

Delegated Report		Analysis sheet		Expiry Date:	14/11/2018
		N/A		Consultation Expiry Date:	21/10/2018
Officer			Application Number(s)		
Ben Farrant			2018/4153/P		
Application Address			Drawing Numbers		
5 Honeybourne Road London NW6 1HH			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Demolition of existing single storey double garage, and construction of two storey 3 bedroom self-contained dwellinghouse					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refuse Permission					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	12
Summary of consultation responses:	<p>Site notices were displayed between 21/09/2018 and 15/10/2018; a press notice was displayed in the Ham & High between 27/09/2018 and 21/10/2018.</p> <p>Objections were received from:</p> <p>Fawley Road: Flat 1 Fawley Mansions, no.1, and The Coach House West End Lane: Flat 3 218A Honeybourne Road: 1, 6, 8, 10 & 15 Harvard Court, Harvard Court Ltd, no. 1, and no.3</p> <p>Key points raised are summarised below:</p> <ol style="list-style-type: none"> 1. Loss of light 2. Loss of privacy 3. Destruction of green space (visual amenity and ecological impacts) 4. Design ill-fitting of the context, fails to enhance the conservation area 5. No ground investigation/Basement Impact Assessment submitted 6. Possible flood issues due to excavation 7. Traffic issues during and post construction in this already congested area 8. Access road not suitable during construction 9. Loss of garage space will worsen parking 10.No information on cycle storage 11.Possible removal of trees required 12.Disturbance during construction 13.Applicant is a developer rather than a resident 14.Impact on property values 15.No right of way exists over the current freehold access road 16.Forms a precedent 17.No indication where site office will be during construction <p>Officer Response:</p> <ul style="list-style-type: none"> • <i>Points 1 and 2 are addressed in section 6 of this report</i> • <i>Points 3 and 4 are addressed in sections 3 and 4 of this report</i> • <i>Points 5 and 6 are addressed in section 8 of this report</i> • <i>Points 7 to 10 are addressed in section 11 of this report</i> • <i>Point 11 is addressed in section 9 of this report</i> • <i>Points 12 to 18 are not material planning considerations in the determination of this application</i> 					

Site Description

The application site is the rear curtilage of no.5 Honeybourne Road; no.5 is not a listed building, though it is sited within the West End Green Conservation Area and is a positive contributor. The rear curtilage backs onto an access road comprising a single track, finished with a concrete surface; this road is unadopted and is accessed off of Fawley Road to the south. The access road runs for 53m before reaching the garden of the application site, widening beyond the first 30 metres to form two vehicles width (approximately 5m), meaning cars are parked along the access road at present. The rear of no.5 is the last property with access directly onto this road.

A double garage serving no.5 currently fronts the access road, which due to the topography of the area is stepped down from the main property. Other residential units are accessed directly off of this access road, primarily above the ground floor commercial units fronting onto West End Lane, however it is noted that 'The Coach House' appears to have dedicated access from this road.

Aside from the double garage, the garden of the application site is largely laid to lawn with semi-mature and mature vegetation, primarily on the north and south (side) boundaries.

Relevant History

5 Honeybourne Road

PW9902634 - The replacement of the existing double garage with a new double garage, As shown on drawing numbers; 99/226/3 and /4 – **Granted 28/09/1999**

2018/1457/P - Erection of 1 x 3 bed dwellinghouse following demolition of existing double garage – **Withdrawn 28/08/2018**

3 Honeybourne Road

2015/2764/P - Erection of ground floor rear infill extension and canopy, and installation of new and alterations to existing windows on front elevation – **Granted 20/07/2015**

2015/4710/P - Extension of existing cellar to form new single-storey basement below the footprint of existing dwelling along with rear lightwell – **Registered**

2015/5990/P - Erection of a single storey glazed rear extension – **Granted 31/12/2015**

2016/0409/P - Alterations to approved fenestration granted under reference 2015/2764/P dated 20/07/15 for the erection of ground floor rear infill extension and associated alterations – **Granted 24/02/2018**

