



**22 LANCASTER GROVE, LONDON, NW3 4PB
PLANNING STATEMENT**

October 2015

DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Tel: 020 7004 1700
Fax: 020 7004 1790

CONTENTS

| | | |
|-----------|---|-----------|
| 1. | INTRODUCTION..... | 4 |
| 2. | SITE DESCRIPTION..... | 6 |
| 3. | THE PROPOSED DEVELOPMENT | 8 |
| 4. | PLANNING POLICY FRAMEWORK..... | 9 |
| 5. | PLANNING POLICY ASSESSMENT | 13 |
| | • <i>Principle of development</i> | |
| | • <i>Density</i> | |
| | • <i>Residential mix and quality</i> | |
| | • <i>Basement element</i> | |
| | • <i>Trees</i> | |
| | • <i>Sustainability</i> | |
| | • <i>Transport</i> | |
| | • <i>Planning obligations and the Community Infrastructure Levy</i> | |
| | • <i>Design and conservation</i> | |
| | • <i>Daylight, sunlight and effects on residential amenity</i> | |
| | • <i>Other matters</i> | |
| 6. | CONCLUSIONS & SCHEME BENEFITS..... | 20 |
| | APPENDIX 1 – Committee Report 2014/2037/P | |
| | APPENDIX 2 – Inspector’s Report APP/X5210/W/15/3004790 | |
| | APPENDIX 3 – Camden Pre-application Response | |

SUMMARY

This Planning Statement has been prepared by DP9 Ltd (hereafter referred to as ‘DP9’) on behalf of North End Properties Ltd. (‘the applicant’), in support of an application for full planning permission for the redevelopment of 22 Lancaster Grove, NW3 4PB (‘the site’). The application seeks the:

Demolition of the existing dwelling house (C3) on site, to accommodate the erection of a single dwelling house (C3) of two storeys with an attic and basement, with associated landscaping and parking.

This Planning Statement assesses the proposed development against the provisions of the Development Plan, supplementary planning guidance and national planning policy. The proposal accords in all material respects with the relevant policies, and will result in a number of economic, social and environmental benefits, including:

- Make more effective use of a residential site in central London to optimize its potential and deliver family housing;
- Secure the redevelopment of an unattractive and unremarkable house which makes no contribution to the Conservation Area in which it is located;
- Deliver of a well-designed, contextual and high quality building that will enhance the Conservation Area and retain the majority of trees on site; and
- Deliver three high quality sustainable homes that meet the current energy requirements and space standards; and
- Make a significant financial contribution to infrastructure development in Camden and London.

In conclusion, the proposal is considered to be in accordance with national, regional and local planning policies. In these circumstances there is a strong presumption in favor of approval without delay.

1. INTRODUCTION

- 1.1 This Planning Statement relates to an application to the London Borough of Camden (LBC) for planning permission for the;

Demolition of the existing dwelling house (C3) on site, to accommodate the erection of a single dwelling house (C3) of two storeys with an attic and basement, with associated landscaping and parking.

- 1.2 Previous proposals for a single two storey building to provide 4x 5-bedroom houses (2014/2037/P) were considered by the LBC on the 2nd October 2015, and the Committee Report, reproduced as Appendix 1, recommended that planning permission be granted, subject to a section 106 Legal Agreement.

- 1.3 However, the Planning Committee resolved to refuse the application against officer's advice, based on alleged overdevelopment, resulting in the detriment to the character of the conservation area and impact on residential amenity.

- 1.4 An appeal (APP/X5210/W/15/3004790) was subsequently submitted against this decision, which responded in detail to the reasons for refusal. The appeal was later dismissed on the grounds of impact on the conservation area, the Inspector in his report reproduced as Appendix 2 stated:

as a result of its overall bulk, its intrusion into the street scene and rearward projection the proposal would materially detract from the spacious character of the south side of Lancaster Grove, including the area at the rear of the buildings (Para 29)

- 1.5 All other matters considered were determined as acceptable by the Inspector.

- 1.6 The principle of the redevelopment of the existing property has already been accepted by the Council, and much of the previous supporting material remains equally applicable to the current proposal. For clarification, this application is supported by the following documents set out in Table 1.

- 1.7 The remainder of this Planning Statement comprises the following sections:

- Section 2 – Site Description;
- Section 3 – The Proposed Development;
- Section 4 – Planning Policy Framework;
- Section 5 – Planning Policy Assessment; and
- Section 6 – Conclusions & Scheme Benefits.

Table 1: Supporting Documents

| Document | Consultant |
|---|----------------------------------|
| Planning Application Forms | DP9 Ltd |
| Land Ownership Certificates | DP9 Ltd |
| CIL Forms | DP9 Ltd |
| Planning Application Drawings including: <ul style="list-style-type: none"> • Location Plan • Site Plan | INK Bespoke |
| Acoustic Report | Syntegra |
| Arboricultural Impact Statement | RPS |
| Basement Impact Assessment | Chelmer Site Investigation (CSI) |
| Construction Management Plan & Traffic Management Plan | Stoneforce |
| Daylight & Sunlight Report | Point2 |
| Design and Access Statement | INK Bespoke |
| Ecology & Habitat Report | Syntegra |
| Heritage Statement | Beacon Planning |
| Planning Statement | DP9 Ltd |
| Sustainability & Energy Statement | ERS Services |

2. SITE DESCRIPTION

The Site

- 2.1. The site and surrounding area are described in some detail in the Design and Access Statement (DAS), and the Heritage Statement.
- 2.2. In summary, the site comprises of a detached 4 bedroom dwellinghouse, built in the mid 1980's. The house stands in a substantial plot which covers an area of approximately 0.11 ha. The existing dwelling is of no historic significance, has no particular architectural merit, and makes no contribution to the character of the surrounding residential area. The site has a PTAL of 3.
- 2.3. The site is located within the Belsize Park Conservation Area. It is characterised by large detached properties, on large, generally regular plots, developed in relatively close proximity to each other. The notable exception is Number 24, which adjoins the site to the east, which occupies a compromised, wedge shaped plot reflecting its position on the curve in Lancaster Grove at this point.
- 2.4. The Committee Report to the previous application (2014/2037/P) states:-

The building is a mock tudor half-timber house dating from the 20th Century and given the materials and detailing is considered to be at odds with the predominant character and appearance of the area, It includes uncharacteristic metal railings to the front boundary and is considered to make little or no contribution to the sub area of the Belsize Park Conservation Area or stretch of dwellings on the south side of Lancaster Grove' (Para 6.4.6)
- 2.5. The Inspector's Report to the appeal (APP/X5210/W/15/3004790) states

The dwelling on the appeal site dates from the mid 1980s; it has no architectural merit and its design, materials and detailing do not make a positive contribution to the distinctiveness of the area. I therefore consider that its demolition and replacement by an appropriate building would not be harmful to the CA. (Para 6)
- 2.6. We concur with this description of the area as set out in the Inspector's Report for APP/X5210/W/15/3004790 and Committee Report for 2014/2037/P.
- 2.7. Conservation matters are addressed in both the DAS and the Planning Statement, and in the independent Heritage Statement prepared by Beacon Planning. The assessments conclude that the existing property detracts from the character of the Conservation Area, and furthermore the proposed development would make a positive contribution to the character of the area.
- 2.8. Nos. 18-20 Lancaster Grove (adjoining the site to the west) were identified as being unlisted buildings that make a positive contribution to the Conservation Area. In 2007 applications for planning and conservation area consent were made which sought to erect a new two

storey plus attic level and basement dwellinghouse, following the demolition of 2 existing dwellinghouses. This application was granted on appeal in 2008, and renewed in 2010.

3. THE PROPOSED DEVELOPMENT

- 3.1. The proposals seek full planning permission for the following (the ‘proposed development’):

Demolition of the existing dwelling house (C3) on site, to accommodate the erection of a single dwelling house (C3) of two storeys with an attic and basement, with associated landscaping and parking.

- 3.2. The proposed development is to demolish the existing dwelling on the site and erect replacement single dwelling. The proposed development will deliver high quality housing which is needed in Camden.
- 3.3. The proposed building will be of a high quality and has been designed to use elements found throughout the Conservation Area. The design of the dwelling is in direct response to the Inspector’s decision and comments and the proposed development is of a scale and mass which is consistent with the neighbouring properties, and the wider context.
- 3.4. The proposed development will have a site coverage of 31%. The proposed development will have a total GIA of 1296m². Against the total site area, this corresponds to a plot ratio of 1:3.
- 3.5. Given the PTAL of the site the proposed development and the character of the surrounding development the proposed development is considered to comply with all relevant density standards, and the resultant plot ratio and coverage will be in keeping with neighboring properties.
- 3.6. The proposed development are described in more detail in the DAS, the Heritage Statement and the submitted plans.

4. PLANNING POLICY FRAMEWORK

- 4.1. This section provides an overview of planning policy relevant to the site at national, regional and local level.

National Policy

- 4.2. National planning policy is set out in the National Planning Policy Framework (NPPF) which was adopted on 27 March 2012. Supporting the NPPF, is the National Planning Policy Guidance (NPPG) adopted on the 6 March 2014.
- 4.3. The NPPF establishes overarching principles of the planning system, including the requirement of the system to “*drive and support development*” and supports “*approving development proposals that accord with the development plan without delay*”. There is also a “*presumption in favour of sustainable development... [which] should be seen as a golden thread running through both plan-making and decision-taking*”. For decision making this means approving proposals that accord with the development plan without delay.
- 4.4. Paragraph 17 sets out the core planning principles, which underpin how planning should operate to ensure the delivery of sustainable development. It advises that, inter alia, planning should:
- be genuinely plan-led
 - proactively support the delivery of homes that the country needs
 - always seek to secure high quality design
 - always seek to secure a good standard of amenity for all existing and future occupants of land and buildings
 - conserve heritage assets in a manner appropriate to their significance
- 4.5. Paragraphs 56-68 relate to the importance of good design setting out is a key aspect of sustainable development. Paragraph 58 sets out aims for planning policies and decisions to ensure high quality design. Paragraph 60 states, inter alia, that planning policies and decisions should not attempt to impose architectural styles or particular tastes, but it is proper to seek to promote or reinforce local distinctiveness.
- 4.6. Paragraph 131 relates to conservation and heritage matters, and states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and,
 - the desirability of new development making a positive contribution to local character and distinctiveness.

- 4.7. Paragraphs 128, 131, 132, 137 and 138 are also relevant to this case, and are addressed in more detail in the Heritage Statement prepared by Beacon Planning. This also addresses the relevant heritage provisions of the National Planning Policy Guidance (NPPG).

Development Plan

- 4.8. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), states that the determination of planning applications should be in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.9. The relevant statutory Development Plan for the site comprises of the: Camden Core Strategy (2010), Camden Development Policies (2010), Camden Site Allocations Plan (2012) and the London Plan (July 2011 (as amended)).
- 4.10. For development in London, The Mayor has also published Supplementary Planning Guidance (SPG) documents which expand upon policy within the London Plan and are material considerations.

