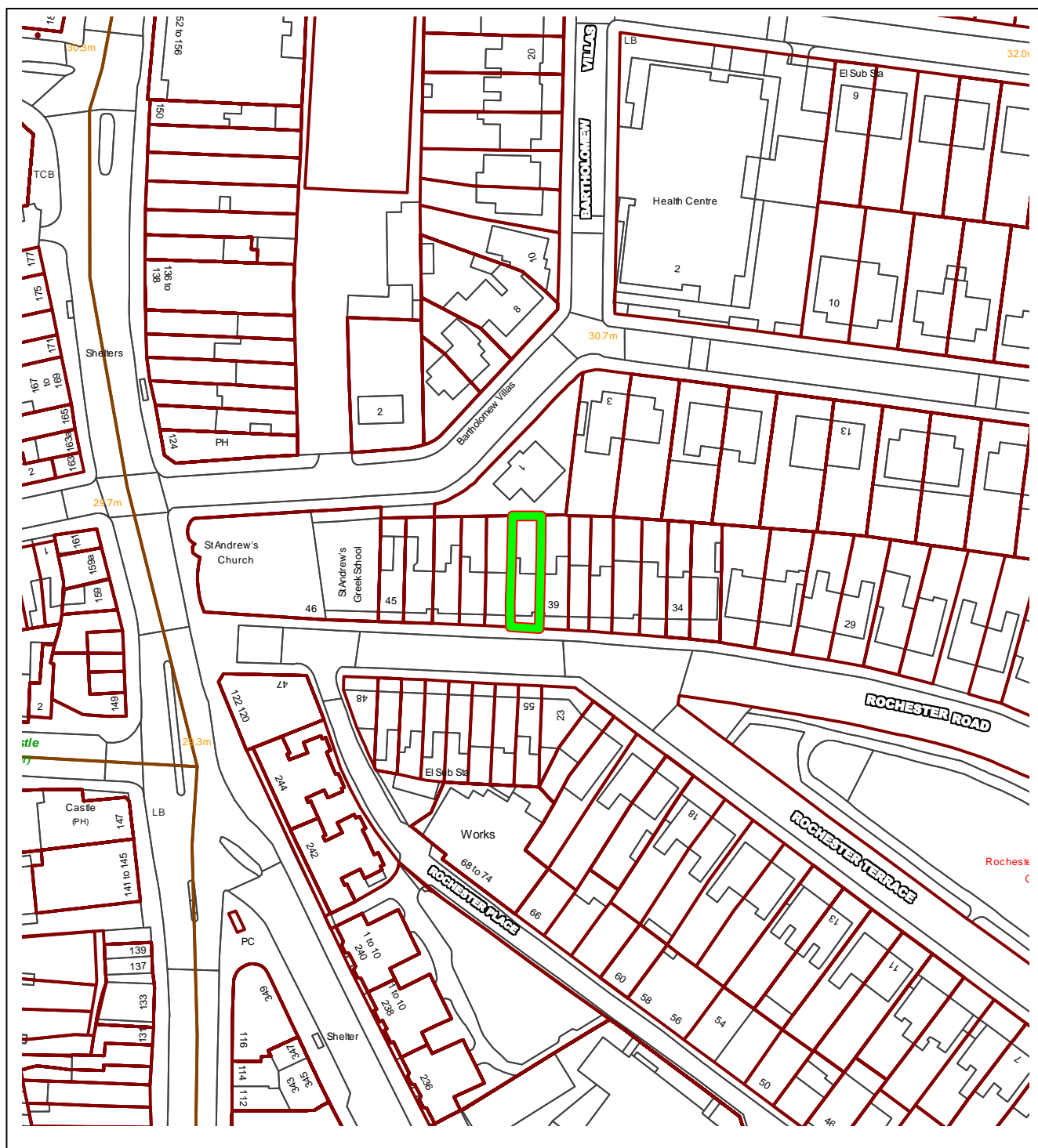


Site plan 40 Rochester Road, NW1 9JJ



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40 Rochester Road



1. Street view



2. Opposite the application site



3. Front elevation of the application site and the neighbouring property at no 39 Rochester Road.



4. Rear of the application site



5. Rear view of the adjacent properties at nos 41 and 42.



6. Rear of the application site – view towards property at no 39



7. Rear view of the application site

Delegated Report		Analysis sheet		Expiry Date:	08/03/2018
(Members Briefing)		N/A		Consultation Expiry Date:	01/03/2018
Officer			Application Number(s)		
Nora-Andreea Constantinescu			2018/0144/P		
Application Address			Drawing Numbers		
40 Rochester Road London NW1 9JJ			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Conversion of single family dwelling into 2 x self-contained flats (1 x 1-bedroom flat and 1 x 2 bedroom flat), and erection of single storey rear extension, first floor side infill extension and provision of cycle storage to front of the building.					
Recommendation(s):		Granted Conditional Planning Permission Subject to a Section 106 Legal Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	Site notices	31/01/2018-21/02/2018	No. of responses	2	No. of objections	2
	Press Notice	08/02/2018-01/03/2018				
Summary of consultation responses:	<p>The residents at numbers 39 and 51 Rochester Road have objected to the proposed development on the following grounds:</p> <ul style="list-style-type: none">-loss of single family dwelling; family sized dwellings need to be protected-bulk, scale and poor design of the rear extension-rear extension would be oppressive and reduce light and daylight to the patio at no. 39 Rochester Road-poor quality of the drawings-intensifying occupancy of the site and associated parking-noise and amenity concerns due to sound transfers through building walls-rear extension would impact the neighbouring amenity-cycle stands located in inappropriate location and result in extension of hardstanding <p>Officer response:</p> <ul style="list-style-type: none">-Camden Policies and Guidance support the additional provision of housing through conversions – see para 3.2-the proposed rear extension has been revised to reduce its bulk and scale as well as amendments to its detailed design have been made - see paras 1.3 and 4.2.