Relevant policies

National Planning Policy Framework 2018

The London Plan March 2016

The Camden Local Plan 2017

A1 - Managing the impact of development

A3 - Biodiversity

A4 - Noise and vibration

A5 - Basements

C5 - Safety and security
C6 - Access for all
CC1 - Climate change mitigation
CC2 - Adapting to climate change
CC4 - Air quality
D1 - Design
D2 - Heritage
DM1 - Delivery and monitoring
H1 - Maximising housing supply
H4 - Maximising the supply of affordable housing
H6 - Housing choice and mix
H7 - Large and small homes
T1 - Prioritising walking, cycling and public transport
T2 - Parking and car-free development
T3 - Transport infrastructure
T4 - Sustainable movement of goods and materials

Camden Planning Guidance

CPG1 - Design (2011, updated 2018)
CPG - Amenity (2018)
CPG6 - Amenity (2011, updated 2018)

West End Green Conservation Area Appraisal and Management Strategy (2011)

Fortune Green and West Hampstead Neighbourhood Plan (2015)

Policy 1: Housing
Policy 2: Design & Character
Policy 3: Safeguarding and Enhancing Conservation Areas and Heritage Assets
Policy 8: Cycling
Policy 18: Trees

Technical Housing Standards - Nationally Described Space Standard (2015)

Assessment

1. Proposal

1.1 The following works are proposed on site:

- Removal of existing double garage fronting onto the access road.
- Erection of two storey 3 bed property measuring the full width of the site (8m) with a depth of 7.7m with a further 1m projecting rear windows at first floor. The building would have a flat roof at a height of 5.9m taken from the ground level at the access road.
- The 3 bed (5 person) property would have a Gross Internal Area (GIA) of 108.3sq. m (53.3sq. m to ground floor and 55sq. m to first floor). Bedroom 1 would measure 18.2sqm. m, bedroom 2 measures 13.9sq. m and bedroom 3 measures 11sq. m.
- The proposed building would measure 7m from the rear of no. 5 Honeybourne Road at the closest point.
- The proposal would be finished in brickwork to match adjacent walls to the site, with grey aluminium framed windows of various styles, and a timber panelled front door leading directly onto the access road. The projecting elements to the rear would be finished in standing seam zinc cladding.
- Internally two bedrooms, bathroom and a study would be located to the ground floor, with a further bedroom and kitchen/diner/lounge above.
- The proposed unit would have a rear amenity area measuring a maximum 3m deep stretching the full width of the proposed unit. The proposal would require rear excavation and a retaining wall to form the amenity space.

- Timber doors to the front elevation would house an internal refuse store.

1.2 The main planning considerations are:

- Principle of Land Use
- Design
- Impact on the Conservation Area
- Standard of Accommodation
- Impact on Neighbouring Amenity
- Affordable Housing
- Excavation
- Trees/Biodiversity
- Access
- Transport/Refuse Store
- Sustainability

2. Principle of Land use

2.1 Camden's Local Plan (2017) policy H1 states that the Council will seek to maximise the supply of homes and minimise their loss. The area is predominantly residential in character and therefore the provision of additional residential accommodation is considered appropriate in this location. A three bedroom unit is proposed, which is desired in accordance with policy H7 of Camden's Local Plan. Policy 1 (Housing) (subsection ii) of the Fortune Green and West Hampstead Neighbourhood Plan similarly encourages three and four bedroom family units. As such, no objection is raised to the proposal on the grounds of land use.

2.2 Para. 70 of the NPPF resists the inappropriate development of residential gardens where this would harm the local area. Para 6.37 of the Local Plan goes further to state that development in gardens such as this can have a significant impact upon the amenity and character of the area. It stresses the importance of gardens in creating a 'sense of place', and states that development which occupies an excessive part of the garden area will be resisted, this is further supported by para 7.20 of the Local Plan which resists the significant loss of garden space.

