

# 1 Belmont Court, 150 Loudoun Road

## NORTHGATE SE GIS Print Template



<b>Delegated Report Members Briefing</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>08/08/2014</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>14/07/2014</b>
<b>Officer</b>		<b>Application Number(s)</b>		
Nanayaa Ampoma		2014/3712/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
Belmont Court Loudoun Road London NW8 0AN		See draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of an extension to existing flat roof to provide additional accommodation at third floor level, formation of a roof terrace to single family dwelling house (Class C3) and the construction of a new masonry to surround proposed food hoist.				
<b>Recommendation(s):</b>		Approve Planning Permission		
<b>Application Type:</b>		Householder Application		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>
<b>Informatives:</b>	

**Consultations**

<b>Adjoining Occupiers:</b>	No. notified	<b>62</b>	No. of responses	<b>05</b>	No. of objections	<b>05</b>
			No. electronic	<b>00</b>		

<b>Summary of consultation responses:</b>	<p>Adjoining neighbours were notified. Five objections were received (two from the same address) from:</p> <ul style="list-style-type: none"> <li>- Flat 4, 144 Loudon Road</li> <li>- Flat 14, 144 Loudon Road</li> <li>- Flat 24, 144 Loudon Road</li> <li>- 144 Loudon Road</li> </ul> <p>These comments can be summarised as follows:</p> <ul style="list-style-type: none"> <li>✦ Strongly object to the application as it would face the balcony of no.144</li> <li>✦ Food hoist would be used for parties and would disturb residents</li> <li>✦ No details submitted to explain why it is being requested at this stage</li> <li>✦ Development is against Camden planning policies DP26 and CS5 and London Plan policy 7.15</li> <li>✦ May lead to significant noise issues</li> <li>✦ Application should be refuse on neighbour amenity</li> <li>✦ Property may be used for some commercial enterprise</li> </ul>
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<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	The application site does not fall within a Conservation Area.
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**Site Description**

The application site relates to a large single family dwelling built over three floors and with an external garage. The property is close to the South Hampstead overground line and St Johns Road tube station. The property has a very modern fascia and is finished in a grey-brown metal cladding and cream washed walls. It shares a boundary with the Southbury flats at 144 Loudon Road. The area around the site is predominately residential with some commercial units nearby.

The property does not fall within a Conservation Area and there are no other relevant constraints.

## Relevant History

**2014/3920/P** - Wine cellar below an existing basement floor - **Grant 23-06-2014**

**2011/5327/P** - Erection of extension on existing flat roof to provide additional accommodation at third floor level and formation of a roof terrace to single family dwelling house (Class C3).- **Grant 07-11-2011**

**2011/1201/P** - External alterations including erection of a staircase enclosure at roof level, balustrades and 2m privacy screens for the formation of a roof terrace to residential dwelling (Class C3). – **Grant 15-03-2011**

**2008/0138/P** - Details of elevations/sections and facing materials pursuant to condition 2 of planning permission granted 08/07/05 (2004/0885/P) for the redevelopment of the site by the erection of four 3-4 storey plus basement terraced houses with B1 accommodation and condition 2 attached to planning permission granted 20/08/07 (2006/5644/P) for amendments to scheme, namely enlargement of basement, additional front lightwell to Class B1 unit, enlargement of third floor attic room for residential maisonette (unit 5) and elevational alterations. – **Grant 26-03-2008**

**2006/5644/P** - Enlargement of the basement floors, including provision of one additional front lightwell to the Class B1 unit, and enlargement of the third floor attic room for the residential maisonette (unit 5), plus various elevational alterations, as an amendment to planning permission (ref: 2004/0885/P) dated 08/07/2005 for the redevelopment of the site by the erection of four 3-4 storey plus basement terraced houses with integral garages, and a 3-storey plus basement unit comprising Class B1 business use on basement and ground floors with forecourt parking and a residential maisonette on upper floors above. – **Grant, S106 09-01-2007**

**2004/0885/P** - The redevelopment of the site (comprising petrol filling station, MOT facility and car repair workshop) by the erection of four 3-4 storey plus basement terraced houses with integral garages and roof terraces, and a 3-storey plus basement unit comprising Class B1 business use on basement and ground floors with forecourt parking and a residential maisonette on upper floors with roof terrace above. – **Grant, S106 05-03-2004**

**9200169** - Erection of a single storey garage building for repairs and services including MOT testing of motor vehicles as shown on drawing nos. D/84/92 and 92/794. – **Grant 13-02-1992**

**8600766** - Erection of a single-storey commercial garage building for the purpose of the repair and servicing of motor vehicles along with M.O.T's as shown on 2 numbered plans- **Grant 06-05-1986**