-the proposed rear extension has been set in from the boundary with no. 39 Rochester Road which would diminish any harm caused to the amenity of the neighbouring occupiers.-the drawings and information submitted is considered appropriate to make an assessment on this scheme.-the sound transfer between the building walls would be dealt with by the Building Control department, which would ensure the minimal levels of noise transfer.					
Local group/CAAC	<p>The <u>Rochester CAAC</u> has objected to the proposed development on the following grounds:</p> <ul style="list-style-type: none">-no Design and Access statement-clarifications in relation to the projection of the first floor extension in relation to no. 39 Rochester Road.-no details about the frontage, and it would be welcomed rebuilding the boundary wall with traditional railings-the cycle facility is welcomed but the soft landscaping area should be maintained-conversion into flats is contrary policies which sustain larger bedroom accommodation					

Officer response:

-a Design and Access Statement has been provided and available to view online
-there is no statutory requirement for the drawings submitted for a proposed scheme to include the neighbouring buildings for comparison, however the applicant amended the drawings to show the neighbouring building. Also, the comparison with the neighbouring buildings has been made by officers visiting the site.
-the proposed scheme does not include alterations to the front boundary wall.
-the front garden is currently covered by hardstanding and a soft landscaping area of 6.8sqm. The proposed cycling facilities would reduce this area by 0.8sqm, which is considered acceptable in this instance. See para 6.1.
-Camden policies support the division of the single family units into flats – see para 3.2

Site Description

The application site is located on the eastern side of Rochester Road and lies within Rochester Conservation Area.

The property is a 3 storey end of terrace dwellinghouse, with large windows centred on the front elevation and recessed entrance.