2.3 Given the numerous difficulties with the scheme presented here (discussed throughout the report) it is considered that the scheme is unacceptable. It is considered that given the constraints of the site, it is unlikely that an appropriate alternate scheme would be able to come forwards and it is considered that backland development such as this is unacceptable in principle.

3. Design

3.1 The proposed new dwelling would be located in a mixed area in terms of architectural styles and forms. No.5 Honeybourne Road is a traditional 3 storey positive contributor finished with white painted timber casement windows, redbrick and red roof tiles. Harvard Court (also fronting onto Honeybourne Road) to the immediate north of the site is a four storey red brick Mansion Block, similarly with white painted timber sash casements and tiled roof, with distinctive bays, front terraces and chimney stacks. The rear of the properties fronting onto West End Lane are typical residential units above commercial ground floors, with outriggers and less architectural detail than the traditional features fronting the high street. Some less sympathetic additions have been made to these properties over the years fronting onto this access road, resulting in a mix of development, though generally the appearance is traditional in nature and of brick construction.

3.2 The proposed building has a more contemporary style, with a mix of fenestrations and material

finishes. Whilst a contemporary design for an infill property such as this is not objectionable in principle, the design presented here is considered to be unsympathetic and poorly executed. The fenestrations to the front elevation in particular are objectionable bearing little relation to one another and the surrounding area in general. The solid to void ratio of the elevation is of concern with narrow windows used in most instances. The resultant front elevation has a confused and unsympathetic appearance which is considered to detract from the character and appearance of the area. It is understood that these are largely high level/slimline windows, utilised in an attempt to overcome possible overlooking concerns; the resultant development however appears contrived and out of character.

- 3.3 Similarly whilst the brick and zinc materials in principle are not objectionable, the way in which they are utilised in this instance is of concern. The projecting zinc rear elements would serve to obscure much of the rear elevation, appearing as obtrusive, unsympathetic and over dominant additions to the proposed property. The change in material draws further attention to these projecting elements, which appear as incongruous and poorly fitting, particularly against the more traditional red brick of the proposed unit.
- 3.4 It is considered that the proposed development would present a poor quality addition to the area. The overall appearance has been poorly executed bearing no relation to the surrounding area, nor forming a high quality, well designed contemporary infill.
- 3.5 It is further noted that the overall scale of the proposed unit is far greater than could reasonably be expected on a site of this size. It is expected that back-land development such as that proposed would be clearly subservient to the host property. The 108.3sq. m Gross Internal Area (GIA) coupled with the overall height of 5.9m results in an overly dominant addition to this area and on a plot of this scale. It is noted within the West End Green Conservation Area Appraisal and Management Strategy (2011) that these properties are defined in part by their green areas, and the loss of them is a threat to the conservation area. The proposed development would consume 62.3m of the garden area of the property (in part replacing the double garage) which is laid largely to lawn at present. It would also require excavation and has the potential to harm mature and semi-mature vegetation within the vicinity (discussed further in section 9 of this report). The scale of the proposed development would fit uncomfortably within the surrounding context, serving to detract from the character and appearance of the conservation area and surrounding properties, as well as removing a large area of soft landscaping which forms an important part of its character.

4. Impact on the Conservation Area

- 4.1 Considerable importance and weight has been attached to the harm and 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 4.2 Given the assessment in the design section, it is considered that the proposed two storey dwellinghouse would result in less than substantial harm to the character, appearance and historic interest of the conservation area. The proposed scheme would result in the formation of a 3 bedroom single family dwellinghouse, for which there is an identified need within Camden in accordance with policies H1 and H7 of the Local Plan. It is additionally noted that the proposal, forming a new residential unit with over 100sq. m GIA would result in an affordable housing contribution of £6,042 (discussed further in section 7 of the report). As such, some public benefits would be derived from the scheme.
- 4.3 The proposal is thereby considered to constitute less than substantial harm to the host property (positive contributor) and the West End Green Conservation Area, with some public benefits derived from the scheme. Weighing the harm caused to the area as a result of the

development against these demonstrable public benefits, the proposal is considered to be contrary to Section 16 of the NPPF (2018) which seeks to preserve and enhance heritage assets.

