

Appeal Full Statement of Case

11a Primrose Hill Road, London NW3 3DG

Local Authority Reference: 2014/4514/P

On behalf of: Mr O Osoba



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1 Introduction

- 1.1 This planning appeal relates to an application at 11a Primrose Hill Road which was refused planning permission under delegated powers by the London Borough of Camden ('the Council') on 5 September 2014 (LPA ref. 2014/4514/P).
- 1.2 The description of development ('the Proposal') on the decision notice reads as follows:
 - "Erection of a three-storey plus basement single family dwelling house and associated landscaping works (Class C3)."
- 1.3 On behalf of the appellant, Mr O Osoba, we submit a planning appeal contesting the Council's refusal of the proposed works. Mr Osoba is the owner of this site. We would request the appeal to be dealt with through a hearing, given the number of planning matters which require consideration.
- 1.4 This Full Statement of Case has been prepared in accordance with the most recent appeal guidance provided by The Planning Inspectorate ('PINS'); *How to complete your planning* appeal (February 2015). As required, it responds to the following:
 - Reasons for refusal provided in the Council's decision letter;
 - Consultation responses received by statutory bodies and local residents;
 - Development plan policies and other material considerations.
- 1.5 As requested by PINS guidance, this Statement of Case is more focused that a Planning Statement. The full Town Planning case is provided within the Planning Statement (10 July 2014) which was submitted with the original Proposal. This document has also been submitted as part of this appeal.



2 Site and surrounding context

- 2.1 No. 11 Primrose Hill Road is the southernmost of 14 properties, almost identical in terms of appearance, which form a three storey, flat roofed terrace at the eastern end of the Chalcots Estate. The new dwelling house proposed is directly to the south of No.11, an area which is currently hardstanding.
- 2.2 Planning permission was granted for housing development across what was to become the Chalcots Estate in May 1963. This terrace was initially designed by Dennis Lennon & Partners and came forward as part of Phase 1 of the residential estate.
- 2.3 The terrace is set back from Primrose Hill Road on a private road. This set back from the eastern boundary along with the level of screening provided by fencing, hedges and mature tree cover on the southern boundary ensures that the terrace is well screened and does not have a direct relationship with either Primrose Hill Road or King Henry's Road.
- 2.4 A study of key local views was prepared for the application and forms part of the appeal submission.
- 2.5 The plan form of Chalcots Estate is not symmetrical. The southern boundary of the estate, which is along King Henry's Road, does not have a pronounced building line like the other three boundaries, with some properties fronting the road and others set back further, presenting blank frontages to the road.
- 2.6 None of the properties within the terrace or on Chalcots Estate are listed and the site is not within a conservation area. At the southern side of King Henry's Road, immediately opposite the site, is the Church of St Mary the Virgin. This is a Grade II listed building and is also within the Elsworthy Road Conservation Area. Across Primrose Hill Road from the terrace, to the east and below this site, are entrances to the Grade II* listed Primrose Hill Tunnels which allow trains to travel through the railway tunnels underneath Primrose Hill.
- 2.7 The Core Strategy Proposals Map does not include any designations which cover the site.
- 2.8 The surrounding area is generally residential in nature. The residential properties in the wider area are typically older and taller than the houses on Chalcots Estate.



3 Relevant planning history

- 3.1 On 25 February 2005, a planning application (LPA ref. 2005/0353/P) was submitted at this site for erection of an end of terrace three storey dwelling house. The scheme was similar to the proposals within this application, but did not include a basement.
- 3.2 This application was refused as the Council considered its siting being located beyond the established building line on King Henry's Road and its height and bulk were detrimental to the established character and appearance of the townscape and adjacent Elsworthy Road Conservation Area.
- 3.3 A further planning application (LPA ref. 2013/7112/P) for a three storey dwelling at the southern end of the terrace was submitted on 4 December 2013. During the determination period the case officer informed the agent for this application that the Council, again, did not consider the scheme acceptable as the proposed building would not fit with the streetscape and the building line would be brought forward of the new estate so that it would not align with the adjacent terrace. This application was withdrawn so that changes could be made to the scheme and to allow a further submission to be prepared to provide improved justification for the proposals.
- 3.4 The Proposal (LPA ref. 2014/4514/P) was registered by the Council on 21 July 2014 and refused planning permission on 5 September 2014. Unlike applications 2005/0353/P and 2013/7112/P this proposal sought planning permission for a dwelling house which included a basement level.
- 3.5 The decision letter sets out five reasons for refusal, as follows:
 - The proposed three storey plus basement single family dwelling house, by reason of its siting being located beyond the established building line on King Henry's Road and its height and bulk would be detrimental to the established character and appearance of the townscape and adjacent Elsworthy Road Conservation Area;
 - 2. The submitted basement impact assessment fails to demonstrate that the proposed basement excavation would not cause harm to the built and natural environment and local amenity and does not result in potential flooding or ground instability;
 - 3. The proposed development, in the absence of a legal agreement to secure car-free development, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area;