London Plan (2011)

- 4.11. The London Plan was formally adopted in July 2011 and is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. The London Plan has recently been revised by the revised early Minor Alterations (REMA) (2013) and more recently Further Alterations to the London Plan (FALP) (2015) to reflect key rising demand for housing and employment generation issues within London.
- 4.12. The London Plan contains a number of key policies relevant to the development proposals including:
- London Policy 3.4 states that planning decisions should seek to optimise housing potential in developments, due to the pressing strategic demand for housing. The relevant density standards for the Appeal Site are between 200-450 habitable rooms and 45-120 units per hectare. Supporting paragraph 3.29 of the policy states *“the form of housing output should be determined primarily by an assessment of housing requirements and not by assumptions as to the built form of the development”*.
 - London Plan Policies 3.5 and 3.8 promote well designed housing that enhances the quality of local places, taking into account physical context, local character; density; tenure and land use mix; and to deliver dwellings of different sizes and tenures.
 - London Plan Policy 7.2 states that the Mayor will require all new development in London to achieve the highest standards of accessible and inclusive design, and support the principles of inclusive design.
 - London Plan Policy 7.4 relates to local character and states that development should have regard to the form, function, and structure of an area, place or street and the scale,

mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

- London Plan Policy 7.6 relates to architecture, and requires that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing.
- London Plan Policy 7.8 outlines the Mayor's approach to heritage assets and states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.

LBC Core Strategy (2010)

- 4.13. Local Planning Policy is primarily set out in the LBC Core Strategy which was adopted in November 2010. The Core Strategy sets out the strategic direction for development within Camden in line with their objectives and aspirations for the Borough.
- 4.14. Key LBC for Core Strategy policies that are relevant to the development proposals are as follows:
- Policy CS1 states that 12,250 additional homes will be provided in Camden between 2010/11 and 2024/25, and that the council will promote the most efficient use of land.
 - Policy CS5 seeks to manage the impact of development and ensure that development meets the full range of objectives in the Core Strategy, including ensuring the efficient use of land and protects the amenity of residents and visitors to the Borough.
 - Policy CS6 outlines that the council will maximize the supply of housing, ensure the provision of quality homes and seek a diverse range of housing including a variety of sizes.
 - Policy CS11 sets out that the council will promote sustainable transport choices, as part of this, minimize the provision for private parking in new developments through car capped developments, amongst other methods.
 - Policy CS14 ensures the promotion of high quality places and conservation of the heritages assets in the borough.

LBC Development Plan Policies (2010)

4.15. The Core Strategy is supported by the policies of the LBC Development Plan Policies. Key LBC Development Plan Policies that are relevant to the development proposals are as follows:

- Policy DP2 sets out that the council will seek to maximize the supply of additional homes in the borough, expecting the maximum appropriate contribution to the supply of housing on sites that are underused
- Policy DP5 supports CS1 and states that the council will seek residential development of varying sizes including family sized dwellings to meet the priorities set out in the Dwelling Size Priorities Table – the table sets out that five and four bed dwellings are family dwellings in medium demand
- Policy DP24 supports CS14 and sets out criteria to implement the requirement for high quality design based on the considerations previously stated. Supporting paragraph 24.4 of policy DP24 states that high quality design “*is not just about the aesthetic appearance of the environment, but also about enabling an improved quality of life, equality of opportunity and economic growth.*”
- Policy DP25 seeks to preserve and enhance the character and appearance of Conservation Areas in Camden. The Policy states that the Council will “*take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;*”
- Policy DP26 outlines the factors upon which the LPA will consider when determining the impact of development on neighbours. These will include: visual privacy and overlooking; overshadowing and outlook; and sunlight, daylight and artificial light levels. The policy states that to assess if the levels of daylight and sunlight are acceptable, the council relies upon the British Research Establishment’s (BRE) *Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (1991)*.

Other Relevant Guidance

4.16. There is a range of local planning guidance that would be used alongside the aforementioned documents to help determine the application. These include the:

- CPG1: Design
- CPG2: Housing
- CPG4: Basements and lightwells
- CPG6: Amenity

5. PLANNING POLICY ASSESSMENT

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires proposals to be determined in accordance the Development Plan unless material considerations indicate otherwise.
- 5.2. This section therefore assesses the proposals against the Development Plan and other relevant planning policy at national and local level with particular regard to the following:
- *Principle of development*
 - *Density*
 - *Residential mix and quality*
 - *Basement element*
 - *Trees*
 - *Sustainability*
 - *Transport*
 - *Planning obligations and the Community Infrastructure Levy*
 - *Residential amenity (Neighbouring Living Conditions)*
 - *Design and conservation*
 - *Other matters*
- 5.3. The proposed development has been informed by the application 2014/2037/P and subsequent appeal APP/X5210/W/15/3004790, within which multiple discussions between the applicant and LBC took place as to what development was appropriate for the site.

Principle of development

- 5.4. The principle of the redevelopment of the existing property was accepted in the pre-application response to the appeal scheme, which states that “*residential accommodation is a priority land use in the Councils Local Development Framework and as such the creation of additional dwellings on the site would be welcomed*”. The pre application response is contained in Appendix 3.
- 5.5. The Committee Report for application 2014/2037/P paragraph 6.2.1 states that “*the continued use of the site for residential development is considered to be acceptable in principle*”. This conclusion applies to the current proposals.

Density

- 5.6. The current proposals are for a development with reduced density compared to the previous proposals.
- 5.7. The proposed development will provide 1 dwelling with a total of 18 habitable rooms. The PTAL for the site is 3 and as determined in the Committee Report for 2014/2037/P, the

context is 'Urban' for the purpose of assessing density against the London Plan Density Matrix.

- 5.8. The proposed development will have a density of 162 habitable rooms and 9 dwellings per hectare. The proposed development will have a site coverage of 31% consistent with surrounding plots.
- 5.9. Given the PTAL of the site the proposed development and the character of the surrounding development, the proposals still represent an effective and efficient use of the site, and are in line with relevant planning policies. In these circumstances, the proposals are of an appropriate density having regard to London Plan policy 3.5, Core Strategy policy DP2 and the established character of the area.

Residential mix and quality

- 5.10. The Committee Report confirmed that *"good quality family accommodation is identified as being needed in the borough and therefore acceptable with regards to Policy DP5"* (Para 6.3.1).
- 5.11. The current proposals are for a high quality replacement single dwelling, which exceeds the minimum space standards and Lifetime Home standard and provides acceptable levels of private amenity space. We consider the mix and quality of the residential use is appropriate and in accordance with the Development Plan and identified local needs.

Basement element

- 5.12. No issues were raised with regards to the proposed basement in the appeal scheme, which was considered in accordance with policy by the officer. The Report confirmed:- *"the proposed basement is considered acceptable with regards to Policy DP27"* (Para 6.6.3). The current proposals are supported by an updated Basement Impact Assessment and Ground Movement Assessment, prepared by Chelmer Site Investigations, which reaches the same conclusions.

Trees

- 5.13. The proposed development will retain all the trees in the rear garden.
- 5.14. The Committee Report for application 2014/2037/P concluded that the loss of 6 mature trees on site was considered acceptable. The Report stated:- *"the submitted Arboriculture assessment which includes tree protection measures is considered acceptable"* (Para 6.7.1).
- 5.15. The supporting arboricultural assessment to this application concludes that two trees in the existing front garden are considered to be in poor health and not particularly appropriate species for the location. The proposed development will remove these trees. The principle of this was agreed with Camden in pre-application discussions.
- 5.16. It is proposed to plant 9 new trees in the front garden to maintain the separation from the road and reinforce the leafy nature of the southern side of the street.

5.17. Furthermore, the Inspector in his report to APP/X5210/W/15/3004790 concluded that:

Nearby residents have raised concerns about a number of other issues including... loss of trees. However these matters and others raised are not reflected in the refusal reasons and based on what I have read and seen, including the undertakings in the planning obligation, they would not amount to justified reasons for refusing permission. (Para 27)

5.18. By virtue of retaining all the trees in the rear garden and delivering 7 additional trees, we consider the proposal to be in line with the development plan and acceptable in regard to this matter.

5.19. Given the changes in design from the proposals assessed in APP/X5210/W/15/3004790, the proposed development is supported by revised arboricultural method statement, tree retention and tree protection plans, which set out the measures being undertaken to protect trees in line with LBC policy. Again the measures taken are in accordance with policy.

Sustainability

5.20. In line with the appeal scheme, the proposed development will deliver a sustainable dwelling that again meets Level 4 of the Code for Sustainable Homes. The Officer for application 2014/2037/P previously welcomed the delivery of such sustainable housing and considered it “*in accordance with policy DP22*” (Para 6.8.1). We consider the current proposals are sustainable, and meet all the relevant current Policy requirements and recent legislation revisions.

Transport

5.21. In common with the appeal proposal, the current proposed development will be car capped in line with DP18. The proposed development will retain the five parking spaces in existence and proposes no additional spaces. As such, we consider the current proposals are equally acceptable in transport terms.

Planning Obligations and the Community Infrastructure Levy (CIL)

5.22. The proposals will be liable to CIL and relevant obligations.

5.23. The proposed development will secure in excess of £500 000 in CIL monies.

Residential amenity (Neighbouring Living Conditions)

5.24. In respect of the appeal proposals, residential amenity was subject of detailed objections raised by and on behalf of the neighbouring properties Nos. 18-20 and No. 24. Subsequently, it formed a reason for refusal to the application 2014/2037/P:

The proposed development by virtue of its bulk, mass and proximity to neighbouring properties would have an unacceptable impact on residential amenity by virtue of a combination of reduction of light, outlook and a heightened sense of enclosure contrary to

policy CS5 of the London Borough of Camden Core Strategy and the London Borough of Camden Development Policies DP26.

- 5.25. During the appeal, the appellant submitted a further Daylight and Sunlight Assessment by Point2. This specifically assessed the impact of the appeal proposals on both Nos. 18-20 and No. 24 Lancaster Grove. The matter of outlook and heightened sense of enclosure was also deliberated as part of the appeal.

- 5.26. On these matters, the Inspector concluded that:

CS Policy CS5 indicates that the amenity of residents will be protected by making sure that the impact of developments on neighbouring occupiers is fully considered. CDP Policy DP26 indicates that permission will only be granted for development that does not cause harm to amenity. Whilst I understand the Council's desire to ensure that residential amenities are safeguarded this absolute test must be subject to a balanced judgement taking into account the specific circumstances of development proposals. In this case the proposal would conflict with a strict interpretation of policy DP26; however I consider that it would not conflict with the approach of Policy CS5 and that the harm caused to the living conditions of the occupiers of neighbouring properties would not be sufficient to justify the refusal of permission. (Para 26)

- 5.27. The full assessment of the matter by the Inspector is set out in Paragraphs 17 to 26 of his report, which is included in Appendix 2 of this Planning Statement. However, the pertinent issue is that the Inspector concluded that the impact delivered by the appeal proposal was acceptable and in line with policy. The proposed development, by virtue of being reduced in scale and mass, and with these matters considered in its design, has a lesser impact than that determined to be acceptable by the Inspector. Consequently, the proposed development is considered to be in accordance with policy and acceptable with regard to residential amenity. This is supported by the conclusions of the Daylight and Sunlight Report prepared by Point 2.

