

Delegated Report		Analysis sheet		Expiry Date:		05/04/2018	
		N/A / attached		Consultation Expiry Date:		07/03/2018	
Officer				Application Number(s)			
Obote Hope				2018/0067/P			
Application Address				Drawing Numbers			
22 Hillfield Road West Hampstead London NW6 1PZ							
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of a two storey (2Bed 3P) dwellinghouse in rear garden and installation of gate to provide access from Mill Lane.							
Recommendation(s):		Grant Conditional Planning Permission Subject to a Section 106 Agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Site notice 14/02/2018 – 07/03/2018 Press advert N/A No responses received					
CAAC/Local groups comments:		N/A					

Site Description

The application relates to the rear garden of no. 22 Hillfield Road located on the northern side of Mill Lane. The properties to the north of the application form part of a residential terrace, which is at a higher level than the application site. The properties along the southern side of Mill Lane form a shopping parade. The site is not located within a Conservation area and no.22 Hillfield Road is not listed.

Relevant History

22 Hillfield Road

2014/3266/P- Erection of 2 storey 2 bed dwellinghouse in rear garden area. Granted subject to a section 106 legal agreement

16 Hillfield Road

2010/5732/P-Erection of two-storey single-family dwellinghouse at the rear of 16 Hillfield Road (land fronting Mill Lane) following demolition of the existing garage.- Granted subject to a section 106 legal agreement 18/07/2011

18 Hillfield Road

2012/1840/P – Erection of 2-storey dwellinghouse with forecourt parking- Granted subject to a section 106 legal agreement 17/05/2012

Land at rear of 34, 40, 42 & 44 Hillfield Road

2007/4040/P – Erection of four x two storey houses to replace four garages on the site within the rear gardens. Granted subject to a section 106 legal agreement 24/12/2009

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

Local Plan 2017

H1 Maximising housing supply
H2 Maximising the supply of self-contained housing from mixed use schemes
H4 Maximising the supply of affordable housing
H7 Large and small homes
A1 Managing the impact of development
CC1 Climate change mitigation
CC2 Adapting to climate change
D1 Design
D2 Heritage
T1 Prioritising walking, cycling and public transport
T2 Car-free development and limiting the availability of parking

Camden Planning Guidance (Adopted 26 March 2018)

CPG Housing (interim)
CPG1 Design (July 2015 updated March 2018)
CPG2 Housing May 2016 updated March 2018)
CPG Housing (Updated March 2018)
CPG Biodiversity
CPG Planning for health and wellbeing
CPG Amenity
CPG7 Transport (September 2011)
CPG 8 Planning obligations (July 2015 updated March 2018)

Fortune Green and West Hampstead Neighbourhood Plan 2015 (Policies A1, A8, A9, A10 and A13)

Assessment

Background

Planning permission was granted in 2014 (2014/3266/P) for the erection of a dwellinghouse within the forecourt parking area at the rear of 22 Hillfield Road. The permission expired without implementation and planning consent is now sought for the construction of the residential dwelling, the proposed dwelling house would have a width of approximately 4.8m, a depth of 7.1m and a height of approximately 5.9m. It would be set back from the street edge by approximately 2.1m; the proposed house would be approximately 12m away from the rear of the main residential dwelling and would be similar in scale with the properties, which were constructed to the rear of no. 16 and 18 Hillfield Road.

The principle considerations which are material to the determination of this application are:

- Principle of development
- Design and appearance
- Quality of the proposed housing
- Impact on neighbour amenity
- Sustainability
- Transport
- Trees
- CIL

Principle of development

There are a number of modern developments constructed within the rear gardens on the north side of Mill Lane within close proximity of the host building. Which, resulted in a number of two-storey dwellings constructed between Gondar Gardens and Sumatra Road. Thus, the proposed property would respect the area's character by retaining the overall proportion of the dwelling houses including those at no's.16 and 18 Hillfield Road. The Neighbourhood plan stipulates that whilst some of these residential dwellings are considered as piecemeal developments there are clear precedent that have been set here. The proposal to erect a new dwelling should be no higher than those structures already built and would be set well back from the pavement to provide maximum space for safe pedestrian movement on the north side of Mill Lane. Therefore, the construction of the dwellinghouse in the rear garden at 22 Hillfield Road is considered acceptable in principle as re-affirmed in the Fortune Green and West Hampstead Neighbourhood Plan 2015 the policy document supports new residential dwelling providing the dwellinghouse abide with the design principles as listed above.

