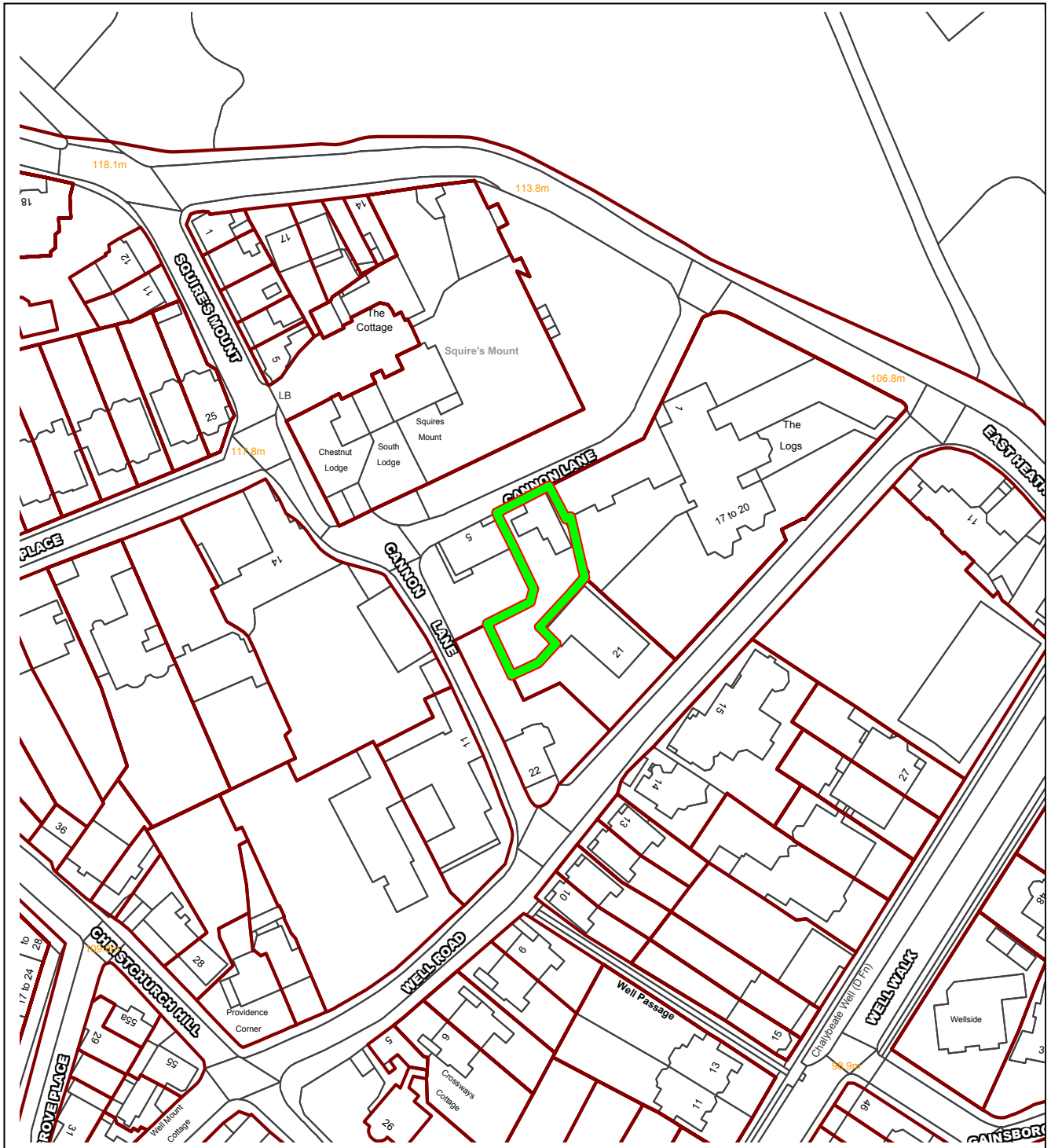


4 Cannon Lane



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Delegated Report		Analysis sheet	Expiry Date:	01/04/2014
		N/A / attached	Consultation Expiry Date:	20/03/2014
Officer			Application Number(s)	
Fergus Freaney			2014/1039/P	
Application Address			Drawing Numbers	
4 Cannon Lane London NW3 1EL			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Re-submission for a garage extension, new render to all brick walls, new glass balustrading to terrace, new windows and patio doors				
Recommendation(s):	Grant Planning Permission subject to Section 106 Legal Agreement			
Application Type:	Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	09	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	Site notice: 21/02/2014 – 14/03/2014 Press notice: 27/02/2014 – 20/03/2014 No comments received					
CAAC/Local groups* comments: <small>*Please Specify</small>	Hampstead CAAC – Object <ul style="list-style-type: none"> - Loss of habitable accommodation for a garage. <i>Officer comment: The property is a large single dwelling house. The existing ground floor area is approx. 110sqm, the proposed ground floor area of habitable space once the garage is erected would be approx. 99sqm. It is not considered that the loss of 11sqm would harm the residential amenity of the building. Furthermore, the garage could easily be converted into habitable space at a future date if desired.</i> - Access restricted due to the narrow lane. <i>Officer comment: Please see para 2.10-2.11 of the report below.</i> - The extension fills a gap in the buildings. <i>Officer comment: The proposed extension would be at ground floor level and would be no higher than the existing front boundary wall. It would not fill any visible gaps above ground floor level.</i> - The glass balustrade is undesirable compared with the existing metal balustrade. <i>Officer comment: The building is a modern design which is complemented by modern materials such as glazed balustrades. Furthermore, the proposed terrace is not visible from the public realm.</i> 					

Site Description

The site is located on the south side of Cannon Lane in between Squire's Mount and East Heath Road in an area of traffic calming works. The site comprises a two storey single family dwelling house with lower ground floor level in a predominantly residential area. The house is set behind a 2.5m brick boundary wall.

The building is not listed but is located within the Hampstead Conservation area.

Relevant History

11/06/1997 – *p.p. granted* (PW9702228) for the provision of a new vehicular entrance for a new garage.

11/06/1997 – *CAC granted* (CW97022290) for the demolition of wall to provide new vehicular entrance.

15/02/2010 – *p.p. withdrawn* (2009/5676/P) for the erection of a ground floor side extension to front of single family dwelling house at ground floor level to provide a garage (Class C3).

11/04/2011 – *p.p granted* (2010/2987/P) for Erection of a ground floor side extension to provide integral garage with garage door in front boundary wall to dwelling house (Class C3).

Relevant policies

LDF Core Strategy and Development Policies

