

2015/1888/P

Flat 3, 29 Compayne Gardens



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Rear Elevation of the property



Adjacent property no 31 Compayne Grds



Adjacent property no 27 Compayne Grds



Terrace on adjacent property no 31
Compayne Grds



Outlook to the rear of No 29 Compayne
Grds



Front elevation of No 29 Compayne Grds

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	28/05/2015
		N/A / attached		Consultation Expiry Date:	14/05/2015
Officer			Application Number(s)		
James Clark			2015/1888/P		
Application Address			Drawing Numbers		
Flat 3, 29 Compayne Gardens London NW6 3DD			Design & Access Statement, Lifetimes Homes Statement 5336/L2 02 Rev A, 5336/L2 03 Rev A, 5336/L2 04 Rev A, 5336/L2 05 Rev A, 5336/L2 06 Rev A, 5336/L2 07 Rev A, 5336/L2 08 Rev A, 5336/L2 09 Rev A, 5336/L2 10 Rev A, 5336/L2 11 Rev A, 5336/L2 12 Rev A, 5336/L2 20 Rev A, 5336/L2 21 Rev A, 5336/L2 22 Rev A, 5336/L2 23 Rev A, 5336/L2 24 Rev A, 5336/L2 25 Rev A, 5336/L2 26 Rev A, 5336/L2 27 Rev A, 5336/L2 28 Rev A, 5336/L2 29 Rev A, 5336/L2 30 Rev A, 5336/L2 40 Rev A, 5336/L2 41 Rev A, 5336/L2 42 Rev A, 5336/L2 43 Rev A.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s) Conversion of loft space to a 3 bedroom self-contained flat, erection of 2no rear dormers, a roof terrace, alteration to a third floor rear & front window & 12no roof lights.					
Recommendation(s):		Granted Planning Permission Subject to conditions and a Section 106 Legal Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	18	No. of responses	03	No. of objections	03
			No. Electronic	03		
Summary of consultation responses:	A site notice was displayed from 22/04/2015 (expiring 13/05/2015) and a public notice was published in and Ham & High from 23/04/2015 (expiring 14/05/2015)					
	Three objections received					
	21A Carlingford Road Hampstead on behalf of, No Flat 5, 31 Compayne Gardens					
	<ul style="list-style-type: none">A dormer and terrace is proposed for the loft of number 29. This too will overlook our gardens and, being immediately adjacent to our property; will create intrusive sight lines with consequentially adverse effects on the privacy of our property. The leaseholder of the top floor flat in our property, as well as those using the gardens, will be particularly affected. As indicated above, the adjoining developer has made no attempt to discuss with us ways in which this effect of a roof top development of their property could be minimised (Application 1888/P and 1889P).In addition to our specific objections set out above, we would ask that Camden Council planning authorities take particular care to ensure that any and all internal and external works undertaken at 29 Compayne Gardens are undertaken in full compliance with local regulations regarding the avoidance of nuisance to neighbours and having proper regard to the need to minimise the detrimental effect of such works upon all of the residents of our and other neighbouring properties.					
	No 31 Compayne Gardens					
	<ul style="list-style-type: none">The proposed works will have a significant impact in terms of noise disturbance, dust, dirt, and potential damage for the residents of 31 Compayne Gardens. The addition of a roof terrace will impinge on the privacy of the top flat 6 and the gardens of Flat 1 and 2 which it will overlook. I strongly object to this work.					
	No Flat 1, 31 Compayne Gardens					
	<ul style="list-style-type: none">I live in the ground floor flat on 31 Compayne gardens and therefore my garden is practically underneath my garden where my children and my family spend a lot of time. My family and I feel that the renovation works (in particular the creation of a roof terrace) will significantly affect our privacy as there will be direct and undisturbed visual line from the proposed terrace and our garden area. I enclose a picture showing the perspective from my garden so that the intrusive nature of this development on our privacy is clear. I do not oppose the conversion per se but a roof garden would significantly affect the privacy of my household.					
	Officer Comment: <i>The submitted design for the roof terrace has been amended to reduce the potential overlooking and privacy concerns according with Camden design guidance CPG1. The proposed roof terrace has been set back into the body of the roof space to a depth of 1.4m and the parapet terrace wall would be 1.4m in height. The amended design of the roof terrace and the three storey height are not considered to result in lines of sight or overlooking that would compromise the private garden area directly to the rear of no 31 Compayne Gardens.</i>					
	<i>The construction phase of any development can cause some disruption to neighbouring properties in the form of noise and dust. The disturbance caused as a result of the proposed works is generally a short term effect and the time of construction will be regulated to normal working hours Mon-Fri and Saturday mornings to mitigate an element of this disruption.</i>					

Hampstead CAAC

No comment received

Site Description

The site is a second floor flat, within a three storey semi-detached building located on Compayne Gardens. The site is within the South Hampstead Conservation Area.

