

Delegated Report		Analysis sheet	Expiry Date:	09/07/2015
		N/A	Consultation Expiry Date:	03/07/2015
Officer			Application Number(s)	
Rachel English			2015/2182/P	
Application Address			Drawing Numbers	
29 Prince of Wales Road London NW5 3LH			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a 3 storey side extension and mansard roof extension. Erection of part single, part 2-storey part rear extension. Excavation of single storey basement extension with the creation of rear garden lightwell.				
Recommendation(s):		Refuse and warning of enforcement action to be taken		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	21	No. of responses	04	No. of objections	04
			No. electronic	00		
Summary of consultation responses:	<p>Site notice displayed from 12/06/2015 until 03/07/2015</p> <p>4 objections received with the following comments:</p> <ul style="list-style-type: none"> • Vibrations, disruption and noise from ongoing construction works • Dust , dirt and damage to the road and pavement • Parking problems from building work over past 14 months • The works have caused structural damage and cracks to adjoining properties • Change of use to 4 separate dwellings will alter the character of the buildings • Work is carried out outside the permitted hours including on Sundays • The proposed rear extension is out of scale and out of character • The basement is overly large • The two storey rear extension blocks light to neighbouring properties and goes beyond similar extensions in the terrace • Certificate B has been signed but no notification was made to neighbours • Concerns about party wall responsibilities • Subsidence has occurred • 					
CAAC/Local groups* comments: *Please Specify	N/a					

Site Description

The site contains a 3-storey, semi-detached property located on the south side of Prince of Wales Road, west of the junction with Castlehaven Road and south of Grafton Road. The building is currently vacant with construction works being carried out. The site was previously used as a single family dwellinghouse.

The site is not located in a conservation area and is not listed.

Relevant History

2013/1305/P - Erection of a mansard roof extension to existing dwelling house (Class C3). Approved on 01/05/2013

2013/7537/P - Excavation of single storey basement extension under the footprint of existing dwellinghouse. Certificate of lawfulness granted on 20/01/2014

2013/7680/P - Erection of a 3 storey side extension including installation of 3x sash windows to front elevation and erection of roof extension including dormer windows at front and rear. Approved on 17/02/2014

2013/7684/P - Erection of a 2 storey rear extension. Approved on 04/03/2014

2013/7775/P - Single storey rear extension. Certificate of lawfulness granted on 29/01/2014

2013/7949/P - Single storey ground floor rear extension (3.5metres maximum height with 3.3metres to eaves level x 6 metres from rear wall of original dwellinghouse). Prior Approval not required 20/01/2014

2014/1977/P - Excavation of single storey basement extension and creation of rear garden lightwell. Approved on 12/01/2015

2015/3786/P - Details of construction management statement required by condition 4 of planning permission 2014/1977/P dated 12 January 2015 (for the excavation of single storey basement extension and creation of rear garden lightwell). Approved on 15/09/2015

2015/3037/P - Conversion of dwellinghouse into three flats (1 x 3-bedroom, 1 x 2-bedroom and 1 x 1-bedroom units). Erection of a 3 storey side extension, erection of mansard roof extension with front and rear dormer windows and erection of part single, part 2-storey rear extension with roof terrace at first floor level. Excavation of single storey basement extension and creation of rear garden lightwell. Withdrawn by applicant on 22/10/2015

2015/5996/P – GPDO prior approval Class A - Erection of a single storey rear extension (6m deep x 5.4m wide x 3.6m to the highest point of roof). Refused on 07/12/2015

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework 2012

The London Plan March 2015, consolidated with alterations since 2011

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

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

CS17 (Making Camden a safer place)

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)
DP26 (Managing the impact of development on occupiers and neighbours)
DP27 (Basements and lightwells)
DP28 (Noise and vibration)

Camden Planning Guidance

CPG1 (Design) 2015 – chapters 1, 2, 4, 5
CPG4 (Basements and lightwells) 2015 – chapters 1-5
CPG6 (Amenity) 2011 – chapters 1, 4, 6, 7 and 8

Assessment

Planning permission is sought for:

- 1) Erection of a 3 storey side extension
- 2) Erection of a mansard roof extension
- 3) Erection of part single, part 2-storey part rear extension.
- 4) Excavation of single storey basement extension with the creation of rear garden lightwell.

