

7 Dartmouth Park Rd. 2019/4917/P



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Ref: 2019/4917/P – 7 Dartmouth Park Road. Site visit photographs.

1. Front view of No. 7 Dartmouth Park Road.



2. Wider view of front light-well area. Also showing steps to main entrance.



3. View along side passage from front.



4. Rear view of side passage.



5. Rear view showing existing closet wing and side passage between site and No.9.



6. Side view of closet wing from rear light-well.



7. Close up view of lower ground floor rear light-well.



8. View of rear garden. Proposed garden room to be erected to right hand side.



Delegated Report		Analysis sheet	Expiry Date:	22/04/2020
		N/A / attached	Consultation Expiry Date:	13/01/2020
Officer			Application Number(s)	
Matthew Dempsey			2019/4917/P	
Application Address			Drawing Numbers	
Lower Maisonette 7 Dartmouth Park Road London NW5 1SU			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Lower and ground floor rear extensions with roof light to new flat roof, aluminium framed glazed doors at lower ground floor rear and new fenestration to upper ground floor rear, also with; associated works, including excavation to side and rear; new door and window to side elevation, and with; erection of a timber clad outbuilding with green roof to the rear garden, and creation of refuse store with green roof to front lightwell.				
Recommendation(s):		Grant conditional planning permission		
Application Type:		Full Planning Permission		

Conditions:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Local residents:	No. of responses	03	No. of objections	01
Summary of consultation responses:	<p>A site notice was displayed from 20/12/2019 which expired 13/01/2020. A press notice was published 26/12/2019 which expired 19/01/2020.</p> <p>(i) 1 comment was received from a local resident suggesting that the developer recycle any plant/shrub/trees impacted by the building work.</p> <p>(ii) 1 Objection was received from a local resident in support of the objection raised by the Dartmouth Park Conservation Area Advisory Committee (see below), in relation to the proposed excavation works, and also; they raise concern about the rear garden out-building constituting over development.</p> <p>Officer response:</p> <p>(i) <i>The re-use and re-cycling of all materials is welcomed in accordance with the sustainable development principles embedded within the National Planning Policy Framework, the Officer has alerted the developer to the suggestion from the commenter. Furthermore; the proposals include Tree protection measures to the satisfaction of the Council Tree Officer.</i></p> <p>(ii) Please see Officer Response to Dartmouth Park CAAC below.</p>			
CAAC:	<p>The Dartmouth Park Conservation Area Advisory Committee (DPCAAC) raised an objection on the grounds that they resist all basement developments, and they were also concerned about the garden room constituting over development.</p> <p>Officer response:</p> <ul style="list-style-type: none"> The Council employed an independent structural engineer to audit the developer basement impact assessment which was carried out without raising any concerns. Please see Section 4 of the report for further details. The amount of excavation required is considered minimal, ground material shall be removed to extend the existing rear light-well where the lower ground floor extension would sit. The existing rear light-well is approximately 2mx4m, the proposed rear extension here is approximately 3.5mx4m. Additionally, a small amount of material shall be removed from the side passage to enable access to the lower ground floor. The area of the rear garden following development will be approximately 140 sqm, the proposed garden room is 12 sqm, 			

	<p>amounting to approximately 16% of the garden space, additionally the garden room shall include a green roof covering minimising the visual impact.</p>
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Site Description

The host property is the lower maisonette of a semi-detached former single-family town house, previously split into two residential units. The lower maisonette comprises the ground and lower ground floors. The ownership of the rear garden is shared with shared access rights to the side passage enabling access to the rear garden space. The property is not listed, however it does lie within the Dartmouth Park Conservation Area boundary, and the building is noted as making a positive contribution to the area in the conservation appraisal and management strategy, January 2009.

Relevant History

There is no relevant history for this site. Conversion of the property from single dwelling into separate maisonettes is not recorded, however Council Tax records demonstrate that this change occurred prior to their records began in 1991.

