

# 2018/0932/P - 30 Glenilla Road



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Photo 1 – Front elevation



Photo 2 – View of application site looking east along Glenilla Road



Photo 3 – View of application site looking west along Glenilla Road



Photo 4 – View of rear elevation



View 5 – Looking west towards neighbouring property 28b Glenilla Road



Photo 4– View of rear garden and rear elevation of properties on Belsize Park Gardens



Photo 5 - Visualisation of proposed development (front)



Photo 6 - Visualisation of proposed development (rear)

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>18/04/2018</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	20/03/2018
<b>Officer</b>			<b>Application Number(s)</b>	
Kristina Smith			2018/0932/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
30 Glenilla Road London NW3 4AN			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>				
Demolition of existing dwelling house and erection of four storey replacement dwelling house with single storey basement and associated hard and soft landscaping works, including erection of garden room to rear and bin store to front of property.				
<b>Recommendation(s):</b>		<b>Grant Subject to a Section 106 Legal Agreement</b>		
<b>Application Type:</b>		<b>Full Planning Permission</b>		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
<b>Consultations</b>				
Adjoining Occupiers:	No. of responses	12	No. of objections	12
	No. Electronic	00		
Summary of consultation responses:	<ul style="list-style-type: none"> <li>• 3no. site notices were displayed (2 on Glenilla Road and 1 on Belsize Park Gardens to the rear of site) between 9.3.2018 and 20.3.2018</li> <li>• A press advert was published between 15.3.2018 and 5.2.2018</li> </ul> <p>12 objections or comments were received from 19; 28; 32; (Glenilla Road); Garden Flat, 16; 18; Flat 4, 20; 22 (Belsize Park Gardens); 2 Belsize Crescent; 54a Glenloch Road; Flat 14, 7 Lambolle Road; 1 x address unknown; on the following grounds:</p> <p><u>Design and conservation</u></p> <ul style="list-style-type: none"> <li>• Incoherent design that does not sit well with the rest of the street</li> <li>• Concerns about the layout of the site</li> <li>• Proposed building is way too big for the plot, appears monstrous and overbearing</li> <li>• Proposed development would be far bulkier than surrounding properties</li> <li>• Existing building already of good quality and positively contributes to the area</li> <li>• Proposed development will not enhance the character of appearance of the area</li> <li>• Building is too industrial looking</li> <li>• Destroys heritage of the area</li> <li>• Overdevelopment of site as the proposal doubles the existing area of built space and adds a new garden building</li> </ul> <p><i>Officer response: Please refer to 'Design' section of report</i></p> <p><u>Neighbouring amenity</u></p> <ul style="list-style-type: none"> <li>• The building will block view from property opposite and reduce sunlight across the street in the afternoon</li> <li>• Loss of privacy to 22 Belsize Park Gardens caused by views from 2<sup>nd</sup> floor rooms resulting in a material decrease in the enjoyment and value of property</li> <li>• Enough stress from noise pollution and construction vehicles from continuous development in the area</li> <li>• Construction impact will cause severe harm to residents' quality of life</li> <li>• New development is intrusive</li> <li>• Severe negative impact on the residential amenity of 28b Glenilla Road due to its location, mass, design and its overbearing and enclosing effect. The wall will turn the main living room into a tunnel and remove views across open gardens. Development will destroy the enjoyment of the main living areas of the house, contrary to Local Plan and CPG6</li> <li>• The development will significantly reduce the VSC of the rear living room of 28b Glenilla Road. Submitted daylight/sunlight report does now show full impact of significantly increased height.</li> </ul>			

