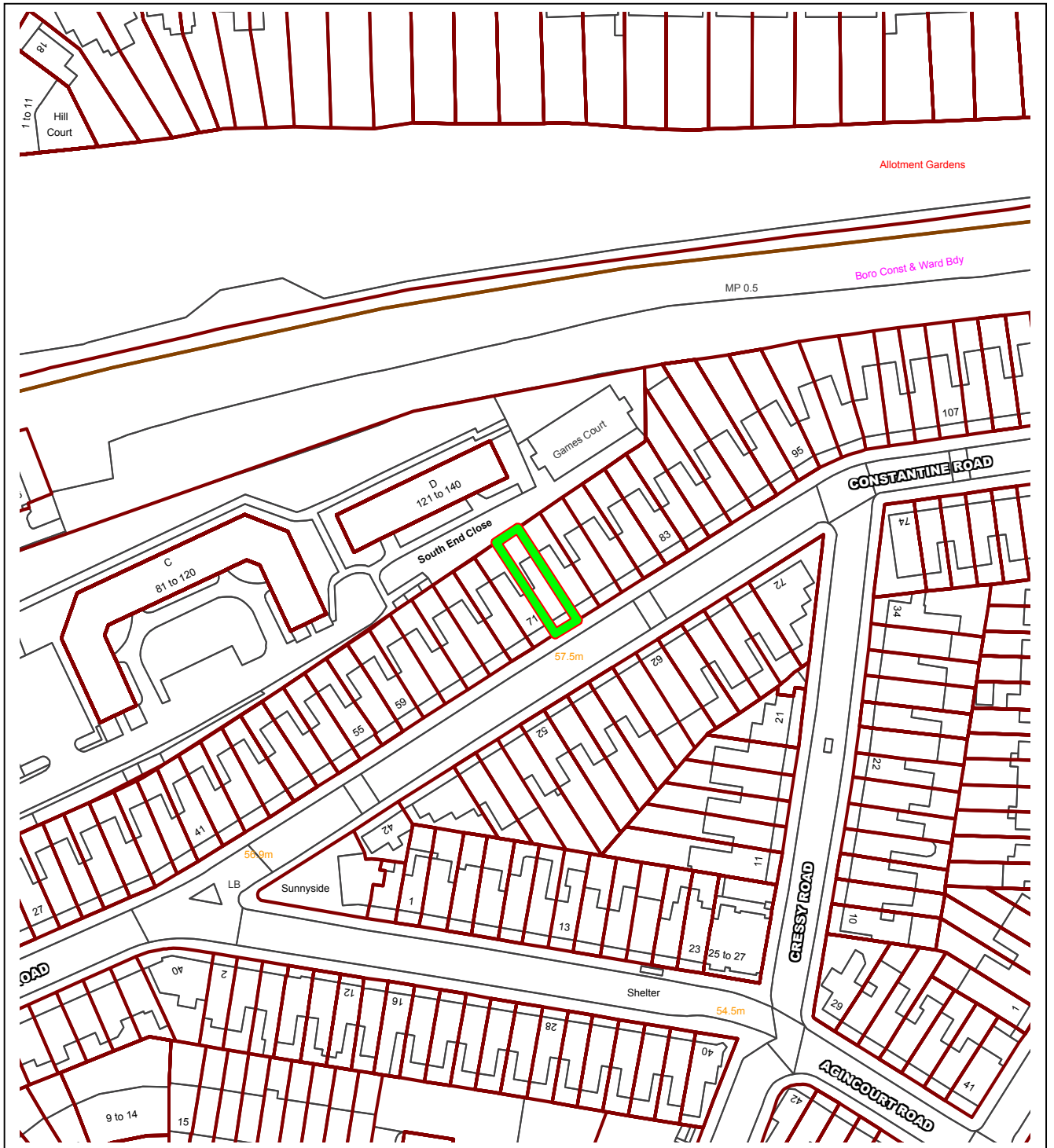


# 73 Constantine Road 2015/3882/P



Photograph One: Rear Elevation



Photograph Two: Rear Elevation



Photograph Three: Front Elevation

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>10/09/2015</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	13/08/2015
<b>Officer</b>			<b>Application Number(s)</b>	
Jennifer Chivers			2015/3882/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
73 Constantine Road London NW3 2LP			See draft decision	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Variation of condition 3 (approved plans) of planning permission 2014/0617/P dated 22/01/2015 for excavation to provide new basement floor including rear lightwell, erection of a two storey side infill extension and new windows to front bay window, namely to alter design of rear extension.				
<b>Recommendation(s):</b>		<b>Grant Permission</b>		
<b>Application Type:</b>		<b>Variation of Condition</b>		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	2	No. of responses	5	No. of objections	5
Summary of consultation responses:	<p>Local Press Notice 23/07/2015, expired 13/08/2015  Site Notice displayed 22/07/2015, expired 12/08/2015</p> <p>Objections have been received from the following addresses:  60, 62, 79, 75 Constantine Road</p> <ul style="list-style-type: none"> <li>• There is too much use of the party wall. Only half of the party wall belongs to no 73 and therefore the beams should only be inserted into half of the party wall. We believe this is not strong enough to carry the entire weight of the main house, rear projection and roof. The work should not prejudice the integrity of the party wall shared with 75 or prevent us from doing the same works.</li> <li>• The walls in the basement appear to be thinner than original proposed.</li> <li>• There are no support pillars in crucial weight pressure points (front and rear corners of rear projection, this means the whole weight of the house rear projection and roof is sitting on beams driven into the party wall.</li> <li>• A basement will cause terrible disturbance along the road with excavations, movement of earth and noise.</li> </ul> <p><b>Officer Response:</b> <i>This was assessed as part of the original application. The construction works are temporary in nature and will not be exacerbated by the application to vary the plans.</i></p> <ul style="list-style-type: none"> <li>• This will cause substantial traffic and parking effects.</li> </ul> <p><b>Officer Response:</b> <i>The variation to the planning application will not change the</i></p> <ul style="list-style-type: none"> <li>• There are subsidence issues prevalent on this side of Constantine Road, with a lot of houses undertaking underpinning works. <b>Officer Response:</b> <i>The original application contained a Basement Impact Assessment which was reviewed by an independent auditor and found the works to be acceptable. The variation has not changed this view.</i></li> <li>• The proposed changes to the frontage would mean that it will stand out from others in the conservation area. <b>Officer Response:</b> <i>The applicants have explored further options to remove the small windows to the front, however other options were considered more invasive in design. The windows were approved as part of the previous permission.</i></li> </ul>					