The characteristics of the rear garden between 12 to 44 Hillfield Road have been transformed over the years, some of the garages have been demolished which gives way to new residential dwelling houses that have been constructed on the gardens facing onto Mill Lane. The application site is a substantial property fronting Hillfield Road, the rear garden is occupied by a small wooden shed. There are also mixtures of outbuildings, garages and detached properties that forms the Mill Lane frontage. The proposed building would be constructed to have a similar design with 16 & 18 Hillfield Road, occupy a similar footprint to the neighbouring properties and would sit opposite a parade of shops located on the southern side of Mill Lane.

Design and appearance

The Council's design policies are aimed at achieving the highest standard of design in all developments. The design principles contained within policy D1 are relevant to this application, the policy states that development should respect the local area in context and character; comprise details and materials that are of high quality and respond to natural features.

The NPPF 2012 stipulates that local planning authorities should set out policies, which resist inappropriate development in residential gardens, especially if the proposed development would cause harm to the area character, this would not be the case in this instance.

The relatively small plot size as well as the design of the neighbouring properties has dictated the design principle of the residential dwelling. The dwellinghouse would be predominantly brick built and the modern design has been chosen that replicates the harmonious appearance of the properties nearby at 16 & 18 Hillfield Road. The basic cubic form of the building would only consist of two windows on the front elevation of the building. The windows are of significant sizes in order to allow sufficient light to the property. Nevertheless, the design of the windows do not appear overly large in appearance in relation to the scale of the building.

Brick is the predominant building material in the surrounding streets and the proposal would have London stock Yellow brick as the main facing material. This choice would be similar with the properties at 16 & 18. The windows would be aluminium-framed and the materials are considered appropriate which matches those at neighbouring properties.

The front boundary treatment consist of a brick pillars with three timber gates; two side gates with a wider central gate similar in height to those at no.16 & 18. A waste & recycling store would be located to the front of the property, the front garden would be constructed from block paving and the proposed materials would be secured by condition.

In conclusion, the proposal integrates well within the surrounding street and open spaces with the properties on the south kerb of Mill Lane. The proposed residential dwelling would respect the character, settings, context, the form and scale of the neighbouring properties to the rear of Hillfield Road and would preserve the composition of elevations with the neighbouring dwellings. The proposed building would sit comfortably within its plot and would be read as a continuation of the typology of Mill Lane. The modern approach is an improvement on the existing garden shed, whilst providing valuable residential accommodation. Moreover, the scheme would enhance the character and appearance of the street scene and wider area in accordance with policy D1 of the Local Plan 2017.

Residential Standard

The proposal provide a 2bed dwelling are a high priority as per policy H7. The London Plan 2016 requires double bedrooms to measure 11.5sqm. Single bedrooms should measure 7.5sqm and should provide gross internal floorspace over two storey including storage of 70sqm. The application proposes a 2 bedroom (3 persons) dwellinghouse; the property would have a total floor area of approximately 58sqm (GIA). However, the shortfall of the overall floorspace is not considered significant when looked at in context with the overall scheme.

Both bedrooms would measure approximately 13.5sqm and would be double aspect. The bedrooms would achieve good outlook, access to daylight/sunlight and natural ventilation due to the large windows. The residential dwelling consists of approximately 19.8sqm of residential amenity space and the design would allow a generous amount of external storage area for bin and cycle store to the front elevation.

The proposed dwelling house is considered compliant with policy H2 insofar as it maximises the supply of additional homes in the borough and would not result in the loss of residential units.

Lifetime Homes has been superseded by Part M4 (2) of the Building Regulations (1st October 2015). M4 (2) is similar to lifetime homes but requires totally step free housing. Therefore, the compliance with M4 (2) would be secured by condition.

