

Delegated Report		Analysis sheet		Expiry Date:	30/07/2014
		N/A		Consultation Expiry Date:	11/07/2014
Officer			Application Number(s)		
Niall Sheehan			2014/3116/P		
Application Address			Drawing Numbers		
29 Buckland Crescent London NW3 5DJ			Refer to Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use at basement and ground floor levels from 1 x 3 bed flat and 1 x 2 bed flat to 1 x 5 bed maisonette, following extension of lower ground floor rear conservatory, associated enlargement of existing ground floor rear roof terrace , installation of stair and replacement balustrade, and alterations to fenestration.					
Recommendation(s):		Grant conditional permission.			
Application Type:		Full Planning Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	45	No. of responses	00	No. of objections	01
Summary of consultation responses:	<p>Site Notice: Displayed from 09/05/2014 to 30/05/2014.</p> <p>1 objection received from owner of neighbouring occupier to the first floor flat of No.29 residing in Hong Kong.</p> <p>As the owner of the First Floor Flat at 29 Buckland Crescent and I am writing to express my strong objection to part of this planning application.</p> <p>You will see from planning application 8700236 that in 1987 planning permission was granted for construction of a conservatory at ground floor level at the rear of the property. Recently the conservatory was removed to create a flat roof with access from the living room of the ground floor flat. The dimensions and absence of barriers/railings indicate that this is not a terrace but simply residue of floor space where the existing conservatory used to be.</p> <p>Since the conservatory and the roof terrace was removed my family and I have noticed a significant increase in noise volume when the flat roof is used. We can hear conversations word for word. If the flat roof is extended to accommodate a larger group of people the noise will become even worse. Obviously when the conservatory was in place there were no noise issues.</p> <p>The area in question is directly below and in very close proximity to two bedrooms of my flat. I would be happy to provide access to my property if that would help the council verify these points for itself.</p> <p>I would not object to this area having a conservatory re-instated or some other measures incorporated into the design such that the noise impact on my property is rectified. At the very least things should not be made worse than they already are.</p>					
CAAC/Local groups comments:	Belsize CAAC: No objection					

Site Description

The application site is a four-storey semi-detached house on the south side of Buckland Crescent. The flat benefits from a large rear garden which is south facing. The building's currently occupied as four self-contained residential flats. The site is situated within the Belsize Conservation Area. The property is not listed but considered to make a positive contribution to the conservation area.

Relevant History

Application Site:

8502070: PP Granted for "Alterations including the erection of a two-storey extension and a single-storey conservatory to the rear as an extension to the existing flats at lower ground and ground floor level". Decision Date: 05/02/1986.

8700236: P.P Granted for "Erection of a conservatory on terrace over existing conservatory at rear ground floor level". Decision Date: 08/04/1987.

PW9702478R1: P.P Granted for "Erection of single storey rear conservatory extension and side extension". Decision Date: 01/12/1997

2003/1053/P: PP Granted for "The creation of new door opening and the erection of a railing to the second floor flat roof on the side of the building, in connection with the use of the area as a roof terrace". Decision Date: 24/10/2003.

27 Buckland Crescent:

2008/2074/P: PP Granted for "Erection of single-storey rear extension with 2 rooflights in connection with existing lower ground floor level flat". Decision Date: 15/07/2008. Renewal granted in 2011, 05/08/2011.

2008/2395/P: PP Granted for "Installation of three metal balconies with railings to the rear of the French doors located at the rear of the upper ground floor flat". Decision Date: 12/08/2008. Renewal granted in 2011, 26/08/2011

No.31 Buckland Crescent:

2011/1908/P: PP Granted for "Erection of single-storey rear extension with roof terrace above to replace existing conservatory, single-storey side extension and erection of single storey building to end of rear garden in connection with existing flats". Decision Date: 20/06/2011.

2012/1357/P: PP Granted for "Change of use of ground floor flat and upper level maisonette to a single-family dwellinghouse (Class C3)". Decision Date: 07/06/2012.

Relevant policies

LDF Core Strategy and Development Policies 2010

CS5 – Managing the impact of growth and development

CS14 - Promoting high quality places and conserving our heritage

DP18 – Parking standards and the availability of parking

DP19 – Managing the impact of parking

DP22 - Promoting sustainable design and construction

DP24 – Securing High Quality Design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

DP27 – Basements and Lightwells

DP28 – Noise and Vibration

Camden Planning Guidance (revised 2013)

CPG1 – Design

CPG2 - Housing

CPG6 – Amenity

Assessment

1.0 Proposal

1.0 Planning permission is sought for the following works:

1.1 Amalgamation of lower ground floor and upper ground floor levels, from 1 x 2 bedroom self-contained flat to the lower ground floor and 1 x 3 bedroom self-contained flat to upper ground floor to 1 x 5 bed maisonette.

1.2 Extension to existing conservatory by 0.7m in depth and 2.5sqm in floor area to come flush with the rear façade of the two-storey rear addition.