Design and conservation

- 5.28. In determining the appeal proposal the Inspector concluded that:

as a consequence of the bulk of the proposal, its encroachment into the space at the rear of the buildings and its intrusion into the street scene the proposal would significantly detract from the spacious character of the south side of Lancaster Grove. I consider that the harm to the character and appearance of the CA would be "less than substantial" as indicated in the National Planning Policy Framework; however I have not identified any public benefit sufficient to outweigh that harm (Para 29)

- 5.29. This reason for refusal is broken down by the detailed assessment of the inspector in his report, as follows:

1. Projection of west façade when viewed on the eastern approach around the corner would be prominently visible and uncharacteristically intrusive

2. Lack of detailing/design to west façade to provide any relief – the appeal for 18-20 had a similar issue but was noted to provide relief due to the design/detailing
3. Proposal's depth, specifically how this is viewed from the street scene and the impact this has upon the garden space

5.30. The proposed development can be assessed in the context of the matters raised above as follows:

1. The projection of the west façade has been amended. It has been pulled back by 2.4m to be in line with the garage of No. 24. Furthermore, the footprint of the proposed development no provides a gradual stepping of the building in line with the curvature of Lancaster Grove when traveling east to west.
2. In addition, the western façade has now been designed to provide a high quality and interesting elevation in a sympathetic arts and crafts style that relates to the Conservation Area. The proposals now contain a wraparound garage and the façade is further stepped inwards after the garage on the upper levels when compared with the appeal scheme. Further detailing is provided by corner stones and a hipped roof. This detailing is similar to that proposed in the approved proposal at Nos. 18-20.
3. The proposed development provides a reduction in bulk and mass. In comparison to the appeal scheme the proposed development is reduced by 4000sqft. Furthermore, the main rear elevation has been moved forward 3.5m and the front protruding gable has been removed. The reduced depth of the building allowed more garden space to be retained, and the gap between the building and eastern and western site boundaries has been reduced. Consequently, the amendments mean that the site coverage of the propoed development is now 31%, which is in line with the surrounding properties as shown in the Design and Access Statement building to plot coverage review.

5.31. It is understood that the proposal has been already discussed with the London Borough Camden (LBC) conservation officer who preferred the additional second gable to the west of the front façade, irrespective of the additional floorspace this added. We would concur and consider that by virtue of its additional gable to the front façade and influence in its design to respond to the curvature of Lancaster Grove, this design provides a more comprehensive response to the Inspector's dismissal of the appeal refusal.

5.32. Notwithstanding this, the proposals have been independently assessed by Beacon Planning and their views are set out in the accompanying report.

5.33. In summary Beacon Planning's conclusions are:

- The existing building does not make a positive contribution, and its demolition creates an opportunity to deliver an enhancement to the conservation area. These opportunities have been fully exploited such that the proposals will deliver this enhancement through both the replacement building and the boundary treatment that will together reinforce local distinctiveness. The design is appropriately high quality and takes proper account of and responds to local architectural character, spatial characteristics, local context and street scape, use of materials and, in doing so, the

Inspector's previous findings. With reference to the Development Policies, the proposals are therefore in accordance with DP24.

- Criterion (b) of development policy DP25 – Conserving Camden's heritage, states that only development that preserves and enhances the character and appearance of the conservation area will be permitted. For the reasons set out above, the proposals are entirely in accordance with this policy, and will deliver an enhancement upon the existing.
- This statement has taken account of the Conservation Area Statement has not identified No. 22 as making a positive contribution. As a building that does not make a positive contribution, DP25(c) does not apply in this instance.
- The preservation of the spacious character of the south side of Lancaster Grove was identified by the Inspector as a key factor in the determination of the appeal scheme. This has been addressed through the revision in the bulk, depth and plan of the building, as well as its relationship to the site boundaries such that the garden character to the rear and set back to the front will be retained, and the building will not appear unduly bulky or intrusive. This is considered to meet the directive of DP25(e).
- For the same reasons as set out above, the proposals are in accordance with Core Strategy Policy CS14 – Promoting high quality places and conserving our heritage, and policy 7.8 of the London Plan – Heritage assets and archaeology.
- Paragraph 137 of the NPPF guides that local planning authorities should look for opportunities for new development within conservation areas to enhance or reveal their significance. Proposals that better reveal the significance of the asset should be treated favourably. In the present case, the proposals both preserve and enhance the character and appearance of the conservation area in line with paragraph 137.
- By virtue of both preserving and enhancing the character and appearance of the conservation area, the proposals are consistent with the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- It is considered therefore that these proposals are in line with local and national best practice policy and guidance, as well as national heritage legislation. There are no material considerations therefore that would prevent a successful determination of this application with respect to the historic environment.

5.34. We concur with these conclusions. We consider that the current proposals are of a high quality design, which will preserve and enhance the character of the Conservation Area.

Other Matters

- 5.35. The construction of the development will be supported by a construction management plan (CMP) secured via a S106 agreement. In regards to this matter, the Inspector considered the possible effects of the construction of the proposal and concluded that:

based on what I have read and seen, including the undertakings in the planning obligation, they would not amount to justified reasons for refusing permission

- 5.36. The current access to and servicing of the site will remain as existing.
- 5.37. The current foul drainage and refuse collection will remain as existing.

6. CONCLUSIONS & SCHEME BENEFITS

- 6.1. This Planning Statement has been prepared to accompany an application for full planning permission for the redevelopment of 22 Lancaster Grove, Camden, NW3 4PB.
- 6.2. We consider the principle of redevelopment of the site for residential uses is fully in accordance with the Development Plan. The residential density and plot ratio are in line with planning policy requirements and consistent with the character of the area. The proposed development is of a high quality design, and will deliver new homes that are needed and enhance the appearance of the site, and the character of the Conservation Area.
- 6.3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (subsection 1) states that in the exercise of any functions with respect to any buildings or land within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 6.4. The Planning Statement has assessed the proposals against the provisions of the Development Plan, supplementary planning guidance and national planning policy. The independent analysis undertaken by Beacon Planning concludes that the proposed development will preserve and enhance the character of the Conservation Area. In these circumstances, the NPPF confirms that there is a clear presumption in favour of development and permission should be granted without further delay.
- 6.5. The proposed development will result in a number of economic, social and environmental benefits, including:
- Make more effective use of a residential site in central London to optimize its potential and deliver family housing that will contribute to the clearly defined need within Camden and greater London;
 - Secure the redevelopment of an unattractive and unremarkable house which makes no contribution to the Conservation Area in which it is located;
 - Deliver of a well-designed, contextual and high quality building that will enhance the Conservation Area and retain the majority of trees on site; and
 - Deliver three high quality sustainable homes that meet the current energy requirements and space standards; and
 - Make a significant financial contribution to infrastructure development in Camden and London.
- 6.6. In conclusion, the proposed development is considered to be in accordance with national, regional and local planning policies, and therefore, represents an appropriate development for this site.

APPENDIX 1

| | | | |
|---|---|--|----------|
| Address: | 22 Lancaster Grove London NW3 4PB | | 6 |
| Application Number: | 2014/2037/P | Officer: Peter Higginbottom | |
| Ward: | Belsize | | |
| Date Received: | 20/03/2014 | | |
| Proposal: Erection of a two-storey building plus basement following the demolition of existing building to provide four dwellinghouses (4 x 5-bed). | | | |
| Drawing Numbers: | | | |
| <p>22LG-P1-A-(00)-000; Demolition Plan 22LG-P1-(15)-001; Existing Plans 22LG-P1-(00)-002, 22LG-P1-(00)-10, 22LG-P1-(00)-11; Proposed Plans 22LG-P1-(10)-001 Rev C, 22LG-P1-(10)-002 Rev C, 22LG-P1-(10)-003 Rev C, 22LG-P1-(50)-SK100, 22LG-P1-(50)-SK101, 22LG-P1-(10)-10 Rev C, 22LG-P1-(10)-11 Rev C, 22LG-P1-(10)-12 Rev C, 22LG-P1-(11)-10 Rev C, 22LG-P1-(11)-11 Rev C, 22LG-P1-(11)-12 Rev C.</p> <p>Documents: Arboricultural Impact Assessment Ref JKK8117, Tree Constraints Plan JKK8117_Figure 01.01, Tree Protection Plan JKK8117_Figure 03.01, Tree Retention and Removals Plan JKK8117_Figure 02.01, Design and Access & Planning Policy Statement, Basement Impact Assessment Ref BIA4193, Extended Phase 1 Habitat and Bat Survey Grid Ref TQ 271 845, Chemical Interpretive Report Ref CHEM/4193, Construction Management Plan by Stoneforce Ltd, Desk Top Study Report Ref DTS/4193, Energy Strategy Report by Syntegra Consulting dated 21/02/14, Factual Report Ref FACT/4193, Geotechnical Interpretive Report Ref GEO/4193, Noise Impact Assessment Ref: 10952.NIA.01, Structural Engineering Planning Report by Constructure Ltd dated Feb 2014, Ecology Baseline and Code for Sustainable Homes Assessment Report by Syntegra Consulting dated Feb 2014, Daylight, Sunlight & Overshadowing Report Rev A by Syntegra Consulting dated April 2014, Lifetime Homes Letter from KSA dated 20/04/14.</p> | | | |
| RECOMMENDATION SUMMARY: Granted Subject to a Section 106 Legal Agreement | | | |
| Applicant: | | Agent: | |
| Miss Katherine Somers Flat 7 4 Bath Street London EC1v 9LB | | KAS Flat 7 4 Bath Street London EC1V9LB | |

ANALYSIS INFORMATION

| Land Use Details: | | | |
|-------------------|-----|-----------------|------------|
| | Use | Use Description | Floorspace |

| | | | |
|----------|--------------------------|--|---------------------------|
| | Class | | |
| Existing | <i>C3 Dwelling House</i> | | <i>326m²</i> |
| Proposed | <i>C3 Dwelling House</i> | | <i>1,492m²</i> |

Residential Use Details:

| | Residential Type | No. of Bedrooms per Unit | | | | | | | | |
|----------|-----------------------|--------------------------|---|---|---|----------|---|---|---|----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9+ |
| Existing | <i>Dwelling House</i> | | | | | <i>1</i> | | | | |
| Proposed | <i>Dwelling House</i> | | | | | <i>4</i> | | | | |

Parking Details:

| | Parking Spaces (General) | Parking Spaces (Disabled) |
|----------|--------------------------|---------------------------|
| Existing | <i>6</i> | <i>0</i> |
| Proposed | <i>4</i> | <i>0</i> |

OFFICERS' REPORT

Reason for Referral to Committee: This application is reported to Committee because it is a development involving the demolition of the existing dwelling which is in a conservation area [clause 3(v)]

1. SITE

- 1.1 The application site is located to the southern side of Lancaster Grove which is a predominantly residential area. The road curves at the application site. The immediate surrounding area comprises of large detached dwellings. The site is occupied by a detached post-war building, which comprises a half-timber house of two storeys plus attic storey. The building includes a projecting double garage at the front and to the right hand side of the building. The site is in use as a single dwelling. The property is set within generous grounds of 0.11 hectares and benefits from a large rear garden and area to the front forecourt with space for 5 cars. The site contains separate in and out vehicle access gates.
- 1.2 The site is located within the Belsize Park Conservation Area. The Conservation Area Statement describes the area as being of predominately late Victorian housing with some Edwardian pockets. The area is notable for the varied styles and elevational treatment of properties but with consistent materials of generally red brick and red clay tiled roofs.
- 1.3 The site has a Public Transport Accessibility Level (PTAL) of 3 (moderate).