Relevant History

2016/5966/P - Conversion of dwellinghouse into 2x 2 bedroom self-contained flats (Class C3) and erection of a single storey rear extension, first floor side extension and mansard roof extension. – Refused 21/04/2017

Reasons for refusal:

- 1. The proposed roof extension, by virtue of its height, bulk, mass and detailed design would appear as an incongruous addition which is unacceptable in principle as it would cause detrimental harm to the character and appearance of the building, the terrace of which it forms part and the wider Rochester Road Conservation Area..*
- 2. The proposed rear extension, by virtue of its height, bulk, mass and detailed design would appear as an incongruous addition which would cause detrimental harm to the character and appearance of the building, the terrace of which it forms part and the wider Rochester Road Conservation Area..*
- 3. The proposed development, in the absence of a legal agreement to secure the development as 'car-free', would be likely to contribute unacceptably to parking congestion in the surrounding area and promote the use of non-sustainable modes of transport...*

Relevant planning applications nearby:

2016/2762/P – 38 Rochester Road NW1 9JJ - Erection of single storey part-replacement rear extension and installation of garden access stairs and associated conversion of window to door at first floor level to rear

8802514 - 42 Rochester Road NW1 - Erection of a roof extension - Granted 21/02/1989

9100759 - 41 Rochester Road NW1 - Erection of mansard extension with front terrace and dormer access – Granted 23/10/1991

Relevant policies

National Planning Policy Framework, 2012

The London Plan 2016

London Borough of Camden Local Plan 2017

Policy G1 – Delivery and location of growth

Policy A1 – Managing the impact of development

Policy H1 – Maximising housing supply

Policy H3 – Protecting existing homes

Policy H6 – Housing choice and mix

Policy H7 – Large and small homes

Policy D1 – Design

Policy D2 - Heritage

Policy CC1 – Climate change mitigation

Policy DM1 – Delivery and monitoring

Policy E1 - Economic Development

Policy E2 – Employment premises and sites

Policy T1 – Prioritising walking, cycling and public transport

Policy T2 – Parking and car free development

Camden Supplementary Planning Guidance

CGP1 - Design (2015)

CPG5 - Housing (2013)

CPG6 - Amenity (2011)

Assessment

1. Proposal

1.1 Planning permission is sought for conversion of existing 3 bedroom house into 1 x 1 bedroom flat and 1 x 2 bedrooms flat:

- Flat 1 – area of approximately 53.2sqm
- Flat 2 – area of approximately 79.3sqm

1.2 The scheme also includes the following:

- erection of a rear extension with projects with a width of 5m and a depth of 3m, set in from the boundary with no. 39 Rochester Road by 1.2m, and replaces 2 existing storage structures to the rear;
- the extension of the first floor side wing to the front and back to create a similar structure in terms of depth and height as the neighbouring one at no 39 Rochester Road;
- alterations to front garden to include 2 x cycle stands

1.3 The following elements of the proposal have revised:

- Reduction in width of the rear extension from 6.2m to 5m, reduction in depth from 3.4m to 3m, alterations to the proposed fenestration on the extension.
- Replacement of proposed UPVC windows with timber framed windows.

2. Assessment

2.1 The main issues for consideration area:

- Residential accommodation
- Design
- Residential amenity of neighbouring occupiers
- Transport and Parking

3. Residential accommodation

- 3.1 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.
- 3.2 In principle, the proposal to provide additional housing is in accordance with policy H1 of the Local Plan. The Dwelling Size Priority Table accompanying Policy H7 identifies 2 bedroom market units as being of 'high priority', and 1 bedroom and studio units as 'lower priority'. The proposal includes 1x 2-bedroom unit which is welcomed and considered acceptable as it would provide the high priority housing need of the borough. Considering the site constraints and the internal layout of the existing building, the proposal for 1x 1-bedroom unit would be also considered acceptable in this instance.
- 3.3 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 National Housing Space Standards, 1 bed/2 person units should have a minimum gross internal floor area (GIA) of 50sqm. In relation to 2 bed/3 person units, over two levels these should have a minimum gross internal floor area of 70sqm and for 4 persons, an area of 79sqm. Both proposed new units would match and exceed these requirements, and therefore the development is considered acceptable in terms of the quality of residential accommodation to be provided.
- 3.4 The proposed units would have open plan kitchen, living and dining areas which would also benefit from dual aspect in relation to Flat 2. Amendments have been made to the internal layout of the units in order to provide good standard accommodation. The bedrooms would be appropriately sized with an adequate level sunlight and daylight, and built-in storage space would be provided. Overall, the standard of accommodation provided by the proposed conversion is considered adequate and acceptable.