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS11 – Sustainable and efficient travel

CS14 – Promoting high quality places and conserving our heritage

DP18 – Parking standards and limiting the availability of parking

DP19 – Managing the impact of parking

DP24 – Securing high quality design

DP25 – Conserving Camden's heritage

DP26 – Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011 (CPG1: Design; CPG6: Amenity; CPG7: Transport)

Hampstead Conservation Area Statement

London Plan 2011

NPPF 2012

Assessment

1. Proposal:

- 1.1. This planning application is a resubmission of one approved in 2011 (see planning history) and proposes the following:
- 1.2. Extension of the building (0.9m wide and 6.2m deep) at ground floor level to provide additional floorspace for the proposed integral garage accessed from Cannon Lane.
- 1.3. Insertion of timber panelled garage door in the front boundary wall along Cannon Lane.
- 1.4. The proposal would involve the relocation of an on-street parking bay to a nearby road.
- 1.5. White render and new patio doors would also be installed on the rear and side elevations of the building.

2. Assessment:

2.1. Design

- 2.2. The previous application was determined with significant weight being given to our current LDF policies, there have been no material changes to the proposal – therefore the principle of the application is still considered to be acceptable.
- 2.3. There is a gap between the side elevation of the property and the neighbouring building (no. 5) set behind the 2.5m high front boundary wall with a timber pedestrian gate. It is proposed to infill the gap along the side of the property (0.9m wide) to provide additional space to create an integral garage at ground floor level. A timber panelled garage door will be inserted into the brick wall in the place of the existing access gate. The existing wall is curved above the pedestrian gate and the wall will be rebuilt flush with the remainder of the wall. The proposal would involve the reduction in the size of the existing living room and loss of one utility room.
- 2.4. Although the alterations to insert the garage door would be visible from the public realm, the bulk of the extension would not be visible from the street as it would be set behind the existing boundary wall. The neighbouring building is built up to the boundary and therefore the bulk of the extension would not be read from the public realm. The proposed timber panelled garage door would replicate the design of the existing pedestrian access gate. Therefore it is considered that the proposed extension and alterations to the front boundary wall would not harm the character of the building or the character and appearance of the wider conservation area.
- 2.5. White render and new glazed sliding doors would be installed on the rear and side elevations. The building is modern in design and it is considered that these materials would complement the buildings appearance. The rear/side elevations of the building are not overly visible from the surrounding area and there would be no harm caused the wider conservation area.

