



**ADN Planning Ltd**

**Chartered Town Planners**

**DRAFT STATEMENT OF COMMON GROUND  
(Houses)**

**THE LEIGHTON ARMS,  
101 BRECKNOCK ROAD, LONDON N7 0DA**

**DAVID NORRIS BA (Hons.); BTP; MRTPI**

**ADN Planning Ltd**

8 Kerria Way, West End, Woking, Surrey GU24 9XA

**Telephone:** 01483 808983 **Mobile:** 07503 745 077 **Email:** enquiries@adnplanning.co.uk  
**Website:** www.adnplanning.co.uk

## **CONTENTS**

- 1 DESCRIPTION OF THE APPEAL SITE & SURROUNDING AREA
- 2 THE PROPOSAL
- 3 RELEVANT HISTORY OF THE APPEAL SITE
- 4 PLANNING POLICIES
- 5 PLANNING ISSUES

## **1 DESCRIPTION OF THE APPEAL SITE AND THE SURROUNDING AREA**

- 1.1** The appeal property comprises land between the Leighton Arms public house and Number 135 Torriano Avenue. It currently comprises an empty storage concrete yard, having been detached from the public house operation. Fronting Torriano Avenue is a brick wall that contains three openings infilled with metal grills and a gate. There is also a raised brick planting bed behind this wall. The pavement in front of the wall to the rear yard is not within the ownership of the applicant.
- 1.2** The adjoining public house comprises a three storey Edwardian building that is located on the corner of Brecknock Road and Torriano Avenue. The upper two floors of the front façade are of cream painted London stock bricks with plastered architraves. Some stucco detailing is missing from window architraves as a result of previous low maintenance of the building. The ground floor is finished in stucco, which is painted grey/blue, with pilasters marking corners on the doorways. The large shop-front type windows and door have timber boarding surrounding them, both below and between. Number 135 Torriano Avenue and the public house sit forward of the notional building line that runs along Brecknock Road and Torriano Avenue. This setting forward of the corner buildings is a feature common to the local area and helps to define the entrance to the side streets. This can be seen on the opposite side of the road where the first few properties sit forward of the main building line
- 1.3** The character of the immediate area is predominantly residential. Brecknock Road forms the boundary between the original Edwardian streets and the generally 1950s blocks of flats to the east. These flats are typically set within gardens, set back from the pavement edge and vary in design and quality. Many of the properties in Torriano Avenue, and surrounding streets, are three storeys in height and although built as single family dwellings have subsequently been converted to flats. This includes the building on the opposite corner, which has an additional floor within the roof space built behind the parapet wall. In addition, many have mansard roofs, which vary considerably in quality. Number 135 Torriano Avenue comprises a four storey

building and has a single storey extension that wraps around the rear area of the property. It accommodates a kitchen/dining area.

- 1.4 Neither the existing building, nor the surrounding area, has been classed as Heritage Assets (Conservation Area/Listed Building).

## **2 THE PROPOSAL**

- 2.1 Planning permission is sought for the erection of two, three storey plus mansard, 4 bedroom houses within land that was previously used as part of the pub garden for the adjoining public house. Each house will be four storey and has been designed with a mansard roof set back from the main façade. The design of the houses has been largely informed by the style and form of the adjoining houses, and is very much in keeping with this style. The last few properties at the eastern end of Torriano Avenue form a distinctive feature within the urban grain of the street and sit in line with the elevations of the corner buildings set by 99 and 101 Brecknock Road. These properties sit forward of the rest of the terrace along Torriano Avenue. The two proposed houses follow this street pattern

- 2.2 The two houses will be constructed using London stock brick with modern white timbered windows and surrounds, traditional lead dormer windows and slate roofs. The existing architrave line of the terrace will be extended along the front elevation with white painted parapet walls. The houses will be three storey with a mansard roof and will follow a very similar design to the houses adjoining in Torriano Avenue. The ground floor of each house will comprise a kitchen/ dining area on the ground floor with a bin storage area accessing off the entrance hall. To the rear a bicycling store has been provided. Above, on the first floor, is a living room with dual aspect to the front and rear, and two bedrooms on the first floor with bathroom. On the third floor, and set within the mansard roof area, are two additional bedrooms with an ensuite to the master bedroom and a closet.

### **3 RELEVANT HISTORY OF THE APPEAL SITE**

**3.1** There is no relevant planning history. Planning permission was refused by the Council's Planning Committee against the recommendation of the planning officer to approve. The reasons for refusal are as follows:

*"1) The proposed development of the site would result in the loss of an important townscape gap between the rear of the properties facing Brecknock Road and the flank of those facing Torriano Avenue that defines the historic urban grain, contrary to Core Strategy Policy CS14 (promoting high quality spaces and conserving our heritage) and Development Policy DP24 (Securing high quality design) of Camden's adopted Local Development Framework 2010;*

*2) The rear windows on the proposed new houses would result in direct overlooking to a private habitable room to the rear of 135 Torriano Avenue and cause loss of privacy to the occupiers contrary to Core Strategy Policy CS5(Managing the impact of growth and development) and Development Policy DP26 (managing the impact of development on occupiers and neighbours) of Camden's adopted Local Development Framework 2010;*

*3) Inadequate information has been submitted to adequately demonstrate that the proposed new houses would not cause a material loss of daylight and sunlight to the windows on the extension of 135 Torriano Avenue, which would result in a loss of amenity to the occupier contrary to Core Strategy Policy CS5 (Managing the impact of growth and development) and Development Policy DP26 (Managing the impact of development on occupiers and neighbours) of Camden's adopted Local Development Framework 2010;*