2. THE PROPOSAL

Original

- 2.1 The application proposes the demolition of the existing 5-bed dwelling and erection of a three storey building plus basement to provide four 5-bed dwellinghouses plus parking for four cars at the front of the property and associated landscaping.

Revisions

- 2.2 The following revisions have been secured during the assessment of the application:

- Overall height of building reduced by 600mm
- Front entrance to houses 2&3 revised
- Bay removed from house 4
- Reduction in the amount of stone on front and rear elevations
- House 1 pulled away from no.24 by 1m at first and roof level as advised by daylight and sunlight consultant.
- Internal layout updated to show future lift position, minor changes to plans to meet lifetime homes.

3. RELEVANT HISTORY

Application site

3.1 None

18-20 Lancaster Grove

- 3.2 2007/0923/P - The erection of a new two-storey plus attic level and basement dwellinghouse, following the demolition of 2 existing dwellinghouses. Allowed on appeal on 28/05/2008 (Ref: APP/X5210/A/07/2048016)
- 3.3 2007/0925/C – Demolition of 2 existing dwellinghouses. Allowed on appeal 28/05/2008 (Ref: APP/X5210/A/07/2048015)
- 3.4 2010/3134/P and 2010/3135/C – renewal of permissions 2007/0923/P and 2007/0925/C Respectively.
- 3.5 2013/5072/P - Confirmation that works undertaken at 18-20 Lancaster Grove constitute commencement of development of planning permission 2010/3134/P. Granted 04/10/2013.

4. CONSULTATIONS

Statutory Consultees

- 4.1 **Thames Water** - Following initial investigation, Thames Water has identified an inability of the existing wastewater infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

Water Comments - no objection

Non-statutory Consultees/local groups

- 4.2 **Belsize Conservation Area Advisory Committee** – object on grounds of gross-overdevelopment

Adjoining Occupiers

Original

and R1

| | |
|---|----|
| <i>Number of letters sent</i> | 39 |
| <i>Total number of responses received</i> | 56 |
| <i>Number of electronic responses</i> | 0 |
| <i>Number in support</i> | 0 |
| <i>Number of objections</i> | 52 |

4.3 A notice was erected on site and a press notice was published with an expiry date of 24 April 2014.

4.4 Objections received raised the following issues:

- Will overshadow and block daylight to breakfast room of no 24
- Also block light to dining room of no. 24
- Basement excavations risk damage to my house as they are close to party wall
- So many new houses would be out of character with the street
- Scale of proposed building is far in excess of the residential setting
- Would dwarf the adjacent houses
- Lead to increased occupancy
- Destroy the character of an area with oversized dwellings
- Each house will be about 2m higher than the existing and adjacent houses
- Total of 25 bedrooms could lead to 40 people occupying a site leading to more cars and traffic
- Dwellings will have tiny gardens
- Traffic burden on road
- Lancaster Grove is a tranquilising street
- Do not delegate the decision
- Severely affect the surrounding houses and sympathetic to the architecture of the street.
- Proposal will destroy such a visually beautiful neighbourhood which has historical interest
- Four homes on the land is ridiculous
- Building is too big and consequently out of proportion to its immediate neighbours
- Site can only accommodate two dwellings
- Ground level of the site means the development will look out of place
- Application is 2 storeys but it is clearly 3 with rooms in the roof
- Height is out of proportion with the street
- Increase in floor area of 350%
- Removal of trees is unacceptable
- Development sets a precedent
- Hardly any garden space left
- Design is dreary, imitation "old" style
- Proposed is completely different from the current house
- Diabolical attempt to destroy the conservation area
- Sheer bulk of the proposed building
- Ridge line is unnecessarily high

- Traditional sash windows would be appropriate
- Conservatory should be traditional
- PV cells are unsightly
- Multi-family dwelling will swamp the vista of the street
- It does not enhance the area, it detracts from it
- Concern that the excavation of basements would be dangerous for stability of surrounding ground and effect on drainage
- Windows will lead to overlooking and light pollution
- Will set a precedent
- Starting point of 18-20 is not correct as this development reflected the site
- Loss of amenity to conservation area
- Not possible to work under canopy of existing trees
- Terrible idea to tear down a perfectly fine house
- Will block light in to neighbouring garden
- Create chaos in the street
- Potential for an extra 10 cars parking in Lancaster Grove

An objection was received from Cllr Tom Simon on grounds that the proposal is a massive overdevelopment of the site and in a style out of keeping with the area. The proposal will have a negative impact on the conservation area. The proposal would be very imposing and domineering. It will also impact on number 24 in terms of overshadowing.

5. POLICIES

- 5.1 Set out below are the LDF policies that the proposals have primarily been assessed against. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

LDF Core Strategy and Development Policies adopted 8th November 2010

CS4 Areas of more limited growth
 CS5 Managing the impact of growth and development
 CS6 Providing quality homes
 CS8 Promoting a successful and inclusive Camden economy
 CS11 Promoting sustainable and efficient travel
 CS13 Tackling climate change through promoting higher environmental standards
 CS14 Promoting high quality places and conserving our heritage
 CS17 Making Camden a safer place
 CS18 Dealing with waste and encouraging recycling
 CS19 Delivering and monitoring the Core Strategy
 DP2 Making full use of Camden's capacity for housing
 DP5 Homes of different sizes
 DP6 Lifetime homes and wheelchair housing
 DP16 Transport implications of development
 DP17 Walking, cycling and public transport
 DP18 Parking standards and limiting the availability of car parking
 DP20 Movement of goods and materials
 DP21 Development connecting to the highway network

DP22 Promoting sustainable design and construction
DP23 Water
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
DP29 Improving access

5.2 Supplementary Planning Policies

5.3 Camden Planning Guidance (CPG) 2011

- CPG 1 Design 2013
- CPG 2 Housing 2013
- CPG4 Basements 2013
- CPG 6 Amenity 2011
- CPG 7 Transport 2011
- CPG 8 Planning obligations 2011

5.4 Belsize Conservation Area Statement (April 2003)

5.5 London Housing SPG

6. ASSESSMENT

6.1 The principal considerations material to the determination of this application and summarised as follows:

- Land use and density
- Residential mix and quality of accommodation
- Design and conservation
- Residential amenity
- Basement
- Sustainability
- Transport
- Planning obligations
- Community Infrastructure Levy

6.2 Land use and density

- 6.2.1 The site is currently occupied by a five bedroom single family dwelling and therefore the continued use of the site for residential development is considered to be acceptable in principle.
- 6.2.2 The proposed development comprises of 4 dwellings and will have a total of 43 habitable rooms. Given the site area of 0.11 hectares the proposed development will have a density of 391 habitable rooms and 36 dwellings per hectare. The sustainable residential quality density matrix in the London Plan states that the density for sites with a PTAL of 2-3 in an urban context should be between 200-450 habitable rooms and 45 to 120 units per

hectare. The proposed development is therefore considered to be of an appropriate density and acceptable with regards to Policy 3.5 of the London Plan and Policy DP2.

6.3 Residential mix and quality of accommodation

- 6.3.1 Policy DP5 states that the Council will expect a mix of large and small homes in all residential developments and will seek to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priorities Table (DSPT). The proposal includes the provision of four 5-bed dwellings which are regarded as being of a medium need relative to supply. While the proposal does not provide any 2-bed dwellings (highest priority) good quality family accommodation is identified as being needed in the borough and therefore acceptable with regards to Policy DP5.
- 6.3.2 The proposed residential units all exceed the minimum space standards as set out in CPG2 and the London Housing SPG. These units will also meet the Lifetime Homes standard as required by Policies CS6 and DP6. This will be secured through condition.
- 6.3.3 The residential units will all have private gardens at the rear measuring 75sqm which are considered acceptable areas of private amenity space to meet the requirements set out in Guidance CPG2.

6.4 Design and conservation

- 6.4.1 The Belsize Conservation Area Statement (BCAS) which was published in April 2003 defines six separate sub-areas. The site falls within Sub Area three, which contains buildings of varying age and style. This is particularly so within Lancaster Grove, where there are distinct differences between the houses on the north and south side of the road.
- 6.4.2 The north side is more unified, containing rows of tall, red brick Victorian villas, built much closer to the road. Many of these contain fine moulded detailing and stone dressings and have imposing gabled front elevations.
- 6.4.3 The development along the south side of the street is of a different character to the northern side of the street. The dwellings vary enormously in age, size, style and also to some degree the distance that they are set back from the road. The properties between Strathray Gardens and Eton Avenue (of which the subject site forms a part) tend to be of two or three storeys and, all but no. 24, include projecting front gables. The predominant building materials here is red brick, terracotta and clay tiles and the dwellings have some characteristics of an 'Arts and Crafts' style house, of which there are other examples in the sub-area, particularly in Eton Avenue.
- 6.4.4 This section of road on the south side also contains a consistent and distinctive brick boundary wall to the road, except outside the subject site where, the wall has been replaced with modern railings.

Existing building

- 6.4.5 The existing building is not listed and not highlighted as making a positive contribution to the character and appearance of the Belsize Park Conservation Area.
- 6.4.6 The building is a mock Tudor half-timber house dating from the late 20th Century and given the materials and detailing is considered to be at odds with the predominant character and appearance of the area. It includes uncharacteristic metal railings to the front boundary and is considered to make little or no contribution to the sub area of the Belsize Park Conservation Area or stretch of dwellings on the south side of Lancaster Grove.
- 6.4.7 Its removal and replacement would not harm the character and appearance of the conservation area subject to the design of the new building.

The proposed building

- 6.4.8 Where buildings do not make a positive contribution to the character or appearance of a conservation area the Council will view the development as an opportunity to enhance an area and secure the optimum viable use of the site.
- 6.4.9 Policies CS14 and DP24 and CPG1 seek to ensure all development is of the highest quality design and considers the character, setting, context and form of neighbouring buildings. Furthermore Policy DP25 seeks to preserve and enhance the character and appearance of Conservation Areas.
- 6.4.10 With regard to design, developments should have respect for their context, as part of the wider area which has a well-established character and appearance of its own.
- 6.4.11 The proposed building has been sympathetically designed, to enhance the traditional arts and crafts character of the area. The building would comprise a detached two storeys plus attic development with projecting gables, consistent with the buildings on the south side of the street.
- 6.4.12 Proposed materials include handmade bricks. The roof would be tiled and decorative detail would be added throughout with Portland stone window dressings and quoins. The materials are considered to be acceptable in principle but full details together with samples will be secured through condition.
- 6.4.13 The design cleverly incorporates four dwellings into a building which appears as a single family dwelling thereby preserving the character of this side of the street as well as making best use of the land for family housing. The distance from adjoining boundaries would also be more consistent with the other properties on the south side of the street and the position and layout of the design has also managed to cleverly mediate between the building lines of properties curving away from the site. This has meant a slight projection to the front gable adjoining no.24 but this is consistent with all projecting gables along the length of the road as it bends. This allows the development to carefully knit

the townscape together to reinforce the better qualities of the existing townscape and thus enhance character and appearance of the area.