	<p><i>Officer response: Please refer to 'Amenity' section of report</i></p> <p><u>Other</u></p> <ul style="list-style-type: none"> <li>• Suspected Anglo – Saxon earthwork to the rear of the site separating the property from Belsize Park Gdns</li> </ul> <p><i>Officer response: the site is not identified as being in an Archaeological Priority Area. The basement excavation will not impact on the rear of the site</i></p>
<p><b>CAAC/Local groups comments:</b></p>	<p><u>The Belsize Conservation Area Advisory Committee and Belsize Park Residents Association have objected on the following grounds:</u></p> <ul style="list-style-type: none"> <li>• Object to scale and mass of proposals including new basement, new garden room and bin store location</li> <li>• Building's relationship to adjoining semi-detached property and rear gardens.</li> <li>• The design of the house does not make a positive contribution to this part of the Conservation Area.</li> </ul> <p><i>Officer response: Please refer to 'Design' and 'Basement considerations' section of report</i></p> <p><u>The Belsize Park Residents Association have objected on the following grounds:</u></p> <ul style="list-style-type: none"> <li>• Overdevelopment of site - the proposal doubles the existing area of built space, adds an entirely independent, new garden building and shrinks the garden to the size of a patio space.</li> <li>• Design - the juxtaposition of the vernacular and the contemporary volumes and forms delivers an incoherent final designs that is trying too hard and hence not succeeding in masking the overall bulk</li> </ul> <p><i>Officer response: Please refer to 'Design' and 'Basement considerations' section of report</i></p>



## Site Description

The application site refers to a two-storey (plus attic) 1920/30s detached house located on the southwest side of Glenilla Road. It comprises a private rear garden that backs on to the rear gardens of no's 18 and 20 Belsize Park Gardens.

The site is located in the Belsize Conservation Area and is not identified in the appraisal as a building that makes a positive or negative contribution to the streetscape. The building makes a neutral contribution to the character and appearance of the conservation area.

Whilst the immediate context demonstrates juxtaposition of the large and the small, with an erratic variation of rooflines, setbacks, footprints and style, the wider area is generally consistent in character, being of late Victorian/early Edwardian construction. The Conservation Area Statement (CAS) describes Glenilla Road, as "*less consistent in character, having a variety of buildings of different ages, materials, styles and heights, along its southern boundaries. Sussex House is an overbearing flat block significantly larger than the other buildings in the street*".

The immediate neighbours of application site are no.28b and no.32 Glenilla Road. 28b is a single 3-storey dwelling house whilst no.32 Glenilla Road is a single storey former church building that is now vacant. It should be noted; however, that there is resolution to grant planning permission for a 3 storey residential development on the site. At the time of writing, the section 106 legal agreement is still to be agreed.

## Relevant History

### Application site

**8500516** – Erection of a roof extension and first floor rear extension - **Granted 03 July 1985.**

**PW9802136R1** – Erection of a ground and first floor rear extension. – **Granted 24 September 1998.**

### 32 Glenilla Road (neighbouring property)

**2016/6712/P** - Erection of 2 x 3-bedroom 3-storey plus basement dwellinghouses (Use Class C3) with hard and soft landscaping following demolition of existing single storey church (Use Class D1). **Pending Determination.** Resolution to grant at Members' Briefing Panel on

### 28a and 28b Glenilla Road (original application)

**TP/76674/1410** – The erection of two, three-storey, semi-detached houses with ancillary lock-up garages and the formation of means of access to the highway on the site between Nos. 28 and 30, Glenilla Road, Hampstead. – **Granted 12 July 1956.**

### 28b Glenilla Road (neighbouring property)

**8700018** - Erection of a conservatory extension at rear first floor level over existing terrace – **Granted 11/03/1987**

### 28 Glenilla Road

**2006/2129/P** - Demolition of existing dwelling house and rear wing and erection of a new 3 storey plus basement and attic dwelling house including rear garden wing and forecourt parking and new boundary treatment. **Granted 29/11/2006**