4.4 As a result it is considered that the proposal would fail to accord with policy 3 of the Fortune Green & West Hampstead Neighbourhood Plan (2015), policies D1 and D2 of the Local Plan, and Section 16 of the NPPF (2018), forming an inappropriate and poorly designed development, failing to preserve or enhance the setting of the conservation area.

5. Standard of Accommodation

5.1 The Technical Housing Standards - Nationally Described Space Standard (2015) document specifies a minimum floor area of 93sq. m (GIA) for a two storey 3 bed (5 bedspace) unit. The proposed unit would have a floor area of 108.3sq. m (GIA), thereby exceeding this standard. The proposed bedrooms would also all exceed the minimum space standard of 11.5sq. m for double occupancy bedrooms and 7.5sq. m for a single occupancy room, and more than 75% of the GIA of the unit would have a minimum internal height of 2.3m. Given the above, the proposed unit would be acceptable in terms of internal habitable floorspace.

5.2 The proposed unit would by reason of the topography of the area, be in part below natural ground level, notably towards the rear of the unit. A 2m high close boarded boundary fence (measured from natural ground level) would be installed on the boundary of the proposed unit. As such, to the rear of the property, there would be a boundary fence measuring 3.6m high from the proposed garden level. This would give a maximum outlook to the rear of the property of just 3m towards a 3.6m high solid boundary. It is further noted that a first floor rear window overhangs the proposed study room, thereby further blocking daylight/sunlight to this habitable room and worsening its outlook. The result is such that the outlook to these ground floor rear facing windows is below the standard deemed to be acceptable to provide good quality accommodation. In the absence of a daylight/sunlight report, it cannot be tested whether the proposed accommodation would meet BRE standards in accordance with policy H6 of the Local Plan and CPG Amenity (2018).

5.3 It is further noted that at the first floor level, only high level privacy style windows are proposed to the front elevation in order to overcome overlooking to the neighbours on West End Lane. The result however is further limited outlook to the proposal as well as limited access to daylight/sunlight. To the rear at first floor level, projecting bays with offset windows have been included, again in an attempt to overcome direct overlooking to the rear of the properties along Honeybourne Road. These windows being offset similarly provide only a limited level of outlook and access to daylight and sunlight. Similarly to above, in the absence of a daylight/sunlight report BRE compliance cannot be tested, however the outlook and daylight/sunlight in this instance would appear to be unacceptable in accordance with policy H6 and CPG Amenity and on this basis would form a poor quality of accommodation.

5.4 Given the above, the proposal is considered to provide an insufficient quality of accommodation, failing to accord with policy H6 of the Local Plan and CPG Amenity.

6. Impact on Neighbouring Amenity

6.1 Policy A1 seeks to ensure that the amenity of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and privacy.

Daylight/sunlight and outlook

- 6.2 Given the topography of the area, the first floor of the proposed unit would extend to a similar height as the ground floors of the units at nos. 5 and 3 Honeybourne Road at a minimum separation distance of 7m. At this height and separation distance, the proposal is unlikely to result in undue harm to the daylight/sunlight of these neighbours.
- 6.3 No.7 (Harvard Court) projects further to the rear than nos. 5 and 3, finishing approximately 0.9m from the rear-most point of the proposed unit. The proposed addition would have a height of approximately 4.1m on the boundary (though this alters due to the sloping topography of the area). It is also noted that the proposed addition would be sited to the south of no.7, thereby impacting on the sunlight reaching this property for much of the day. Given the proposed depth and height of the addition, coupled with the siting directly on the boundary and close proximity to Harvard Court, this is considered to result in undue harm to the occupants of this building in terms of daylight, sunlight and outlook, contrary to policy A1 of the Local Plan.
- 6.4 Given the separation distance to the properties along West End Lane, the proposal is unlikely to unduly impact on the daylight, sunlight or outlook of these residential units.

