

Delegated Report (Members Briefing)		Expiry Date:	20/03/2015	Officer:	David Peres Da Costa
Application Address		Application Number(s)	1st Signature	2nd Signature	
2 Frognal London NW3 6AJ		2015/0357/P			
Proposal(s)					
Amendment of planning permission granted 20/01/2015 for 'excavation of a basement extension with rear lightwell and lowering of the rear garden level, erection of a single storey rear extension at ground floor level' (ref:2014/3136/P), namely the subdivision of the approved dwelling into 2 x 2-bed flats, excavation of front lightwell and alteration to the design of the rear windows at ground and basement level.					
Recommendation(s):		Full planning permission subject to s106 legal agreement			
Application Type:		Grant planning permission			
Consultations	Date advertised	21 days elapsed		Date posted	21 days elapsed
Press notice	5/2/15	26/2/15	Site notice	04/02/2015	25/2/15
	Date sent	21 days elapsed	# Notified	# Responses	# Objections
Adjoining Occupier letters	2/2/15	23/2/15	37	7	6
Consultation responses (including CAACs):	<p>6 objections have been received from occupiers of flats within the site, the neighbouring property and Magdalen Mews.</p> <ul style="list-style-type: none"> Development will lead to overcrowding as there are already 5 flats within the property. <p><i>Officer's comment: Both flats would meet the Council's residential development standards and the development would provide two 2-bed flats for which there is a high priority in Camden.</i></p> <ul style="list-style-type: none"> Concern regarding rubbish Concern that proposed front lightwell will reduce space for bins; bin storage area should be moved to the left side of the building <p><i>Officer's comment: The applicant has provided a revised ground floor plan with details of a bin store which shows adequate space for 7 bin stores (one for each flat) plus an additional store for recycling.</i></p> <ul style="list-style-type: none"> noise from creation of additional flat <p><i>Officer' comment: this is not a relevant planning consideration. The proposed 2 x 2-bed flats would not result in significantly greater noise that the approved 4-bed flat.</i></p> <ul style="list-style-type: none"> extending the balcony into the garden will obstruct garden view of flats facing onto it 				

- security risk from balconies – especially on the side of the house
- balconies stretch too far around the building especially the side; It also contradicts previous ruling that a green roof could not be used.
- previous application secured green roof facing the garden. so no balconies or terraces should be allowed

Officer's comment: The application has been revised so that the garden would no longer be excavated down to basement level. As a result the garden would remain at ground floor level. The development does not propose any balconies or terraces. A condition is included to ensure that the flat roof of the extension is not used as a terrace.

- Concerned that lowering of garden will create land slip at boundary

Officer's comment: The application has been revised to omit the lowering of the garden to basement level at the rear.

- Party wall issues are not being addressed by the developer

Officer's wall: Party wall matters are not a planning consideration and are dealt with by different legislation (Party Wall Act). However, an informative is recommended to be added to any permission to advise the applicant of the Party Wall Act.

- Don't understand need to convert single flat into 2 smaller flats

Officer's comment: Both flats would meet the Council's residential development standards and the development would provide two 2-bed flats for which there is a high priority in Camden.

- please don't work before 7:30am on the weekends and 10am on the weekends.
- Significant noise from works

Officer's comment: Noise is covered by environmental health legislation and an environmental health informative advising hours / days of work will be included on the decision.

One letter of support has been received from an occupier of a flat within the site:
Would like the following point to be taken into consideration: high level of acoustic insulation throughout the two new flats to prevent the transfer of both airborne and structural originating sound.

Officer's comment: noise transfer between flats would be considered under building regulations.

Site Description

The application site is 2 Frognaal an end four-storey including converted attic space located on the south-east side of Frognaal, in the immediate proximity of the junction with Finchley Road. The host building is a part of a group of 6 buildings and whilst not listed, lies within the Redington/Frognaal Conservation Area, and is identified as a building that makes a positive contribution. The property has been subdivided into flats.

Relevant History

2014/3136/P: Excavation of a basement extension with rear lightwell and lowering of the rear garden level, erection of a single storey rear extension at ground floor level, replacement of existing side window to residential flat (Class C3). Granted Subject to a Section 106 Legal Agreement 20/01/2015

4 Frognaal

8700593: Erection of a part single storey and part two storey rear extension construction of a light well at front basement level and works of conversion to form four self-contained flats. Granted 09/07/1987

8 Frognal

2007/6036/P: Additions and alterations including excavation of front lightwell, new stairs and porch, part excavation of lower ground floor level, and rear single storey extension, all in connection with the creation of additional residential accommodation to lower ground floor flat. Granted 26/02/2008

2011/0165/P: Renewal of planning permission granted on 26 February 2008 (ref:2007/6036/P) for (Additions and alterations including excavation of front lightwell, new stairs and porch, part excavation of lower ground floor level, and rear single storey extension, all in connection with the creation of additional residential accommodation to lower ground floor flat). Granted 01/06/2011