4. Design

- 4.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 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 D2 'Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves or enhances' its established character and appearance.
- 4.2 The property has an existing extension which projects along the boundary with no 41 Rochester Road, with a depth of 3.4m and a height of 2.3m. Along the boundary with no 39 Rochester Road, the property has an extension which projects with a depth of 1.6m and a height of 2.6m. The proposed single storey rear extension would replace the existing structures, with a depth of 3.4m, the same as the existing northern extension and extending the full width of the property (approximately 6.2m). Due to its scale and design it would appear as a subordinate addition to the host dwelling, which will not overwhelm the rear elevation of the property. The proposed extension is considered acceptable in this location

as it would not be visible from the street.

4.3 At first floor level, the property has a small side infill structure which accommodates a bathroom. It is proposed to extend this projection to both front and rear and continue to house a bathroom. The first floor extension would match the height, depth and appearance the existing side extension at no 39 Rochester Road. As such, the extension would appear as a subordinate addition and would provide balance and symmetry with the front elevation of the neighbouring property at no 39.

4.4 The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

5. Residential amenity of neighbouring occupiers

5.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore, it seeks to ensure that any proposed development protects the quality of life of occupiers and neighbour by only granting permission for development that does not cause harm to the amenity and that any development should avoid harmful effects on the amenity of existing and future occupiers and to nearby properties. CPG6 seeks development to be "designed to protect the privacy of both new and existing dwellings to a reasonable degree" and that the Council will "aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers".

5.2 The proposed ground floor rear extension is not considered to cause any significant loss of light or outlook to the neighbouring amenities, given its modest size, siting and projection similar to existing rear structures here. As the extension would have a flat roof, a condition shall be imposed which prevents the flat roof being used as a roof terrace.

5.3 The proposed infill first floor extension, due to its position, location and projection, would not cause any impact in terms of loss of light, outlook or privacy, and is therefore considered acceptable on these terms.

5.4 Although concern has been raised over intensification and noise from the creation of two flats, the proposal is only for a 1-bed and 2-bed and therefore not considered to create significant noise nuisance compared to a three bedroomed house. As such, the proposal is not considered to harm the amenity of adjoining occupiers.

6. Transport and Parking

6.1 Policy T1 supports cycle provision and in line with the requirements of the London Plan, the requirements are 1 spacer per 1 bedroom unit and 2 spaces for all other dwellings, giving a total of 3 spaces. The proposal includes two Sheffield cycle stands which can accommodate up to 4 bikes, located in the front garden. It is acknowledged that the existing flower bed would be reduced by 0.8sqm due to the cycle facilities, however, it is considered that on balance this small reduction in planted area would be acceptable in this instance.

6.2 As required under Development Policy T2, the development should be 'car free' to ensure that no additional parking congestion occurs in the area. This would be secured by way of a section 106 legal agreement.

7. Recommendation

7.1 Grant conditional planning permission subject to s106 legal agreement.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Tuesday 3rd of April 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'.

Kudos Plan & Design
37 New Park Avenue
London
N13 5ND

Application Ref: **2018/0144/P**

29 March 2018

Dear Sir/Madam

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:
40 Rochester Road
London
NW1 9JJ

Proposal:
Conversion of single family dwelling into 2 x self-contained flats (1 x 1-bedroom flat and 1 x 2 bedroom flat), and erection of single storey rear extension, first floor side infill extension and provision of cycle storage to front of the building
Drawing Nos: Site location plan; Design & Access Statement dated 23/02/2018; ROCH/2016/01; ROCH/2017/06; ROCH/2018/02; ROCH/2018/03; ROCH/2018/04; ROCH/2018/05.

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 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:

Site location plan; Design & Access Statement dated 23/02/2018; ROCH/2016/01; ROCH/2017/06; ROCH/2018/02; ROCH/2018/03; ROCH/2018/04; ROCH/2018/05.

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

- 4 The flat roof of the extension hereby permitted shall not be used as a terrace and shall only be accessed for maintenance purposes.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies D1 and A1 of London Borough of Camden Local Plan 2017.

- 5 The new residential units hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

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 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 4 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.

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

DECISION

Supporting Communities Directorate