- 4. The proposed development, in the absence of a legal agreement to secure the submission and implementation of a Construction Management Plan, would be likely to contribute unacceptably to traffic disruption and dangerous situations for pedestrians and other road users and be detrimental to the amenities of the area generally;
- 5. The proposed development, in the absence of a legal agreement securing a design stage and post-construction sustainability review, would fail to be sustainable in its use of resources.
- Prior to submission of the application, the project architect distributed letters to neighbouring residents offering to explain the prospective submission. No responses were received. Residents at 60 King Henry's Road and nos. 10, 12, 13, 15 and 23 Primrose Hill Road responded to the application consultation.

Third Party comments

- 3.7 The principal comments in relation to the Proposal were as follows:
 - The new building would come forward of the existing building line on King Henry's Road;
 - Development would be detrimental to the established character and appearance of the townscape and Elsworthy Road Conservation Area and views of the Grade II listed Church of St Mary the Virgin;
 - The proposals would lead to overlooking and loss of light & privacy;
 - Car parking levels would increase.
- 3.8 Thames Water raised no objection in terms of water supply. It did however request that, if permitted, an informative should be appended to the decision notice informing of the minimum water pressure that would need to be provided.
- 3.9 In terms of waste water, Thames Water requested that a pre-commencement condition should be added requiring a drainage strategy to be submitted.
- 3.10 As subterranean works are proposed and the site is located above Primrose Hill Tunnels, Network Rail, the authority responsible the United Kingdom's railway network, were consulted. It responded that in order to ensure the integrity of the tunnels and safety of the operational railway that a condition should be added requiring its Engineering team to



approve details of any development works within 15 metres, measured horizontally, from the outside face of the tunnel extrados with special reference to the type and method of construction of foundations and loading levels.

- 3.11 Chalcots Estate Limited is the managing agent with regard the wider Estate. It raised no objection to the Proposal but did make a number of observations. The project team has subsequently contacted Chalcots Estate Limited.
- In light of the responses from the Council, statutory bodies and local residents, the principal Town Planning matters, which need to be considered as part of this appeal, are as follows:
 - 1. Impact on the King Henry's Road building line;
 - 2. Streetscape impact / impact of height and bulk on the local townscape;
 - 3. Impact on heritage assets;
 - 4. Basement development;
 - 5. Car parking stress;
 - 6. Construction Management Plan;
 - 7. Design Stage and Post Construction Sustainability Review;
 - 8. Loss of daylight and sunlight, overlooking and privacy;
 - 9. Drainage Strategy;
 - 10. Railway tunnels.
- 3.13 Town Planning matters where the position is considered to be agreed between the appellant and the Council are set out within the accompanying draft Statement of Common Ground.
- 3.14 On behalf of the appellant we have recently submitted a further application (LPA ref. 2014/7856/P), which was registered by the Council on 12 January 2015. This is for an identical scheme with the exception of the basement level. If this application is refused we will seek to appeal and make a linkage between the two submissions to PINS.



4 Description of the proposals

- 4.1 This application seeks planning permission for the erection of a basement, ground plus two storey end of terrace dwelling house (Class C3), immediately adjacent to No. 11 Primrose Hill Road. This new self-contained house would be built on what is currently an area of hardstanding and would extend the form and aesthetic of the existing terrace southwards.
- The proposed property has been designed so that it would be identical to the terrace which it would be added to, which is homogenous in terms of appearance. The house would also be the same width as neighbouring properties and share the same front and rear building lines. It would be constructed from rendered masonry and feature white painted metal windows frames and a flat roof, both of which are common characteristics of the wider Chalcots Estate. The fenestration, general detailing, style of doors, rear balcony and white painted timber slats would also match the neighbouring houses so that this building would replicate the form and design of the existing terrace.
- 4.3 The flank wall which would face south on to King Henry's Road would not include door or windows openings and, to soften its appearance in terms of visual amenity, would feature a green wall. At its closest point it would be set back one metre from the boundary fence.
- 4.4 The house would comprise three bedrooms and measure 205.6 square metres over four levels. The basement would match the plan of the upper floors and be excavated to a depth of 3 metres. No pavement lights are proposed so the presence of the basement would not be visible from outside the building.

