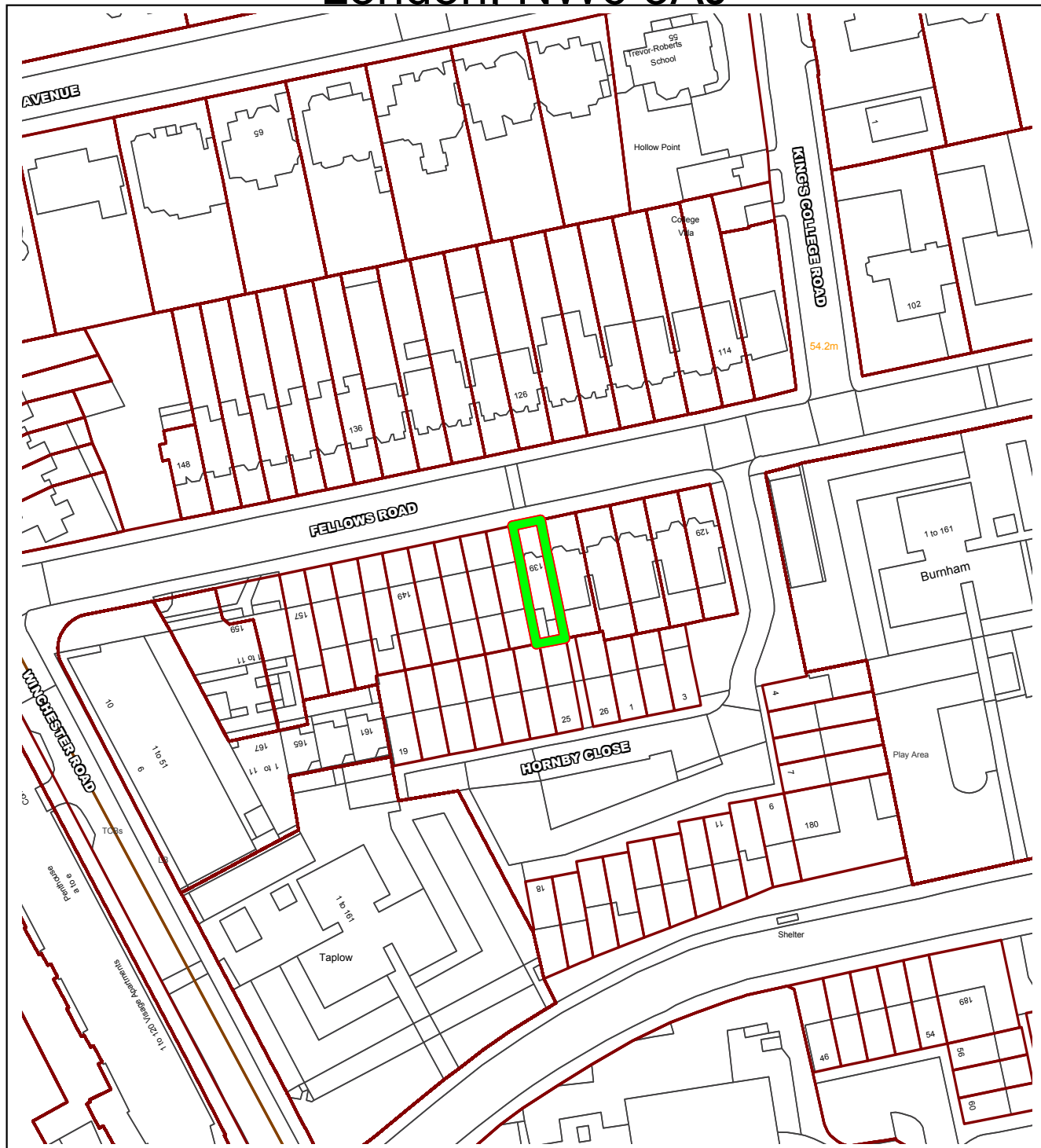


Garden Flat, 139 Fellows Road, London. NW6 3AJ



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



Photo 1 (above): Rear elevation of No. 139 Fellows Road



Photo 2 (above): Rear elevation of No. 139 Fellows Road showing gap between closet wing and side boundary wall with No. 141 Fellows Road



Photo 3 (above): Rear side boundary wall between Nos. 139 and 141 Fellows Road



Photo 4 (above): Rear closet wing at No. 139 Fellow Road with existing upper ground floor balcony



Photo 5 (above): Existing rear balcony and external spiral staircase at No. 139 Fellows Road



Photo 6 (above): View of Nos. 24 and 25 Hornby Close to the rear of No. 139 Fellows Road



Photo 7 (above): Location of proposed front bin store at ground floor level in front garden of No. 139 Fellows Road



