

Delegated Report		Analysis sheet		Expiry Date:		24/07/2019	
		N/A		Consultation Expiry Date:		28/07/2019	
Officer				Application Number(s)			
David Fowler				2019/6114/P			
Application Address				Drawing Numbers			
41 - 47 Ingham Road London NW6 1DG				See Draft Decision Notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of additional storey at third floor level to provide additional flat, with roof terrace.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full planning permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. of responses	01	No. of objections	01		
Summary of consultation responses:		One objection has been received on the following grounds: <ul style="list-style-type: none"> - Massive increase in size of building and number of flats - Overuse of site - More pressure on public amenities - Damage to buildings – cracks appearing <i>Officer's response: See section on design, it is not considered that modest increase in the number of flats would significantly impact on local amenities, damage to buildings during building works is a civil matter.</i>					
CAAC/Local groups* comments: <small>*Please Specify</small>		No responses received.					

Site Description

The site is located on Ingham Road, close to the junction with Fortune Green Road. The building in question was two storeys but is currently being extended to three storeys, in line with planning permission 2018/4870/P (see below).

The site is within the Fortune Green Local Centre. The site is not within a conservation area and there are no listed buildings or locally listed buildings on or close to the site.

Relevant History

PW9902407 – 41 Ingham Road; Appeal allowed for “The demolition of a single storey garage and the erection of a two storey extension to provide a self contained one bed flat”. Appeal allowed 17/08/1999.

PWX0302207 – 43 Ingham Road; Appeal dismissed for “The erection of a rear second floor level mansard roof extension to provide additional habitable accommodation for a flat.” Appeal dismissed 16/12/2003.

2003/2401/P – Permission granted for “The erection of an additional storey to the Ingham Road elevation to extend a 1-bed flat to a 3-bed maisonette, together with the remodelling of the mansard roof of 108 Fortune Green Road to form an additional floor to provide 2 x 1-bed flats.” 21/11/2003.

2018/4870/P – 41-47 Ingham Road and 108 Fortune Green Road
Permission granted for ‘Erection of additional storey to Ingham Road elevation of nos. 41-47 and part 1/part 2 storey extension to 108 FG Road, in association with addition of 3 new flats and re-configuration of existing flats’ dated 19/02/19.

2019/2781/P – 41-47 Ingham Road and 108 Fortune Green Road
Permission refused for ‘Variation of Condition 3 (Approved Plans) granted under reference 2018/4870/P dated 19/02/19 for Erection of additional storey to Ingham Road elevation of nos. 41-47 and part 1/part 2 storey extension to 108 FG Road, in association with addition of 3 new flats and re-configuration of existing flats. The changes are namely to provide a mansard-style extension at 3rd floor level on Ingham Road, to provide an additional flat and a terrace at third floor level. Dated 25/09/2019.

Relevant policies

NPPF

London Plan consolidated with alterations 2016

Camden Local Plan 2017

H1 Maximising housing supply
H4 Maximising the supply of affordable housing
H7 Large and small homes
A1 Managing the impact of development
D1 Design
T1 Prioritising walking, cycling and public transport

Camden Planning Guidance

Fortune Green and West Hampstead Neighbourhood Plan (FGWH) 2015

Assessment

1. Proposal

- 1.1. The approved application featured an additional storey on both the Fortune Green Road (3rd floor level) elevation and the Ingham Road elevation (2nd floor level).
- 1.2. This application seeks to erect a further storey at part 3rd floor level on the Ingham Road elevation. This extension would take the form of a mansard roof and would provide an additional flat.
- 1.3. There were four flats in the entire area of ownership of the applicant (41-47 Ingham Road and 108 Fortune Green Road) before the approved extension works, which will bring the number up to seven. An eighth flat is proposed as part of the current application.

2. Background

- 2.1. An extension was proposed, as per the current application, on this part of the building at pre-application. Officers considered that this was unacceptable and this element of the scheme was removed and the subsequent planning application 2018/4870/P was granted.
- 2.2. A section 73 application (2019/2781/P) was refused for amendments to allow the extension, accommodating an extra flat, as per the current application. The applicant appealed the above decision, but following the court of appeal decision (Finney vs Welsh Ministers), decided to withdraw the appeal and submit a fresh application.
- 2.3. The proposed extension is almost identical to that refused in the Section 73 application.

3. Assessment

Land use

- 3.1. Residential use is the Council's priority land use and is supported. The original application did not trigger the need for affordable housing as the increase in floor area was 89sqm. The current proposals would go over the 100sqm threshold, with a total increase of 126sqm. The proposed uplift would require a financial contribution towards affordable housing of £7,032.04, calculated using the formulae in Camden Planning Guidance. In the absence of a financial contribution towards affordable housing, the proposals are considered unacceptable.

