

9 Dartmouth Park Avenue LONDON NW5 1JL



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| Delegated Report | | Analysis sheet | | Expiry Date: | | 03/01/2018 | |
| (Members' Briefing) | | N/A | | Consultation Expiry Date: | | 04/01/2018 | |
| Officer | | | | Application Number(s) | | | |
| Alyce Keen | | | | 2017/6277/P | | | |
| Application Address | | | | Drawing Numbers | | | |
| Flat A and Flat B 9 Dartmouth Park Avenue LONDON NW5 1JL | | | | Refer to draft decision notice. | | | |
| PO 3/4 | | Area Team Signature | | C&UD | | Authorised Officer Signature | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Conversion of two flats at lower ground and ground, first floor levels to one maisonette (Class C3), single storey rear extension at lower ground floor level with terrace and steps to garden, bricking up of two windows on side elevation, alterations to rear ground floor fenestrations and replacement of ground floor balcony, installation of new decorative safety railings to pathway entrance. | | | | | | | |
| Recommendation(s): | | Grant conditional planning permission | | | | | |
| Application Type: | | Full Planning Permission | | | | | |

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|---|---|-----------|------------------|-----------|-------------------|-----------|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 00 | No. of responses | 02 | No. of objections | 01 |
| Summary of consultation responses: | <p><u>11 Dartmouth Park Avenue:</u></p> <ul style="list-style-type: none"> • no major objections to these proposals. • only concern is the height of the rear deck on the lower ground floor level • no. 11 extended about a year ago and dropped our floor internally by half a metre to reduce the height of the terrace and therefore minimize the impact of the new terrace in terms of shade and height of the boundary wall to the neighbouring gardens at #9 and #13. • Because we lowered the terrace, the new deck at #9 will be 0.5 metres higher and we are concerned that we will feel overlooked. • Can we please suggest that either the lower ground floor of #9 is dropped internally by a similar amount, or that there are 2-3 external stairs that bring the deck down to a similar level as our terrace? <p>The case officer reviewed the plans in detail along with the comments made by no. 11 Dartmouth Park Avenue and agreed with the concerns raised. Therefore, the agent was requested to provide further information on the levels of the proposal in relation to the adjoining as well as lower the proposed levels. The agent provided photographs of the void below the floor of 9 Dartmouth Park Road showing that it is possible to lower the floor without excavating. As the site is on a slope the void is much deeper at the back of the house. The applicant is therefore now proposing to lower the floor by 400mm to the rear and 200mm to the front. As a result, the rear terrace level will now be only 100mm higher than no. 11 Dartmouth Park Road. On review of the revised plans and photographs, the case officer believes this is sufficient to address the concerns regarding the levels from no. 11 Dartmouth Park Avenue.</p> | | | | | |
| CAAC/Local groups* comments: *Please Specify | <p><u>Dartmouth Park CAAC:</u></p> <p>Whilst this does not change the view from the road it does constitute the loss of one residential unit. DPCAAC therefore object on these grounds.</p> <p>Council acknowledges the CAAC's concern of the loss of one residential unit however policy H3 of the Camden Local Plan 2017 seeks to resist development that would involve the net loss of two or more homes (from individual or cumulative proposals). Therefore the loss of one residential unit is considered to comply with policy H3 and if the proposal is approved Council will include an informative on the decision that Policy H3 indicates that we resist the net loss of two or more units from individual or cumulative proposals, and will therefore seek to resist the loss of further flats in the building.</p> | | | | | |

Site Description

The site is located on the western side of Dartmouth Park Avenue and contains a four-storey terraced property.

The dwelling is not a listed building however the site is located within the Dartmouth Park Conservation Area and the building is designated as a positive contributor.

Relevant History

2004/2127/P - Installation of a door and high level fanlights within the side elevation at basement level and the erection of a staircase to provide access from an existing rear terrace to the rear garden. Granted 27/07/2004.

8601276 - Removal of existing timber balcony and staircase at rear of first floor level as replacement with a steel balcony and spiral staircase as shown in one unnumbered drawing and drawing number 185/1. Granted 10/09/1986.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

Local Plan 2017

The Local Plan was adopted by the Council on 3 July 2017 and has replaced the Core Strategy and Camden Development Policies.