Photo 8 (above): Front elevation of No. 139 Fellows Road

| | | | | | | | |
|--|----------------------------|--|-------------------------------------|--------------------------------------|-------------------|------------|---|
| Delegated Report (Members' Briefing) | | Analysis sheet | | Expiry Date: | | 24/10/2018 | |
| | | N/A | | Consultation Expiry Date: | | 30/09/2018 | |
| Officer | | | | Application Number(s) | | | |
| Charlotte Meynell | | | | 2018/2852/P | | | |
| Application Address | | | | Drawing Numbers | | | |
| Garden Flat 139 Fellows Road London NW3 3JJ | | | | See draft decision notice | | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | | | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Erection of single storey rear extension; alterations to existing balustrade to upper ground floor rear roof terrace; erection of new front bin store. | | | | | | | |
| Recommendation(s): | | Grant conditional planning permission | | | | | |
| Application Type: | | Full Planning Permission | | | | | |
| Conditions or Reasons for Refusal: | | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | | |
| Consultations | | | | | | | |
| Adjoining Occupiers: | | No. of responses | | 0 | No. of objections | | 0 |
| Summary of consultation responses: | | <u>A site notice was displayed on 05/09/2018 and expired on 29/09/2018.</u> <u>A press notice was advertised on 06/09/2018 and expired on 30/09/2018.</u> No responses were received from neighbours. | | | | | |
| Belsize CAAC comments: | | The Belsize CAAC objected on the following grounds: <ul style="list-style-type: none"> Object to full width extension. (<i>Officer response: see paragraphs 3.1-3.8 of the report</i>). Object to impact of proposal on adjoining party walls. (<i>Officer response: Party wall issues are a civil matter and are not a material planning consideration</i>). Object to loss of garden space. (<i>Officer response: see paragraphs 3.1-3.8 of the report</i>). The drawings are very unclear and no dimensions are provided. | | | | | |

| | |
|--|---|
| | (Officer response: Although dimensions are not included on the submitted drawings, this is acceptable as the drawings are clear and scaled, and include a scale bar). |
|--|---|

Site Description

The application site is a four-storey mid-terrace building located on the southern side of Fellows Road. The host building has been divided into five flats. This application relates to the lower ground floor flat, Garden Flat, which benefits currently shares use of the rear garden with the ground floor flat, Flat 1, which has access to the garden from a rear spiral staircase.

The property is not listed but is located within the Belsize Conservation Area and is identified in the Belsize Conservation Area Statement as making a positive contribution to its character and appearance.

Relevant History

Application site:

2014/2476/P – Conversion of 2nd and 3rd floors from 2 flats (1 x 1 bed and 1 x 2 bed) to 1 x 3 bed maisonette, erection of a 3 storey rear infill extension at ground floor level, single storey lower ground floor rear extension, replacement of existing front roof dormer with Dutch gabled dormer, increase in size of existing rear dormer roof extension and alteration to fenestration. **Planning permission granted 30/05/2014**

2009/5077/P – Additions and alterations including the conversion of a non self-contained flat to a self contained flat and the erection of single storey rear extension to residential flats (Class C3). **Planning permission granted 24/02/2010**

2008/4027/P – Alterations and extensions including erection of five storey infill extension and single storey (lower ground floor) extension with roof terrace to rear of building in connection with the conversion of two non self contained units and four self contained units all to provide additional living space for four self-contained flats. **Application withdrawn 09/04/2009**

None of the proposals approved in the above applications were implemented.

Relevant policies

National Planning Policy Framework (2018)

London Plan (2016)

Draft New London Plan (2017)

Camden Local Plan (2017)

G1 Delivery and location of growth

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance

CPG1 Design (2015; updated 2018)

CPG3 Sustainability (2015; updated 2018)

CPG6 Amenity (2011; updated 2018)

CPG Amenity (2018)

Belsize Conservation Area Statement (2003)

Assessment

1.0 Proposal

1.1 This application seeks planning permission for the following:

- Erection of a single storey rear and side wraparound extension at lower ground floor level measuring 4.7m in depth from the main rear building line and 1.5m in depth from the rear building line of the closet wing. It would infill the existing gap between the five-storey closet wing at lower ground floor level, and would have a total width of 6.1m, and would be 3.0m in height to a flat roof. The rear elevation would accommodate 6 x timber-framed doors. The existing upper ground floor rear balcony would be retained above, with black-painted metal balustrades extended around all three sides following the removal of the existing rear metal spiral staircase.
- Erection of front timber bin store at ground floor level measuring 3.0m in width, 0.9m in depth and 1.2m in height to a flat roof. The proposed bin store would have four separate compartments and would serve all of the flats within the building.

2.0 Assessment

2.1 The main planning considerations in the assessment of this application are:

- Design (the impact that the proposal has on the character of the host property as well as that of the Belsize Conservation Area);
- Amenity (the impact of the proposal on the amenity of adjoining occupiers).