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

Intend to Publish London Plan 2019

London Borough of Camden Local Plan 2017

A1 (Managing the impact of development)

A3 (Biodiversity)

A4 (Noise and Vibration)

A5 (Basements)

C6 (Access for All)

D1 (Design)

D2 (Heritage)

Camden Supplementary Planning Guidance

CGP Design 2019

CPG Altering and extending your home 2019

CPG Amenity 2018

CPG Basements 2018

CPG Biodiversity 2018

CPG Sustainability 2018

Dartmouth Park Conservation Area Appraisal and Management Strategy 2009

Assessment

1.0 Proposal:

1.1 Planning Permission is sought for the following works:

- Excavation of rear lightwell to enable the erection of rear extension at lower ground floor level, measuring 3.5mx4m and 3.3m in high, with aluminium framed sliding doors to rear and skylight to flat roof, Also with; construction of new steps leading to garden from the rear extension.
- Frameless glazed and stock brick extension to existing closet wing at upper ground floor level with new timber framed sash window.
- Excavation of side passage to create 4 steps together with replacement of window with new door and installation of new window.
- Erection of timber framed rear garden out-building with glazed doors and green roof, measuring 3mx4m which will be 3m in height.
- Installation of new green roof to cover portion of front light-well for refuse storage behind retained front boundary wall and existing hedge.

1.2 During the course of the application, the following revisions were made to the proposals:

- The scale of the lower ground floor rear extension has been reduced from a full width arrangement, to ensure that the new development is not overly dominant. This has also led to the reduction in width of the new garden steps.
- The frameless glazed element was added to the upper ground floor closet wing extension to minimise the visual impact of additional bulk.
- The amount of excavation to the rear and side passage has been reduced and the accessibility has been improved by reducing the number of steps from ten to four, and the introduction of a gentle slope.
- The positioning of the garden out building has been adjusted so that this structure sits on lower and level ground, and is away from neighbouring boundaries and mature tree root systems.

2.0 Assessment:

2.1 The material planning considerations in the determination of this application are:

- Design and Heritage
- Basement Development
- Neighbouring Amenity
- Sustainability and Biodiversity
- Access

3.0 Design and Heritage:

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. Camden's Local Plan is supported by CPG documents 'Design' and 'Altering and extending your home' and also the Dartmouth Park Conservation Area Appraisal and management Strategy.

3.2 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.

Lower ground floor extension

3.3 The proposed lower ground floor extension is considered an acceptable form of development due to its siting, depth and general massing, and that the proposed material will match that of the existing property. The area of the existing rear light-well is approximately 2mx4m, the proposed rear extension has a foot print of approximately 3.5mx4m which in the context of the host building would appear as a subservient addition. Furthermore given its siting at lower ground floor the extension would appear as a subordinate additional to his 4 storey property.

3.4 The materials used shall be London stock bricks to match the existing building to be secured by condition with Aluminium framed glazed sliding doors facing into the rear garden. The skylight installed to the flat roof shall be behind a parapet wall and shall not be visible, other than from upper floors of the host property itself. The proposed garden steps leading to and from the new extension are considered acceptable and shall also be subject to limited private views.

3.5 Overall it is considered the lower ground floor extension would be a subordinate and appropriate addition to the parent building given it's siting, scale and detailed design and would not harm the character and appearance of the conservation area.

Works to existing closet wing

3.6 It is proposed to widen the existing closet wing at the upper ground floor level by 830mm. This is considered to be a modest addition by virtue of its scale. The frameless glazed element will help to maintain the visual proportions of the existing building, thereby retaining the integrity of the building. Brickwork to the side elevation shall utilise London stock brick to match that of the host property. A new timber framed sash window shall be installed to the rear of the closet wing to match existing fenestration on the rear elevation which is considered appropriate in this location. It is considered this element of the proposal would be a minor alteration to the parent building which would respect of the context and would not harm the character and appearance of the conservation area.

Works to side passage

3.7 To the side elevation it is proposed to excavate to a maximum depth of 1.2m from the existing ground level with the introduction of 4 steps at either end of the passage. The proposed excavation to the side passage way is considered acceptable. There will be limited opportunities for this area to be appreciated from both public and private viewing points. From the street, the side passage is shielded by an existing gate which shall be retained and views from the private realm shall also be very limited. The provision of new timber door and additional frameless glazed window to the side elevation are considered acceptable in design terms and these features shall

be replacing existing openings in the same locations. These works would not cause harm to the character of the building nor the wider Conservation Area given their scale and siting.

Outbuilding

- 3.8 CPG Altering and Extending your home provides further guidance on the erection of outbuildings. Paragraph 5.22 states; Large garden buildings may affect the amenity value of neighbours' gardens, and if used for purposes other than storage or other domestic uses, may intensify the use of garden spaces and cause loss of amenity through overlooking, overshadowing and noise nuisance.
- 3.9 The proposed garden out-building is considered a suitable size and scale for the setting of the rear garden. The host property benefits from a large garden of approximately 140sqm, and the proposed garden room would take up approximately 16% of it, leaving 84% of the rear garden as open space. The building would be at least 500mm from the nearest neighbouring boundary allowing sufficient room for the outbuilding to provide wildlife corridors, and to reduce any impacts on neighbouring properties. Although it is acknowledged that the proposed structure would be visible from neighbouring properties, given that it will be set in from the boundary and shall be provided with a green roof, it is not considered overly dominant in the garden space. The proposed materials are considered appropriate for a rear garden development. The timber cladding and green roof covering would enable the building to blend with the verdant character of the rear gardens in this location and as such would not harm the character and appearance of the Conservation Area.
- 3.10 No trees on site or in neighbouring properties shall be felled in order to facilitate this development. The development shall be carried out in accordance with the specified tree protection measures which have been met with the satisfaction of the Council Tree Officer.