## **Relevant policies**

### **LDF Core Strategy and Development Policies**

#### *Core Strategy*

CS5 Managing the impact of growth and development

CS19 Delivering and monitoring the Core Strategy

#### *Development policies*

DP24 Securing high quality design

DP26 Managing the impact of development on occupiers and neighbours

DP28 Noise and vibration

#### *Supplementary*

CPG 1 Design

CPG 6 Amenity

## Assessment

- 1.1 The application follows previously approved permissions for the erection of an extension on the existing flat roof for additional accommodation, the formation of a roof terrace (2011/5327/P) and the erection of a wine cellar (2014/3920/P). These permissions have not fully been implemented. However, works are underway on site. Therefore much of the proposed works under the current application have already gained permission under the 2011 and 2014 applications. The current application proposes an amendment to the plans with the provision of a food hoist. This would be accessed via the ground floor, first floor, third floor and roof terrace. No other changes are proposed that do not already have previous permission.
- 1.2 The main planning considerations therefore relate to the proposed food hoist and its:
- **Design and**
  - **Impact on neighbour amenity**

### Design

- 2.1 The proposed food hoist would measure 1 metre in depth and be 1.4 metres wide.
- 2.2 Policies CS14 of the Core Strategy and DP24 of the Development Policies states that the Council will require all developments including alterations and extensions to existing buildings, to be of the highest design standard in terms of the character, siting, context, form and scale to the existing building and the general area
- 2.3 While it would have been preferred for the proposed hoist to have been internal the external hoist shaft would be built in similar materials to match the property and is unlikely to have a harmful impact on the appearance of the host building. In terms of its size, it is a feature that extends at the full height of the property. However, is not overly bulky or out of place with the architecture of the property. Also, the development would not be visible from the street scene.
- 2.4 Therefore the proposed development is acceptable on design grounds.

### Impact on amenity

- 2.5 In line with policy DP26 the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Factors to be considered include:
- a) visual privacy and overlooking;
  - b) overshadowing and outlook;
  - c) sunlight, daylight and artificial light levels;
  - d) noise and vibration levels
- 2.6 I have received several objections from those living in the flats closest to the rear garden of the site. They have expressed concerns about the timing of the application and the possible future use of the site for entertaining purposes. It would not be an illogical step to conclude that the provision of the food hoist is likely to be for entertainment purposes. However this is not a planning consideration as such. The main areas for consideration are that detailed above.

2.7 There have also been concerns that the proposed 0.9 metre deep construction would have implications for neighbour amenity in terms of loss of light and increased over shadowing. Having assessed these objections against the site plan and other details, officers have concluded that the impact envisaged by the development would not be excessive enough to warrant a refusal on these grounds. The proposed food hoist would be relatively small in size and the flats sit east of the affected area. In terms of outlook, the flats already look to the rear of the application site and those at higher levels can look directly into the rear garden. The addition of this element is unlikely to significantly affect their outlook, cause significant over shadowing, loss of privacy or loss of sunlight. Noise emanating from the unit is the most likely issue.

2.8 As part of the supporting documents, the applicant has submitted a noise report. This report concludes that the possible noise from the unit would more than adequately meet the guidance stated in policy DP28 of Camden Council's Development Policies. It is calculated that the total noise level from the proposed plant would be 20 dB(A) at 1m from the nearest windows of the adjoining property and this noise level is "exceptionally low" (page 6 of report). This is 5 d(B) less than the 29 d(B) background noise calculated. The Council's Environmental Health officer has confirmed that they are happy with these details and the development meets Camden Council's policy for noise for units of this kind. Therefore officers have concluded that the development meets policy and should be approved.

**Recommendation: Approve permission, subject to conditions**

Mr Damian Maguire  
Sacks Maguire Architects  
155A Regents Park Road  
London  
NW1 8BB

Application Ref: **2014/3712/P**  
Please ask for: **Nanayaa Ampoma**  
Telephone: 020 7974 **2188**

12 September 2014

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Householder Application Granted

Address:  
**Belmont Court Loudoun Road London NW8 0AN**

Proposal:  
Erection of an extension to existing flat roof to provide additional accommodation at third floor level, formation of a roof terrace to single family dwelling house (Class C3) and the construction of a new masonry to surround proposed food hoist.  
Drawing Nos: Design and Access, P000, P001, P1, P2, P3, P4, P05, P06, P07. Daylight and Sunlight Report dated 30/09/2011 by James M A Crowley and Noise Report amended 4th Sept 2014.

The Council has considered your application and decided to grant permission subject to the following condition(s):

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 if in CA] 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 and details: Design and Access, P000, P001, P1, P2, P3, P4, P05, P06, P07. Daylight and Sunlight Report dated 22/09/2011 by James M A Crowley and Noise Report numbered 4/S/10/01

Reason:

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

- 4 The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

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 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.
- 4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Rachel Stopard  
Director of Culture & Environment

**DRAFT**

**DECISION**