Transport

- 2.6. The site is located on Cannon Lane within Hampstead. There is no vehicular access to the site. The site has a Public Transport Accessibility Level (PTAL) of 2 (poor). The proposals would require the removal of an on-street parking space. The site is within Hampstead (CA-H) CPZ which operates Mon-Sat 09:00-20:00 (free parking in pay-and-display bays after 18:00), and 111 parking permits have been issued for every 100 estimated parking bays within the zone. This means that this CPZ is highly stressed.

2.7. Removing on street parking bays within this zone would increase parking stress and is therefore considered unacceptable in relation to DP18 and DP19 which resists development that would adversely impact the operation of the CPZ where existing spaces cannot meet existing demand.

2.8. However, under the previous approved application the plans submitted identified that an alternative location for the lost on-street parking bay could be provided within the CPZ. This is considered to be acceptable dependent on the outcome of a Traffic Management Order (TMO) for the provision of the alternative parking space. A TMO is governed by the Highways Act and is outside of the control of planning. Thus, if any objections are received in connection to the proposed new location it may not be possible to provide.

2.9. In order to carry out the TMO, a section 106 legal agreement will be secured in order to cover the Council's costs, which are estimated to be £5000.

2.10. As this development is seeking to create a new garage for private off-street parking and there is no guarantee that the alternative on-street parking space can be provided, it is considered necessary to restrict the ability for occupiers of 4 Cannon Lane to apply for on-street parking permits. This would be in respect of policy DP18 and DP19 to reduce the impact of parking in a CPZ which cannot meet its current demand and can be secured via the S106 agreement.

2.11. The proposal involves construction works in a conservation area with constrained highway network. As there is no vehicular access to the site, and because of the perimeter wall it will be difficult to allow access for construction vehicles.

2.12. Cannon Lane is a very narrow road; and although there is enough width for vehicles to pass stopped construction vehicles, these would need to be construction vehicles that are of a small size. Therefore, a Construction Management Plan (CMP) is needed to manage these impacts. This will also be secured by section 106 Agreement

2.13. Although no formal cycle parking has been provided, as the property is an existing dwelling house this is not considered appropriate in this instance. Nonetheless, there is sufficient space within the proposed garage for cycle parking together with a car – there is also space within the property itself or in the garden.

3. *Amenity*

3.1. It is not considered that the extension would have a detrimental impact on the amenity of the neighbouring occupiers in terms of sunlight/daylight, overlooking or loss of privacy in comparison to the existing situation.

4. **Recommendation: Grant Planning Permission subject to a section 106 Legal Agreement**

**DISCLAIMER: Decision route to be decided by nominated members on Monday 14th July 2014.
For further information please click [here](#)**

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www.camden.gov.uk/planning

Application Ref: **2014/1039/P**

08 July 2014

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
4 Cannon Lane
London
NW3 1EL

DECISION
Proposal:
Erection of a ground floor side extension to provide integral garage with garage door in front boundary wall to dwelling house (Class C3).
Drawing Nos: Site location plan; Ground Floor Plan As Existing; Front (North) Elevation As Existing; Rear Elevation As Existing; Side Elevation As Existing; Ground Floor Plan As Proposed; Front (North) Elevation As Proposed; Rear Elevation As Proposed; Side Elevation As Proposed; Garage & Vehicular Access As Proposed

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; Ground Floor Plan As Existing; Front (North) Elevation As Existing; Rear Elevation As Existing; Side Elevation As Existing; Ground Floor Plan As Proposed; Front (North) Elevation As Proposed; Rear Elevation As Proposed; Side Elevation As Proposed; Garage & Vehicular Access As Proposed

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of

Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate

DRAFT

DECISION