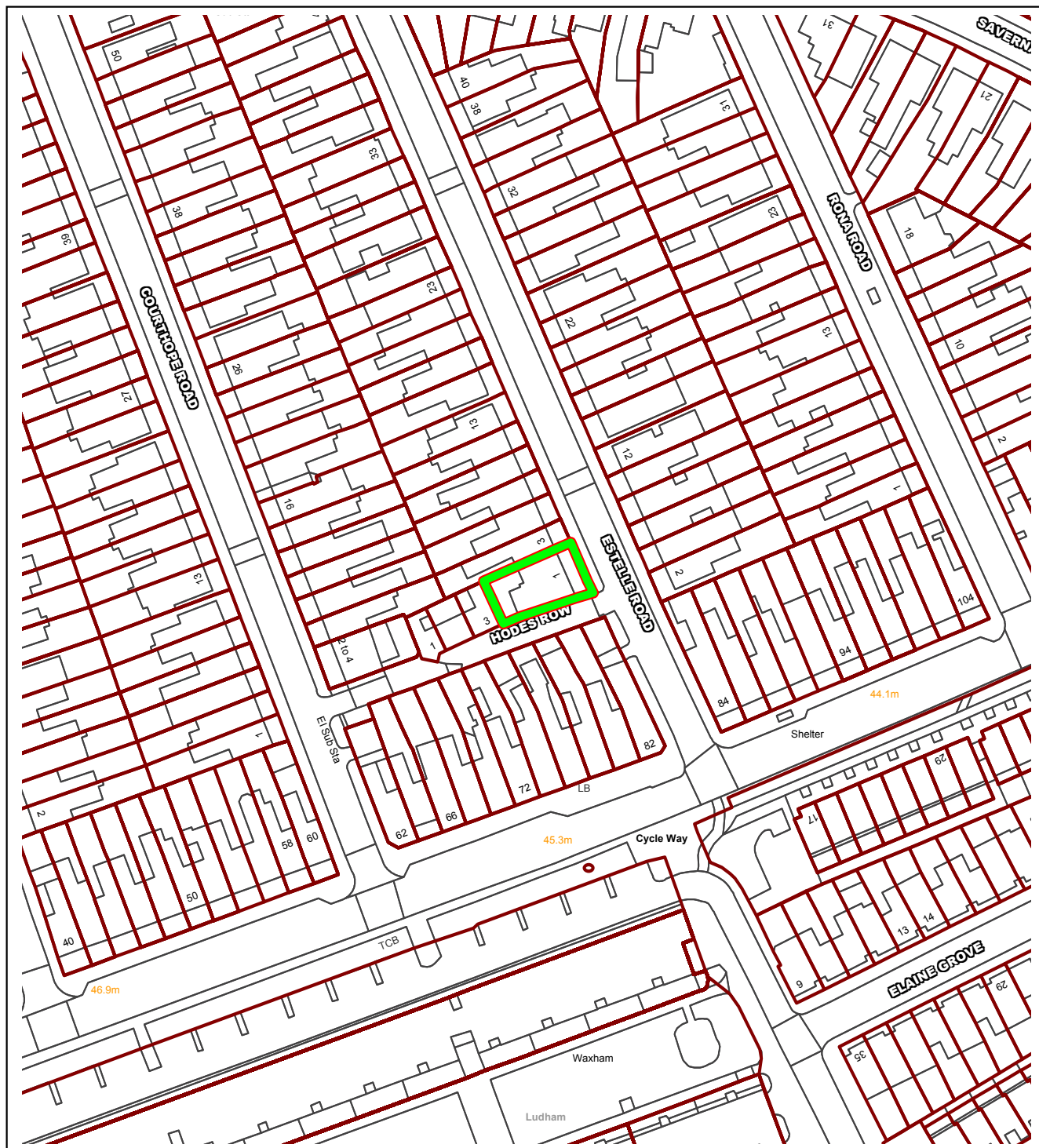