Design

- 3.2. Policy D1 of the Camden Local Plan and CPG1 (Design) are relevant to conservation and design. FGWH Neighbourhood Plan Policy 2 states that all development shall be of a high quality design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead.
- 3.3. Whilst the site is not within a conservation area and has no heritage status, the existing building is not without merit on this corner plot largely because of its distinct roof form and profile on the Ingham Road frontage.
- 3.4. There are previous consents (ref 2003/2401/P and 2018/4870/P – under construction) which allow an additional storey on the Ingham Road frontage and an enlarged third storey on the Fortune Green frontage. Such extensions would change the roof profile and form of this part of the building to a similar in height, form and massing to the building on the opposite corner of the Ingham Road and Fortune Green Road junction (110 Fortune Green Road). The two-storey terrace on Ingham Road has an additional storey added in a

corresponding form. The height form and massing of these previous consents is considered to be the maximum the site can accommodate in townscape terms in relation to the corresponding scale of the immediate neighbours and the prevailing scale on the southernmost side of Fortune Green Road.

- 3.5. The current proposals seek to add an additional part storey to what was previously approved on the Ingham Road terrace in the form of a shortened third storey. This extension would be mansard-style. The proposed extension disrupts the clarity and form of the consented schemes and introduces an incongruous element to the roof scape. The proposed terrace would be highly visible and would also appear incongruous and would create clutter at roof level. The proposed mansard does not comply with the Council's guidance on the design of mansards, laid out in CPG Design.

- 3.6. Given the above, the proposals are not considered high quality design that respects the local context and character considered unacceptable in design terms, and contrary to Local Plan design policy D1 and FGWH Neighbourhood Plan Policy 2.

Proposed flats

- 3.7. An additional flat would be provided (flat 43c) under the proposals. The flat would have an area of 37sqm, which meets the minimum space standards (37sqm). The flat would have sufficient outlook and light. The flat would have external space in the form of a terrace. The amenity of the proposed flat is considered acceptable.

Amenity of neighbours

- 3.8. There are no windows or rear gardens that would be materially affected in terms of overlooking from the proposed terrace, given its location and the location and orientation of neighbouring windows/gardens.
- 3.9. A daylight/sunlight assessment has been submitted. Only one window, serving 106 Fortune Green Road, would suffer a loss of light beyond the BRE guidelines. This window would have 0.77 times its former value in terms of Vertical Sky Component, which is considered to be only very slightly below the BRE 0.8 guideline and therefore acceptable.
- 3.10. With regards sense of enclosure, the extension is not considered so deep or close to neighbouring properties that it would harm their amenity sufficiently to justify a refusal on grounds of loss of amenity.

Transport

- 3.11. The proposed amendment to create an additional flat is acceptable in Transport terms, so long as it would be car-free. Policy T2 requires all redevelopment schemes to be car-free in order to reduce air pollution and congestion and improve the attractiveness of an area for local walking and cycling, as well as to promote healthy or sustainable transport choices. The applicant has indicated that they would be willing to enter into a legal agreement for a car-free development; however, in the absence of a legal agreement being in place at the time of determination, the lack of such agreement shall constitute a reason for refusal.
- 3.12. As the site is located in built up area, which is predominantly residential. Given the scale of the construction works, a Construction Management Plan and monitoring fee would be secured via section 106 agreement, were the application acceptable. The lack of such agreement shall constitute reason for refusal.
- 3.13. An additional cycle parking space would be provided, which is considered acceptable in terms of cycle parking.
- 3.14. Were permission to be granted, section 106 obligations would be secured on the following:

- Affordable housing contribution of £7,032.04
- Car-free housing (Policy T2)
- Construction management plan (CMP) (Policy A1)
- CMP implementation support contribution of £3,136 (Policy A1).

In the absence of a section 106 agreement, the failure to secure these form reasons for refusal.

Trees

- 3.15. No trees are proposed to be removed in order to facilitate development. There is an LB Camden-owned birch tree on the highway on the Ingham Road frontage of the site in close proximity to the existing building. The tree has been previously been reduced and is reduced in size on a cyclical basis. It is considered that development could be implemented without adversely affecting the birch tree although the additional storey will be in close proximity to the crown of the tree. A condition would be attached to ensure details of tree protection are submitted to the Council, were the application acceptable.

4. Recommendation

- 4.1. Refuse planning permission.