## **Relevant policies**

### **National Planning Policy Framework 2018**

### **The London Plan March 2016**

### **Draft London Plan 2017**

### **Camden Local Plan 2017**

G1 Delivery and Location of Growth

A1 Managing the impact of development

A3 Biodiversity

A5 Basements

D1 Design

D2 Heritage

H6 Housing choice and mix

H7 Large and small homes

CC1 Climate change mitigation

CC3 Water and flooding

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

T4 Sustainable movement of goods and materials

DM1 Delivery and Monitoring

### **Camden Planning Guidance**

CPG1 Design (2015)

CPG Amenity (2018)

CPG Housing (interim, 2018)

CPG Basements (2018)

CPG Transport (2015)

CPG Planning Obligations (2015)

[Belsize Conservation area statement \(2003\)](#)

## Assessment

### 1.0 Proposal

1.1 The applicant seeks permission for the following works:

- Demolition of existing 3-storey property and erection of 4-storey property (plus basement level)
- Excavation of single storey basement level measuring 3.35m (external height including foundations)
- Erection of timber garden room measuring 5.4m (w) x 4.1m (d) x 2.75 (h).

1.2 During the course of the application the following revisions were negotiated:

- Reduced size of dormer at fourth floor level and removal of lift overrun to reduce bulk at roof level
- Reduced massing of front elevation at ground and first floor level to reduce bulk and overly orthogonal appearance
- Reduction in size of on-site car parking to limit to 1 car parking space

### 2.0 Assessment

2.1 The planning considerations material to the determination of this application are as follows:

- Principle of redevelopment
- Quality of residential accommodation
- Design and conservation
- Basement considerations
- Amenity of surrounding occupiers
- Sustainability
- Transport considerations
- Trees and Landscaping

### 3.0 PRINCIPLE OF REDEVELOPMENT

3.1 The existing 1920/30s house dates from a later phase of development than that which characterises this part of Belsize Park. It is not considered to be an interesting or a distinguished example of the era it represents and in reflection is assessed as neutral in its contribution to the conservation area in the *Belsize Conservation area statement*. Nonetheless, it is appreciated that the current building responds in various ways to its context which ensures that it does not detract. The case for demolition therefore rests upon the proposed replacement building meeting the Council's requirement for high quality design and the need to preserve the conservation area. After negotiating a round of revisions, officers consider that the proposed replacement building would meet both of these requirements.

3.2 The proposed redevelopment would provide a 6-bedroom unit which is regarded as the same level of dwelling size priority as the existing 5-bed unit. The impact in terms of policy H7 (large and small homes) is therefore neutral.

3.3 Policy CC1 requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building and requires all new developments to optimise resource efficiency. Whilst the existing building is fit for purpose, the new dwelling would represent an improvement compared to the existing building in terms of its sustainability credentials. Section 8 provides more information on the sustainability considerations.

### 4.0 QUALITY OF RESIDENTIAL ACCOMMODATION

- 4.1 The proposed building would provide a large 6-bed property measuring 432 sqm (GIA) that comfortably exceeds the 138 sqm required for a 6b8p property by *Technical housing standards - nationally described standards (2015)*.
- 4.2 The proposed development would provide a high standard of amenity with aspect in three directions and a good amount of daylight, sunlight and ventilation received through large windows. The dwelling would also benefit from amenity space in the form of a private rear and front garden.
- 4.3 The planning statement states that the dwelling will be designed to be accessible and adaptable in accordance with Building Regulation M4 (2). A condition would be attached to the permission that ensures this standard is met.