- 6.4.14 The footprint and the massing of the proposed dwelling is larger than the existing by approximately 185sqm, however the building does not feel oversized and the footprint with a site coverage of 33% (ratio of 1:4) is consistent with the built development to plot ratio in the area. A plot ration analysis of the surrounding area has been submitted which shows a number of other sites with a similar coverage and ratios.
- 6.4.15 The ridgeline is higher than the immediately adjacent no.24 Lancaster Grove but it is not higher most other neighbour properties in the Conservation Area. The height of no.24 Lancaster Grove is in fact an anomaly in the local context as in fact is the buildings built form and character. Although an immediate neighbour this should not set parameters for development in the area. This should be led by historic properties which define the character and appearance of the conservation area.
- 6.4.16 The increase in mass would be most noticeable when travelling along the street in a westerly direction due to the projecting gables. However this is a common streetscape characteristic which already exists as you travel westerly from Eton Avenue. In this regard the change in view would preserve the appearance of the area and would not be harmful to the streetscene or to the character or appearance of the Conservation Area, particularly given the quality of the proposed dwelling.
- 6.4.17 The existing front boundary railing would be replaced with a brick boundary wall which matches the existing adjoining original boundary wall. This would significantly enhance the character of the streetscene.
- 6.4.18 The new building would assimilate with its surroundings enhance the character and appearance of this part of the Belsize Park Conservation Area and its design justifies the increase in scale from the poor quality architecture of the existing dwelling
- 6.4.19 The proposal would accord with LDF policy DP24 which seeks to ensure that, among other things, that development is of a high standard and that it respects its site and setting and seeks to improve the attractiveness of an area and not harm its appearance or amenity. In addition, it is considered that the proposal would accord with policy DP25 which seeks to ensure that new development in a conservation area preserves and enhances the special character or appearance of the area. Similarly, the proposal would accord with the advice set out in the NPPF paragraph 137 that states “proposals preserve those elements of the setting of the Conservation Area and make a positive contribution to or better reveal the significance of the asset should be treated favourably.”
- 6.4.20 The proposal is a high quality, imaginative design which would be a welcome addition to the area once complete.

- 6.4.21 It should also be noted that Nos. 18-20 Lancaster Grove (adjoining site to the right hand side facing front) are identified within the BCAS as being unlisted buildings that make a positive contribution to the Conservation Area. Consent was granted May 2008 on appeal for their replacement with a dwelling of similar design and scale to the proposed scheme. This permission was renewed in August 2010 and confirmed as having commenced in October 2013.

6.5 Residential amenity

Background

- 6.5.1 Policy DP26 states that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Factors considered will include visual privacy and overlooking, overshadowing and outlook, and sunlight, daylight and artificial light levels. These elements should be considered at design stage while the standards recommended in the BRE Site Layout Planning for Daylight and Sunlight good practice guide will be taken into account in the assessment of applications.
- 6.5.2 In addition CPG 6 on Amenity states that all buildings should receive adequate daylight and sunlight and daylight sunlight reports will be required where there is a potential impact upon existing levels of daylight and sunlight.
- 6.5.3 Given that the proposed development is larger than the existing dwelling and owing to the proximity of the neighbouring properties, the applicant submitted a Daylight, Sunlight and Overshadowing assessment with the planning application which concluded that the proposed development was largely in accordance with the BRE guidance.

24 Lancaster Grove

- 6.5.4 While the applicant's daylight report concluded that the proposed development was acceptable, concerns were raised during consultation. The occupier of number 24 appointed a building surveyor (BVP) to review the submitted report and raised the following key issues:
- The model does not appear to reflect the proposed building
 - Trees have been included in the model which is not on accordance with BRE guidance
 - Surface 9 and 10 will have received a moderate adverse impact on daylight received.
 - Concern regarding location and relationship between existing and proposed buildings together with inclusion of trees, accuracy of readings cannot be relied upon with regards to sunlight.
 - Unable to comment on overshadowing
 - Convinced that the proposed development will lead to a sense of enclosure
- 6.5.5 The applicant's daylight consultant (Syntegra Consulting) submitted a response to the comments submitted by BVP (19 August 2014). The response explains

the approach to their modelling and confirms the removal of the trees from their modelling.

- 6.5.6 This response sets out that while there is a reduction in daylight to window S5 of the neighbour's dining room, this is part of an open plan room and sufficient light will be received from the other windows of S1 and S3.
- 6.5.7 The proposed development will result in loss of light to the existing breakfast room of number 24. However the breakfast room is connected to the kitchen through an arch and not considered to be a habitable room in its own right. Given that the kitchen will not be adversely impacted by the development, the proposed impact on the breakfast room is considered acceptable.
- 6.5.8 The response submitted by the applicant's daylight consultant is considered to have addressed the concerns raised by the neighbouring occupiers. This information states that the development will result in a reduction of daylight to the side facing window however as this is a secondary window to breakfast room, the impact is considered negligible and therefore acceptable. The council accepts this position.

18-20 Lancaster Grove

- 6.5.9 Concern has also been raised by the impact on the neighbouring property of number 18-20 Lancaster Grove. It is noted that the loss of daylight to the side facing windows S9 and S10 of 18-20 Lancaster Grove will be below the levels stipulated in the BRE guidance however as these are secondary windows to these rooms, with the primary windows of S7 and S8 not affected by the development, the impact on S9 and S10 is considered negligible. The proposed impact on the daylight and sunlight of 18-20 Lancaster Grove is therefore considered acceptable.

Overlooking

- 6.5.10 The proposed development features side facing windows to the first floor west elevation however as these windows serve bathrooms and feature obscure glazing there will be no overlooking issues. Side windows are also proposed to the east and west elevations at third floor level. However these dormer windows, facing the roofs of the neighbouring properties are not considered to give rise to additional overlooking of the neighbouring properties above which exists from the existing property and therefore acceptable.
- 6.5.11 The proposed development is not considered to cause significant harm to the residential amenities of the occupiers of neighbouring properties and therefore acceptable with regards to Policy DP26 and CPG6.

6.6 Basement

- 6.6.1 The proposal includes single storey basements for each of the four dwellings situated under the footprint of the ground floor and to the front of the site. The applicant has submitted a basement impact assessment to assess the potential

impact on land stability and groundwater flow. The BIA was reviewed by an independent consultant who requested additional information and calculations. The applicant has since submitted additional information.

6.6.2 The Basement Impact Assessment together with the addendum does not suggest that there will be any issues with the implementation of the proposed basement scheme. The BIA and addendum have been reviewed by the independent consultant who has confirmed the findings of the assessment as being sound. A Basement Construction Plan will be secured through Section 106 to ensure the basement is implemented to a satisfactory standard.

6.6.3 The proposed basement is considered acceptable with regards to Policy DP27.

6.7 Trees

6.7.1 The proposed development will result in the removal of 6 trees on the site (T1, T2, T5, T14, T17 and T18) with all but one being classed as category C. T5 is classed as a category B tree, however as it is to the rear of the site and given that the majority of the trees are to be retained as part of the development the loss is considered acceptable. The submitted Arboricultural assessment which includes tree protection measures is considered acceptable.

6.8 Sustainability

6.8.1 The application is accompanied by a Sustainability Report which demonstrates that the development will achieve Level 4 of the Code for Sustainable Homes. While the development falls below the threshold to require the submission of either a Code for Sustainable Homes Pre-Assessment the sustainable measures are welcomed and considered in accordance with Policy DP22.

6.9 Transport

6.9.1 Policy DP16 states that the Council will seek to ensure that development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links while Policy DP18 will seek to ensure that developments provide the minimum necessary car parking provision. Developments within areas of controlled parking zones (such as the application site) should be car free however where the council accepts the need for car parking provision, development should not exceed the maximum standard for the area. On-site parking should be limited to spaces designated for the occupiers of development.

6.9.2 The proposed development includes the provision of four off-street parking spaces to the front of the property with one space dedicated for each dwelling. The existing dwelling has off-street provision for five vehicles together with a parking permit for a further vehicle on-street within the Controlled Parking Zone therefore equating to six spaces. While the council will not normally encourage off-street parking provision, the applicant has agreed to secure a car capped development thereby removing the right to any on-street parking provision while the proposal will include four spaces. This therefore will comprise a net

reduction of two parking spaces. Given that the site is located within an area of moderate public transport provision (PTAL 3) and as the proposal will result in a net loss of parking provision, the proposed level of off-street parking is considered acceptable with regards to Policy DP18.

6.10 Planning Obligations

6.10.1 The proposed development involves the net creation of over 1000sqm of residential floorspace. Therefore, in accordance with Policy DP3 a contribution towards the supply of affordable housing is required.

6.10.2 Policy DP3 states that on-site affordable housing is preferred except where it is determined that this is not appropriate or viable then a financial payment in-lieu will be required. Given the net increase of floorspace being 1200sqm, the required on-site affordable housing would equate to 12%. As the proposal is for four units it is not possible to provide a single unit for affordable housing. Furthermore, an alternative scheme may only provide a single onsite unit and a Registered Provider would be unlikely to take ownership of a single unit owing to issues of separate access, management and cost. Consequently, on-site affordable housing is not considered appropriate in this instance and therefore the applicant is required to make a financial contribution in-lieu of on-site provision. Based on the calculation in CPG8, a contribution of £ 378,738 is required which the applicant has agreed to. The contribution will be secured through Section 106 Agreement.

6.11 Community Infrastructure Levy

6.11.1 This proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as it includes the addition of residential units. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge for this scheme, should it be approved would likely be £63,000 (£50 x 1260sqm). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

7. CONCLUSION

7.1.1 The proposed

7.1.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Financial contribution towards affordable housing (£378,738)
- Car capped development
- Basement Construction Management Plan
- Construction Management Plan

8. LEGAL COMMENTS

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Conditions

See draft decision notice

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 22LG-P1-A-(00)-000; Demolition Plan 22LG-P1-(15)-001; Existing Plans 22LG-P1-(00)-002, 22LG-P1-(00)-10, 22LG-P1-(00)-11; Proposed Plans 22LG-P1-(10)-001 Rev C, 22LG-P1-(10)-002 Rev C, 22LG-P1-(10)-003 Rev C, 22LG-P1-(50)-SK100, 22LG-P1-(50)-SK101, 22LG-P1-(10)-10 Rev C, 22LG-P1-(10)-11 Rev C, 22LG-P1-(10)-12 Rev C, 22LG-P1-(11)-10 Rev C, 22LG-P1-(11)-11 Rev C, 22LG-P1-(11)-12 Rev C.

Documents: Arboricultural Impact Assessment Ref JKK8117, Tree Constraints Plan JKK8117_Figure 01.01, Tree Protection Plan JKK8117_Figure 03.01, Tree Retention and Removals Plan JKK8117_Figure 02.01, Design and Access & Planning Policy Statement, Basement Impact Assessment Ref BIA4193, Extended Phase 1 Habitat and Bat Survey Grid Ref TQ 271 845, Chemical Interpretive Report Ref CHEM/4193, Construction Management Plan by Stoneforce Ltd, Desk Top Study Report Ref DTS/4193, Energy Strategy Report by Syntegra Consulting dated 21/02/14, Factual Report Ref FACT/4193, Geotechnical Interpretive Report Ref GEO/4193, Noise Impact Assessment Ref: 10952.NIA.01, Structural Engineering Planning Report by Constructure Ltd dated Feb 2014, Ecology Baseline and Code for Sustainable Homes Assessment Report by Syntegra Consulting dated Feb 2014, Daylight, Sunlight & Overshadowing Report Rev A by Syntegra Consulting dated April 2014, Lifetime Homes Letter from KSA dated 20/04/14.