Relevant History

No 29 Compayne Gardens

2015/1882/P - Conversion of second floor flat into 1 x Studio & 1 x 2 bedroom flat & changes to the rear fenestration – (The vacant loft space would not be converted in to habitable space as part of the development) - Pending Decision

2015/1885/P - Conversion of loft space to 3 bed self-contained flat, erection of 2no rear dormers, roof terrace & 12no roof lights – Pending Decision

2015/1889/P - Convert the loft space and second floor flat to form 2 x 3 bedroom maisonettes. Create 1no rear dormer, a roof terrace and no12 roof lights – Pending Decision

2015/1926/P - Erection of a terrace at first floor level on the rear of the property with associated fenestration changes – Pending Decision

2015/1927/P - Replacement of 2no windows on first floor rear elevation – Pending Decision

No 31 Compayne Gardens

8700548 - Change of use of the second and third floors to three self-contained dwelling units including works of conversion and alterations at roof level to include a front side and rear dormer rear terrace and roof lights at the rear as shown on drawing nos. 212-1A 2A 3A – Approved 24th March 1987.

Relevant policies

National Planning Policy Framework (2012)

The London Plan March 2015, consolidated with alterations since 2011

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

DP5 (Homes of different Sizes)

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

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2011/2013

CPG1 Design

CPG6 Amenity

CPG7 Transport

Conservation Area Statement

Hampstead

Assessment

1. Proposal:

1.1 The proposed would convert the vacant loft space to a 3 bedroom self- contained flat, erection of 2no rear dormers, a roof terrace, alteration of a third floor rear and front window and 12no roof lights on the front, side and top roof slopes. The loft extension would create approximately 60sq.m of new habitable space and the terrace approximately 4sq.m of amenity space.

2. Design:

2.1 The proposed roof terrace would be approximately 3.6m in width, set in from the party boundary with no 31 by approximately 0.6m and 2.4m in height, considered to be no wider or taller than a dormer opening. The Camden design guidance CPG1 illustrates the recommended style and dimensions of a roof terrace in para 5.26 figure 7. The proposed terrace would be set 500mm below the ridgeline, set in from the eaves by 1.4m and have a parapet wall 1.4m in height. The proposed terrace meets the general principles of terraces in the Camden design guidance and exceeds the 1.1m parapet wall recommended on figure 7. The proposed terrace would result in a roof opening of approximately 1m in height by 3.6m in width. The modest roof opening is not considered to impact the roof integrity or harm the Conservation area.

2.2 The two proposed rear dormers are modest in size, positioned centrally on the roof slope, set 500mm below the ridgeline and generally in context with the character of the location. The dormers are not considered to compromise or overwhelm the roof integrity maintaining the existing roof form.

2.3 The proposed replacement windows on the third floor rear and front elevation are not considered to detrimentally impact the design of the building. The replacement window would be timber sash, traditional to the surrounding Conservation area and considered acceptable.

2.4 The proposed 12no roof lights are located equally across the roof slope and are not clustered together damaging the character of the building. The roof lights would be flush with the roof plane to reduce the impact upon the character of the building.

2.5 The proposed additions to the rear roof slope undoubtable alters the character of the rear roof slope, however on balance, the surrounding location has witnessed similar extensions and the proposed alterations are considered to be an established form of design in the Conservation Area. The roof alterations proposed are sensitively designed to accord with planning policy and maintain a semblance of the existing roof slope.

