

Flat 1-2, 63-65 Haverstock Hill 2017/0605/P



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Photo 1- Existing Rear Elevation of no. 65



Photo 2- Existing Rear Elevation of no. 63



Photo 3- Existing Rear Elevation at no. 65



Photo 4- Existing Rear Garden



Photo 5- Existing Entry to the maisonette



Photo 6- Existing Front Elevation projecting forward of the main front building line



Photo 7- Existing Front Elevation of no. 63



Photo 8- Existing Front Elevation of no. 63



Photo 9- Existing Access beneath Archway

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	28/03/2017
		N/A	Consultation Expiry Date:	03/03/2017
Officer			Application Number(s)	
Tessa Craig			2017/0605/P	
Application Address			Drawing Numbers	
Flat 1-2 63-65 Haverstock Hill London NW3 4SL			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of single storey ground floor rear extension at no. 63, and two front porch extensions, and bicycle store enclosure at ground floor level, external alterations and regrading of part of the rear garden in association with conversion of ground and first floor maisonette into 2 x 3 bedroom flats.				
Recommendation(s):		Grant conditional planning permission subject to s106 legal agreement		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	05	No. of objections	05
	No. electronic	05		
Summary of consultation responses:	<p>A site notice was displayed 08/02/2017-01/03/2017 and a press notice was advertised on 09/02/2017. A further site notice was displayed on Eton Road from 29/03/2017- 19/04/2017. Consultation responses were received from:</p> <ul style="list-style-type: none"> • Flat 4, 63 Haverstock Hill; • Flat 7, 63 Haverstock Hill; • Flat 9, 63 Haverstock Hill; • Flat 10, 63 Haverstock Hill; <p>The objections relate to:</p> <ul style="list-style-type: none"> • Loss of garden space (see 2.16); • Original subject property has never been two flats (see 2.3); • Size/scale of rear extensions (see 2.6-2.9); • Light pollution from skylights (see 2.10-2.11); • Impact on trees and biodiversity (see 2.16 and 2.17); • Front porch extensions harmful to design of property (see 2.6-2.9); • Security (see 2.8); • Impact on foundations of building (see 2.8); • Increasing demand for car-parking (see 2.14); • Increase in impermeable surfaces (see 2.16); • Access for maintenance works impaired by extensions (see 2.9). 			
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>Eton CAAC objects to the proposal based on:</p> <ul style="list-style-type: none"> • The plans lack clarity (see 1.5); • More detailed plans should be submitted at scale 1:20 (see 1.5); • Design of front and rear extensions (see 2.7); • Landscaping of front and rear garden (see 2.16). 			

Site Description

The property is a three bedroom maisonette located on the ground and part first floor of an Italianate villa (63) and the modern building (65) that is attached. The site is on the southwest side of Haverstock Hill, north of the junction with Eton Road. The property is located within the Eton conservation area but is not listed. 65 Haverstock Hill is a positive contributor to the conservation area, but Chandos Court (the modern building at no.65) is a negative contributor.

Relevant History

Flat 3, 63-65 Haverstock Hill- 2013/6382/P- Rear ground floor extension (3m deep) to residential flat (Class C3). Granted, 02/12/2013.

G9/14/B/27475- The erection of a kitchen extension at front, to the basement flat. Granted, 15/02/1979.

G9/14/B/8693/R- Conversion of dwelling house into 18 self-contained flats. Erection of 5 storey addition and formation of means of access to highway. Refused, 03/07/1970.

G9/14/B/9250- Conversion of Nos 63-65 Haverstock Hill, N.W.3. into 2 studios and 10 self-contained flats including the erection of a 5 storey addition. Granted, 03/08/1970.

G9/14/B/9619- The conversion of Nos. 63-65 Haverstock Hill, Camden into 3 studios and 10 Self-contained flats including the erection of a 5 storey addition. Granted, 22/10/1970.