Reason:

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

- 3 Prior to the relevant part of the works taking place detailed drawings and/or samples of materials as appropriate, in respect of the following, have been submitted to and approved in writing by the local planning authority:
 - a) Plan, elevation and section drawings, including jambs, head and cill, of all new external windows and doors at a scale of 1:10 with typical glazing bar details at 1:1.
 - b) Typical details at a scale of 1:10 or 1:1, samples where appropriate and

manufacturer's details of new facing materials including but not limited to brickwork, windows and door frames, glazing, balconies, balustrades, metal panels.

A sample panel of brickwork of no less than 1m by 1m including junction with window opening demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding, shall be erected on site for inspection for the local planning authority.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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

- 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.

- 5 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 6 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: To protect the visual amenity of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 7 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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 if in CA] of the London Borough of Camden Local Development Framework Development Policies.

- 8 The flank windows on the east and west elevations serving the bathrooms at first and second floor levels as shown on approved plans ... shall be of obscure glazing and fixed shut up to 1.7m above finished floor level unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure no overlooking of neighbouring properties.

- 9 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

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 needs to 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 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.
- 5 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.



Application No: 2014/2037/P

22 Lancaster Grove

☐ **London**

☐ **NW3 4PB**

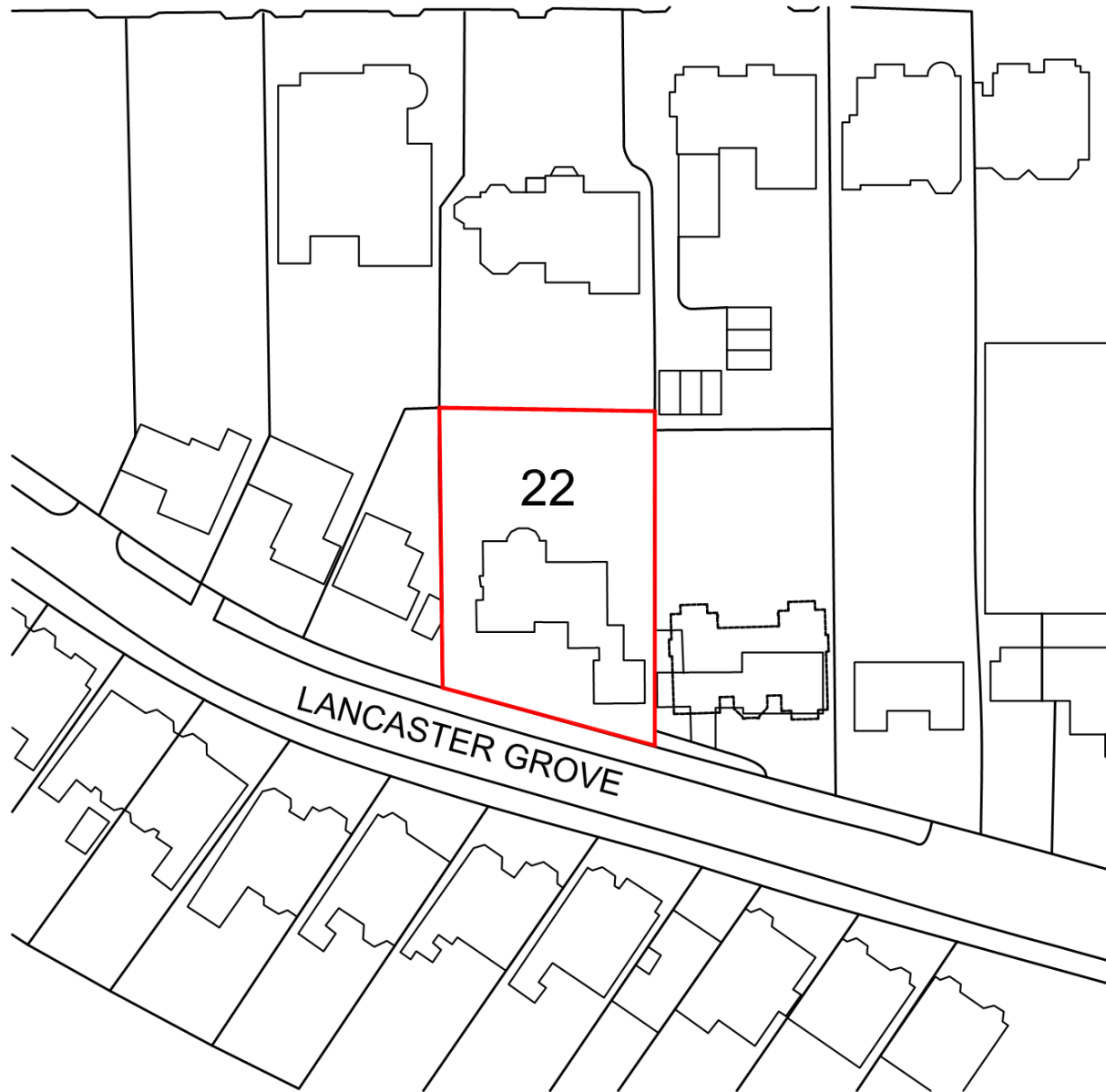
**Scale:
1:1250**

**Date:
18-Sep-14**



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

22 Lancaster Grove



Existing



Aerial view



Street view



Front



Rear

Street View



28-24 Lancaster Grove



Views



Proposal

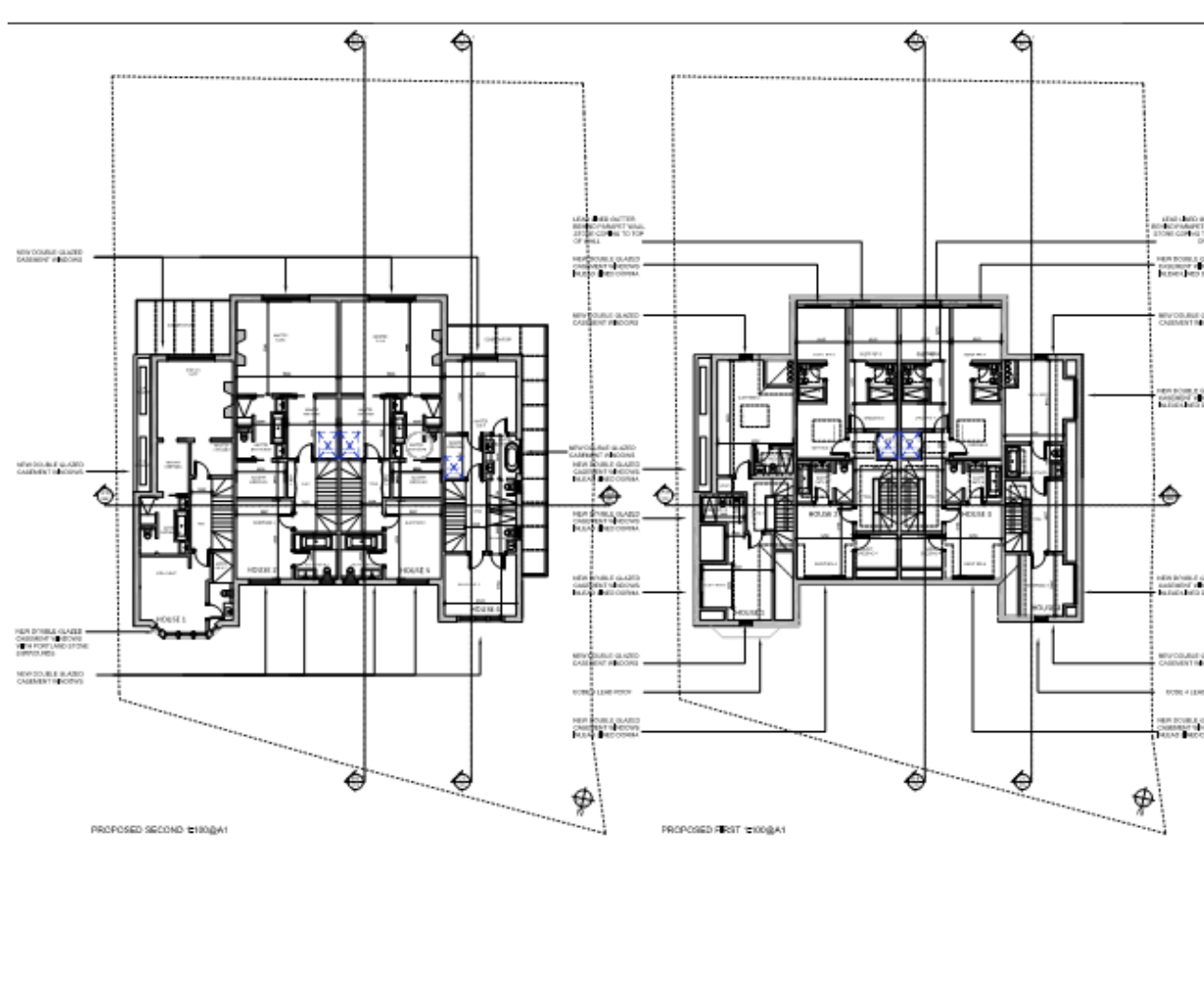


Proposed lower ground floor

Proposed ground floor



Proposed second floor



Proposed Front/Rear Elevations



Proposed East/West Elevations

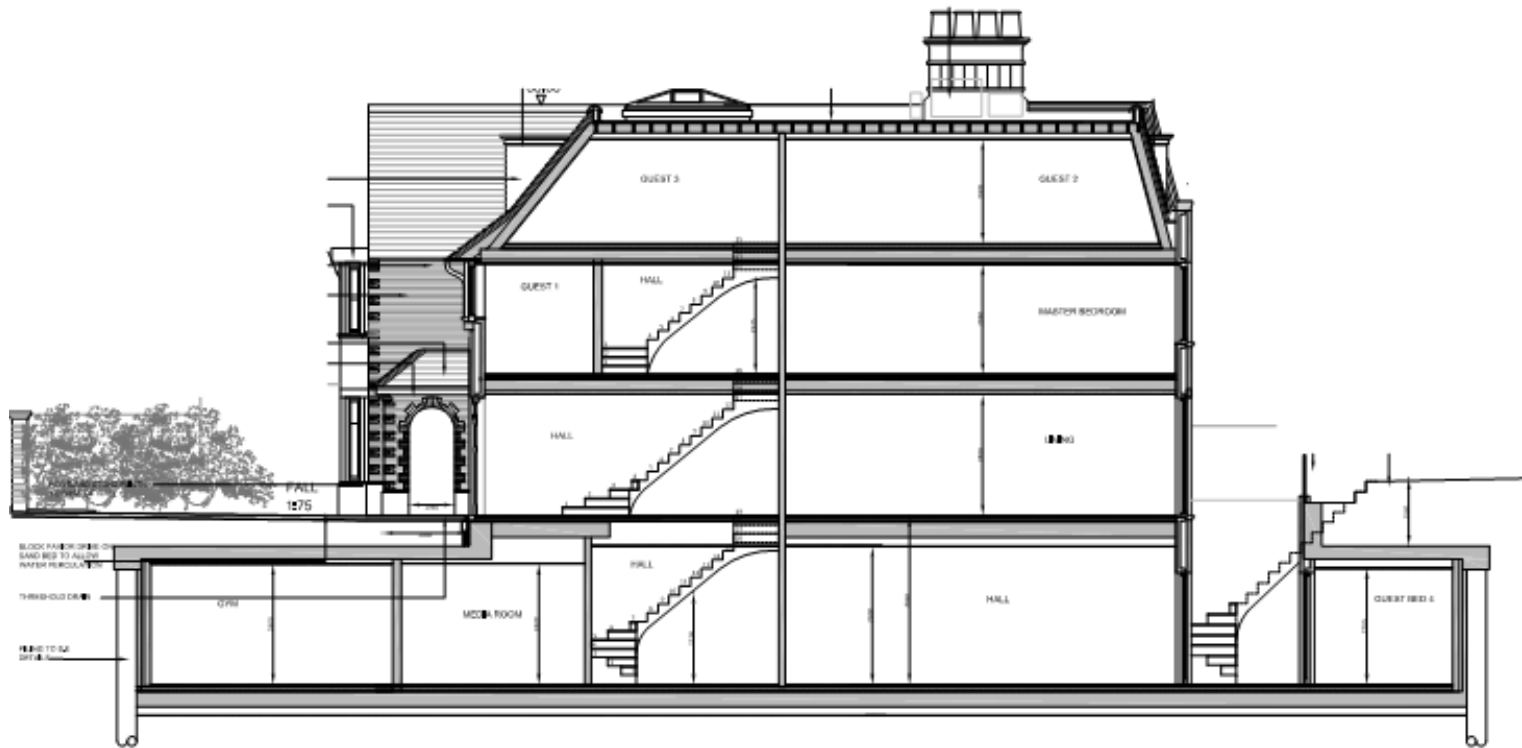


East



West

Proposed Section

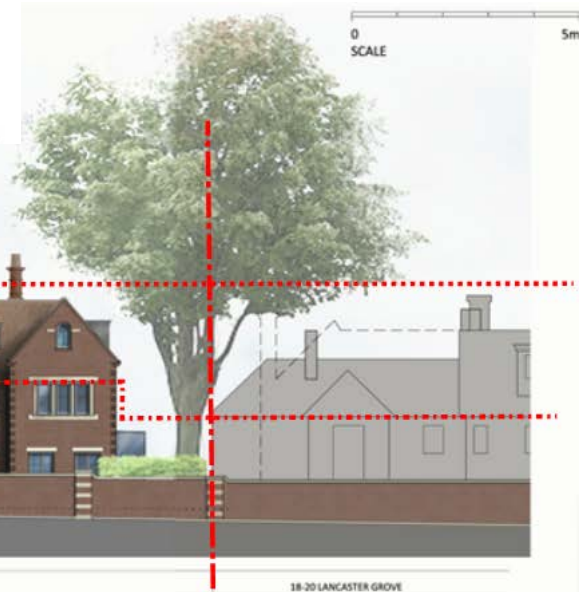


Proposed site coverage /footprint



Plot coverage

15-20% 20-25% 25-30% 30-35% 35-40%



APPENDIX 2

Appeal Decision

Site visit made on 14 July 2015

by Clive Tokley MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 August 2015

Appeal Ref: APP/X5210/W/15/3004790

22 Lancaster Grove, London, NW3 4PB.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Katherine Somers against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/2037/P, dated 11 March 2014, was refused by notice dated 3 October 2014.
 - The development proposed is demolition of existing single residential unit and replacement with four new residential units.
-

Application for Costs

1. An application for costs is made by Katherine Somers against the Council of the London Borough of Camden. That application is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are whether the proposal preserves or enhances the character or appearance of the Belsize Conservation Area (CA) and the effect of the proposal on the living conditions of the occupiers of neighbouring residential properties as regards light and outlook.

Reasons

Character and appearance

4. The CA is a predominantly residential area between the local centres of Belsize Park and Swiss Cottage. The Southern end of Lancaster Grove (including the appeal site) lies within Sub Area Three of the CA which comprises mainly late Victorian houses; however exceptions to this occur in the vicinity of the appeal property where mid to late C20th houses are in evidence.
 5. On the north side of Lancaster Grove similarly-designed deep-plan and closely-spaced detached houses have small front gardens behind low front walls. As they follow the outside of curve in the road the houses towards the north west
-

are laid out in a shallow echelon resulting in parts of their flank walls and side-facing roof planes being visible when approached from the south east. To the south the more recently built houses have wider frontages and are set back further into their plots behind (mostly) high brick walls. These houses are laid out with their front walls roughly following the curve in the road. The materials, design and detailing of most of these houses lends them an "Arts and Crafts" air however those characteristics are not present in the mid/late C20th houses at No 22 and No 24.

6. The dwelling on the appeal site dates from the mid 1980s; it has no architectural merit and its design, materials and detailing do not make a positive contribution to the distinctiveness of the area. I therefore consider that its demolition and replacement by an appropriate building would not be harmful to the CA. The Council raises no concerns about the effect of the proposal on the setting of the Grade II listed No 30 Eton Avenue to the south and based on what I have read and seen I have no reason to take a different view.
7. With the exception of the appeal property all of the dwellings on the south side of Lancaster Grove within Sub Area Three have retained high red brick front walls with stone plinths and copings and stone string courses in the gate piers. To the west of the appeal site the houses are built at a lower level than the road and this combined with the front wall results in the ground floors being screened from the street. Despite the roadside wall the set back of the buildings from the road combined with the spaces between buildings, mature street trees and garden trees creates a feeling of space on the south side of the road.
8. The design and detailing of the proposed building is sympathetic to the Arts and Crafts influences of the houses on the south side of Lancaster Grove whilst reflecting the front gables and bay windows of the north side of the street. The low-eaves roofs of the houses to the west result in a less assertive appearance than the houses to the east. However the height of the proposed building is comparable with the houses to the east and with the indicated dimensions of the development permitted at No 18-20. The east wall of the house would be close to the boundary with No 24 and the angled flank wall of that property would result in a diminishing space towards the rear; however a wider space would remain between the dwelling and the western site boundary. Overall I consider that as regards the height and width and design of the front elevation the proposal would not appear out of place in the street and the reinstatement of the front boundary wall would enhance the CA.
9. The front gable at the eastern end of the proposal would be forward of the existing house and closer to the side boundary. The Officer report describes the projection in front of No 24 as "slight"; however when approached from the east towards the shallow curve in Lancaster Grove the front part of the flank wall would be prominently in view across the front garden of No 24 and above the flat roofed garage of that property. Limited views of flank walls where buildings are in echelon are characteristic of this area; however being on the inside of the curve in the road the forward projection of the proposal would be uncharacteristically intrusive in the street scene.