	<ul style="list-style-type: none"> <li>• The structure of the rear lightwell creates a loss of privacy to the rear garden; the new boundary wall appears to be higher than present causing loss of light.</li> <li>• The removal of the front boundary wall is out of keeping with all the other front walls in this conservation area.</li> <li>• <b>Officer Response:</b> <i>The existing front boundary wall is low and not proposed for removal.</i></li> <li>• There was a lack of consultation on both applications.</li> <li>• <b>Officer Response:</b> <i>As part of both applications a site notice was displayed, with a notice in the local press. Additionally, letters were sent to the adjacent neighbours.</i></li> </ul>
<p><b>CAAC/Local groups* comments:</b> *Please Specify</p>	<p>The <u>Mansfield Conservation Area Advisory Committee</u> has objected on the following grounds:</p> <ul style="list-style-type: none"> <li>• The revised treatment to the rear will not adversely affect the Conservation Area.</li> <li>• We still object to the three vertical slit windows in the front bay and these are in conflict with the guidance in the CA appraisal that basement conversions should not be perceptible from the public realm.</li> </ul> <p><b>Officer Response:</b> <i>The applicant has explored alternative options for the front treatment; however it was expressed that any front light wells would be more invasive than the previously approved changes under 2014/0617/P. The applicant is proposing to replace all the previously altered windows in the front elevation, to traditional sash windows and on balance this is considered to be an improvement to the existing situation.</i></p>

## **Site Description**

The application site relates to a two storey mid-terrace property located on the south side of Constantine Road, within the Mansfield Conservation Area. The surrounding streetscape is comprised of late Victorian three storey houses, with two storey interspersed. The property is listed as a positive contributor, but is not listed or subject to any other designations.

## **Relevant History**

2014/0617/P - Excavation to provide new basement floor including rear lightwell, erection of a two storey side infill extension, installation of Juliet balcony and balustrade as replacement of bay window at rear ground floor level and new windows to front bay window. Granted 22/01/2015

## **Relevant policies**

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

**London Plan March 2015, consolidated with alterations since 2011**

### **LDF Core Strategy**

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces and encouraging Biodiversity)

### **Development Policies**

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

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

DP27 (Basements and lightwells)

### **Supplementary Planning Policies**

CPG 1 Design 2015

CPG 4 Basements and lightwells 2015

CPG 6 Amenity 2011

**Mansfield Conservation Area Appraisal and Management Strategy December 2008**

## Assessment

### 1.0 Proposal

1.1 Planning permission was granted for excavation to provide new basement floor including rear light well, erection of a side infill extension, installation of Juliet balcony and balustrade as replacement of bay window at rear ground floor and new windows to front bay window under reference 2014/0617/P. The applicant now seeks to vary the drawing condition and proposes to alter the approved design of existing application. The changes comprise of:

- Remove the existing UVPC top hung casement windows on the front elevations and replace with timber sash windows
- Change to ground floor rear elevation, with glass panelled doors and vertical timber screens
- Removal of steps from basement level to rear garden and replacement with a bridge walkway from ground floor level.
- Glazed roof light box along the side infill.