*4) The proposed new houses would result in the loss of external space associated with the existing public house which would cause additional activity, disturbance and obstruction in the street and prejudice the long term retention of the public house which is an important local community facility contrary to Core Strategy Policies CS10 (Supporting community facilities and services, CS11 (promoting sustainable*

*and efficient travel), CS5 (Managing the impact of growth and development) and Development Policies DP15 (Community and leisure uses) DP 21 (Development connecting to the highway network), DP26 (Managing the impact of development on occupiers and neighbours) of Camden's adopted Local Development Framework 2010."*

## **4 PLANNING POLICIES**

### **National**

- 4.1** The basis on which planning applications are to be determined is set out in S.38 (6) of the Planning and Compulsory Purchase Act 2004, which requires:

**"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."**

### **National Planning Policy Framework (NPPF)**

- 4.2** The NPPF re-iterates at paragraph 11 that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. However, paragraph 12 states that development that accords with an up-to-date Local Plan should be approved, and proposed developments that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up- to-date plan in place.
- 4.3** The NPPF at paragraph 17 sets out a number of what is described as Core Planning Principles. Those relevant to this application include:
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

**4.4** Paragraph 49, under the heading of Delivering A Wide Choice Of High Quality Homes, states, “Housing applications should be considered in the context of the presumption in favour sustainable development.” Paragraph 60, of Chapter 7 (Requiring Good Design), states, “Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”

**4.5** Section 7 of the NPPF is entitled Requiring Good Design and at paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 60 states, ***“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”***

**4.6** Paragraph 70, under the heading Promoting Healthy Communities states that planning policies and decisions should deliver the social, recreational and cultural facilities the community needs. This involves planning positively for the provision and use of shared space, community facilities etc. and also to guard against the unnecessary loss of valued facilities and services.

**4.7** Under the heading Decision-taking the NPPF at paragraph 186 states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. This is re-iterated further at paragraph 187, which states:

*“Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”*

## **Local**

### **The London Plan – Spatial Development Strategy for Greater London – July 2011**

- 4.8** The London Plan provides a strategic framework for planning policies within the London Boroughs. Paragraph 3.13 states that the Mayor is clear in that London desperately needs more homes in order to promote opportunity and real choice for all Londoners. This is further supported in paragraph 3.14, which recognises that with a growing population and more households, delivering more homes for Londoners, and meeting a range of needs with high design quality is important.

### **The London Borough of Camden – Local Development Framework – Core Strategy 2010**

- 4.9** A full list of the relevant planning policies is set out in the officer’s delegated report. For convenience these are listed as follows:

- CS5 – Managing the impact of growth and development;
- CS6 – Providing quality homes;
- CS10 – Supporting community facilities and services;
- CS11 – Promoting sustainable and efficient travel;
- CS14 – Promoting high quality places and conserving our heritage;
- CS15 - Open space and biodiversity;
- CS17 – Making Camden a safer place;
- CS18 – Dealing with our waste and encouraging recycling.



## **The London Borough of Camden – Development Policies 2010**

- DP1 – Mixed Use Development;
- DP2 – Making full use of Camden’s capacity for housing;
- DP6 – Lifetime Homes and wheelchair homes;
- DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses;
- DP15 – Community and Leisure Uses;
- DP16 – The transport implications of development;
- DP17 – Walking, cycling and public transport;
- DP18 – Parking standards and limiting the availability of car parking;
- DP 22 – Promoting sustainable design and construction;
- DP24 – Securing high quality design;
- DP26 – Managing the impact of development on occupiers and neighbours;
- DP28 – Noise and vibration;
- DP29 – Improving access.

### **Supplementary Planning Documents**

**4.10** The Council have adopted a number of documents that assist in the determination of planning applications. Of relevance to the appeal are:

- CPG1 – Design;
- CPG2 – Housing;
- CPG3- Sustainability; and
- CPG6 – Amenity.

## **5. PLANNING ISSUES**

- 5.1** The proposed two houses are located in a sustainable brownfield location where both national and local policies seek to make best use of land. As the site is suitable for sustainable residential development it is considered to be acceptable in principle.
- 5.2** The two houses would meet an identified need in the borough.
- 5.3** The design of the two houses, and their materials, are in keeping with the character of the area and are considered to be an appropriate addition to the road. In addition, it is agreed that the original plan form of the area has been subject to change without harm to the townscape and general character of the area.
- 5.4** No objection is raised to the quality of the proposed residential accommodation, which is considered to be very good. It would meet Camden's minimum internal space standards. The proposal also satisfies the Lifetime Homes criteria.
- 5.5** In terms of impact upon the amenity of adjoining properties, no issue is taken with the daylight/sunlight report prepared by Dixon Payne, which indicates that none of the neighbouring windows with an outlook facing the site would result in less than 27% target enshrined in BRE guidance.
- 5.6** The proposal is located in a sustainable location with a Public Transport Accessibility Level (PTAL) of 4 (Good). Given the high PTAL, the site is considered acceptable for a car-free development. The cycle parking provision is considered to be acceptable.
- 5.7** The proposed building meets the Mayor's Energy Hierarchy through investment in a high performance building fabric and energy efficient engineering systems that would exceed policy requirements.
- 5.8** There would be no loss of trees or biodiversity. The tree in the south west corner of the site will be retained and protected during construction.

**5.9** The appellant has agreed to make financial contribution towards highway works; pedestrian, cycling and environmental improvements together with the Mayoral CIL.