development proposals for self-contained general needs housing that contain only one-bedroom or studio flats. It is also noted the previously approved development (now expired) provided a better residential mix (providing one 1-bed and one 2-bed flat).

Design:

The existing building is a single storey garage on the site of what would have originally been the garden of the host property.

Planning permission was previously granted for a two storey structure with pitched roof and dormers. This building would have been abutted the rear elevation at ground floor level but would have appeared as a separate structure at first floor and roof level. This permission has now expired. Therefore, this application cannot be viewed as an amendment to a previously approved scheme. The previous decision (and delegated report) have been duly noted. However, given that this permission has expired and the material change in policy with the adoption of the LDF, the proposed development will be assessed afresh.

The proposed development takes the previously approved two storey structure as a starting point. However the development would no longer appear as an essentially separate building and would have a link structure (housing an internal staircase and terraces) abutting the rear of the host property from ground to 2nd floor level. The proposal also seeks a mansard style roof to provide additional accommodation at 2nd floor level.

The proposed development would extend forward to the edge of the existing boundary wall (which would be demolished). The proposal projects 1.45m beyond the side elevation of the host property

and approximately 4.2m beyond the front elevation of 1 Ebbsfleet Road and the adjoining terrace properties. This projection results in the proposed building having an uncomfortable relationship with the host property and the neighbouring terrace. Building up to the pavement edge is harmful to the appearance of the existing properties on Ebbsfleet Road. This can be seen on the opposite side of the road where a similar development (two storey with roof level accommodation) was allowed at appeal in 1994 (planning reference: 9300855). The Council considers that this building (rear of 82-84 Cricklewood Broadway) does not respect the character, setting and context of neighbouring buildings and appears as an incongruous addition to the street. It looms over the front garden of 2 Ebbsfleet Road and is not considered to be high quality development which integrates with its surroundings. The policy context has changed significantly since the appeal decision and therefore, notwithstanding the previous decision (2007/3265/P) for 80 Cricklewood Broadway, little weight can be given to the appeal decision relating to the rear of 82-84 Cricklewood Broadway.

Policy DP24 (securing high quality design) includes the following supporting text (paragraph 24.13): *Development should not undermine any existing uniformity of a street or ignore patterns or groupings of buildings. Overly large extensions can disfigure a building and upset its proportions. Extensions should therefore be subordinate to the original building in terms of scale and situation unless, exceptionally, it is demonstrated that this is not appropriate given the specific circumstances of the building. Past alterations or extensions to surrounding properties should not necessarily be regarded as a precedent for subsequent proposals for alterations and extensions.*

The height bulk and mass of the proposed 3 storey building is out of scale with the context of the rear garden. Developments of the type proposed are very rare locally. Most of the shops with a frontage to a side street have single storey buildings at their rear. Therefore the proposed extension would be out of character with the prevailing built form.

Quality Homes: (Residential development standards / Lifetime Homes)

The flats meets the minimum floorspace for a studio flat 37sqm. All the studio flats are dual aspect and have access to outdoor amenity space. The applicant has submitted a lifetime homes checklist to show where the criteria are met. All relevant criteria have been met.

Amenity:

80 Cricklewood Broadway

Existing ground floor flat

The existing ground floor plan shows a ground floor flat occupying the rear part of the host property. This flat has windows (for a bedroom and living room) facing toward the side elevation of the existing garage. The proposed ground floor plan shows alterations to the elevations of this flat including the blocking up of 1 window and the insertion of an additional window on the elevation facing Ebbsfleet Road. It is not clear how the flat would be laid out. The door in the side elevation would be replaced by a window which would look at onto a small internal lightwell. There would be a 1.4m separation between this window and the elevation of the proposed 3 storey building. It is not clear that this flat would receive sufficient daylight / sunlight. Without information demonstrating the impact of the proposal on the existing ground floor flat, the application should be refused on the basis that the amenity of the existing ground floor flat is likely to be harmed in terms of loss of daylight/ sunlight.

Flats at first and 2nd floor

The proposed development is likely to reduce the levels of daylight received by the windows of Room 8C and Room 3B. These rooms appear to be self-contained flats with only windows facing towards the proposed development. The proposed 3 storey building would result in these rooms being boxed in on three sides. The room at 1st floor level (room 3B) would be particularly impacted. No daylight and sunlight has been submitted to

demonstrate that any reduction in daylight or sunlight would be acceptable. In the absence of information of such information, the application cannot be supported.

1 Ebbsfleet Road

The proposed 3 storey development projects 4.2m forward of the front elevation of 1 Ebbsfleet Road. Given its height and position, the development would reduce the light to the bay windows of this property. As the neighbour already faces north, any loss of light would have a particularly negative impact.

78 Cricklewood Broadway

It is likely that the proposed development would reduce sunlight and daylight of the occupiers of this property. No daylight and sunlight has been submitted to demonstrate that this reduction would be acceptable. In the absence of such information, the application cannot be supported.

The proposed flats would not have any windows facing south (towards 78 Cricklewood Broadway) so there would be no overlooking of this property. Given that there are no windows facing south, the occupiers of this property will not be affected by noise from the proposed flats.

Transport:

The development is has a very good level of public transport accessibility (PTAL of 5) and is the Cricklewood Broadway neighbourhood centre. The new residential units could apply for residents parking permits if there are no restrictions in place to remove this. Given the good access to public transport, the proposed studios should be car free and this should be secured by a S106 legal agreement. In the absence of a legal agreement, the application should be refused as it does not meet the requirements of policy DP18. Two cycle parking spaces are shown at ground floor level with an additional space at 2nd floor level. All the cycle parking should be provided at ground floor level so that is easily accessible. If permission were to be granted a condition would be included to ensure that details of suitable cycle storage were provided prior to the commencement of the development.

Conclusion:

Whilst the proposed development would provide additional residential floorspace in accordance with policy DP2 this benefit would not outweigh the harm to neighbouring amenity and to the character of the street. The proposal also fails to provide an appropriate residential mix.

Recommendation: Refuse planning permission