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5 Planning policy context

- 5.1 The National Planning Policy Framework (NPPF), March 2012, sets out the Government's planning policies for England and how these are expected to be applied. It introduced the principle in favour of sustainable development and is a material consideration in all planning decisions.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 5.3 The statutory development plan covering this site comprises:
 - The London Plan (July 2011);
 - The Camden Local Development Framework (LDF).
- 5.4 The London Plan is the Spatial Development Strategy for Greater London. It sets out the relevant London-wide planning policy guidance and the relevant regional planning policy guidance for Camden. It aims to set out a framework to co-ordinate and integrate economic, environmental, transport and social considerations over the next 20-25 years.
- On 11 October 2013, the Mayor published Revised Alterations to the London Plan (REMA) which provided formal alterations. Further Alterations to the London Plan (FALP) were the subject of an Examination in Public which took place in September 2014. On 15 December 2014, the Mayor wrote to the Secretary of State for Communities and Local Government to give his response to the Inspector's recommendations and to enclose the FALP as he intends to publish it. The Secretary of State has up to six weeks within which to respond to the Mayor, following which the FALP will go before the London Assembly. It is anticipated that the FALP will be adopted in March 2015.
- The FALP seeks to increase housing delivery across London to help meet insatiable demand. A revised target (December 2014) of 42,389 units per year across London is proposed. It should be noted that this level of delivery has not been achieved since the interwar period. It proposes to increase Camden's ten year housing target, covering the period between 2015 and 2025, to 8,892 homes. Accordingly, there is strong pressure for the Council to deliver housing development.
- 5.7 The Camden Local Development Framework (LDF) comprises the Core Strategy and



Development Policies document, which were both formally adopted on 8 November 2010, as well as a number of Camden Planning Guidance documents.

- 5.8 Camden's Core Strategy sets out the key elements of the borough's vision and includes its strategic policies. It is the central component of its LDF.
- 5.9 The Camden Development Policies document sets out the detailed planning policies that the Council will use when determining applications seeking planning permission so that the vision and objectives of the Core Strategy can be achieved.
- 5.10 The draft Camden Local Plan, which will replace the Core Strategy and Development Policies Document, is currently out on consultation until 17 April 2015. This carries no weight at this stage in terms of decision making.
- 5.11 A full list of relevant planning policies is provided within our planning statement and the Council's delegated report. Those which are directly relevant in terms of the refusal reasons and consultation responses are analysed within the next section of this Statement.



6 Key Planning Considerations

- 6.1 This section assesses the Proposal's key planning considerations by focusing on the Council's reasons for refusal and consultation responses.
- 6.2 In light of the responses from the Council, statutory bodies and local residents, the principal Town Planning matters, which need to be considered as part of this appeal, are as follows:
 - 1. Impact on the King Henry's Road building line;
 - 2. Streetscape impact / impact of height and bulk on the local townscape;
 - 3. Impact on heritage assets;
 - 4. Basement Development;
 - 5. Car parking stress;
 - 6. Construction Management Plan;
 - 7. Design Stage and Post Construction Sustainability Review;
 - 8. Loss of daylight and sunlight, overlooking and privacy;
 - 9. Drainage Strategy;
 - 10. Railway tunnels.

Impact on the King Henry's Road building line

- A reason provided for both this refusal and earlier decisions has been the impact that the development on this plot would have on the King Henry's Road 'building line'.
- The map at page 5 of the Design and Access Statement clearly shows there is no pronounced 'building line' along King Henry's Road, unlike the straight building lines at Lower Merton Rise to the west of the Estate, Adelaide Road to the north and Primrose Hill Road to the east. Along King Henry's Road some properties front the road and others are set back further, bookending the road with blank frontages.
- 6.5 Therefore the statement at paragraph 3.1 of the delegated report that "[t]he building line is considered to be an established feature of the existing townscape" is not accurate and on this basis the assessment which the Council has undertaken in respect of the impact on the general area is not well founded.
- Developing a property on this plot which is the same width as the neighbouring dwellings would mean that the side wall would still be set back over 1 metre from the site boundary. This would ensure that a noticeable gap, similar to that at the corner property on Lower Merton Rise, which is at the southwest corner of the Estate, would be provided between the



building and the boundary. Accordingly, the lost sense of openness, referred to within paragraph 3.3, is not considered to be significant especially as the side wall would feature a green wall and all of the greenery surrounding the site would be retained with the exception of a 'Category C' tree. The 'green connection' stated to in paragraph 2.2 and the distinct character provided by the generous planting referred to in paragraph 3.1 would therefore not be harmed.