### 2.0 Assessment

The original application (2014/0617/P) was approved on 21/01/2015, therefore the main Issues for consideration relate to the changes and are:

- Design
- Amenity
- Trees and Landscaping

### 3.0 Design

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

3.2 Given the scale of the host property and previous permission on the site it is not considered that the changes to the rear extension would result in an overly bulky or disproportionate extension within the context. It is considered that the changes would still result in the rear extension remaining subordinate appearance and having an appropriate visual relationship with the host building.

3.3 The detailed design of the rear extension is considered to respect the design and appearance of the rear elevation of the pair of semi-detached property. The facing brickwork would match the host building and the large rear openings are considered appropriate in this instance.

3.4 The reconfiguration of the steps from lower ground level, to a bridge at ground level, allows for a much more useable and reasonable sized garden, which retains the open character of the existing garden amenity space.

3.5 The changes to the side infill extension allow for the retention of the original opening on the rear



wall and this is welcomed.

3.6 For the reasons listed above the proposed development is considered to be consistent with Local Development Framework policies CS14, DP24 and DP25 and Camden Planning Guidance Design (CPG1).

#### **4.0 Amenity**

4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be "designed to protect the privacy of both new and existing dwellings to a reasonable degree" and states that the Council will "aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers.

4.2 There are no additional windows proposed within this application and the ground floor fenestration alterations will maintain a similar sized opening. Therefore it is not anticipated that there will be any privacy or overlooking effects experienced from the proposed changes.

4.3 It is not anticipated that unacceptable light spill will be experienced by the adjacent neighbour. The proposed changes would not exacerbate or cause any additional light spill over that already experienced. Furthermore, the property is in residential use.

#### **5.0 Trees and Landscaping**

5.1 Policy CS15 states that the Council will protect and improve sites of nature conservation and biodiversity by numerous methods including protecting trees and promoting the provision of new trees and vegetation including additional street trees.

5.2 The large steps to the basement have been removed and replaced with a bridge from ground floor level. The outdoor space retains a slightly different configuration, however this allows for a similar sized garden area. The changes proposed are not considered to adversely affect the mature cherry tree located near the rear of the property as outlined in the previous permission.

#### **6.0 Conclusion**

6.1 Based on the above, it is considered that the proposed changes to the development would not result in harm to the character and appearance of the host building or the Conservation Area whilst ensuring that the residential amenities of the nearby occupiers would not be significantly harmed.

**Recommendation: Grant Permission**

#### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 28 September 2015. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.**

Mr Richard Penman  
martyn clarke architecture  
78 Crouch Hill  
London  
N8 9EE

Application Ref: **2015/3882/P**  
Please ask for: **Jennifer Chivers**  
Telephone: 020 7974 **3303**

21 September 2015

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Variation or Removal of Condition(s) Granted

Address:  
**73 Constantine Road**  
**London**  
**NW3 2LP**

# DECISION

#### Proposal:

Variation of condition 3 (approved plans) of planning permission 2014/0617/P dated 22/01/2015 for excavation to provide new basement floor including rear lightwell, erection of a two storey side infill extension and new windows to front bay window, namely to alter design of rear extension.

Drawing Nos: Superseded Drawings: 73Cnstr/13/05; 06; 07; 08; Design and Access Statement all dated January 2014;

Drawings for approval: 6223\_02\_100; 6223\_02\_101; 6223\_03\_101; 6223\_02\_102; 6223\_02\_103; 6223\_02\_104; 6223\_02\_201; 6223\_02\_301:

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



Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.3 of planning permission 2014/0617/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans-

73Cnstrn/13/01 ; 02; 03; 04; 6223\_02\_100; 6223\_02\_101; 6223\_03\_101; 6223\_02\_102; 6223\_02\_103; 6223\_02\_104; 6223\_02\_201; 6223\_02\_301; OS Plan; Arboricultural Report by Crown Consultants dated 24 January 2014; Construction Management Plan; Revised Basement Impact Assessment by CGL dated November 2014.

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

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment