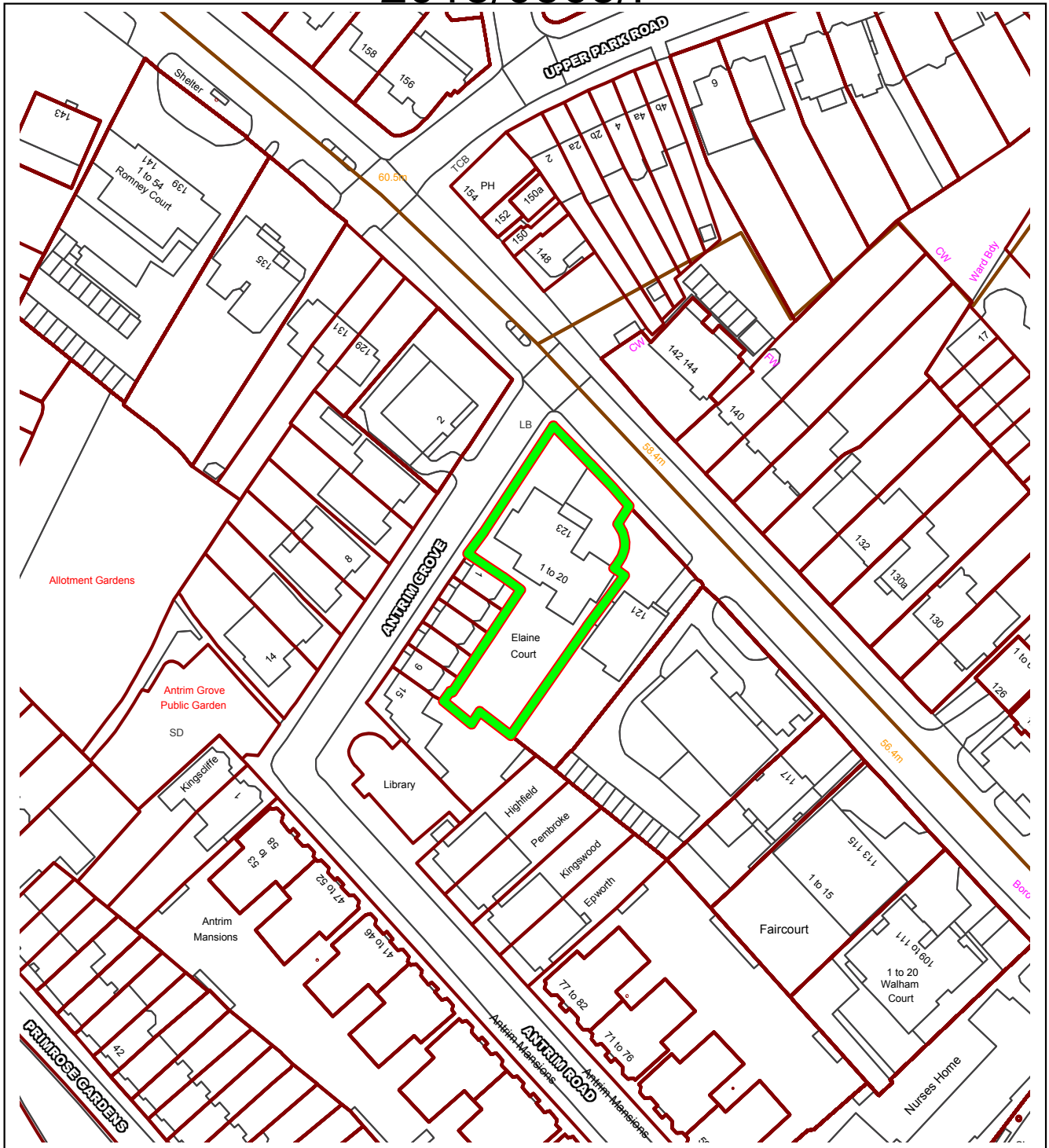


Elaine Court - 123 Haverstock Hill - 2018/0563/P



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Site photographs



Photo A

Photo B

Photo C



Photo A



Photo B



Photo C

| | | | | |
|--|---|-----------------------|-------------------------------------|-------------------|
| Delegated Report | | Analysis sheet | Expiry Date: | 18/06/2018 |
| (Members Briefing) | | N/A / attached | Consultation Expiry Date: | 10/05/2018 |
| Officer | | | Application Number(s) | |
| Gideon Whittingham | | | 2018/0563/P | |
| Application Address | | | Drawing Numbers | |
| Elaine Court 123 Haverstock Hill London NW3 4RT | | | See draft decision notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
| | | | | |
| Proposal(s) | | | | |
| Conversion of flats Nos. 19 and 20 (consented under permission 2013/5290/P) to create additional new flat (no.21) at fifth and sixth floor level with associated roof level access and new roof terrace. | | | | |
| Recommendation(s): | Grant 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: | No. notified | 00 | No. of responses | 00 | No. of objections | 00 |
| Summary of consultation responses: | <ul style="list-style-type: none"> • A site notice was displayed from 17/04/2018 (expiring on 05/08/2018). • A public notice was displayed in the local press from 19/04/2018 (expiring on 10/05/2018). <p>No comments were received.</p> | | | | | |
| CAAC/Local groups comments: | <p>The Belsize Residents Association objected as follows:</p> <p><i>This application should be refused on two accounts: the design, i.e. the excessive bulk and the approach to Planning System. This disproportionate extension of the building clumsily alters the existing roofscape to the detriment of the Conservation Area. Secondly, this is by no means a Minor Amendment of the previously approved Planning Application. Instead, it is its significant modification and enlargement. This manipulation of the existing Planning system would create an unwelcoming precedent. If approved, it would pave the way to bypassing the Planning process and enable developments regardless of permissions in the knowledge that once built, the permission would be forthcoming regardless.</i></p> <p>Officer comment:</p> <ul style="list-style-type: none"> • This is a full planning application, therefore all material matters, including design and amenity form part of the officer's assessment. • The impact on Design (and impact on the Conservation Area) is assessed in the relevant section below. <p>The Belsize Conservation Area Advisory Committee raised no objection.</p> | | | | | |

Site Description

The site comprises a 1960's apartment block on the corner junction with Haverstock Hill and Antrim Grove and represents a prominent feature on the streetscape. The building was originally a 6 storey block, but following further extensions (see Relevant History section below) is now 7 storeys in height.

The property is located in the Belsize Conservation Area.

Relevant History

Application Site

2016/3245/P - Minor detail amendments to enable construction granted under reference 2013/5290/P dated 22/10/13 for reconfiguration and re-modelling of the existing fifth floor and to provide a roof level extension to create additional residential floorspace to existing flats 19 and 20 and creation of new roof terraces. Granted 16/08/2016

2013/5290/P - Reconfiguration and re-modelling to the existing fifth floor and to provide a roof level extension to create additional residential floor space to existing flats 19 and 20 and creation of roof terraces (Class C3). Granted 22/10/2013 – This permission has been implemented

2007/5091/P – Erection of a roof level extension to create additional residential floor space to existing fifth floor flat and creation of roof terraces. Refused 25/12/2007 - The proposal was refused for 2 reasons:

1) The proposed roof extension, by reason of height, design, location and bulk, would be visually dominant in the street scene and would have a detrimental impact on the appearance of the building and the character and appearance of the Belsize Conservation Area.

2) The proposed terrace identified as "Terrace 2" on drawing A_P04, would result in an unacceptable level of overlooking into habitable rooms of Flat 19, Elaine Court.

Planning permission granted on 11/10/1963 for the erection of a six storey block of flats with ancillary underground car-parking, at nos. 123, 125 and 127 Haverstock Hill and no.3 Antrim Grove.