- 6.7 The principal building line which this development should continue is the 11-37 Primrose Hill Road terrace, which the proposed design will do. Therefore the comment at paragraph 3.3 of the delegated report that the arrangement would be contrary to the general pattern of the Estate is not considered accurate.
- 6.8 The importance of giving significant weight to preserving the current plan form of the Estate should also be considered in light of several ad hoc alterations including the decision to permit a new dwelling adjacent to No. 65 Quickswood in July 2006 (LPA ref. 2006/1426/F).
- 6.9 Rather than been aligned as it was previously, this new house, currently under construction, projects in front of the building line of the 11-37 Primrose Hill terrace. The delegated report for this scheme considered that this would not harm the overall character of the Estate or the streetscene in Primrose Hill Road. The importance of the plan form of the Estate did not appear to be a material consideration of great weight in that instance even though that development caused no less disruption to the plan form than this Proposal.
- 6.10 Therefore the comment at paragraph 2.3 which suggests that the Proposal would set an unacceptable precedent is considered to be inconsistent with the decision at 65 Quickswood. A copy of the decision notice, site plan, approved drawings and photos of this ongoing development are provided as supporting documentation.
- 6.11 The Town Planning considerations for the permitted scheme at Quickswood are considered to be very similar to this set of proposals. Both seek to add an infill single dwelling house to an end terrace on Chalcots Estate by proposing a design which follows the defined building line of the terrace which is well screened from the nearby roads and is identical to the neighbouring buildings in terms of bulk, massing, layout, detail and cladding.
- 6.12 In terms of impact on the King Henry's Road 'building line' we consider that the new dwelling would respect the local context and surrounding character and therefore accords with Core Strategy policy CS14.



Streetscape impact / impact of height and bulk on the local townscape

- 6.13 The delegated report, at paragraph 2.2, sets out that the site is in a prominent and sensitive location by virtue of its proximity to the King Henry's Road/Primrose Hill Road junction and heritage assets. Given the wider context of the built up nature of Camden, the need to protect green spaces and the strong requirement to provide additional housing this site is not considered to be overly prominent and instead, in principle, be suitable for development.
- 6.14 Camden's delegated report refers to the 'damaging' impact that the Proposal would have in terms of local views. A comparison study of the existing and proposed local views which are considered to be the most important is provided within the Design and Access Statement.
- Due to the street pattern and screening provided by other properties and mature trees, the proposed building would only be visible from a relatively small number of close views. Due to this screening, the setback which would be retained and the green wall proposed it is not considered that the new building line of the southern frontage would 'damage' the quality of local views.
- 6.16 The proposed dwelling would proportionally be the same as neighbouring properties as it would be identical in terms of width, depth and height. As the proposed house would be entirely consistent in terms of its external appearance with the others on this terrace, it is considered that it would fit in comfortably with the Chalcots Estate streetscape. Therefore we do not consider that the height and bulk of the Proposal is a sound reason for refusal.
- Paragraph 3.5 of the delegated report sets out that the loss of garden space serving the existing dwelling at 11 Primrose Hill Road would be contrary to policy CS15. This is considered incorrect as part e of this policy only seeks to protect green gardens. The plot that would be lost is an area of hardstanding. The green area to the rear of the dwellings would remain as garden amenity space.
- As the new building has been designed to be identical in terms of design to the other buildings on the Primrose Hill Road terrace and that paragraph 3.1 of the delegated report states that the detailed design of the building is not considered contentious as it is in keeping with the existing streetscape, we consider that the proposal complies with policy DP24 and it should therefore not be used as a refusal reason.



Impact on Heritage Assets

- 6.19 The southern side of King Henry's Road is within the Elsworthy Road Conservation Area.
- 6.20 Opposite the site is the Church of St Mary the Virgin, an Early French Gothic style building constructed in red brick. This is a Grade II listed building.
- 6.21 Across Primrose Hill Road from the terrace, to the east, and below this site are entrances to the Grade II* listed Primrose Hill Tunnels.
- 6.22 Donald Insall Associates (DIA) carried out a heritage assessment of the effects of the proposals on the setting of the adjacent heritage assets: the listed church and Elsworthy Road Conservation Area.
- 6.23 Due to the design of the proposed house matching the existing terrace and the green wall which will face southwards, Donald Insall Associates consider that the proposed development would have a very limited impact on the setting of the Church of St Mary the Virgin and due to its location would have no visual impact on the Grade II* listed railway tunnels. Paragraph 3.6 of the delegated report agrees that any harm caused to the setting and views of the listed church would be difficult to demonstrate at appeal and for this reason this did not form a reason for refusal.
- 6.24 Donald Insall Associates consider that the new house would provide a modest benefit to the character and appearance of the adjacent Elsworthy Road Conservation Area. This is because a strong architectural termination would be provided to the south-eastern boundary of the Chalcots Estate which would reinforce the urban grain and enhance the townscape presence of the street edge.
- As the Proposal is considered to enhance the character and appearance of the nearby conservation area it is not considered that there are heritage grounds, based on statutory provisions or development plan policy, including DP25 (Conserving Camden's Heritage), to refuse this application.