3. Neighbouring Amenity

3.1 The proposed terrace would be set back 1.4m from the eaves and the parapet wall would be 1.4m in height. The reduced lines of sight as a result of the design of the terrace and the fourth floor height would result in negligible overlooking of the rear gardens of No 31 & No 27. The private area of No 31 and No 27 immediately to the rear elevation of the buildings is not considered to suffer an unreasonable loss of amenity. It is assumed that the occupier of the proposed roof flat would be at considerable risk if they were to attempt to overlook the area directly to the rear of no 31 or No 29. The impact to the neighbouring amenity is not considered to be detrimentally affected to an unreasonable level as a result of the development.

3.2 The properties to the rear of application property located on Canfield Gardens are a considerable distance from the rear elevation of the application building and the distance is considered too great to represent any overlooking amenity concerns.

4. Parking Implications:

4.1 The site has no off street parking and the creation of a new dwelling as part of the development would be expected by the Council to require a Car free development enforced by a S106 agreement on the site. Details in CPG7 (Transport planning guidance) outlines the Council policy would seek a car-free development when a development involves the creation of one or more additional dwellings, either newly built or created through conversion. The site has the highest PTAL level of 6a with excellent public transport links therefore a s106 would be required prior to full planning approval.

5. Housing

5.1 The creation of a three bedroom dwelling is of medium priority on the Councils housing requirements. The creation of a three bedroom dwelling is considered to meet Policy DP5 of the Camden LDF.

5.2 A lifetimes homes statement has been submitted with the application meeting the 16 point criteria and the size and layout of the dwellings accord with the London plan.

6. Community Infrastructure Levy:

6.1 The proposal represents an increase of 1 dwelling unit with a floor space of approximately 75sq.m. The development is

therefore liable for the Camden CIL payment Zone B tariff of £500 per square meter, payable on commencement of the development

Recommendation: Grant Planning Permission subject to conditions and a section 106 legal agreement

DISCLAIMER

Decision route to be decided by nominated members on *Tuesday 26th May 2015*. For further information please go to www.camden.gov.uk and search for 'members briefing'

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

Application Ref: **2015/1888/P**

20 May 2015

Dear Sir/Madam

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:

**Flat 3
29 Compayne Gardens
London
NW6 3DD**

Proposal:

Conversion of loft space to a 3 bedroom self-contained flat, erection of 2no rear dormers, a roof terrace, alteration to a third floor rear & front window & 12no roof lights.

Drawing Nos: Design & Access Statement, Lifetimes Homes Statement 5336/L2 02 Rev A, 5336/L2 03 Rev A, 5336/L2 04 Rev A, 5336/L2 05 Rev A, 5336/L2 06 Rev A, 5336/L2 07 Rev A, 5336/L2 08 Rev A, 5336/L2 09 Rev A, 5336/L2 10 Rev A, 5336/L2 11 Rev A, 5336/L2 12 Rev A, 5336/L2 20 Rev A, 5336/L2 21 Rev A, 5336/L2 22 Rev A, 5336/L2 23 Rev A, 5336/L2 24 Rev A, 5336/L2 25 Rev A, 5336/L2 26 Rev A, 5336/L2 27 Rev A, 5336/L2 28 Rev A, 5336/L2 29 Rev A, 5336/L2 30 Rev A, 5336/L2 40 Rev A, 5336/L2 41 Rev A, 5336/L2 42 Rev A, 5336/L2 43 Rev A.

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 5336/L2 20 Rev A, 5336/L2 21 Rev A, 5336/L2 22 Rev A, 5336/L2 23 Rev A, 5336/L2 24 Rev A, 5336/L2 25 Rev A, 5336/L2 26 Rev A, 5336/L2 27 Rev A, 5336/L2 28 Rev A, 5336/L2 29 Rev A, 5336/L2 30 Rev A, 5336/L2 40 Rev A, 5336/L2 41 Rev A, 5336/L2 42 Rev A & 5336/L2 43 Rev A.

Reason:

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

- 4 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 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 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 need to be 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

- 4 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced 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 the CIL charge.

The proposed CIL charge will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). For further information on the Camden CIL or Mayoral CIL charge please refer to the information on the Camden website which may be accessed via the following link: http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset_id=3298006

You are required to assume liability and notify the CIL team on commencement using the forms that can be downloaded from the planning portal; <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will issue an assumption of liability setting out the calculation and CIL demand notice setting out the method of payment accordingly. 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 queries to CIL@Camden.gov.uk

- 5 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.

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