## **5.0 DESIGN AND CONSERVATION**

- 5.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that all development should consider the character, setting, context and the form and scale of neighbouring buildings whilst Policy D2 'Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.
- 5.2 By virtue of the application site being located within the Belsize 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.
- 5.3 The south-west part of Glenilla Road, which provides the immediate context for the application site, demonstrates a varied architectural style, ranging from the contemporary, modernist development at no.28 Glenilla Road, to the pair of semi-detached post-war houses at 28a + b, to the late Victorian/ early Edwardian that makes up the established style of the rest of the street. The immediate context also demonstrates a juxtaposition of erratic variation of rooflines, setbacks and footprints. Therefore, whilst a departure from the wider established style may not typically be considered an appropriate intervention in conservation areas, given the evident range in form and the potential to improve on the existing property, there is considered to be scope for bold architectural expression in this location provided that the design is high quality.
- 5.4 The building heights along the street demonstrate variation, with a large 6 storey building evident at Sussex House, stepping down to 4 storeys at no.28 and 3 storeys at no's 28 a + b. The height corresponds with the proposed development at no.32 (resolution to grant) and the wider street, and whilst it will be higher than the two modern properties immediately to the west, this is considered acceptable given the established height of the wider streetscene. Although four storeys high, height has been 'designed out' by using side dormers with rooflights instead of windows on the front / rear elevations, allowing the building to be understood as three storeys.
- 5.5 The building is considered to have a more comfortable relationship with its plot than the existing situation. It is angled away from no.32 Glenilla Road on the east boundary with the massing narrowing towards the top, which prevents the building from being overly dominant. It improves on the existing building's position by setting the massing further back within the plot, which better corresponds with the front building line established by other properties along the north side of the street. While great variety in building lines is evident along the south side of the street, as the architectural form and style becomes more consistent to the east and north this variety is reduced, and the proposed deference to the more consistent arrangement is appropriate at this point in the street.
- 5.6 The building handles its massing through layering different elements including a single storey porch, two storey front projection before stepping up to the four storey main house. Two sloping dormers are set well back towards the rear of the roof reduce prominence and bulk from the street.

The form and massing of the building has changed following design feedback from the Council's internal design surgery. The key issue to address was the excessive bulk and orthogonality of the front elevation, which it was felt led to an overly dominant building. This has been successfully achieved by cutting away massing at ground and first floor levels resulting in a more angled form to the porch and red brick element. The depth of the dormers have also been reduced.

- 5.7 As a result of pushing the building back into the plot and improving its front building line, more massing has been located to the rear. Much like the front elevation, the bulk at first floor level to the rear has been reduced by angling the massing away from the boundaries. The rear building line along this side of Glenilla Road extends deep into the gardens. No.28 Glenilla Road has a single storey projection that extends deep into the plot whilst the existing single storey building at no.32 Glenilla Road adjacent occupies nearly all of its site. The proposed replacement building for no.32 has a rear building line comparable to the proposed.
- 5.8 In terms of materiality, the red brickwork clearly references the local vernacular, with the patterned brickwork picking up on decorative details on surrounding late Victorian/ early Edwardian properties. The main body would be constructed in grey brick on the front and rear façades with a slate roof, which helps the massing recede.
- 5.9 The boundary treatment would replace the uncharacteristic black railings with a grey brick wall consistent with the boundary treatment at no.28 Glenilla Road and to tie in with the grey brick used elsewhere on the property.
- 5.10 A bin store would be concealed behind the front boundary wall. It would be of an appropriate size for its purpose and not detract from the host dwelling. A green roof would help soften and contribute to the green character of the front garden.

#### *Garden building*

- 5.11 It is proposed to erect an L-shaped timber garden building measuring 5.4m (w) x 4.1m (d) x 2.75 (h). There are other garden buildings and development evident at surrounding properties: nearly the entire site has been enclosed at no.32 whilst at no.28, a sequence of buildings connected to the main house project into the garden. The proposed garden building would therefore not disrupt a 'green ribbon' of gardens.
- 5.12 The garden building would be in place of two existing shed structures and the floorspace of the new structure would be equivalent to the combined floorspace of the existing. The garden building would not result in the loss of green garden area as the garden consists largely of semi-permeable gravel covering.

#### *Conclusion*

- 5.13 This part of the conservation area is characterised by a wide range of massing, materials, and architectural styles. The high quality of the scheme enhances the character of this part of the conservation area by providing a modern building that contributes to the varied character, whilst subtly referencing materials and detailing characteristic of the area. Within this context, and given the quality of design and materials proposed, there is considered to be no harm to the character and appearance of the conservation area.