Basement Development

6.26 The Proposal seeks a one storey basement that does not extend beyond the footprint of the proposed building above. Paragraph 27.9 of the Development Management document considers this is the most appropriate way to extend a building below ground. The basement would be 3 metres deep and would result in the excavation of the underlying London Clay.



The basement footprint would measure 10.3 metres by 6.3 metres. It would accommodate gym and cinema facilities; therefore all habitable rooms would be provided at the ground and upper floors.

- 6.27 Policy DP27 of the Development Planning document sets out Camden's approach to basement development. This policy was listed as a reason for refusal (number 2). It requires proposals to demonstrate that subterranean development would maintain structural stability of the building above and neighbouring properties, avoid adversely affecting drainage and water run-off and avoid cumulative structural or hydrological impacts.
- 6.28 A Basement Impact Assessment prepared by ESI formed part of the planning submission along with a Land Stability Report prepared by Soil Consultants. Policy DP27 requires the methodologies undertaken to be "appropriate to the site" and that smaller schemes, such as this, cover specific concerns only.
- 6.29 The Land Stability report confirms that the risk to ground stability will be low.
- 6.30 In terms of surface water, the Basement Impact Assessment considers that development of a basement would be unlikely to have any impact to surface water flows in the surrounding area or impact flood risk in the area.
- 6.31 The same document considers that the impact to groundwater flows and related flooding are low, based on the small quantities of groundwater thought to be present.
- 6.32 Despite the Proposal being small in scale, the delegated report stated that the Council would normally expect a trial to have been undertaken involving a minimum of three boreholes in respect of groundwater levels along with testing in relation to impact on the highway, the foundations of neighbouring properties and ground movement analysis.
- 6.33 At this stage it is not known how close the proposed basement would be to the railway tunnels underneath. To understand this, survey information would need to be provided by Network Rail. Until the exact positioning of the tunnels is known the site surveys requested by the Council cannot be undertaken. Due to the timescales and costs involved with the Network Rail survey the appellant is not in a position to instruct this to be undertaken until planning permission has been granted. As a result, the on-site fieldwork is not able to go ahead at this stage.
- 6.34 We consider that for a scheme of this size, at application stage, a reasonable level of detail has been provided within the Basement Impact Assessment and Land Stability Report. The



requirement to provide more detailed fieldwork results, which would need to be independently assessed, before the permission could be implemented could be secured either through an appropriately worded planning condition or as part of a legal agreement.

Car parking Stress

- 6.35 The Council seeks to limit the supply of car parking, specifically at Policy DP18, so that congestion in the borough can be addressed.
- 6.36 No additional car parking is proposed as part of the Proposal. To secure this, the appellant is prepared to enter in to a legal agreement to secure car-free development. Accordingly we consider that reason 3 can be overcome.

Construction Management Plan

6.37 Until planning permission is granted the appellant is not in a position to instruct a contractor to consider a detailed build out programme. Should permission be granted the appellant would agree to enter in to a legal agreement which requires a Construction Management Plan to be approved before the Proposal is implemented. We therefore consider that refusal reason 4 can be overcome.

Design Stage and Post Construction Sustainability Review

- 6.38 A Sustainability and Energy Statement as well as a Code for Sustainable Homes (CfSH) preassessment was submitted with the Proposal. This demonstrated that a level 4 CfSH rating, with a score of 73.2%, could be achieved. This was considered acceptable by the Council.
- 6.39 Paragraph 6.3 of the delegated report sets out that refusal reason 5 was added as a post-construction review would have been required to be secured via a legal agreement if the Council were able to support the scheme. Again, the appellant would be prepared to enter in to a legal agreement to ensure that the Proposal achieves the sustainability credits set out. We therefore consider that this reason does not provide suitable grounds for refusal.

Loss of daylight and sunlight, overlooking and privacy

6.40 A daylight and shadowing assessment was submitted in relation to the Proposal. Its potential impact on daylight was assessed using the VSC and ADF methods. The results confirmed that all of the neighbouring windows would retain adequate daylight levels and would fully comply with the BRE criteria. A sunlight analysis was not required as the assessed windows



are all north facing.

6.41 Paragraph 5.1 of the delegated report states that "[t]he proposed new building would not impact on the current levels of natural daylight/sunlight or significantly impact on the loss of privacy". No reasons for refusal concerned amenity levels.

Drainage Strategy

6.42 As requested by Thames Water, the appellant would accept a planning condition requiring a drainage strategy to be approved before works commence.