Policy G1 Delivery and location of growth
Policy A1 Managing the impact of development
Policy D1 Design
Policy D2 Heritage
Policy H3 Protecting existing homes

Camden Planning Guidance

CPG1 (Design) 2015
CPG6 (Amenity) 2011

Dartmouth Park conservation area appraisal and management strategy 2009

Assessment

Change of Use

Policy H3 of the Camden Local Plan 2017 seeks to protect all housing floorspace where people live long-term. The Council will aim to ensure that existing housing continues to meet the needs of existing and future households by: resisting development that would involve the net loss of two or more homes (from individual or cumulative proposals), unless they:

- create large homes in a part of the borough with a relatively low proportion of large dwellings;
- enable existing affordable homes to be adapted to provide the affordable dwelling sizes that are most needed; or
- enable sub-standard units to be enlarged to meet residential space standards.

From review of Council's current tax valuation list the property at no.9 Dartmouth Park Avenue is separated into three flats. As no records of any permission to revert these three units into a single family dwellinghouse have been found, the lawful use of the property would be considered to remain as three separate units, albeit that flat C is not self-contained.

The proposal is for the amalgamation of Flat A and Flat B only, which is compliant with Camden's policy.

Policy H3 seeks to resist development that would involve the net loss of two or more homes (from individual or cumulative proposals). Therefore the loss of one residential unit is considered to comply with policy H3 and if the proposal is approved Council will include an informative on the decision that Policy H3 indicates that we resist the net loss of two or more units from individual or cumulative proposals, and will therefore seek to resist the loss of further flats in the building.

Design

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. The Local Plan policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. Policy D2 (Heritage) states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. Camden's Local Plan Document is supported by CPG1 (Design).

The proposed rear extension and upper terrace is considered to be subordinate in size and scale and lightweight in appearance and would not harm the character and appearance of the host building or conservation area.

The extension is largely glazed which is not characteristic of the host building, however as the extension is at lower ground level and to the rear of the property it would not be visible to the public realm and limited views would be present to adjoining properties. Therefore the harm is considered to be negligible in these circumstances.

The new external staircase at the rear from the ground level extension is considered to be appropriate.

The installation of the replacement balcony on ground floor is considered to be appropriate. The balustrade is proposed to be painted mild steel railing which is considered to be in keeping with the character and style of the host dwelling.

New safety railings to the front of the property are to be of reproduction cast iron decorative railings from an Edwardian period. They are considered acceptable as they reflect existing railings within the streetscene.

Amenity

Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. Camden's Local Plan is supported by CPG6 (Amenity).

As rear terraces are already in existence at ground floor and lower ground floor levels, an overlooking relationship has been established between adjoining/neighbouring properties. The proposal would result in an enlargement to the lower ground floor terrace however due to the scale of this increase it is not considered that the works would exacerbate this existing relationship to a point of detriment. The ground floor balcony would also be marginally enlarged however it is considered that views from this balcony would not be worsened than the current situation.

The proposed single storey rear extension would be approximately the same height, depth and level as the adjoining extension. Consequently, the extension will not result in any harmful loss of daylight or outlook to either neighbour, and there will be no loss of privacy from the current situation. Therefore there would be no impact on the amenity of adjoining neighbours in terms of loss of light, outlook or privacy.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 22nd January 2018, 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'.

Ms Kate Matthews
Firstplan
Bramah House
65-71 Bermondsey Street
London
SE1 3XF

Application Ref: **2017/6277/P**
Please ask for: **Alyce Keen**
Telephone: 020 7974 1400

10 January 2018

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Flat A and Flat B
9 Dartmouth Park Avenue
LONDON
NW5 1JL**

DECISION

Proposal:

Conversion of two flats at lower ground and ground, first floor levels to one maisonette (Class C3), single storey rear extension at lower ground floor level with terrace and steps to garden, bricking up of two windows on side elevation, alterations to rear ground floor fenestrations and replacement of ground floor balcony, installation of new safety railings to pathway entrance.

Drawing Nos:

9DPA/010, 9DPA/011, 9DPA/012, 9DPA/015, 9DPA/016, 9DPA/017, 9DPA/018.

9DPA/100, 9DPA/101, 9DPA/102, 9DPA/104, 9DPA/105B, 9DPA/106B, 9DPA/107B, 9DPA/108.

Planning, Heritage, Design and Access Statement prepared by Firstplan dated November 2017.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Executive Director Supporting Communities



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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
9DPA/010, 9DPA/011, 9DPA/012, 9DPA/015, 9DPA/016, 9DPA/017, 9DPA/018.
9DPA/100, 9DPA/101, 9DPA/102, 9DPA/104, 9DPA/105B, 9DPA/106B,
9DPA/107B, 9DPA/108.

Planning, Heritage, Design and Access Statement prepared by Firstplan dated November 2017.

Reason:

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 Policy H3 states that the Council resist the net loss of two or more units from individual or cumulative proposals, therefore the Council will seek to resist the loss of further flats in this building through subsequent planning applications.

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