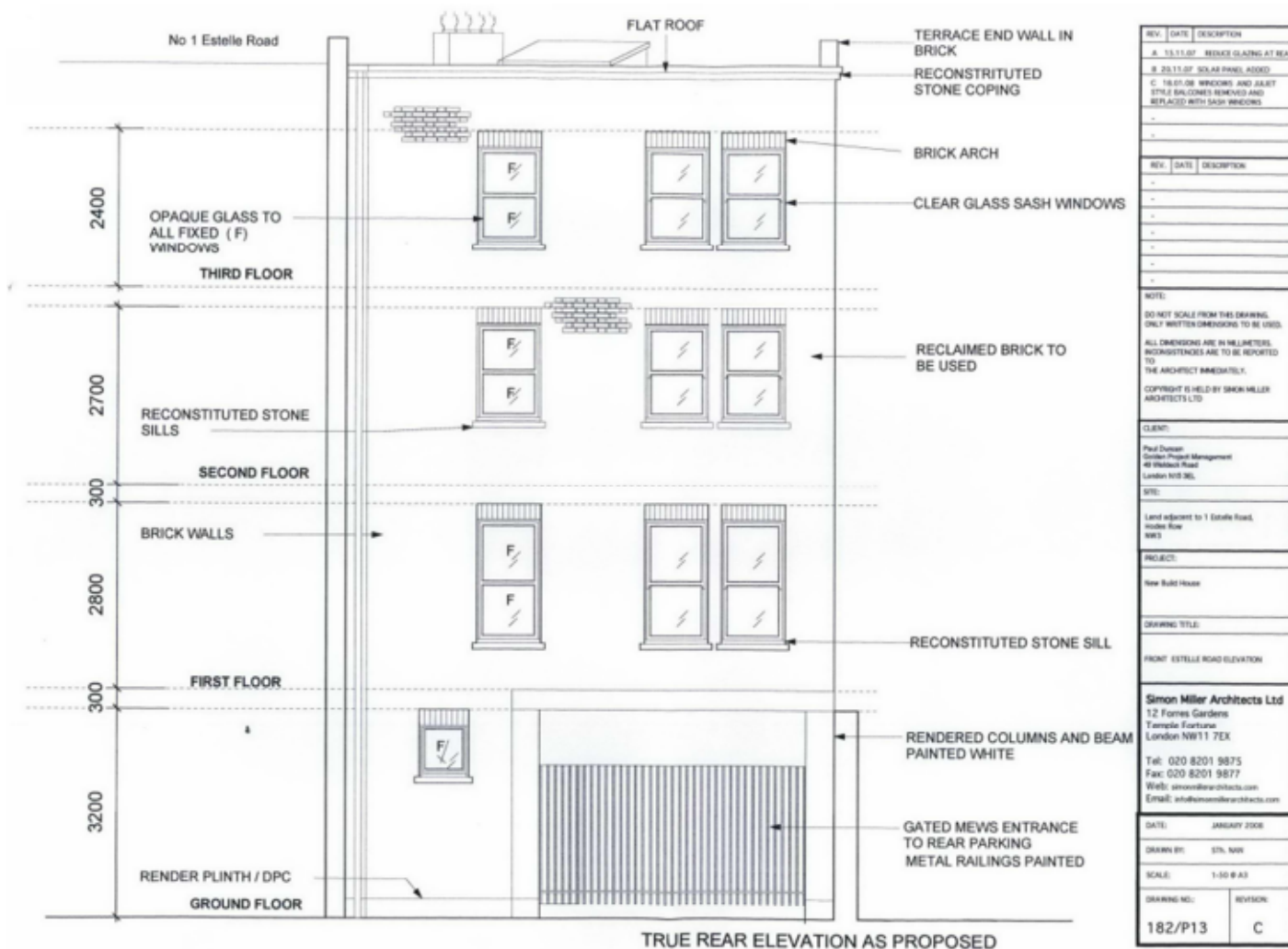