PE9800670- Construction of a single storey UPVC conservatory extension measuring approximately 3.8 metres wide x 3.0 metres depth x 2.3 metres high at eaves. Refused, 17/11/1998.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

LDF Core Strategy and Development Policies

Core Strategy

CS5 – (Managing the impact of growth and development)

CS6 – (Providing quality homes)

CS11 – (Promoting sustainable and efficient travel)

CS14 – (Promoting high quality places and conserving heritage / conservation areas)

Development Policies

DP2 – (Making full use of Camden's capacity for housing)

DP5 – (Homes of different sizes)

DP16 - (The transport implications of development)

DP17 – (Walking, cycling and public transport)

DP18 – (Parking standards and limiting the availability of car parking)

DP19 - (Managing the impact of parking)

DP21- (Development connecting to the highway network)

DP24 – (Securing high quality design)

DP25 – (Conserving Camden's heritage / conservation areas)

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

Camden Planning Guidance

CPG 1 (Design) 2015

CPG 2 (Housing) 2015

CPG 6 (Amenity) 2011

Eton Conservation Area Statement 2002

Emerging Local Plan

The Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan will take place from 30 January to 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan.

The Local Plan is a material consideration but should be given limited weight in decisions until the publication of the Inspector's report into the examination. Of particular relevance are the following policies:

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H3 Protecting existing homes
- A1 Managing the impact of development
- D1 Design
- D2 Heritage
- T1 Prioritising walking, cycling and public transport
- T2 Car-free development and limiting the availability of parking
- T4 Promoting the sustainable movement of goods and materials

Assessment

1.0 Proposal:

1.1 The proposal is for subdivision of the existing ground and part first floor, 3 bedroom maisonette into two, 3 bedroom flats, the erection of a full width single storey extension at the rear of no. 63, two front porch extensions, and a cycle storage area at the front and another under the external stairs outside no. 63.

The proposed units are:

Unit Layout

1. 1x 3 bed flat (98.5sqm)- 4 person over 2 floors
2. 1x 3 bed flat (105sqm)- 6 person over single floor

1.2 The proposed rear extension would vary in depth between 3m and 5.5m, 5.5m and 7m in width, given the change in the existing rear building line and 2.9m high to the rear of no. 63. An internal courtyard/ lightwell area would provide light into the bedroom of flat 2 and to the kitchen dining space within the new single storey rear extension at the rear of no. 63. The courtyard would measure 2.4m in depth and 2.8m in width. The proposed porch entrance to Flat 1 on the front elevation would extend underneath part of the existing archway to the existing entrance door and would be 2.6m deep, 1.2m wide and 2.9m high. The porch to Flat 2 would measure 2.4m wide, 1.6m deep and high 2.8m high.

1.3 Nine new roof lights would be installed within the roofs of the single storey rear extensions. They would sit proud of the roof and would not project above the parapet on the rear façade of the extensions.

1.4 The rear patio area would be regraded to retain a patio area at the rear of the flats of

approximately 4.9m in depth. No works are proposed to the front garden beyond the existing paved areas.

Amendments

1.5 During the course of the application the applicant has amended the plans to install opaque glass on two of the rooflights closest to the rear elevation of no. 63 and to install a green roof to the roof of this extension. The submitted plans are considered adequate to assess the development.

2.0 Assessment:

2.1 The main considerations in relation to this proposal are:

- Standard of residential accommodation;
- Design;
- Residential amenity of neighbouring occupiers;
- Transport and Parking
- Trees and landscaping
- CIL.

Standard of residential accommodation

2.2 Policy 3.5 of the London Plan promotes high quality design of housing development that takes into account its physical context, local character, density, tenure and land use mix and relationship with, and provision for public, communal and open spaces taking into account the needs of children and older people.

2.3 In principle, the proposal to provide additional housing is in accordance with policies CS6 and DP2 of Camden's Local Development Framework (LDF). The Dwelling Size Priority Table accompanying Policy DP5 identifies three bedroom market units as being of 'Medium Priority'. The proposal is for two 3 bedroom units. The unit mix is considered acceptable given the small scale of the development which involves the conversion of a three bedroom unit into two new units.

2.4 New residential units should provide a high standard of living accommodation for the prospective occupiers whilst maintaining the amenities of the neighbouring residential properties. In line with the Nationally Described Space Standard introduced in March 2015: 3 bed, 6 person dwellings over a single storey should have a minimum gross internal floor area of 95sqm and 2.5sqm of built-in storage; 3 bed, 4 person dwellings over two storeys should have a minimum gross internal floor area of 84sqm and 2.5sqm of built-in storage. The proposed flats would exceed these space requirements and the development is considered acceptable in terms of the quality of residential accommodation to be provided.