Railway tunnels

- 6.43 The project team, as set out in the Basement Development section above, would need to obtain survey information from Network Rail before undertaking on-site fieldwork and subterranean development.
- 6.44 The appellant would accept a condition requiring details of any basement works to be approved by the Network Rail Engineering team should this take place within 15 metres, measured horizontally, from the outside face of the tunnel extrados.



7 Conclusion

- 7.1 Having assessed the Council's refusal reasons, responses from local residents and statutory consultees as well as development plan policies, the following conclusions have been reached:
 - (a) The NPPF requires planning decisions to offer a presumption in favour of sustainable development and the Council considers that the Proposal would be sustainable.
 - (b) There is a strong demand for housing in Camden and across London and the strategic targets set by the GLA have not been met since the interwar period.
 - (c) The King Henry's Road 'building line' is not straight unlike the other three boundaries to the Chalcots Estate and the Proposal would not harm the plan form of the Estate.
 - (d) A recent decision at 65 Quickswood granted planning permission for a new dwelling house which had a greater impact on the Estate plan than this Proposal.
 - (e) Proposed views have been prepared which show that local views would not be 'damaged'.
 - (f) The design of the new dwelling house would be identical to those in the neighbouring terrace so the Proposal would not lead to additional height or bulk and would fit in comfortably to the local streetscape.
 - (g) Donald Insall Associates, a specialist historic building consultancy, has advised that the Proposal would provide a modest benefit to the Elsworthy Road Conservation Area and have very little impact on the nearby Grade II listed church.
 - (h) Land Stability and Basement Impact Assessments have been prepared. These concluded that the risk level caused by excavation in relation to neighbouring structures, groundwater and surface water is low. The project team will be in a position to provide further information, which would need to be reviewed by an independent assessor and approved prior to the commencement of development, once survey information has been obtained from Network Rail.
 - (i) The appellant would confirm that the Proposal would be car free, provide a Construction Management Plan and a Design Stage and Post Construction Sustainability Review



through a legal agreement. This would overcome refusal reasons 3, 4 and 5.

- (j) The Council agrees that the scheme would not affect neighbouring residents in terms of privacy, overlooking and daylight/sunlight.
- (k) The appellant would accept conditions in relation to drainage and the nearby railway tunnels as requested by statutory consultees
- 7.2 For these reasons we consider that the planning refusal should be overturned and that planning permission should be granted.



Development Control Planning Services London Borough of Camden Town Hall Argyle Street London WC1H 8ND

Tel 020 7278 4444 Fax 020 7974 1975 Textlink 020 7974 6866

env.devcon@camden.gov.uk www.camden.gov.uk/planning

Application Ref: 2006/1426/P Please ask for: Gareth Wilson Telephone: 020 7974 3060

04 July 2006

Dear Sir/Madam

John W Phillips

london W10 6PS

8 Highlever Road

DECISION

Town and Country Planning Acts 1990 (as amended)
Town and Country Planning (General Development Procedure) Order 1995
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted

Address:

65 Quickswood London NW3 3SA

Proposal:

Erection of a three storey end of terrace dwelling house with internal garage and roof terrace, within the side garden of existing house.

Drawing Nos: Site Location Plan; 3662/1; 3662/2.

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

Condition(s) and Reason(s):

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).



The design and materials of all elevations, including the brickwork and fenestration, shall replicate those of the adjacent building at no.65, 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 policies S1 and B1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage to the satisfaction of the Council. Details shall be submitted to and approved by the Council before works commence on site to demonstrate how trees to be retained shall be protected during construction work: such details shall follow guidelines and standards set out in BS5837:2005 "Trees in Relation to Construction

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies N7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

4 Details demonstrating that the residential dwelling hereby approved will be provided to appropriate "Lifetime Homes" standards, shall be submitted to and approved by the Council, and the building shall be implemented in accordance with the approved details before the first occupation of the new dwelling.

Reason: To ensure satisfactory provision is made within the development to ensure the house will be suitable/adaptable for its occupiers over time, taking account of their changing physical abilities, in accordance with policy H7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order) 1995 or any Order revoking and reenacting that Order, no development within Part 1 (Classes A-H) and Part 2 (Classes A-C) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Council.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations order to ensure compliance with the requirements of policies S1/S2, B1 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

The development shall not be occupied until the whole of the car parking provision shown on the approved drawings is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the occupiers and users of the development.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets which would be contrary to policies SD6 and T7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