## **6.0 BASEMENT CONSIDERATIONS**

- 6.1 Policy A5 notes that the Council will only permit basements and other underground development where the applicant can demonstrate it will not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. The policy requires basements to:

- not exceed 50% of the garden
- be less than 1.5 times the footprint of the host building in area
- extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation.
- be a single storey in height.

6.2 The basement would be single storey and entirely located underneath the footprint of the new building. The basement would therefore comply with the above criteria. The basement would provide 135 sqm of additional residential accommodation including studio, storage, plant room and workshop. These are rooms that do not require natural light and are therefore appropriate for their basement location.

6.3 The planning application is accompanied by a Basement Impact Assessment (BIA), which has been independently audited by Campbell Reith, in line with the requirements of CPG4. Following a further review of additional information, the final audit report was issued which confirmed that the proposed excavation was generally in accordance with the Council's requirements.

6.4 The conclusions of the final audit report confirmed the following:

- The qualifications of the individuals involved in the BIA meet Camden Planning Guidance requirements.
- It is stated the basement is to be constructed using a contiguous piled wall and sketches indicating the construction sequence were included in the CMS.
- Contradictory information was given in the previous BIA on the issue of an increase in the area of hardstanding. The issue has now been addressed.
- The revised CMS concludes the risk of flooding is low as discussed in Section 4. A topographic survey has been presented, as requested, to support this statement. An outline drainage strategy has also been presented as requested following the initial audit.
- The presence or absence of basements beneath the neighbouring properties have been confirmed in the revised documents as requested.
- A utilities search has been undertaken as requested.
- The BIA identifies the presence of trees within the site although it is stated these would not be affected by the construction proposals which is confirmed in the arboricultural assessment.
- Preliminary retaining wall design has been included in the BIA reflecting the construction sequence and the ground model indicated in the report.
- The GMA has been updated to reflect the proposed construction methodology and damage categories for the neighbouring properties are within 1 (Very slightly).
- An outline monitoring strategy with trigger levels based on the updated GMA has been presented as requested following the initial audit.
- It is accepted that there are no slope stability concerns regarding the basement development.

## **7.0 AMENITY OF SURROUNDING OCCUPIERS**

7.1 The application site is situated between no.28b and no.32 Glenilla Road. 28b is a single 3-storey dwelling house whilst no.32 Glenilla Road is a single storey former church building that is now vacant. There is a resolution to grant planning permission for a 3 storey residential development and the report shall discuss the impact on this pending permission. All windows are fully compliant with BRE guidelines

### *Daylight and sunlight*

7.2 A daylight and sunlight assessment has been submitted with the application that calculates the impact on surrounding properties including 17 Glenilla Road (opposite); 28b Glenilla Road (immediate neighbour to west); 32 Glenilla Road (immediate neighbour to east); 37 Glenilla Road

(opposite); 18 -20 Belsize Park Gardens (rear). The methodologies used are Vertical Sky Component (VSC) and No Sky Line (NSL) for daylight and Annual Probable Sunlight Hours (APSH) for sunlight, as supported by Policy A1 and CPG6.

7.3 BRE guidance considers that daylight may be adversely affected if, after development the VSC is both less than 27% and less than 0.8 times its former value. Kitchens, living areas and bedrooms are considered more sensitive than non-habitable rooms such as hallways, bathrooms and studies.

7.4 The assessment demonstrates of all windows tested, only one window, located next door at 28b Glenilla Road, is not compliant with the BRE guidelines. The window is located at first floor level on the side elevation and would face the new massing. The window forms part of a glazed conservatory that is fully glazed on all sides. All other windows serving the conservatory would be in accordance with BRE guidelines and would mitigate the impact on this one window.

7.5 With respect to measuring sunlight and the Annual Probable Sunlight Hours (APSH) test, the BRE guide explains that sunlight availability may be adversely affected if the centre of the window: receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21st September and 21st March and; receives less than 0.8 times its former sunlight hours during either period; and has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

7.6 The submitted assessment demonstrates all windows would be in accordance with BRE guidance in terms of sunlight impact.

7.7 There has been concern raised by the potential occupant of no.32 Glenilla Road that the new building would overshadow their garden. As the proposed development is situated to the north of no.32, officers did not request an overshadowing assessment as the impact would be negligible.

### *Outlook*

7.8 The proposal would increase the depth of massing at first floor level, which would be perceptible from the first floor conservatory at no.28b. The situation is unusual in the sense that no.28b has clear outlook across the site boundary line by virtue of having a fully glazed addition at first floor level. Typically, flank walls are solid along the boundary for privacy purposes. It is not considered reasonable to prevent the applicant from building up against this boundary wall for reasons of obstruction of outlook. The conservatory would still benefit from long unobstructed views down the length of the garden and also to the west.

### *Privacy*

7.9 The proposal would bring the rear massing closer to no's 18-20 Belsize Park Gardens, which are situated to the rear of the site; however, there would still be a distance of approx. 28m between the first floor windows of the application site (views from ground floor level would be prevented by boundary treatment), which is substantially more than the 18m recommended by CPG6 (Amenity). Furthermore, the properties are located at an angle relative to the application site and so the views would not be direct.

7.10 To the east, the property is adjacent to a single storey vacant church building with windows along its western elevation. Non-residential uses are not as sensitive in privacy terms as residential uses but nevertheless, a boundary wall would protect views between the buildings at ground floor levels.

7.11 There is a resolution to grant planning permission for a 3-storey residential development with 4 windows at above ground level. The applicant has submitted an overlay of the windows of the pending scheme at no.32 Glenilla Road on that of the application site. The image demonstrates some overlap between the full height stair window and a room that would serve a study room. The

extent of expected overlooking is considered acceptable as the window of the application site would serve the stairs and so views are likely to be fleeting. Furthermore, only a narrow portion of the room would be visible from this vantage point and the room serves a study rather than a bedroom or living area. Views between rooms at ground floor level would be prevented by the boundary wall.

## **8.0 SUSTAINABILITY**

8.1 Policy CC1 seeks a 19% reduction of regulated CO2 emissions compared to Part L 2013 Building Regulations where 5 or more new dwellings are proposed. In addition, 20% of the CO2 emission from the energy demand is also required to be met by local renewable energy.

8.2 The provision of one new dwelling house does not trigger these policy requirements; however, it is worth noting that the proposed dwelling would achieve a 19.1 % improvement in CO2 emissions over the Target Emissions Rate. This has been demonstrated through a sustainability statement that proposes high performance building fabric, low energy building services systems such as Mechanical ventilation with Heat Recovery and LED lighting. It is also proposed to provide 4m<sup>2</sup> of solar thermal collectors located on the flat roof.

## **9.0 TRANSPORT CONSIDERATIONS**

### *Car parking*

9.1 The existing owners have confirmed to officers via email that they will be returning to the address after the works have taken place and therefore the existing on-site car parking space can be retained. To ensure that only one car parking space is provided on site, part of the front driveway would be landscaped which would be secured by condition.

### *Cycle parking*

9.2 In terms of cycle parking, the proposals include provision for 2 bicycles in secure area within the proposed dwelling as illustrated on the ground floor plan, through the secondary access on the main frontage. The proposed provision is subsequently in accordance with London Plan Policy 6.9 (Table 6.3) which requires 2 spaces for dwellings with more than 1 bedroom.

### *Construction Management Plan*

9.3 Given the extent of the demolition and construction work, which includes a basement excavation, a Construction Management Plan (CMP) will be secured by Section 106 legal agreement to ensure the proposed development does not create traffic congestion and lead to a loss of amenity for surrounding occupiers in accordance with policy A1. A CMP Implementation Support Contribution of £3,1360 would also need to be secured as a Section 106 planning obligation if planning permission is granted.