Relevant policies

NPPF 2012

The London Plan March 2015, consolidated with alterations since 2011

LDF Core Strategy and Development Policies

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS11 (Promoting sustainable and efficient travel)

CS14 (Promoting high quality places and conserving our heritage)

CS19 (Delivering and monitoring the Core Strategy)

DP2 (Making full use of Camden's capacity for housing)

DP5 (Housing size mix)

DP6 (Lifetime homes and wheelchair homes)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and the availability of car parking)

DP19 (Managing the impact of parking)

DP22 (Promoting sustainable design and construction)

DP23 (Water)

DP24 (Securing high quality design)

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

Camden Planning Guidance

Redington/Frognal Conservation Statement

Assessment

- 1. Proposal:** Planning permission was previously granted for a basement and ground floor rear extension to provide a 4-bed flat at ground and basement level in January 2015. Permission is now sought to divide the 4-bed flat laterally to create two 2-bed flats (each at ground and basement). A number of other small alterations are proposed;
 - A front lightwell (measuring 1.1m wide by 3.48m long) with sash windows at basement level.
 - A high level basement window under the existing ground floor bay window on the front elevation.
 - Replacement of sliding doors and French doors at basement level with 2 sets of bi-folding doors.
 - Replacement of sliding doors and French doors at ground floor level with glazed doors and fixed glazing.
- 1.1. Revision:** Following officer's concern, the proposal has been revised. The rear lightwell has reverted to the size previously approved and consequently there would be no need for additional excavation (beyond what was already permitted by planning permission granted 20/01/2015 ref: 2014/3136/P). The proposed basement bi-folding doors on the front elevation have been replaced with sash windows. A revised layout for refuse and recycling bins has also been provided.
- 2. Assessment:**
 - 2.1. Housing mix**
 - 2.2.** The Council seek to ensure that all residential development contribute to meeting the priorities set out in the Council's 'Dwelling Size Priorities Table'. For market housing, a four bed-flat is a medium priority and a 2-bed flat is a very high priority. The development would provide two 2-bed flats (rather than a 4-bed flat) which given the dwelling size priorities is considered acceptable.
 - 2.3. Quality of accommodation**
 - 2.4.** Both 2-bed flats would comfortably exceed the Council's residential development standards in terms of floorspace. Likewise the floorspace of the main bedroom would exceed the minimum required. Both flats would be dual aspect and each would have access to outdoor amenity space at ground floor level. The size of the outdoor space for each flat (27sqm and 29sqm) is considered acceptable. The applicant has provided a lifetime homes statement. As this development is a conversion it is accepted that not all lifetime homes criteria can be met. A condition would be included to ensure all lifetime features specified in the statement are implemented.
 - 2.5. Design:**
 - 2.6.** The front lightwell is relatively small (projecting 1.1m from the front elevation). A lightwell projecting 2.4m beyond the front bay window was granted at No. 8 (ref: 2007/6036/P) and this mirrored the size of the front lightwell granted at No.4 (ref: 8700593). Front lightwells are part of the character of this part of the street. The proposed high level basement window would line up with the bay window above and would not harm the appearance of the front elevation. The proposed basement fenestration on the front elevation has been revised so that it relates to the ground floor windows above.

- 2.7. An extension with green roof was granted 20/01/2015. The previous planning permission included conditions restricting the use of the flat roof. As this application would result in a new planning permission it is necessary for the conditions attached to the previous permission to be secured again. This would include a condition requiring details of the green roof to be submitted prior to the commencement of development.
- 2.8. **Amenity:**
- 2.9. The alterations to the appearance of the building would have no impact on neighbouring properties in terms of daylight, sunlight, privacy, or overlooking. The subdivision of the 4-bed flat to create two 2-bed flats would not harm the amenity of the existing neighbouring flats.
- 2.10. **Basement excavation:**
- 2.11. The basement excavation has already been approved by the previous application. The only additional basement excavation would be the front lightwell (with an area of 3.8sqm). The consented basement is 178sqm. The proposed 2% increase in the size of the basement to allow a front lightwell would not affect the findings of the basement impact assessment which was previously found to be sound. A condition requiring details of the structural engineer would be included on the decision.
- 2.12. **Transport:**
- 2.13. The proposal would create an additional unit. The site has excellent public transport accessibility. In accordance with policy DP18 the new unit would be secured car free via legal agreement. The proposed basement granted 20/01/2015 involved significant excavation. The previous planning permission secured a construction management plan (CMP) and a highways contribution (£2000) for the repaving of the footway. As this application would result in a new planning permission it is necessary for the CMP and a highways contribution to be secured in line with the previous permission.
- 2.14. **Refuse:**
- 2.15. The applicant has provided details of a timber bin store for 7 wheelie bins (one for each of the proposed flats as well as the existing flats). An additional bin store is provided for recycling. Four bin stores would be provided on either side of the front garden. The location and design of the bin stores is acceptable.

Recommendation: Grant planning permission subject to s106

DISCLAIMER

Decision route to be decided by nominated members on 30th March 2015.

For further information please go to

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and search for 'members briefing'