# Hodes Row, Land Adjacent to Estelle Road 2017/2353/P



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3. Approved rear elevation for planning permission 2008/0582/P decided on appeal 11/05/2009

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>20/06/2017</b>
		N/A		<b>Consultation Expiry Date:</b>	N/A
<b>Officer</b>			<b>Application Number(s)</b>		
David Peres Da Costa			2017/2353/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Hodes Row Land Adjacent to Estelle Road London NW3 2JX			Refer to 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>					
Details of windows and doors, waste storage and construction method statement required by condition 3, 4 and 6 of planning permission 2008/0582/P decided on appeal 11/05/2009 (for the erection of a 3-storey dwelling house (Class C3) over existing access to Hodes Row).					
<b>Recommendation(s):</b>		<b>Grant Approval of Details</b>			
<b>Application Type:</b>		<b>Approval of Details</b>			



Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	04	No. of objections	04
			No. electronic	00		
Summary of consultation responses:	<p>There is no statutory requirement to consult on approval of details applications. However those who have signed up for email alerts or to the Camden Account would be notified of these if they are within their search criteria.</p> <p>Four objections were received from occupiers of 58-60 Savernake Road and 1 Estelle Road.</p> <ul style="list-style-type: none"><li>• Yet again it is proposed to crowd this site with excessive building. The reduction in light to neighbouring buildings is unacceptable. The local opposition was clear last time Mr Hodes attempted this. There is nothing to indicate that this new proposal is any better than previous ones. It should be rejected.</li><li>• I am still concerned about the fact that light will be blocked through my kitchen window, flat 4 1 Estelle Rd. Also the design of this is not at all suited to the rest of the street or indeed area, how has this been passed?</li></ul> <p><i>Officer's comment: Both the above objections relate to the original application which was allowed at appeal 11/05/2009 (planning ref: 2008/0582/P appeal ref: APP/X5210/A/08/2090295)</i></p> <ul style="list-style-type: none"><li>• At no point has any planning application notice been on display on Estelle Road. I formally request such notice is provided and that the cut-off date for comments is extended accordingly</li></ul> <p><i>Officer's comment: There is no statutory requirement to consult on the Approval of Details applications. Therefore in accordance with the Council's statement of community involvement a site notice was not required</i></p> <ul style="list-style-type: none"><li>• Condition 3: Typical details of: doors, windows, window openings (including surrounds) decorative features including mullion, door case decorative eaves detail. This has not been provided.</li></ul> <p><i>Officer's comment: The conservation officer has reviewed the submitted details and has confirmed they are acceptable.</i></p> <ul style="list-style-type: none"><li>• Condition 3: No details are provided to show proposed external finishes, which will need to be in keeping with the facades of the other houses in Estelle Road and the Mansfield Road conservation area. Insufficient details of windows have been provided. Planning permission requires all windows at rear to be opaque and non-opening. The plan of the ground floor entrance now shows new toilet at rear beside bedroom wall of Flat 2, 1 Estelle Rd. No toilet exhaust or opening window should be permitted beside the Flat 2 bedroom</li></ul>					

window.

*Officer's comment: The conservation officer has reviewed the submitted details and has confirmed they are acceptable. In addition the applicant has confirmed that the decorative eaves detail will exactly match the existing eaves on No 1. Estelle Road and that details of external finishes have not been provided because discharge of condition 2 (brickwork) will be submitted at a later date. Condition 5 of the appeal decision requires: the windows in the rear elevation of the development hereby permitted shall be, up to the height of 1.8m above floor level, glazed with obscure glazing and shall be non-opening or top vent opening only and be permanently so retained. The plan of the ground floor with the toilet at the rear was approved at appeal dated 11/05/2009 (planning ref: 2008/0582/P appeal ref: APP/X5210/A/08/2090295)*

- Condition 4: Waste storage

The submission covers the new build but fails entirely to address the waste storage for Hodes Row as a whole. The drawings show the new bin arrangement at the same location as the existing 7 bins. No mention is made of where the existing residents are going to store their waste.

*Officer's comment: The condition for waste storage just relates to the development (i.e. adjacent to 1 Estelle Road). The approved drawing for planning permission granted 25/04/1997 for the 3 existing houses in Hodes Row shows the bin store for these houses within Hodes Row itself and not at the front of the site. Notwithstanding this the applicant has confirmed that the 3 existing bins for nos 1-3 Hodes Row would be re-sited on the opposite side of the drive. Their relocation would still allow sufficient space for vehicle access.*

The submission shows just a box for recycling. Currently Camden Mansfield Conservation Area practice is to use green wheelie bins. This is especially important for this gated property as they will have to leave bins by the road side on collection days. Foxes are a real issue in the area. Submission should be rejected on this basis.

*Officer's comment: the submission has been revised and a 140 litre wheelie bin for recycling in accordance with CPG1 would be provided.*

Currently Camden Mansfield Conservation Area practice is to only collect general rubbish once every 2 weeks. The submission does not take this into account. Submission should be rejected on this basis. Access chamber will need to be maintained for access, inspection and maintenance. History of flooding in 1 Estelle Road basement due to blockage here.

*Officer's comment: The applicant has advised the access chamber is a redundant pit and is not related to the drainage system.*

- Condition 4: There is already insufficient room for the black and green bins on the footpath of Estelle Road, and black rubbish bags are often dumped on the footpath beside the Hodes Row entrance beside 1 Estelle Road, by some occupants of the flats and shops backing onto Hodes Row. More bins in front of 1 Estelle Road will prevent safe use of the footpath.

*Officer's comment: The proposed bins would be stored within the site and*

*there is no proposal to store the bins on the public footpath.*

Does the developer intend to replace the current wooden fences on the boundary with 1 Estelle Road, in the location of the proposed new waste storage? No such plans have been communicated to owners of 1 Estelle Road.

*Officer's comment: The fence is not the subject of this application and no changes are shown to the boundary treatment.*

- Condition 6: Construction Method Statement

According to the planning approval conditions the CMS should cover. The parking of vehicles of site operatives and visitors; This has not been addressed by the CMS. This is vital to address as there is no room on site and access for residents must be maintained. Submission should be rejected on this basis.

*Officer's comment: The applicant has confirmed there is no provision for parking vehicles on site except temporarily for offloading materials.*

Loading and unloading of plant and materials; CMS should be explicit that plant and materials should not be left on Estelle Road at any time.

*Officer's comment: The CMS states the front portion of the site would be where materials will be loaded/offloaded.*

Storage of plant and materials used in constructing the development; Section 2 states "Storage for bulk materials is available at the rear of Hodes Row". This is not true. That space is private parking and access.

*Officer's comment: The applicant has confirmed the rear of Hodes Row is in the ownership of the applicant.*

The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate wheel washing facilities; The security of 1 Estelle Road (with windows facing the new build) has not been taken into account. Section 11 states "A secure hoarding will generally be required to the site boundary with a lockable access" but the applicant answer is "Not applicable".

*Officer's comment: The applicant has confirmed the site already has security gates and therefore does not require a specific hoarding.*

Measures to control the emission of dust and dirt during construction;

*Officer's comment: The CMS states the dust will be dampened down, swept up and removed to licensed tip on a daily basis.*

A scheme for recycling waste resulting from demolition and construction works. No recycling scheme or arrangements are specified.

*Officer's comment: The applicant has confirmed there is no 'demolition' and surplus materials will be removed by the contractor for use elsewhere or recycled.*

Method statement should cover the security of the scaffolding i.e. so

thieves can't climb it. The original construction method statement states "g. shore as necessary", without any detail of how our building is to be supported during the laying of the foundations. The CMS should be very clear on protecting 1 Estelle Road whilst foundations are being dug. Method statement should explain how access to existing Hodes Row Properties and rear of Mansfield road shops is to be kept open for emergency services, specifically in the event of a fire.

*Officer's comment: The CMS is not required to provide this information. These may be covered under building regulations.*

Section 3 states "The other properties in Mansfield Rd have either hardstanding or garages adjoining Hodes Row and only require occasional vehicular access". This is not true. The Chinese takeaway park there on a daily basis. The Beautician parks Tues-Sat 10-6pm. Motorbike needs occasional access. Residents of Hodes Row do not have the right to park on Estelle Road or obtain parking permits.

*Officer's comment: The applicant has confirmed Neighbour's access will be respected and arrangements made with each individual.*

- There is no room for construction materials to be stored at the rear of Hodes Row. This area is already used for potted plants by current Hodes Row residents.

*Officer's comment: The applicant has confirmed storage space for materials etc would be at the rear - the applicant owns the whole of the roadway and the current plant pots would be temporarily moved.*

Building materials should not be permitted to be stored against the side of the house at 1 Estelle Road, as could cause damage to brickwork and block window of Flat 2, and would interfere with the easement for 1 Estelle Road over Hodes Row for scaffolding and repairs to the external brick wall.

*Officer's comment: The applicant has confirmed there are no plans to store building materials directly against the flank wall of No 1.*

There is no room for construction vehicles to park on Estelle Road, and too narrow turning for them to get in and out of Hodes Row when resident permit holders cars are parked in Estelle Road.

*Officer's comment: The CMS confirms only small vehicles will be accessing the site.*

Additional comments:

- The original and addendum awards (flat 3) do not include any existing or proposed elevation drawings.
- The submitted drawings to not provide enough detail on how the floors are supported without touching or putting load on the One Estelle Road wall.
- Details on flashing / weathering details between the buildings at high / roof level have not been provided.
- The addendum party wall award has conditions; to trial holes being carried out, design calculations provided. Structural engineer to verify and confirm the underground structural design is satisfactory. Also, that the schedule of condition of One Estelle Road should be updated



	<p>prior to works starting.</p> <ul style="list-style-type: none"> <li>The Health &amp; Safety plan needs to be signed by the Main Contractor. It calls for Method Statements to be produced by the Main Contractor; Lifting Operations, Manual handling, Brickwork, Electrical etc.</li> </ul> <p><i>Officer's comment: The above information is not required to discharge these conditions.</i></p> <ul style="list-style-type: none"> <li>The original application approval states "The Section 106 Undertaking is intended to ensure that the proposal does not lead to added pressure for on street parking." Camden Council Parking services should be informed not to issue to parking permits to this new address.</li> </ul> <p><i>Officer's comment: parking is not the subject of this application which only seeks to discharge conditions 3 (windows and doors), 4 (waste storage) and 6 (construction method statement).</i></p>
<b>CAAC/Local groups* comments:</b> *Please Specify	No comments have been received from the CAAC

### Site Description

The application site is a piece of land adjoining 1 Estelle Road. It is undeveloped land, which is currently used as an access road to the mews behind which is known as Hodes Row. Hodes Row is a former dairy that was redeveloped in the 1990s into three houses. It is gated from Estelle Road.

1 Estelle Road is the end property of a long uniform terrace of buildings on the eastern side of Estelle Road. The properties on the street are typically 3 storey plus attic Victorian buildings with double height bay windows, London stock brick, dormer windows to pitched roofs and tall chimney stacks.

The application site is within the Mansfield Conservation Area.

### Relevant History

R/O 2 Courthope Road & 1 Estelle Road

**P9602893R3:** Partial redevelopment of the site for three houses by the erection of a two storey plus attic building within the existing rear and side boundary walls, as well as associated parking, landscaping and boundary treatment. Granted 25/04/1997

Land adjacent to 1 Estelle Road

**2008/0582/P:** Erection of a 3-storey dwelling house (Class C3) over existing access to Hodes Row. Refused 19/05/2008 Appeal allowed 11/05/2009

**2012/5962/P:** To establish that commencement of material operations has begun on site under the terms of condition 1 of planning permission allowed on appeal ref APP/X5210/A/09/2090295 (Council ref 2008/0582/P) dated 11th May 2009 for the erection of a 3-storey dwelling over the access to Hodes Row. Lawful development certificate granted 18/12/2012

### Relevant policies

**Camden Local Plan 2017**

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy T4 Sustainable movement of goods and materials

Policy CC5 Waste

## Assessment

### 1. Proposal

- 1.1 The application is for the discharge of conditions 3 (windows and doors), 4 (waste storage) and 6 (construction method statement) attached to planning permission allowed on appeal 11/05/2009 for the erection of a 3-storey dwelling house (Class C3) over existing access to Hodes Row (planning ref: 2008/0582/P appeal ref: APP/X5210/A/08/2090295). The details of these conditions are provided below.

#### Condition 3

- 1.2 Typical details of all doors, windows, window openings (including surrounds) and decorative features including mullion, door case and decorative eaves detail, shall be provided in elevation and section at a minimum of 1:10 scale before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given.

#### Condition 4

- 1.3 Before the development commences, details of the location, design and method of waste storage including recycled materials shall be submitted to and approved in writing by the local planning authority. The approved storage facilities shall thereafter be provided prior to first occupation of the dwelling and permanently maintained and retained thereafter.

#### Condition 6

- 1.4 No development shall take place until a Construction Method Statement has been submitted and approved in writing by the local planning authority to provide for: the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate wheel washing facilities; measures to control the emission of dust and dirt during construction; access arrangements to Hodes Row; and a scheme for recycling waste resulting from demolition and construction works. No materials shall be burnt on site. The approved Construction Method Statement shall be adhered to throughout the development process.

### Revision

- 1.5 Following officer's concern, a revised drawing was submitted showing a 140 litre recycling bin (rather than a recycling box) to meet the requirements of CPG1 Design.

### 2. Assessment

- 2.1 Condition 3 requires typical details of all doors, windows, window openings. The Council's conservation officer has reviewed the submitted drawings and has confirmed the details are acceptable. The submitted details are consistent with the general expectations of the approved scheme.
- 2.2 Condition 4 requires details of waste storage. CPG1 states residential development of 6 dwellings or fewer are usually serviced by a kerbside recyclables and waste collection. The designs for recycling and waste facilities need to provide sufficient internal and external storage areas for each unit, ensuring: there is external storage for mixed (commingled) recyclables, organic kitchen waste and non-recyclable waste, providing space for the following:
- a free-standing 140l or 240l wheelie bin for the storage of commingled recycling;

- a free-standing kitchen waste caddy;
- a free-standing receptacle for the storage of refuse

2.3 A timber panelled bin store is proposed at the front of the property adjacent to the northern boundary with 1 Estelle Road. The bin store would provide space for a 140l wheelie bin for refuse, 140l wheelie bin for recycling and a kitchen waste caddy. The location, size and materials of the proposed bin store are acceptable. The bin store would meet the requirements of CPG1.

2.4 Condition 6 requires a construction method statement. This has been submitted and reviewed by the Council's transport officers. The CMS contains sufficient detail and indicates that impacts on the surrounding highway network and road users will be minimal. Access to the existing properties on Hodes Row would be maintained throughout the construction period. Therefore, the transport officer has raised no objection to the proposal and the planning condition can be discharged.

### **3. Conclusion**

3.1 The submitted details are consistent with the general expectations of the approved scheme and are acceptable in all other respects.

#### **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 July 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](http://www.camden.gov.uk) and search for 'Members Briefing'.**

Mr S Clarke  
Clarke Associates  
5 Abbey Parade  
Ealing  
London W5 1EE

Application Ref: **2017/2353/P**  
Please ask for: **David Peres Da Costa**  
Telephone: 020 7974 **5262**

19 July 2017

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Approval of Details Granted**

Address:  
**Hodes Row**  
**Land Adjacent to 1 Estelle Road**  
**London**  
**NW3 2JX**

**DECISION**

#### **Proposal:**

Details of windows and doors, waste storage and construction method statement required by condition 3, 4 and 6 of planning permission 2008/0582/P decided on appeal 11/05/2009 (for the erection of a 3-storey dwelling house (Class C3) over existing access to Hodes Row).

Drawing Nos: 590: 03B; 01C; 05B; 04B; 06B; 23A; 24; 25; 26; 27; 28; 29; 30; 31; 32; 33; 34; 35; Construction Management Plan dated 21.04.2017

The Council has considered your application and decided to grant approval of details.

#### **Informative(s):**

- 1 You are reminded that condition 2 (sample panels of facing materials) of planning permission allowed on appeal 11/05/09 ref: 2008/0582/P (appeal ref: APP/X5210/A/08/2090295) is outstanding and requires details to be submitted and approved.

Executive Director Supporting Communities



- 2 You are advised that details of how to make an application for temporary parking bay suspensions are available on Camden's website at the hyperlink below:  
<http://www.camden.gov.uk/ccm/navigation/transport-and-streets/parking/parking-bay-suspensions/>

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

You can find advice about your rights of appeal at:

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

Yours faithfully

Director of Regeneration and Planning

**DRAFT**

**DECISION**