10. The effect of a forward-projecting flank wall was identified as an issue in the appeal against the refusal of permission for the redevelopment proposal at Nos

18-20. In allowing that appeal (ref APP/X5210/A/07/2048016) the Inspector commented on the quality of the design of the dwelling and the relief that would be provided on its eastern elevation. I do not have full details of that proposal but based on what I have seen I consider that as a result of the curvature in the road the current proposal would be more prominently in view from the east. With the exception of the quoins the flank elevation as proposed does not contain the detailing of the front elevation. The detailing of the flank wall windows does not reflect that of the front of the house and there is no identifiable relationship between the two differently-sized dormers and the windows below.

11. The Design and Access Statement considers the front and rear elevations but does not address the design or impact of the flank elevations. The Beacon Design Heritage Assessment that accompanies the appeal indicates that projecting side elevations are common street-scape features; however I consider that as a result of the design and projection of the east flank wall this aspect of the proposal would not preserve or enhance the character or appearance of the CA.
12. When seen from closer to the appeal site the full depth of the flank wall of the proposal would be visible revealing the deep-plan bulk of the building. When approaching from the north-west the replacement building at No 18-20 would screen the appeal proposal in longer views; however the depth and bulk of the building would also be seen through the space between the replacement building and the proposal.
13. The proposed building would project back further into the site than the existing dwelling and some distance beyond the replacement building at No 18-20 Lancaster Grove. The officer report drew attention to the replacement building permitted at 18-20 indicating that it was of a similar design and scale to the appeal proposal. However based on the documents submitted by Point 2 Surveyors on behalf of the appellant it appears to me that the proposed building would be more bulky than the 18-20 building and it is clear that it would have a significantly greater effect on the character of the area at the rear of the site.
14. The full depth and bulk of the proposal would be apparent from neighbouring gardens and especially so when seen from the lower ground to the west. Beacon Planning on behalf of the appellant indicates that the rear garden makes little contribution to the appearance of the CA; however the CA includes the land to the rear of the houses and in my view the undeveloped character of the gardens makes an important contribution to its spatial quality.
15. I consider that as a result of its overall bulk, its intrusion into the street scene and rearward projection the proposal would materially detract from the spacious character of the south side of Lancaster Grove, including the area at the rear of the buildings. I consider that the harm to the character and appearance of the CA, whilst material, would be "less than substantial" as indicated in the National Planning Policy Framework (The Framework).
16. The proposal would conflict with Policy CS14 of the Camden Core Strategy 2010 (CS) which indicates that heritage assets should be preserved and enhanced and Policies DP24 and DP25 of Camden Development Policies 2010 (CDP) which seek to ensure that all development is well designed and maintains the

character of the Borough's conservation areas. These policies pre-date the Framework but as regards design and the consideration to be given to development affecting heritage assets, their objectives are consistent with the general approach adopted by the Framework.

Living Conditions

17. The detached house at No 24 Lancaster Grove is built at a higher level than No 22. It occupies a much smaller plot than No 22 and in response to the curve in the road the garden narrows to the rear. The gardens are divided by a high brick wall. The main rear-facing gabled wall of No 24 has a wide bedroom window at first floor level and multiple glazed doors on the ground floor. The appellant's Daylight, Sunlight and Overshadowing reports (DSO reports) submitted with the application include a ground floor plan of part of No 24 which indicates that the living room served by the glazed doors is "open plan" with a dining room which has both rear-facing and side-facing windows (identified respectively as S3 and S5 in the DSO reports).
18. The side window is the larger of the two and may therefore be considered to be the main window lighting this part of the dining room; however the smaller window faces south-west whereas the larger one faces north west and therefore the smaller window is likely to be of greater benefit as regards direct sunlight. The revised DSO report indicates that the proposal would have a limited effect on window S3 with the ratio of light reaching that window being 80% of its current value whereas window S5 would be subject to a perceptible loss of light. The response to the DSO Report prepared on behalf of Dr Samuel of No 24 by BVP indicates that it is conventional to view the living room and dining room as two separate spaces; however in reality the dining room would benefit from light from the large windows in the living room. I consider that the loss should be balanced against the light reaching the dining room from window S3 and the "borrowed light" from the large south facing windows in the living room.
19. The appeal documents include an assessment of Daylight Sunlight and Shadow by Point 2 Surveyors (February 2015). This assessment post-dates the determination of the planning application and is indicated to be based on more accurate data than the DSO reports. It concludes that taking account of both windows the sunlight received by the dining room would be "exceptionally good" as compared with the BRE recommendations and based on what I have read and seen I have no reason to disagree with that assessment.
20. The rear-facing dining room window has an outlook onto the back garden of No 24 that is framed by the boundary wall to the right and the flank wall of the gable projection to the left. From within the dining room the proposal would have a limited effect on the outlook from this window. The development would dominate the view from the side window (S5); however taking account of the garden views from window S3 and the outlook through the living room I consider that the proposal would not be unacceptably harmful to the outlook from the dining room.
21. The single storey garage at the side of No 24 has been converted to a breakfast room with access direct from the kitchen via an arched opening. The breakfast room has a rear-facing unglazed door and window with an outlook into the

narrowing area between the side boundary wall and the two- storey main walls of the house. The flank wall of the proposal would be off set from the boundary line and beyond the rear wall of the breakfast room the upper floor would be inset from the ground floor. However the rear wall of the breakfast room is angled towards the side boundary and the proposal would be a dominant presence to the right when seen above the boundary wall from the breakfast room window. Nevertheless that room would retain a narrow view towards the rear garden, albeit currently restricted by a garden building and vegetation.