Local Plan policy H4 requires a contribution to affordable housing from all developments providing one or more additional residential units with an increase in floorspace of 100m² (GIA) or more. Schemes providing between 1-9 units are expected to make a payment in lieu (PIL) of affordable housing, subject to viability. The sliding scale target, starting at 2% for one home and increasing by 2% for each home added to capacity, is applied to the additional floorspace proposed. The affordable percentage is calculated on the basis that 100m² (GIA) is sufficient 'capacity' for a single home. The proposal would not trigger affordable housing contribution due to being below 100m².

Amenity

Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore, Policy DP26 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, overlooking, outlook and implications on daylight and sunlight.

The impact of the proposed dwelling in regards to daylight/sunlight for the habitable rooms has been assessed and the details submitted with the daylight/sunlight report confirmed that the property would allow acceptable levels of natural light. The building to the north of the site on Hillfield Road has been assessed against the Annual Probable Sunlight Hours and the Vertical Sky Component for daylight to habitable rooms of the adjacent properties. The BRE guidance states that only windows that face within 90% of due south need to be assessed, these windows have been assessed and the consensus confirmed the windows would meet the BRE guidance values for loss of daylight and sunlight.

In regards to no. 22 Hillfield Road, there are no windows proposed to the rear elevation. As such, it is not considered that the proposal would have an impact with loss of privacy. There are no anticipated impact with the loss of daylight/sunlight given the setting of the proposed dwellinghouse.

The proposed residential dwelling would not have an impact considered significant with the neighbouring properties. There are no concerns with the loss of daylight/sunlight nor would the proposal contribute to a sense of enclosure and overshadowing given the siting of the proposal within the curtilage of no. 22 and set up from the building line of no's.20 and 24 Hillfield Road. There are no windows proposed to the flank elevation of the host building. As such, the proposal would not have an impact with loss of privacy with the neighbouring properties. The proposal would be compliant with policy A1 of the Local Plan 2017.

Sustainability

The building would utilise large south facing windows for solar gain and would be required to limit water consumption of 105 litres per person per day. A condition will require a sustainability statement to be submitted and approved prior to the construction works. Evidence would also be required to demonstrate that such water efficiency has been achieved.

Transport

The proposal would be considered compliant with T1 and T2 of the Local Plan 2017 by securing the unit as "car free" development. The Council's transport standards would require the provision for 2 x fully enclosed and secure cycle storage. The cycle storage area has been annotated on plan and the proposed space would be secured by condition to the front of the site.

Construction traffic flows to the site are likely to be fairly low, due to the amount of construction works required and the sensitive nature of the local streets, the primary concern would be to public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The transportation of goods to and from the site could have an impact on the public footpath and such damage The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. The Transport Planners were consulted and the proposed development would not require a Construction Management Plan (CMP).

The Council will exercise control over the design of the works and be involved in the implementation of the scheme. Any works which will or may affect the structural integrity of the highway requires approval and inspection by the Engineering Service's structural engineers. Works may be subject to a formal Approval in Principle under highways legislation. The Transport Planners confirmed that an AIP would not be required in this instance. However, s106 obligation would be required to repair damage to footway and for the removal of the existing crossover.

Trees

A Tree Protection was submitted with the proposal the document shown that a barrier would be installed to protect the root of the tree located to the front along Mill Lane, which would be retained. The document suggest that where excavation work is proposed the work should be carried out with care and arboriculture advice should be obtained if roots of greater than 50mm are encountered. A full method statement covering tree protection measures and working methods would be required under condition of any consent, which may be granted. In addition, Arboricultural supervision would be required from time to time during the progress of the contract works, particularly during the initial site excavation work. As such, the proposed works would be secured as a pre-commencement condition.

CIL

The proposal by its size and land use type is liable for the London Borough of Camden's Community Infrastructure Levy (CIL) introduced on the 1st April 2015 to help pay for local infrastructure. Based on the information given on the. Based on the Mayor's CIL charging schedule and the information given on plans, the charge for this scheme is likely to be £2900 (£50 x 58 sqm). This will be collected by Camden after the scheme is implemented

Recommendation

Grant conditional permission subject to section 106 legal agreement

Principle clauses:

- Car Free
- Highways and street work contribution