Noise

- 6.5 Whilst the additional unit would serve to somewhat increase the level of activity and intensify the use of the site, given that only one residential unit is proposed, it is considered not to result in unduly harmful levels of noise.

Overlooking

- 6.6 It is noted that angled windows are proposed to the first floor rear elevation in an attempt to reduce the level of overlooking, particularly to the rear elevation windows of no.5 Honeybourne Road. However, the windows would result in direct overlooking to the rear curtilage of no.3 Honeybourne Road and their rear elevation windows (at a more obscure angle). Whilst the overlooking into the living area windows would be at an obscure angle, at a proximity of 8m between these windows, the overlooking to this neighbour would be substantial and unduly harmful to the occupiers of this property.
- 6.7 Given the above, the proposal is considered to result in undue harm to the residential amenities of the occupants of no.3 Honeybourne Road, with overlooking into their living accommodation at a separation distance of just 8m at the closest point. On this basis, the proposal fails to accord with policy A1 of the Local Plan.
- 6.8 The front elevation would face the rear of the properties along West End Lane at a separation distance of 11.5m. It is noted however that high levels windows are utilised at first floor level thereby negating any overlooking concerns. Whilst larger windows are used at ground floor level, these provide little change from the overlooking currently achievable from standing within the access road. As such, the proposal is considered not to result in undue harm to the privacy of the occupants of the residential units along West End Lane.

7. Affordable Housing

- 7.1 Policy H4 of the Local Plan indicates that the Council will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sq. m GIA or more, including mixed-use developments. The proposal has a GIA of 108.3sq. m which would generate an affordable housing target of 2%. For schemes involving less than 10 additional homes/1,000 sq. m added residential floorspace, a payment in lieu should be made. The current payment rate is £2,650 per sq. m GEA, so the GIA would need to be converted into GEA. At a conversion factor of 1.053 x GIA the GIA would be approximately 114sq. m. As such, the payment required would be 114 x 2%

x £2,650 = £6,042. Had the application been recommended for approval, a s.106 would be required to secure this financial contribution. Given the context of the recommendation this consequently forms a further reason for refusal of the application, although an informative will also specify that without prejudice to any future application or appeal, this reason for refusal could be overcome by entering into a legal agreement in the context of a scheme acceptable in all other respects.

8. Excavation

8.1 Policy A5 of the Local Plan and CPG Basements (2018) require applications which propose more than 500mm (depth) of excavation to be supported by a Basement Impact Assessment (BIA). This is required to demonstrate that the proposal would not cause harm to neighbouring properties, or the structural, ground, or water conditions of the area. This document is independently assessed by Campbell Reith, Camden Council's BIA Auditor.

8.2 1.8m of excavation would be proposed (at the deepest point), though a BIA was not submitted with the application. In the absence of such a document, the full impact of the proposed excavation cannot be assessed, and could result in harm to neighbouring properties and ground and water conditions of the area. As such, the proposal fails to comply with policy A5 of the Local Plan and CPG Basements, and refusal is warranted on this basis.

9. Trees/Biodiversity

9.1 The proposed development sits on the boundaries of nos. 3 Honeybourne Road and Harvard Court, with mature and semi-mature vegetation located on these boundaries. This vegetation contributes to the green and verdant nature of the conservation area. The importance of such greenery is acknowledged within the West End Green Conservation Area Appraisal and Management Strategy, as well as in policy 18 of the West Hampstead and Fortune Green Neighbourhood Plan, and policy A3 of the Local Plan.

9.2 Given the level of development, including excavation of up to 1.8m deep on the boundary, the proposal is considered to impact on the health and longevity of these trees. No information has been submitted with the application (via an arboricultural report) demonstrating no harm to the trees.

9.3 Given the proximity of the development to the vegetation, coupled with the excavation proposed, and the absence of an arboricultural report, the proposal is contrary to policy A3 of the Local Plan.