### *Highways contribution*

9.4 In accordance with policy A1, a financial contribution of £\*tbc for highway works directly adjacent to the site will be secured as a section 106 planning obligation which will allow for any damage causing during construction of the proposed development to be repaired.

## **10.0 TREES AND LANDSCAPING**

10.1 No trees are to be removed to facilitate the proposed development.

10.2 The proposed 'L-shaped' garden room has been designed with the retention of the large



Sycamore tree in mind. The garden room will be a lightweight frame and will bear on footings within the root radius of the tree. A mini-piled foundation system will be utilised that limits soil intrusion. The proposal has been reviewed by the Council's Tree officer who is satisfied that the arrangement would avoid damage to the roots of the tree.

10.3 The existing garden consists of a large patio area and a large area of primarily hard standing with areas of low-lying hedge and shrubbery. There is no continuous permeable surface such as lawn. The proposed landscaping would introduce an area of grass lawn and new planting. Furthermore, the garden room would comprise a biodiverse green roof that provides some permeable surface.

## **11.0 Recommendation**

11.1 Grant Conditional Planning Permission subject to a Section 106 Legal Agreement with the following Heads of Terms:

- Construction Management Plan (plus monitoring fee of £3,136)
- Highways Contribution (£tbc)
- Car capped to limit car parking capacity on-site to 1 vehicle

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 8<sup>th</sup> October, 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'.***

Turley  
8th Floor, Lacon House  
84 Theobalds Road  
London  
WC1X 8NL

Application Ref: **2018/0932/P**

03 October 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:  
**30 Glenilla Road**  
**London**  
**NW3 4AN**

Proposal:  
Demolition of existing dwelling house and erection of four storey replacement dwelling house with single storey basement and associated hard and soft landscaping works, including erection of garden room to rear and bin store to front of property.

**DECISION**

Drawing Nos: P-001; P-003 (Rev A); P-004 (Rev C); P-100 (Rev A); P-101 (Rev A); P-102 (Rev A); P-103 (Rev A); P-120 (Rev A); P-121 (Rev A); P-122 (Rev A); P-123 (Rev A); P-130 (Rev A); P-199; P-200 (Rev B); P-201 (Rev A); P-202 (Rev A); P-203 (Rev A); P-204 (Rev A); P-400 (Rev A); P-401 (Rev A); P-402 (Rev A); P-403 (Rev A); P-500 (Rev A); P-501 (Rev A); P-600; SK-04/; Planning statement (dated February 2018); Design and Access Statement (16.02.2018); Design and Access Statement Addendum (03.05.2018); Design & Access statement for planning application - landscaping (prepared by cgd, dated 19/02/2018); Daylight, Sunlight and Overshadowing Report including Window Maps (prepared by The Chancery Group, dated 19 February); Letter re: Overshadowing Matters (dated 3rd May 2018); Letter re Revisions and clarifications during determination (prepared by Turley, dated 8 May 2018); Heritage statement (dated February 2018); Arboricultural Assessment (Arboricultural Solutions LLP, November 2016); Construction Method Statement/Basement Impact Assessment Report (BIA) by Davis Maguire (DMAG-1650-CMS), dated February 2018; Desk Study & Ground Investigation Report by GEA Ltd (Ref. J17299), dated February 2018; Desk Study & Ground Investigation Report by GEA Ltd (Ref. J17299), dated 8 June 2018 (Issue No 2); Construction Method Statement/Basement Impact Assessment Report (BIA) by Davis Maguire (DMAG-1650-CMS), dated June 2018 (Revision PO3); Desk Study & Ground Investigation Report by GEA Ltd (Ref. J17299), dated 7 August 2018 (Issue No 4); Construction Method Statement/Basement Impact Assessment Report (BIA) by Davis Maguire (DMAG-1650-CMS), dated 8 August 2018 (Revision PO3); Retaining wall preliminary design using WALLAP (J17299 Wallap\_ULS(MP)\_ULS1.pdf and J17299 Wallap\_ULS(MP)\_ULS2.pdf, outputs for ULS1 and ULS2 case); Construction sequence adjacent to No. 28b and indicative temporary propping layout by Davies Maguire (drawings No. SK-017 and SK-018)