3.0 Design

- 3.1 Policy D1 aims to ensure the highest design standards for developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance.
- 3.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013 ("the Listed Buildings Act") requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area. As such, there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and a proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.
- 3.3 Planning permission was previously granted in application ref. 2014/2476/P on 30/05/2014 (see 'Planning history' section above) for a single storey rear extension at lower ground floor level to the same depth as currently proposed. The previous application also included the erection of a three-storey infill extension at upper ground floor level adjacent to the closet wing, but this has been removed from the current scheme. It is important to note that the footprint and scale of the ground floor extension is the same as that of the previous approval. Although the Council has adopted a new Local Plan since the 2014 consent, there has not been a significant shift in the approach to rear extensions.
- 3.4 The proposed rear extension would be constructed in brickwork and detailing to match the existing. Although the proposed extension would be full-width, this is considered to be acceptable given its location at lower ground floor level. The proposed extension would not be visible from the public realm due to its location to the rear of the property and at lower ground floor, which thereby limits the impact of the proposal on the character and appearance of the wider area. Given the limited visibility

of the proposal, it is considered that the proposal would not result in harm to the character and appearance of the Conservation Area.

- 3.5 The existing rear garden of the host dwelling has an area of 37.2sqm. The proposed extension would reduce this by 13.8sqm to 23.4sqm, which would ensure that more than 50% of the rear garden would be retained. The proposed extension is therefore considered to be a modest addition which would be subordinate to the main building. By virtue of its form, scale, detailing and proportions, the proposed rear extension would be sympathetic to the host building and would respect and preserve the property's character and existing architectural features, and the character and appearance of the Belsize Conservation Area.
- 3.6 The height, positioning and materials of the proposed of balustrades above the upper ground floor roof terrace would match the existing balustrades enclosing this terrace and is considered acceptable in design terms.
- 3.7 The proposed timber bin store to be erected in the front garden at ground floor level would be of a suitable size for the storage of 4 x refuse bins, and the proposed materials are considered to be appropriate for its outdoor setting. The proposed bin store would not be highly visible from the streetscene as it would be screened by the existing front wall and hedge and side fence.
- 3.8 Overall, the proposals are considered to preserve the character and appearance of the host building and Belsize Conservation Area and are considered to comply with policies D1 and D2 of the Camden Local Plan 2017.

4.0 Amenity

- 4.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by stating that the Council will only grant permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight.
- 4.2 It is not considered that the proposed extension would have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of daylight, sunlight, outlook or privacy, as it would not extend forward of the existing rear building line adjacent to No. 137 Fellows Road, and would be located adjacent to an existing high side boundary wall with No. 141 Fellows Road, which would only need to be built up slightly resulting in minimal additional bulk.
- 4.3 The rear roof terrace at upper ground floor level is already in situ and would not be extended in size, therefore its retention would not lead to a further loss of privacy through overlooking to neighbouring properties. However, a condition would be added to any approval to prevent the rest of the proposed flat roof from being used as a roof terrace, to prevent a loss of privacy through overlooking to the occupiers of the adjacent neighbouring properties at No. 141 and Nos. 24 and 25 Hornby Close.

5.0 Conclusion

- 5.1 The proposed development is considered acceptable in terms of design and impact on neighbouring residential amenity. The development is deemed consistent with the objectives and policies identified above.
- 5.2 **RECOMMENDATION:** Grant Conditional Planning Permission.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 15th October 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'.

Application ref: 2018/2852/P
Contact: Charlotte Meynell
Tel: 020 7974 2598
Date: 9 October 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Thames Design and Build
Ditton Garages
Southville Road
Thames Ditton
KT7 0UL

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Garden Flat
139 Fellows Road
London
NW3 3JJ

DECISION

Proposal: Erection of single storey rear extension; alterations to existing balustrade to upper ground floor rear roof terrace; erection of new front bin store.

Drawing Nos: 1374-P-10-A; 1374-P-15-A; 1374-P-30-C; 1374-P-31-B; 1374-P-32-B; 1374-P-33-A; 1374-P-34-A; 1374-P-35-A; 1374-P-36-A; 1374-P-37-A; 1374-P-40-C; 1374-P-41-C; 1374-P-42-B Rev. C; 1374-P-43-C; 1374-P-44-C; 1374-P-45-C; 1374-P-46-C; 1374-P-47-C; 1374-P-48-A; Heritage Statement (prepared by Thames Design & Build, received 29/08/2018).

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

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 policies 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 1374-P-10-A; 1374-P-15-A; 1374-P-30-C; 1374-P-31-B; 1374-P-32-B; 1374-P-33-A; 1374-P-34-A; 1374-P-35-A; 1374-P-36-A; 1374-P-37-A; 1374-P-40-C; 1374-P-41-C; 1374-P-42-B Rev. C; 1374-P-43-C; 1374-P-44-C; 1374-P-45-C; 1374-P-46-C; 1374-P-47-C; 1374-P-48-A; Heritage Statement (prepared by Thames Design & Build, received 29/08/2018).

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

- 4 Only the area specifically shown on the plans hereby approved as an external terrace/balcony shall be used for such purposes; and no other flat roofed areas shall be used as a roof terrace, balcony or similar amenity area.

Reason: In order to prevent any detrimental impacts of overlooking and/or noise and disturbance of the neighbouring premises in accordance with the requirement of policy A1 of the London Borough of Camden Local Plan 2018.

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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

Yours faithfully

Director of Regeneration and Planning

DRAFT

DECISION