10. Access

10.1 Policy C6 of the Local Plan seeks to promote the highest practicable standards of accessible design; policy H6(c) goes further to require 90% of new build self-contained homes in each development to be accessible and adaptable in accordance with building regulation M4(2). The Council's Access Officer was consulted on the scheme and raised a number of concerns, wherein the scheme fails to comply with M4(2) in respect of the following:

- The entrance does not accord with the requirements of M4(2) 2.20 in terms of clear opening width of door, covered landing, accessible threshold and lighting
- The other external doors do not meet with the requirements of 2.21
- The internal stairs do not appear to meet the requirements of 2.23
- Within the entrance storey there is no living space as per 2.24a
- The bedrooms do not show the furniture requirements of Appendix D as required and therefore the space requirements of 2.25 cannot be assessed

- The entrance level WC provision requirements of 2.27 have not been fully met
- There is no bath accompanying the principal bedroom as per 2.29a

10.2 On this basis the proposal fails to provide adequately accessible design, contrary to policies C6 and H6 of the Local Plan.

10.3 Whilst the approach to the proposed unit itself would typically be considered substandard for a new residential unit (being at the end of a 50m unlit concrete rear access road); given that a number of existing units have their primary access onto this road, in principle this is considered not to be sufficiently harmful to warrant refusal.

11. Transport/Refuse Storage

11.1 Policy T2 of the Local Plan expects new residential development to be car-free to facilitate sustainability, help promote alternative, more sustainable methods of transport and stop the development from creating additional parking stress and congestion, which is particularly important given the parking stress in this area and PTAL of 6a. Had the application been recommended for approval, a s.106 would be required to remove parking permits of future residents. Given the context of the recommendation this consequently forms a further reason for refusal of the application, although an informative will also specify that without prejudice to any future application or appeal, this reason for refusal could be overcome by entering into a legal agreement in the context of a scheme acceptable in all other respects.

11.2 Policy T1 of the Local Plan requires cycle storage that is covered and secure, and 2 spaces should be provided for this 3 bed unit. The proposed plans indicate external cycle storage within the rear curtilage of the property. Further details of this would be required by condition if the application was recommended for approval.

11.3 Although the nature and scale of the development is relatively modest, it is considered that, given the narrow nature of the access road, a Construction Management Plan (CMP) would be required with associated implementation support contribution of £3,136. Had the application been recommended for approval, a s.106 would be required to secure details of the CMP and implementation financial contribution. Given the context of the recommendation this consequently forms a further reason for refusal of the application, although an informative will also specify that without prejudice to any future application or appeal, this reason for refusal could be overcome by entering into a legal agreement in the context of a scheme acceptable in all other respects.

11.4 The plans indicate a refuse storage area to the front of the property, which appear to be acceptable for the proposed unit.

12. Sustainability

12.1 Policy CC1 requires all development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy CC2 requires development to be resilient to climate change by adopting climate change adaptation measures.

12.2 Policy 5.2 of the London Plan requires that development proposals make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently), be green (use renewable energy).

12.3 The application has not been supplemented with a Sustainability Statement or similar

information, demonstrating any measures taken to minimise the effects of, and adapt to, climate change through sustainable design and construction measures, contrary to the aforementioned policies.

13. Conclusion

13.1 Given the above assessment, the proposed unit is considered to form a poor quality design, provide a substandard quality of accommodation, unduly impact on neighbours in terms of daylight, sunlight, outlook and privacy, and would not be sufficiently accessible for future occupiers. Insufficient evidence has been submitted to demonstrate acceptability in arboricultural terms, and a BIA was not submitted. In the absence of a s.106 agreement securing an affordable housing contribution, car free development, and CMP (with implementation support contribution), the scheme would also be unacceptable in this regard.

13.2 As such, the proposal is contrary to policies 2, 3 and 18 of the Fortune Green & West Hampstead Neighbourhood Plan (2015), policies A1, A3, A4, A5, C6, CC1, CC2, CC4, D1, D2, DM1, G1, H4, H6, T2, T3, T4 of the London Borough of Camden Local Plan (2017), the London Plan (2016), and the National Planning Policy Framework (2018).

Recommendation

Refuse planning permission