Alterations to front lightwell

- 3.11 The proposed alterations to the front light-well are considered very minor and mostly amount to tidying up of the area, with the addition of a green roof cover to provide refuse storage. Due to the retention of the front boundary wall and mature hedge, this aspect of the development will be hardly noticeable, nevertheless it is considered an improvement on the existing arrangement.

4.0 Basement development:

4.1 The amount of excavation required to carry out the proposed development is considered quite minimal. To the side passage, the maximum depth would be 1.2m from the existing ground level and the excavation at this depth would stretch for approximately 5m alongside the host property then rising with each step proposed at either end. The amount of excavation to the rear light-well is also minimal. The existing rear lightwell is being extended rather than created anew. The area to be excavated here is approximately 4x4m.

- 4.1 Policy A5 states that in determining applications for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement development that does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability.
- 4.2 Developers are required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

- 4.3 The proposed excavations would comply with requirements (f) to (m) of policy A5, as it would not comprise of more than one storey; would not be built under an existing basement; would not exceed 50% of each garden within the property; would be less than 1.5 times the footprint of the host building in area; would extend into the garden no further than 50% of the depth of the host building; and would avoid the loss of garden space or trees of townscape or amenity value.
- 4.4 The applicant has submitted a Basement Impact Assessment (BIA) carried out by individuals representing Jomas Associates Ltd who possess suitable qualifications, which has been subject to independent verification by Campbell Reith in accordance with Policy A5 and CPG Basements without raising any concerns.

5.0 Amenity:

- 5.1 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.
- 5.2 The proposed lower ground floor rear extension would not harm neighbouring amenity due to its sunken location and the limited opportunities to view this area. The proposed upper ground floor extension is considered modest and given it's siting in relation to neighbouring residents it would not impact on their amenity.
- 5.3 The proposed garden out-building positioned towards the South-western side of the site shall be sited beneath the canopies of existing mature trees on the topographically lower ground before the sloped bank towards the rear of the garden which will help to minimise any visual impact from neighbouring views. Additionally the out-building shall benefit from a green roof covering providing a pleasant outlook, and also a habitat and feeding opportunity for birds, bats and invertebrates.
- 5.4 A condition has been added restricting the use of the outbuilding as incidental to the use of the host property, and shall not be used as separate residential accommodation, business premises or similar non-ancillary use in perpetuity.
- 5.5 The provision of dedicated refuse storage to the front lightwell is considered an improvement on the existing arrangement and is welcomed.
- 5.6 On the basis of the above, it is therefore considered that the proposed development would not result in undue harm to the residential amenity of neighbouring properties.

6.0 Sustainability and Biodiversity:

- 6.1 The proposals, in particular the out-building works, have been scrutinised by the Council Tree Officer to their satisfaction. Details of the tree and root protection measures have been secured by condition to ensure the development does not have a negative impact on the existing verdant outlook of adjoining occupiers.
- 6.2 The out-building shall be provided with a green roof to help shield this structure within the garden setting, this feature shall also provide habitats and feeding opportunities for local wildlife.
- 6.3 The green roof cover to the refuse storage at the front light well will not only shield storage from view, but also provide a pleasant outlook as well as further increase the wildlife corridors to this property.