2.5 The proposed units would be dual aspect with adequate sunlight and daylight to the habitable spaces. The proposed new dwellings would provide a good standard of residential accommodation in terms of layout; storage and utility spaces; privacy and security. The living areas have large glazed doors in the rear elevation and the front bedrooms of both units have adequate light access in the front elevation windows. The rear bedroom of Flat 2 has a large lightwell which shall serve this room. Both flats would benefit from adequate built-in storage space and secure cycle storage.

Design

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

for development that 'preserves and enhances' its established character and appearance.

- 2.7 The proposed rear extensions are single storey and would respect the proportions of the main property and are considered to be subordinate and sympathetic in size, location and design in the context of the large four storey main building and rear garden space. The extensions would be rendered with aluminium framed sliding doors. The existing rear patio areas would be regraded to provide similarly sized patio areas as existing and a rear garden space of at least 220sqm would be retained. The extensions would include nine rooflights (five in the extension off Flat 1 and four in the extension off Flat 2).
- 2.8 It is proposed to construct front porch extensions to each flat which would be rendered to match the main property and would include aluminium framed windows. Their size and location are discreet and appropriate. These extensions are considered to be sympathetically designed so as not to harm the host buildings or the character and appearance of the conservation area and would be rendered to match the main property.
- 2.9 The proposed rear extensions and front porch extensions are not considered to cause security issues as only one additional entrance is to be added to the property. In fact the new entrance way to Flat 1 would remove the alcove space beneath the stairwell that may cause existing security issues. The proposed layout would increase natural surveillance of the street from the proposed bedrooms. Structural integrity is managed by building control and party wall agreements. The applicant would be reminded to contact Building Control regarding these issues in the informatives that would be attached to this permission. Additionally, access for maintenance purposes (including erection of scaffolding) to upper floor flats is not a planning consideration; this would be a separate agreement between freeholders and leaseholders.
- 2.10 Cycle storage for Flat 1 would be located beneath an existing external staircase and would be mainly screened from any public vantage points. The proposed bicycle store to the front of Flat 2 would provide spaces for three cycles. A condition would be attached requiring details of the cycle storage to be submitted. Given the number of cycles to be accommodated (2), this would be a subordinate structure located discreetly next to the entrance to Flat 2 and would not be overly visible from the street due to the front boundary planting, distance from the street and slight slope downwards from street level to the entrance to Flat 2.

Residential Amenity of Neighbouring Occupiers

- 2.11 The proposed extensions and the front porches are not considered to be harmful to neighbouring amenity. The extensions are at lower ground level in the rear garden and would not exceed the height of the boundary fences therefore loss of light or overlooking would not occur.
- 2.12 Following discussions with the applicant, the drawings have been revised to include obscure glazing in the rooflights closest to the rear elevation of the building at no. 63. The potential lightspill from the proposed rooflights would not be considered harmful to the neighbours of the upper floor flats within the building. The glazing of these roof lights would be secured by condition. Whilst there would be some loss of the rear garden space as a result of the extensions, a large rear garden space of 250sqm would remain. The applicant proposes a green roof to the 5.5m deep extension which would soften the appearance for upper floor flats. The flat roof of the single storey rear extension would include a green roof. A condition would be attached to ensure that it is accessed for maintained purposes only.

Transport and Parking

- 2.14 Policies CS11 and DP17 support cycle provision and Camden's parking standards for cycles states that one cycle parking space is required per residential unit. Changes to the London Plan recently adopted require two cycle spaces to be provided for two bed and higher units in a secure and accessible location. There is therefore a requirement to provide 4 cycle parking spaces for the newly created units. The proposal includes the provision of two separate cycle storage areas at the front of no. 63 and under the external stairs outside no. 65. The cycle storage areas

comply with the guidance in CPG7 and is deemed acceptable subject to a condition to ensure they are provided prior to occupation and thereafter retained

2.15 The site has a PTAL rating of 4 (good) and is easily accessible by public transport. Policies CS11, DP18 and DP19 require developments in such locations to be car free. For car free developments, the Council will:

- not issue on-street parking permits;
- use planning obligations to ensure that future occupants are aware they are not entitled to on-street parking permits; and
- not grant planning permission for development that incorporates car parking spaces, other than spaces designated for people with disabilities, and a limited number of spaces for car capped housing in accordance with Council's Parking Standards.