Relevant policies

National and Regional Policy

National Planning Policy Framework (NPPF) 2012
London Plan 2016

Camden Local Plan 2017

Policy G1 Delivery and location of growth

Policy H1 Maximising housing supply

Policy H2 Maximising the supply of self-contained housing from mixed-use schemes

Policy H4 Maximising the supply of affordable housing

Policy H6 Housing choice and mix

Policy A1 Managing the impact of development

Policy A4 Noise and vibration

Policy D1 Design

Policy D2 Heritage

Policy CC4 Air quality

Policy CC5 Waste

Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car-free development

Policy T3 Transport infrastructure
Policy T4 Sustainable movement of goods and materials

Policy DM1 Delivery and monitoring

Camden Planning Guidance

Adopted March 2018:

CPG Housing (interim)

CPG 2 Housing, May 2016 (updated March 2018)

CPG Amenity

Adopted Prior:

CPG 1 Design (July 2015)

CPG 3 Sustainability (July 2015)

CPG 7 Transport (September 2011)

CPG 8 Planning obligations (July 2015)

Belsize conservation area statement 2003

Assessment

1. Background

1.1 As per the 'Relevant History' section, planning permission was granted in 2013 (2013/5290/P) to remodel the existing fifth floor level, along with a new sixth floor level to provide additional floorspace for two existing flats. Subsequent permission was granted in 2016 (2016/3245/P) to amend the form at fifth and sixth floor level. Both permissions have been implemented and were currently under construction during officer inspection.

1.2 The applicant now seeks to revise the schemes currently under construction for which this application has been submitted. The following report shall therefore draw elements from the Officers report associated to ref:2013/5290/P and ref:2016/3245/P.

2. Proposal

2.1 The application proposes the:

- Conversion of duplex flats at fifth and sixth floor levels implemented as per ref:2013/5290/P and ref:2016/3245/P – currently a 5bed (Flat 19) and a 4bed (Flat 20) To form 2 x 3bed (Flats 19 and 20) at fifth floor level and a new 3bed unit (Flat 21) at sixth floor level.
- Alteration of fenestration/doors leading out onto balconies at fifth and sixth floor levels implemented as per ref:2013/5290/P and ref:2016/3245/P
- Amend form of approved balconies at fifth and sixth floor levels implemented as per ref:2013/5290/P and ref:2016/3245/P
- The reconfiguration of the roof terrace at main roof level, including relocation of access and water tank.
- Enclosure of plant/lift overrun at fifth floor level – to provide lift access to Flat 21

2.2 The principal considerations material to the determination of this application are summarised as follows:

- Land use and housing mix / Quality of residential accommodation
- Design (and impact on the Conservation Area)
- Impact on neighbouring amenity

- Transport
- Plant

3. Land use and housing mix / Quality of residential accommodation

3.1 Flat 19 and 20 both occupy the fifth and sixth floor levels as duplex flats. The proposal would introduce a new unit wholly occupying the sixth floor level.

3.2 Currently, flats 19 (222sqm) and 20 (211sqm) are very large units, even for 5 and 4 bed units respectively, they exceed the minimum requirements of the London Plan.

3.3 The proposal would reform the split of floorspace, providing reduced sized units. Flat 19 would be 118sqm, flat 20 would be 127sqm and flat 21 would be 201sqm, although oversized, these would be compliant with the minimum gross internal floor area of 95sqm for a 3b6p unit. Each unit would be dual aspect, with good levels of daylight and outlook which is welcomed. Each unit would also benefit from private amenity space, in the form of balconies (flats 19 and 20) and a roof terrace (flat 21).

3.4 Although the proposal would result in the loss of two large units (4beds or more), their priority (as per the Dwelling Size Priorities in the Local Plan) are much lower than 3bed units which are identified as a high priority dwelling size.

3.5 Within this context, the proposal would not only provide an additional unit, but also replace lower priority units with higher priority 3bed units. Officers therefore consider the proposed unit mix to be compliant with H7.

