

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>16/12/2016</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>25/11/2016</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Charlotte Meynell			2016/5490/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Basement Flat 36 Hemstal Road London NW6 2AL			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of a single storey outbuilding in rear garden and alteration to side (west) boundary wall in association with basement flat.				
<b>Recommendation(s):</b>	<b>Grant Conditional Planning Permission</b>			
<b>Application Type:</b>	<b>Full Planning Permission</b>			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
<b>Consultations</b>				
Adjoining Occupiers:	No. of responses	<b>05</b>	No. of objections	<b>04</b>
Summary of consultation responses:	<p>A site notice was displayed from <u>04/11/2016</u> until <u>25/11/2016</u></p> <p>Objections have been received from 4 nearby residents:</p> <ul style="list-style-type: none"> <li>• 27 Kylemore Road</li> <li>• 29A Kylemore Road;</li> <li>• 29B Kylemore Road;</li> <li>• 29C Kylemore Road.</li> </ul> <p>The objections are summarised below:</p> <ul style="list-style-type: none"> <li>• Potential structural risks to No. 29 Kylemore Road during excavation of the foundations for the outbuilding (<i>see paragraph 4.5 of the report</i>);</li> <li>• Location of proposed outbuilding would block access for maintenance purposes to wall adjacent to No. 29 Kylemore Road (<i>see paragraph 4.5 of the report</i>);</li> <li>• A change of use application should have been submitted if the outbuilding is proposed to be used as an office (<i>see paragraph 5.1 of the report</i>).</li> </ul>			

## Site Description

The subject site is a lower ground floor flat in a four storey end of terrace property located on the corner of Hemstal Road and Kylemore Road. The flat has exclusive access to a rear garden. The rear of the property is flanked by the side wall of a property on Kylemore Road and a brick wall which encloses the whole site prevents views into site from outside.

The building is not listed and the site does not fall within a conservation area.

## Relevant History

**30269** – Change of use, including works of conversion, to provide 4 self-contained flats. **Granted 04/07/1980**

**PW9802477** – The erection of a single storey rear extension. **Granted 05/08/1998**

**2013/7360/P** – Erection of single storey outbuilding in rear garden, single storey rear extension and single storey side extension and alteration to side (west) boundary wall in association with lower ground floor flat. **Granted 11/02/2014**

**2014/3644/P** – Erection of single storey outbuilding in rear garden with off-street parking space on rooftop, single storey rear extension and single storey side extension and alteration to side (west) boundary wall in association with lower ground floor flat. **Appeal part allowed 14/07/2015**

- Part allowed in relation to the single storey rear extension and single storey side extension and alteration to side (west) boundary wall;
- Part dismissed in relation to the single storey outbuilding in rear garden with off-street parking space on rooftop and associated double gates to be inserted into the side (west) boundary wall.

## Relevant policies

### National Planning Policy Framework (2012)

### London Plan 2016

### LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

DP24 Securing high quality design

DP26 Managing the impact of development on occupiers and neighbours

### Camden Planning Guidance

CPG1 Design (2015)

CPG6 Amenity (2011)

## Assessment

### 1.0 Background

1.1 Planning permission was refused (2014/3644/P on 05/08/2014) for the erection of single storey outbuilding in rear garden with off-street parking space on rooftop, single storey rear extension and single storey side extension and alteration to side (west) boundary wall in association with lower ground floor flat. The applicant appealed the decision (2014/3644/P) and the inspector part dismissed part allowed the appeal on (14/07/2015). The inspector dismissed the appeal relating to the erection of the single storey outbuilding in the rear garden with an off-street parking space on its rooftop and associated alterations to the side boundary wall on the grounds that it would not secure the promotion of sustainable transport modes, contrary to national and local policy. With regards to the insertion of the double gates into side wall, he considered the gates would add variety to the street scene without significantly from the character and appearance of the surrounding area. The inspector allowed the remaining elements of the proposal including the single storey rear extension and single storey side extension and other alteration to side (west) boundary wall.

1.2 This application seeks to vary the partially dismissed scheme in the following ways:

- Alternative design of single storey rear outbuilding with pitched roof;
- Removal of provision of off-street parking space on the rooftop of proposed single storey rear outbuilding;
- Reduction in number of doorways proposed to be inserted in the side boundary wall along Kylemore Road from two to one.

### 2.0 Proposal

2.1 The applicant seeks permission for the following:

- Erection of single storey rear outbuilding at basement level.
- The proposed outbuilding would be of an irregular shape and would have a maximum height of 4.0m, a maximum depth of 3.9m and a maximum width of 7.1m.
- The outbuilding would be clad in red timber and would have glazed aluminium framed sliding doors.

### 3.0 Assessment

3.1 The main planning considerations in the assessment of this application are:

- Design (the impact that the proposal has on the character of the host property);
- Amenity (the impact of the proposal on the amenity of adjoining occupiers).

### 4.0 Design

#### Rear outbuilding

4.1 Policy CS14 aims to ensure the highest design standards for developments. Policy DP24 states that the Council will require all developments to be of the highest standard of design and respect the character, setting, form and scale of neighbouring properties, and the character and proportions of the existing building. It is considered that the proposal complies with the policy guidance for the reasons outlined below.

4.2 The contemporary design and modest scale of the outbuilding would not detract from the main property and is considered appropriate for the location at lower ground floor level.

4.3 The outbuilding would reduce the existing rear garden from 115sqm to 90sqm; however the scale of the outbuilding is considered appropriate for the location and would be a subservient addition to the large host property and rear garden.

4.4 Due to the location of the outbuilding and the high boundary walls to each side, the outbuilding would be

screened from the public realm and therefore it would not be considered harmful to the character or appearance of the host property or the surrounding area.

4.5 The sunken nature of the rear garden means that relatively little excavation would be required for the foundations of the outbuilding, therefore it could be constructed without harming the structural integrity of the adjoining wall with No. 29 Kylemore Road. The adjoining properties would be further safeguarded by a Party Wall Agreement between the application property and No. 29 Kylemore Road, and by the Building Regulations process.

4.6 Permission for an outbuilding of a similar size in the same location was previously granted under application 2013/7360/P, which could still be implemented.

#### Other alterations

4.7 The proposed installation of a pedestrian doorway and increase in the height of the side boundary wall by 0.7m along Kylemore Road would be in matching materials to the existing and are not considered to harm the character and appearance of the streetscene.

### **5.0 Amenity**

5.1 By virtue of the nature and location of the outbuilding set behind high boundary walls and approximately 8m from the rear elevation of the property, it is not considered that it would cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, privacy or sense of enclosure.

### **6.0 Use**

6.1 In terms of the use of the proposed outbuilding, a condition would be attached to any consent which requires that the outbuilding be used for purposes incidental to the residential use of the basement flat.

### **7.0 Conclusion**

7.1 The proposed development is considered acceptable in terms of both design and impact in terms of amenity. The development is deemed consistent with the objectives and policies identified above.

7.2 Grant Conditional Planning Permission.

#### **DISCLAIMER**

*The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 12<sup>th</sup> December 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.*