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 The development hereby permitted shall be carried out in accordance with the following approved plans: P-001; P-003 (Rev A); P-004 (Rev C); P-100 (Rev A); P-101 (Rev A); P-102 (Rev A); P-103 (Rev A); P-120 (Rev A); P-121 (Rev A); P-122 (Rev A); P-123 (Rev A); P-130 (Rev A); P-199; P-200 (Rev B); P-201 (Rev A); P-202 (Rev A); P-203 (Rev A); P-204 (Rev A); P-400 (Rev A); P-401 (Rev A); P-402 (Rev A); P-403 (Rev A); P-500 (Rev A); P-501 (Rev A); P-600; SK-04/; Planning statement (dated February 2018); Design and Access Statement (16.02.2018); Design and Access Statement Addendum (03.05.2018); Design & Access statement for planning application - landscaping (prepared by cgd, dated 19/02/2018); Daylight, Sunlight and Overshadowing Report including Window Maps (prepared by The Chancery Group, dated 19 February); Letter re: Overshadowing Matters (dated 3rd May 2018); Letter re Revisions and clarifications during determination (prepared by Turley, dated 8 May 2018); Heritage statement (dated February 2018); Arboricultural Assessment (Arboricultural Solutions LLP, November 2016); Construction Method Statement/Basement Impact Assessment Report (BIA) by Davis Maguire (DMAG-1650-CMS), dated February 2018; Desk Study & Ground Investigation Report by GEA Ltd (Ref. J17299), dated February 2018; Desk Study & Ground Investigation Report by GEA Ltd (Ref. J17299), dated 8 June 2018 (Issue No 2); Construction Method Statement/Basement Impact Assessment Report (BIA) by Davis Maguire (DMAG-1650-CMS), dated June 2018 (Revision PO3); Desk Study & Ground Investigation Report by GEA Ltd (Ref. J17299), dated 7 August 2018 (Issue No 4); Construction Method Statement/Basement Impact Assessment Report (BIA) by Davis Maguire (DMAG-1650-CMS), dated 8 August 2018 (Revision PO3); Retaining wall preliminary design using WALLAP (J17299 Wallap\_ULS(MP)\_ULS1.pdf and J17299 Wallap\_ULS(MP)\_ULS2.pdf, outputs for ULS1 and ULS2 case); Construction sequence adjacent to No. 28b and indicative temporary propping layout by Davies Maguire (drawings No. SK-017 and SK-018)

Reason:

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

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

c) Details, including materials and elevations at 1:20, of the bin store.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 4 The dwelling house hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policies H6 and C6 of the Camden Local Plan 2017..

- 5 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 6 Prior to commencement of development, full details in respect of the living roofs in the areas indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:
- i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s 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.

- 8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies G1, D1, D2 and A1 of London Borough of Camden Local Plan 2017.

- 9 The development hereby approved shall be carried out strictly in accordance with the BIA compiled by Davis Maguire (dated 8 August, Revision PO3) (and other supporting documents) and the recommendations in the Campbell Reith Audit dated September 2018.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the Camden Local Plan 2017.

- 10 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 11 All hard and soft landscaping works, including but by no means limited to the soft landscaped area of the front driveway, shall be carried out in accordance with the approved landscape details (Design & Access statement for planning application - landscaping (prepared by cgd, dated 19/02/2018) and drawing no. P004/C) prior to the occupation of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, T1, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 12 The storage area for 2 cycles as shown on drawing no. P200/A shall be provided in its entirety prior to the occupation of the dwelling house 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.

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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 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

**DRAFT**

**DECISION**