2.16 As required under Development Policy DP18, the additional unit created by the development should be 'car-free'. This would be secured by way of a section 106 legal agreement.

2.17 An informative has been added to the decision notice which advises the applicant they may need to contact the Highways Team with regards to site access for loading and unloading of lorries during construction.

Trees and landscaping

2.18 Whilst there shall be some increase in impermeable surfaces, the remaining rear garden is considered large enough to accommodate the proposed extensions. The existing rear garden is approximately 250sqm excluding the paved patio area at lower ground level. A garden space of at least 220sqm shall be retained (access to this garden is for the applicants only and is not a communal garden for the remaining flats within the building). The proposal would not include the removal of any trees. The proposed rear extensions are not considered likely to harm neighbouring trees which are sufficiently far away from the development.

2.19 The proposed extension to Flat 2 shall include a green roof to help soften the appearance of the extension for the upper floor flats. The details of the green roof shall be submitted to the Council for approval as required by condition of consent.

Community Infrastructure Levy

2.20 The proposal would include the creation of a new residential unit. This would be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Based on the Mayor's CIL charging schedule the CIL charge is £50 per additional sqm and for Camden CIL £500 per additional sqm. 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. The proposal would be liable for £5,250 for the mayoral CIL and £52,500 for the Camden CIL for the additional unit (Flat 2) as well as £825 mayoral CIL and £8,250 for the extension to Flat 1 (£66,825).

3.0 Recommendation:

3.1 Grant conditional planning permission subject to s106 legal agreement for a car-free unit.

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 24th April 2017, 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 and search for 'Members Briefing'.

Shadi Joseph
33 Belsize Lane
London
NW3 4SL

Application Ref: **2017/0605/P**

19 April 2017

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**Flat 1-2
63-65 Haverstock Hill
London
NW3 4SL**

Proposal:

DECISION
Erection of single storey ground floor rear extensions and two front porch extensions, and a bicycle store enclosure at ground floor level, external alterations and regrading of the rear garden in association with conversion of ground and first floor maisonette into 2 x 3 bedroom flats.

Drawing Nos: Site Location Plan, Existing Ground Floor Plan 01-1, Existing First Floor Plan 02-1, Existing Front and Rear Façade 21-1, Existing Section A 11-1, Existing Section B 12-1, Existing Section C 13-1, Proposed Side Elevation 22-1, Proposed Ground Floor Plan 01-1, Proposed First Floor Plan 02-1, Proposed Front and Rear Elevations 21-1, Proposed Section A 11-2, Proposed Section B 12-1, Proposed Section C 13-1, Existing and Proposed Site Plans 14-2 and Existing and Proposed Roof Plans 15-2.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and policies A1, D1 and D2 of the emerging Draft Local Plan 2016.

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

Site Location Plan, Design & Access Statement, Existing Ground Floor Plan 01-1, Existing First Floor Plan 02-1, Existing Front and Rear Façade 21-1, Existing Section A 11-1, Existing Section B 12-1, Existing Section C 13-1, Proposed Side Elevation 22-1, Proposed Ground Floor Plan 01-1, Proposed First Floor Plan 02-1, Proposed Front and Rear Elevations 21-1, Proposed Section A 11-2, Proposed Section B 12-1, Proposed Section C 13-1, Existing and Proposed Site Plans -2.

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

- 4 The proposed two rooflights nearest the original rear wall of no. 63 shall be opaque glazed and maintained thereafter in perpetuity.

Reason: To prevent loss of amenity to the upper floor flats within no. 63 Haverstock Hill in accordance with policies CS5 and CS14 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 and policy A1 of the emerging Draft Local Plan 2016.

- 5 Prior to the first occupation of the building a plan showing details of the green roof proposed for the rear extension at Flat 2 including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance

with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies and policies A1, A3, CC1, D1 and D2 of the emerging Draft Local Plan 2016.

- 6 Before the development commences, details of secure and covered cycle storage area for 4 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies and policies A1, T1 and T2 of the emerging Draft Local Plan 2016.

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 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 5 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.
- 6 The emerging Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.
- 7 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate

DRAFT

DECISION