1.3 Extension to terrace above existing conservatory by 0.7m in depth and 2.5sqm in floor area.

1.4 Replacement of existing metal balustrade to terrace with 1.1m high cast iron balustrade.

1.5 Amendments include: Elimination of stairs from revised terrace to rear garden area.

2.0 Assessment

2.1 The main issues raised by this application relate to the principle of the amalgamation of units, the standard of additional accommodation offered, the design of the works on the character and appearance of the host property, those adjoining and the wider Conservation Area, and its impact on residential amenity. These issues are addressed below in the context of planning policy and other material planning considerations.

Considerations

3.0 Principle

3.1 Under policy DP2, Camden will resist proposals that would involve the net loss of two or more residential units. This planning application does not conflict with this policy as it involves the loss of only one unit and the amalgamation of both units form one enhanced unit which would offer a betterment in terms of liveability for future residents.

4.0 Unit Mix

4.1 In respect of the unit mix proposed by the conversion, the overall configurations provide a 5 bedroom flat in conjunction with the re-configuration of the property, hence, this will maintain an adequate unit mix within the entire building ensuring a policy compliant scheme.

5.0 Standard of Accommodation

5.1 In respect of the standards of the new accommodation proposed at lower ground floor

level, the minimum residential development standards are contained in CPG2 – whereby 4/5 bedroom units require a minimum floor area of 90sqm. Furthermore all habitable rooms including living rooms, kitchens and bedrooms require being of an adequate size and configuration, all with access to adequate natural light.

5.2 The unit measures 234sqm in total floor area and is of an adequate configuration with all habitable rooms of an adequate size and configuration with access to natural light, hence the proposal will comfortably meet the required standards in this regard.

5.3 The reconfiguration of the units to the lower ground and ground floors would offer acceptable configurations and adequate levels of light and outlook to habitable rooms to all units.

5.4 The amalgamated unit would benefit from shared access to the rear garden. Considering that the rear garden is already of a reasonable size and satisfactorily, the proposed arrangement whereby the one combined unit would gain dedicated access is considered to be acceptable.

6.0 Design

6.1 The host property is located within the Belsize Conservation Area for which the host property and those adjoining are positive contributors and any permitted changes would need to preserve this.

6.2 The proposed extension to the conservatory would extend an additional 0.7m in depth coming flush with the two storey rear addition forming one continuous rearmost façade which would integrate successfully with the host property, those adjoining and the wider Belsize Conservation Area in design terms.

6.3 The terrace to the host property is being extended by almost identical dimensions to that of the extension below coming flush with the rearmost façade and changing metal railings to a cast iron balustrade. This is considered to both remain sympathetic to and integrate successfully with the rear façade of the host property, those directly adjoining and the surrounding Conservation Area.

6.4 The elimination of the staircase will further ensure subservience and accordance with the host property, that adjoining and the wider Conservation Area. It was considered that unless a significant inset be formed as per the original staircase at No.31 next door, the staircase would look somewhat disjointed in the context of an otherwise well designed scheme. An inset staircase was not considered by the applicant to be a viable option.

6.5 Overall the entire works would integrate successfully in design terms preserving the character and appearance of the host property, those adjoining and the wider Belsize Conservation Area.

7.0 Impact on residential amenity

7.1 Although the property is being extended, the additional floor area gained will be relatively minimal. Furthermore the extended part will not project out past the two storey rear addition and stop approx. 0.2m short of the existing addition to the adjoining neighbouring property and 1.25m short of their approved extension. Resultantly there will be little or no impacts on the light or outlook received on the affected property at No.31.

7.2 The elimination of the staircase will ensure that the proposal does not generate any adverse overlooking or loss of privacy to adjoining occupiers at No.31 as their extension, staircase and enclosure would project further out. Although the extended roof terrace would

overlook the garden area of No.31 to some extent, this has always been the case in some form, and given the minimal additional space gained, this would not impact significantly on levels of overlooking.

7.3 In response to a point raised in objections from a neighbouring occupier regarding the validity of the terrace, although the existing terrace never sought or received formal planning permission for its use and enclosure, due to its existence for a long period of time (over 4 years) it nevertheless would be deemed lawful and immune from enforcement action.. This is the case irrespective of any design or residential amenity impacts incurred to any neighbouring occupiers as outlined in an objection received. Given the minor nature (2.5sqm) of the increase in floorspace when assessed against the existing floorspace, this is considered to be acceptable increase. The level of increase is most unlikely to lead to a vast increase in the numbers of people using the terrace resulting in additional noise and disturbance. Furthermore should unacceptable levels of noise and disturbance occur this is an issue which would be covered by Environmental Health legislation.

8.0 Transport/Highway Considerations

8.1 The works undertaken are both minor in nature and to the rear. Highways legislation is considered to be sufficient to cover the comings and goings of construction vehicles and the placement of skips to front roadway if necessary. As the development results in a reduction of 1 unit, there is no need to require the developer to enter into a Section 106 legal agreement to agree to car capping.

9.0 Conclusion

9.1 The proposal has also been subjected to the above current policies which include the NPPF, London Plan 2011 and Camden policies and is considered to be in accordance with these policies.

Recommendation: Grant conditional permission.