1 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies S1, SD4, SD6, H1, H7, B1, N7, T1, T3, T7, and T8. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 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).
- If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Council's Records and Information Team, Culture and Environment Directorate, Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ (tel: 020-7974 5613).
- A 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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.
- You are advised that the Council expects all development to be as sustainable and energy efficient as possible and welcomes any measures that can be introduced to facilitate this. To this end, you are encouraged to introduce measures that can practically be incorporated into the design of the new building and the subsequent operation of the use.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

Culture and Environment Directorate

(Duly authorised by the Council to sign this document)



Siteplan® 1:500

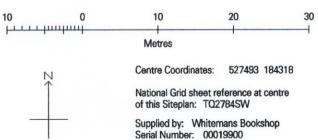


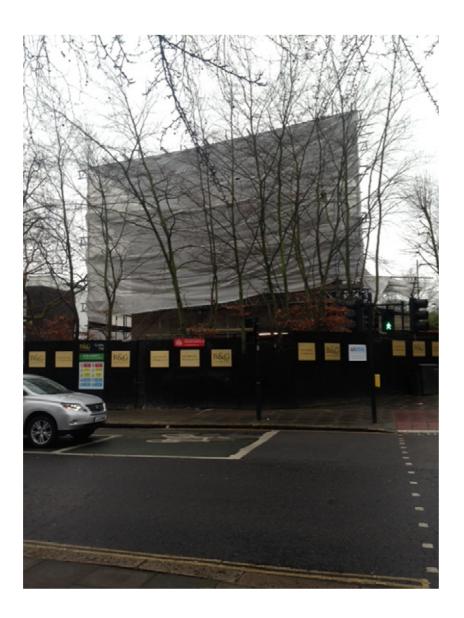
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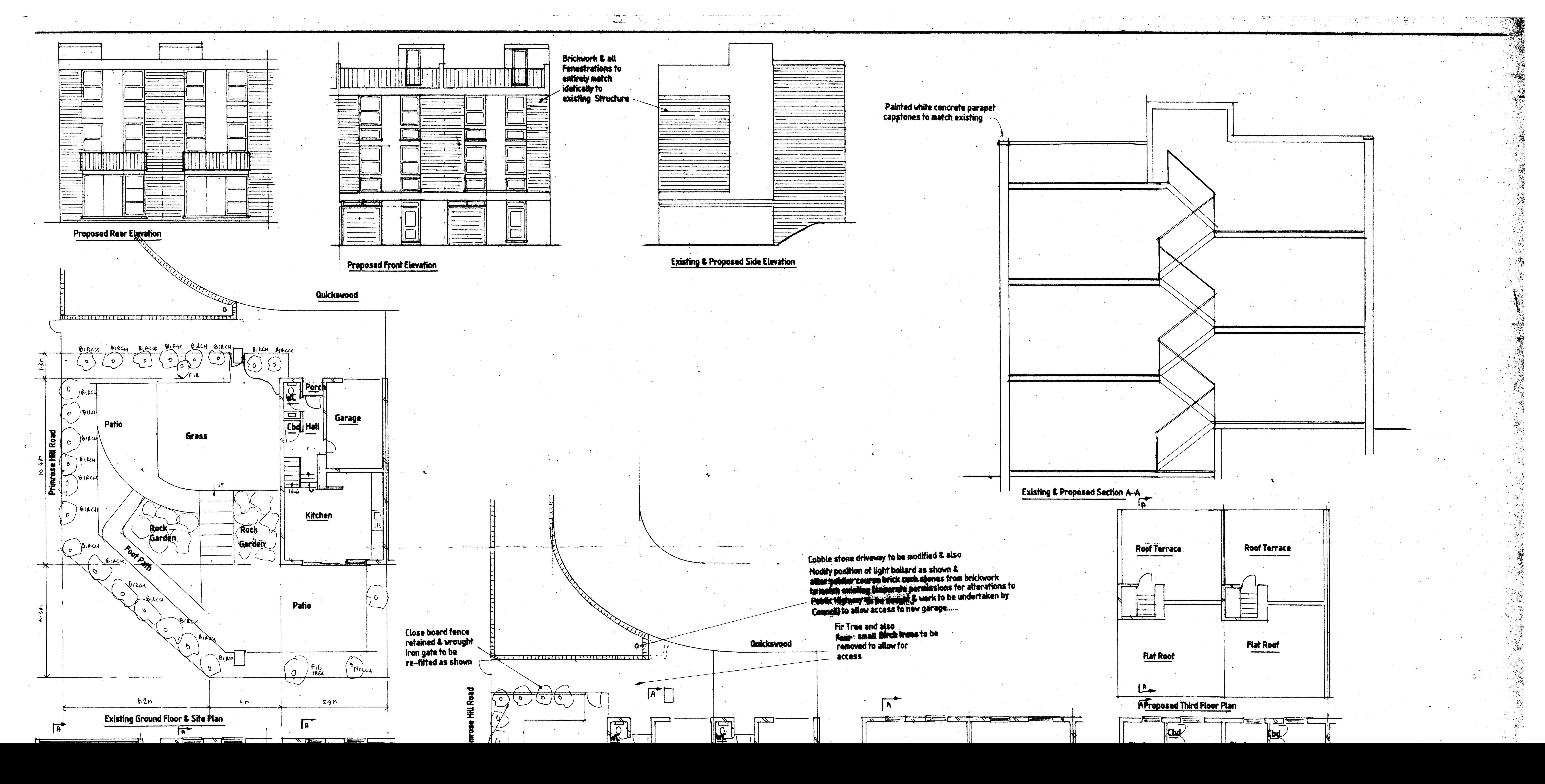
Part or all of this Siteplan is enlarged from mapping produced at one or more of the following scales 1:1250, 1:2500, 1:10000.