The majority of works have already been carried out and given planning permission under separate applications (see history above). This application seeks to consolidate permissions and is assessed in terms of:

- ☐ Impact on the appearance of the host building and surrounding area
- ☐ Impact on the amenity of the surrounding occupiers
- ☐ Basement impact

Impact on the appearance of the host building and surrounding area

The site is not located in a conservation area. The proposed mansard roof extension, 3 storey side extension, 2 storey rear extension and basement extension have been granted under planning permissions (2013/1305/P, 2013/7690/P, 2013/7684/P and 2014/1977/P). This application seeks to consolidate all of these permissions and extend at ground floor level with a flat roofed extension which would measure 5.4metres wide, 6metres deep and 3.4metres high.

The basement would not be visible from the street. It would be largely located underneath the house and the existing garden with just a stairwell and lightwell at the rear. The adjoining property (number 27 Prince of Wales Road) has a side and roof extension similar to the extensions proposed and given e. Whilst the extension would not normally be permitted, it is considered appropriate considering that the proposals would replicate the other side of the semi-detached pair, at number 27 Prince of Wales Road. The first floor rear extension would have a width of 3.6metres and a depth of 2.9metres. This was already approved in principle under 2013/7684/P however has been marginally reduced in width by 0.2metres and height by 0.2metres.

Camden's design guidance (CPG 1) provides guidance on rear extensions (para. 4.10) stating that rear extensions should be designed to:

- be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;
- respect and preserve the original design and proportions of the building;
- respect and preserve the historic pattern and established townscape of the surrounding area

The ground floor rear extension is currently under construction and when finished would have an excessive depth at 6metres. Whilst there were existing historic single storey rear extensions at ground

floor level, these had minimal widths (maximum 2.7metres) and were subordinate to the existing house. This application proposes to extend across 5.4metres, almost the full width of the house. The extension would not be subordinate to the existing house and with the proposed 1st floor extension, side extensions and basement extensions would be an overdevelopment of the site. The excessive depth and width would be incongruous with surrounding properties. It would add unacceptable bulk and would not preserve the original proportions of the building or preserve the established townscape of the rest of this section of Prince of Wales Road which have either no rear extensions or rear extensions with a depth of no more 3metres.

The applicant was advised by Officers to reduce the depth of the extension to the same as the first floor protrusion however was unwilling to do so and argues that the ground floor extension is permitted development. This application seeks planning permission and therefore the application is assessed against planning policies and guidance. As such the proposals are contrary to policies CS14 and DP24 of the Local Development Framework.

Basement Impact

The Applicant submitted a Basement Impact Assessment in accordance with policy DP27 and the guidance set out in CPG4. Policy DP27 and CPG4 state that developers will be required to demonstrate with methodologies appropriate to the site that schemes for basements maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

Planning permission was granted for the single storey basement (2014/1077/P) and the BIA independently verified who considered that the additional information was sufficient to approve the application. They considered that “the additional information has been provided and it is now concluded the submission meets the requirements of DP27.”

Impact on the amenity of the surrounding occupiers

The 2 storey rear extension was approved on 4th March 2014 with a depth of 3 metres and there were existing extensions at ground floor level along the boundary with number 27 with a similar depth therefore the proposed extensions would not give rise to any new unacceptable impact in terms of loss of light than already approved or the existing situation.

The proposals would not give rise to any unacceptable loss of privacy. There are no windows proposed on the sides of the 2 storey extension.

Recommendation: Refuse planning permission and warn of enforcement action

The Head of Legal Services shall be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

Unauthorised single storey rear extension

What you are required to do:

- 1) Remove the unauthorised rear extension and:
 - Revert to previous or original ground floor extension or
 - Implement in accordance with drawing number 5111revP2 from planning

- 2) Make good the damage caused in the rectification

Period of compliance

The notice shall require that the above is carried out within a period of 6 calendar months of the notice taking effect.

REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE.

The proposed ground floor rear extension, by reason of its depth, scale and bulk would be incongruous and detrimental to the character and appearance of the host building and surrounding area contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.