3.6 The proposal would result in an additional unit and an uplift of 7sqm, when compared to permission 2016/3245/P. Therefore Policy H4 would not be triggered in this instance.

4. Design (and impact on the Conservation Area)

4.1 As per the officer assessment of ref: 2013/5290/P, the principle of a roof extension was considered acceptable.

4.2 This application seeks minor elevational alterations, broadly within the same consented envelope as ref: 2013/5290/P, alongside changes approved as per 2016/3245/P.

4.3 The most noticeable elements of change would be the increase in height of the lift overrun, which is currently an inset open area at fifth floor level, along with the amendment of balconies. The proposed alterations would continue the form, cladding and design concept consented. As a result, the consented extensions would still remain subordinate and of high architectural quality.

5. Impact on neighbouring amenity

5.1 In the context of the larger permission implemented from 2013, this application would enlarge the main roof terrace, using the central section of the roof, related to the extended lift overrun. In addition, two balconies to the rear would be amalgamated at fifth floor level. The proposal would not result in any greater encroachment nor detrimental harm of amenity levels in terms of outlook, privacy and access to sunlight/daylight than the permitted arrangement. The larger amenity spaces, when compared to the consented spaces, would not be closer to any neighbouring occupiers and would not therefore result in greater noise nuisance to adjacent residential occupiers.

6. Transport

6.1 Policy T2 of the Local Plan requires all new development in the borough to be car free. The applicant has agreed to a car-free development for the new unit created as a result of this proposal. This is welcomed as it will help to encourage active, healthy and sustainable lifestyles. It will also help to minimise the impact of the development on the Controlled Parking Zone (CPZ). For car free developments, the Council will not issue on-street parking permits and will use planning obligations to ensure that future occupants are aware they are not entitled to on-street parking permits.

6.2 The proposal would secure by condition 2 cycle spaces for residents of the new unit, provided at basement floor level (within the underground car parking facility).

7. Plant

7.1 The application introduces roof level plant which was specified on plan with the previous permissions but did not receive the necessary conditions to secure amenity in terms of noise nuisance. The applicant indicates units would be set within a plant enclosure and set back so as to limit their visibility. Prior to the relevant part of the works commencing, acoustic report shall be submitted to the Council to demonstrate compliance with Camden's noise standards, this will be secured by condition.

8. Conclusion

8.1 The proposed alterations are considered to be acceptable and would provide three improved homes within the borough.

8.2 The proposal is considered to be sympathetic with the permitted extensions and alterations and would retain a subordinate roof extension feature within the street scene. The proposal would therefore be considered acceptable and would be in accordance with the requirement of the Local Plan.

Recommendation: Grant Planning Permission subject to a Section 106 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 29th May 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'.

Oculus Architects Ltd
16A Pratt Street
London
NW1 0AB

Application Ref: **2018/0563/P**

24 May 2018

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:

Elaine Court
123 Haverstock Hill
London
NW3 4RT

Proposal:

DECISION
Conversion of flats nos. 19 and 20 (consented 2013/5290/P) to create additional new flat (no.21) at fifth and sixth floor level with associated roof level access and new roof terrace.

Drawing Nos: Location Plan; A101; A102; A103; A201; A302; 100-101 Rev A; 100-102 Rev A; 100-103 Rev B; 400-106; 200-201 Rev A; 200-202 Rev A; 300-302 Rev A.

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 Location Plan; A101; A102; A103; A201; A302; 100-101 Rev A; 100-102 Rev A; 100-103 Rev B; 400-106; 200-201 Rev A; 200-202 Rev A; 300-302 Rev A.

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

- 4 Prior to occupation of the development details of secure and covered cycle storage area for 2 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 the new unit, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the premises in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 6 Prior to occupation of the development hereby permitted, full details of a scheme for acoustic isolation, sound attenuation and anti-vibration measures, including manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The use shall thereafter not be carried out other than in accordance with the approved scheme. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the premises in accordance with the requirements of policies G1, CC1, D1, and A1 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 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.
- 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.

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