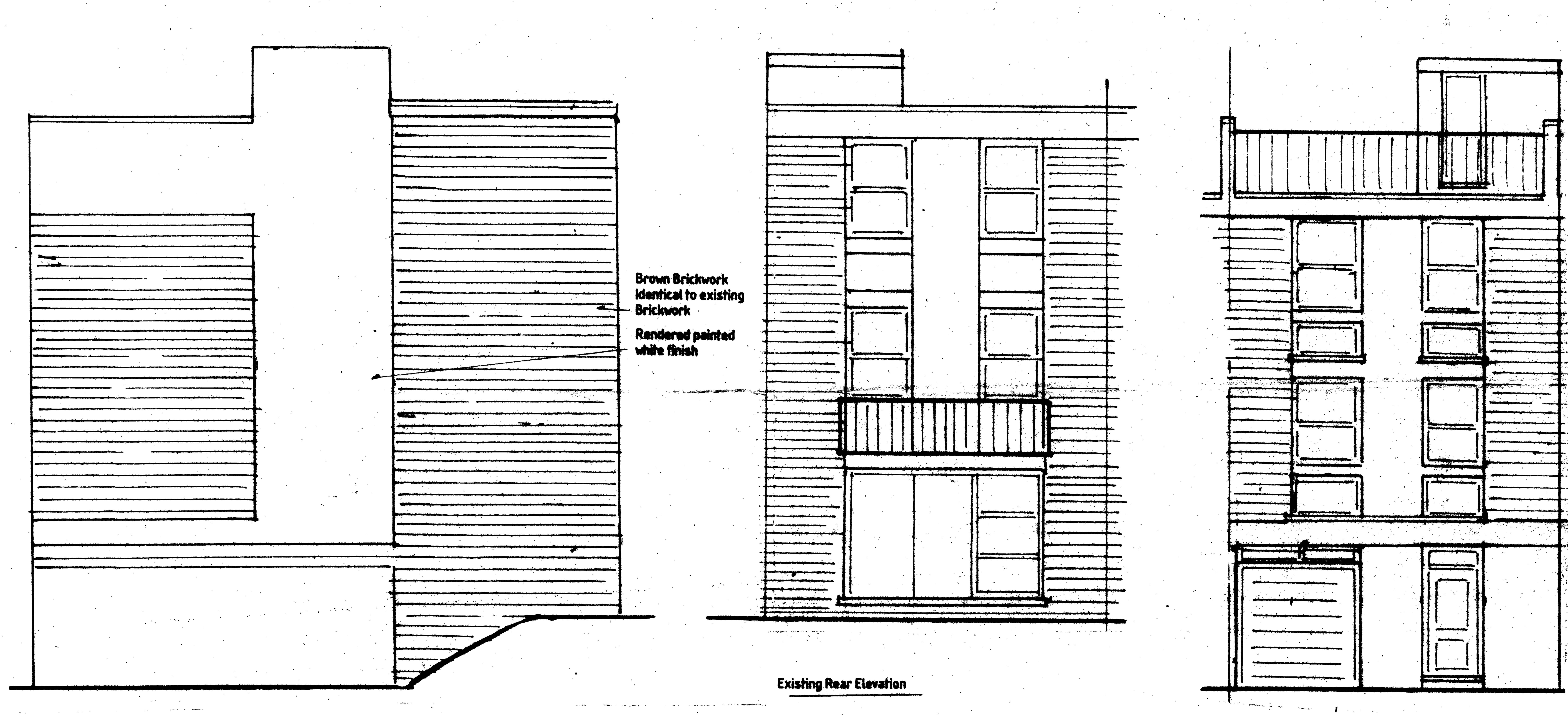












Proposed Side Elevation

CXISING FTOM ELEVERY