22. The breakfast room was not part of the original habitable accommodation at No 24 and the method of conversion results in reliance to some extent on light and outlook across No 22. I consider that in these circumstances the occupiers of such rooms cannot reasonably expect to be able to benefit in perpetuity from unimpeded light. These circumstances are recognised by the Building Research Establishment (BRE) guidance which indicates that where the relationship between neighbouring properties places an unreasonable burden on a potential development site its normal guidelines carry less weight.
23. The Point 2 assessment indicates that the breakfast room would retain a Vertical Sky Component that would be of 16.54% as compared the BRE recommended 17% which creates potential for good daylighting. Nevertheless I consider that the proposal would result in a perceptible reduction of natural light levels in that room. However taking account of the relationship between that room and the appeal site, the residual light levels within the room and the nature of that room in the context of the house as a whole I consider that the effect of the proposal on light reaching the breakfast room would not be of sufficiently harmful to the living conditions within No 24 to justify the refusal of permission.
24. The proposal would dominate views to the west from the rear garden of No 24; however as a result of the difference in ground level and the progressive stepping back of the building towards the rear I consider that it would not be an unacceptably over-dominant presence when seen from the main part of the garden of No 24. The proximity of the building would result in it having a greater effect on the narrow area between the house at No 24 and the side boundary but I consider that this relationship would not be sufficiently harmful to justify the refusal of permission.
25. The Point 2 report includes a detailed assessment of the effects of the proposal on the replacement building at 18-20 Lancaster Grove. It concludes that the proposal would have a harmfully adverse effect on daylight reaching three windows and that one would fail the BRE sunlight test; however those windows would all serve rooms lit by other windows and based on the information about that development I am satisfied that the proposal would not result in unacceptable harm to the future occupiers of that building.
26. CS Policy CS5 indicates that the amenity of residents will be protected by making sure that the impact of developments on neighbouring occupiers is fully considered. CDP Policy DP26 indicates that permission will only be granted for development that does not cause harm to amenity. Whilst I understand the Council's desire to ensure that residential amenities are safeguarded this absolute test must be subject to a balanced judgement taking into account the specific circumstances of development proposals. In this case the proposal

would conflict with a strict interpretation of policy DP26; however I consider that it would not conflict with the approach of Policy CS5 and that the harm caused to the living conditions of the occupiers of neighbouring properties would not be sufficient to justify the refusal of permission.

Other matters

27. Nearby residents have raised concerns about a number of other issues including the number of new dwellings, the adequacy of off-street parking, loss of trees and the possible effects of the construction of the basement. However these matters and others raised are not reflected in the refusal reasons and based on what I have read and seen, including the undertakings in the planning obligation, they would not amount to justified reasons for refusing permission.

Framework Balance and Conclusion

28. The development is in a sustainable location and the net increase of three dwellings would contribute to the housing stock of the Borough. The carrying out of the development and the fitting and furnishing of the houses would also contribute to the economy. In addition the re-instatement the front wall would be of benefit to the CA.

29. All of these factors weigh in favour of the proposal; however I have concluded that as a consequence of the bulk of the proposal, its encroachment into the space at the rear of the buildings and its intrusion into the street scene the proposal would significantly detract from the spacious character of the south side of Lancaster Grove. I consider that the harm to the character and appearance of the CA would be "less than substantial" as indicated in the National Planning Policy Framework; however I have not identified any public benefit sufficient to outweigh that harm.

30. I have concluded that the proposal would conflict with CS Policy CS14, Policies DP24 and DP25 of the CDP and with the policy of the Framework as regards heritage assets. Taking account of all matters I have concluded that the appeal should not succeed.

Clive Tokley

INSPECTOR

APPENDIX 3

Date: 17th December 2013
Our Ref: 2013/7870/PRE
Your Ref: 9032423
Contact: Charles Rose
Direct Line: 020 7974 1971
Email: Charlie.Rose@camden.gov.uk

**Development Control
Planning Services**
London Borough of Camden
Town Hall
Argyle Street
London WC1H 8ND

Tel 020 7278 4444
Fax 020 7974 1975
Urban.design@camden.gov.uk
www.camden.gov.uk/planning

Kat Somers
KAS
Flat 7
3 Bath Street
London
EC1V 9LB

Dear Ms. Somers

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

**PRE-APPLICATION PLANNING ENQUIRY
22 LANCASTER GROVE LONDON NW3 4PB**

Proposal

DEMOLITION OF EXSITING RESIDENTIAL DWELLING AT THE SITE AT 22 LANCASTER GROVE AND REDEVELOPMENT TO PROVIDE FOUR DWELLINGS COMPRISING BASEMENT PLUS THREE UPPER FLOORS.

Site visit: 12TH December 2013

Attended by Charles Rose and Tom Little from Camden LPA

The comments are based upon drawings ref:

- 22 Lancaster Grove (10) - 000 - LOCATION PLAN
- 22 Lancaster Grove (10) - 001 - SITE
- 22 Lancaster Grove (10) - 002 - PROPOSED SITE
- 22 Lancaster Grove (10) - 003 - PROPOSED GROUND AND BASEMENT
- 22 Lancaster Grove (10) - 004 - PROPOSED FIRST AND SECOND FLOOR
- 22 Lancaster Grove (10) - 005 - PROPOSED FRONT AND REAR ELEVATIONS
- Tree Report
- Design Statement and Site Photographs



Constraints

The site is located within the Belsize Park Conservation Area. The building is not identified as making a positive contribution to the character and appearance of the conservation area. The site is not covered by an article 4 direction and is not listed.

Principle of redevelopment

The site contains a 20th century dwelling of average quality. The building is not identified in the conservation area appraisal as making a positive contribution to its character and appearance. In the absence of making a positive contribution to the area its demolition is likely to be acceptable subject to a suitable replacement.

Moreover residential accommodation is a priority land use in the Councils Local Development Framework and as such the creation of additional dwellings on the site would be welcomed.

In this regard there is no principle objection to the proposed works. The main issues to consider are the impact the erection of 4 dwellings on the site would have on the biodiversity, character and appearance of the site and surrounding area having particular regard to the effect on the trees located on or adjacent to the site.

Relevant design and landscape policies

- CS14 - Promoting high quality places and conserving our heritage
- CS15 – Protecting and improving our parks and open spaces and encouraging biodiversity
- DP24 – Securing high quality design
- DP25 – Conserving Camden's heritage
- Camden Planning Guidance (CPG 1) - Design (2011)
- Dartmouth park CAAMS (2009)
- NPPF (2012)

Height, scale and footprint

The development has been designed to appear as a large single family dwelling. This approach is consistent with the predominant architectural

typology along this stretch of Lancaster Grove which already compromises wide single family dwellings. The size of the building is broadly consistent with the built to unbuilt ratio for plots in the area size. In this regard the height, form and width of the development is considered appropriate for the site and streetscape.

The site is positioned on the inner curve of the road creating a staggered front building line between dwellings either side of the site. In this regard the development has role to play in mediating between the adjoining building lines. The proposed development does provide projecting gable ends to allow the architectural form of the development to address this matter. However it is considered that a more be exaggerated step could be introduced to better mediate between the varied adjoining building lines, particular to the western gable to address the recently approved development at nos. 18-20 Lancaster Grove. This would also help break down the mass of the building.

In addition it is considered that the main façade should be pulled forward to provide a more consistent front building line with the adjoining buildings. This would also help mitigate the impact of the ample depth of the buildings on the amenity of the adjoining occupants with particular regard to no. 24 Lancaster Grove.

Detailed design & materials

The proposed architectural design is considered to be a high quality yet subtle response to the area which would continue the established tradition of high quality architected design traditional houses in the area. This will add to the interest, architectural and historic value of the area.

The success of the development is considered to depend on the appropriate use of high quality materials, detailed design and finished appearance. This includes the depth of the window reveals, brick and eaves details and choice of materials.

Ideally this information in the form of typical section details should be provided as part of the application to give the Council confidence that the scheme will be of the highest quality once built.

Trees and landscape

From an arboricultural point of view there are two large plane trees on the western boundary which are highly prominent and are likely to be a constraint on the proposal. In relation to these trees the Council is concerned about the increase in size of the proposed building towards the West both in terms of breadth and height.

The increase in width will cause the building to encroach on the root protection area (RPA) of the trees to an unacceptable level, particularly as the roots are constrained by a retaining wall on the opposite side so the RPA will need to be offset towards the house.

The height of the proposed building is of concern as it is likely to cause conflict with the crown of the trees and require the removal of large diameter branches which would affect the visual amenity the trees provide and increase the possibility of infection.

As we discussed on site however the tree and landscape officer believes that a successful proposal could be achieved if this flank of the building is pulled back to the line of the existing hard standing, allowing some western expansion from the existing building line as well as reducing the impact on the RPA of the trees.

In addition careful thought should be given to the construction of foundations in this area. In this regard pulling back to this line would also eradicate the problems associated with the height of the building with only some minor pruning of the lower crown likely to be necessary. There is still potential for conflict between the crown and scaffolding during construction of the building and thought should be given to how this will be avoided.

The trees along the rear boundary would not be affected by the proposal however they should be protected during the implementation of any approved scheme.

From a landscaping point of view it would appear that a significant proportion of the existing soft landscaping is to be retained which would be acceptable.

Mayoral CIL

The Mayor of London CIL came into force from 1st April 2012. The proposed development would be CIL liable.

In respect of the Camden CIL, please see the following link for commentary on the current position:

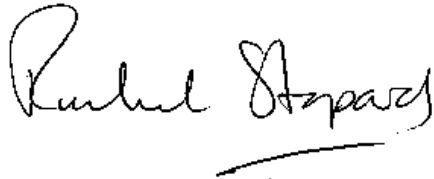
<http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/community-infrastructure-levy.en>

Please note that this would be secured separately from the planning application submission, although informatives would be provided on any decision notice indicating that the proposals are CIL liable. It is recommended that the supporting commentary submitted with the application is particularly clear in the existing and proposed Gross Internal Area's (GIA) and Gross External Area's (GEA) of the overall building to assist in this regard.

Please be aware the comments above are only outline the potential of development at the site including demolition of the existing building, creation of additional residential units and tree and landscape issues. Detailed analysis of the residential amenity; sustainability; transport or S106 matters have not been covered in this letter. The Council would welcome continued dialogue on the all elements of the proposal with a view to gaining officer support prior to the submission of an application.

This advice is intended to help you with your application and is made without prejudice to the formal decision of the Council.

Yours faithfully

A handwritten signature in black ink, reading 'Rachel Stopard'. The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Rachel Stopard
Director of Culture & Environment