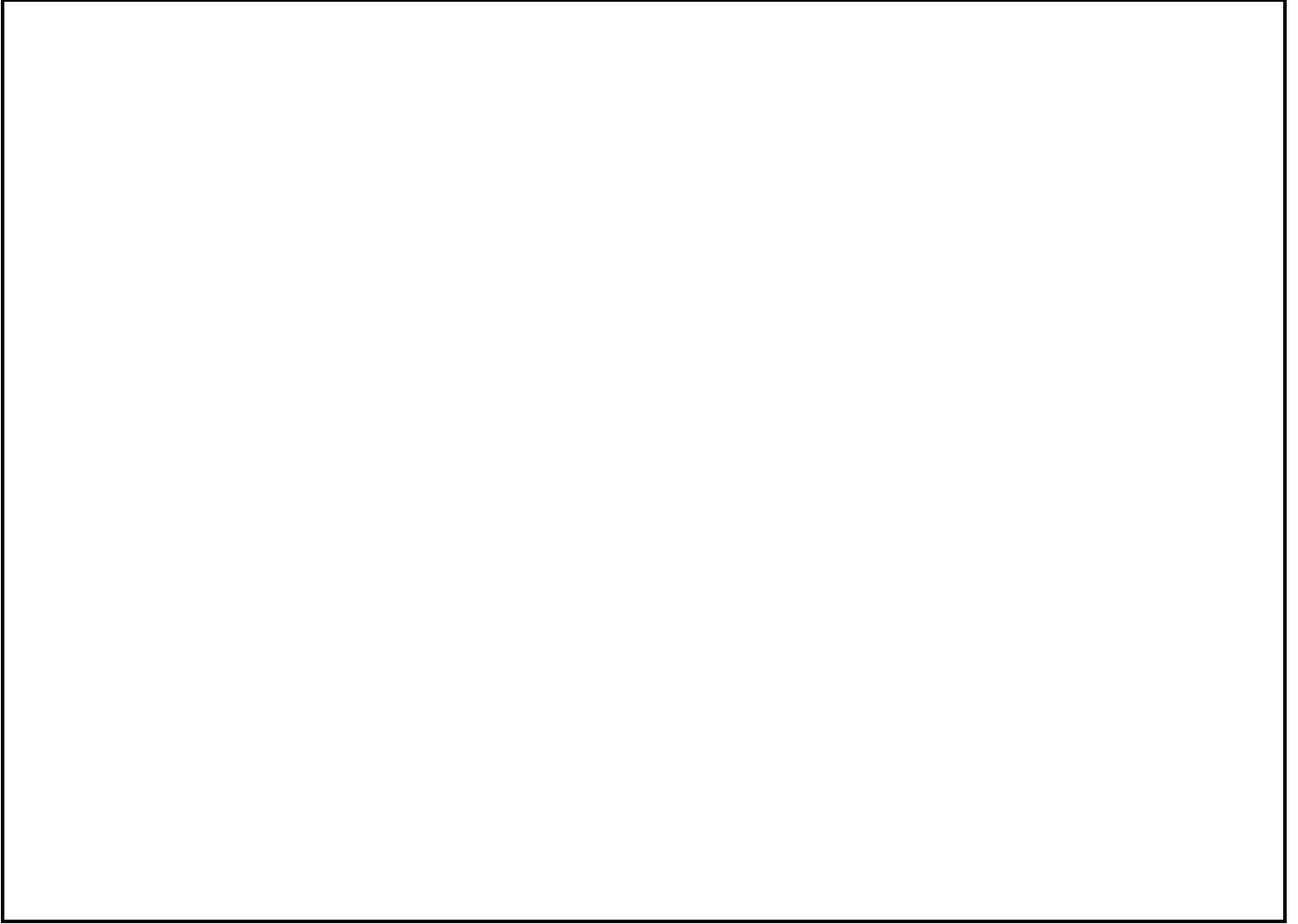
7.0 Access:

7.1 The alterations to the side passage way did initially cause some concern due to the creation of a non-level access, however; following revisions to the scheme to reduce the number of steps and to introduce a gentle slope, these concerns were alleviated. Furthermore, the residents of the upper maisonette who had initially objected were also satisfied following the revisions to the proposals in this location and withdrew their objection.

8.0 Recommendation:

8.1 Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 20th April 2020, 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: 2019/4917/P
Contact: Matthew Dempsey
Tel: 020 7974 3862
Date: 15 April 2020

Development Management
Regeneration and Planning
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London
N4 4AP

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Lower Maisonette
7 Dartmouth Park Road
London
NW5 1SU

DECISION

Proposal:

Lower and ground floor rear extensions with roof light to new flat roof, aluminium framed glazed doors at lower ground floor rear and new fenestration to upper ground floor rear, also with; associated works, including excavation to side and rear; new door and window to side elevation, and with; erection of a timber clad outbuilding with green roof to the rear garden, and creation of refuse store with green roof to front lightwell.

Drawing Nos: Site Location/ Block Plan: 0110_PLN_EX_001, 0110_PLN_EX_002 Rev1, 0110_PLN_PRO_003 Rev 5, Design and Access Statement. Desk Study and Basement Impact Assessment Report 21/11/2019. BIA appendices; 1, 2, 3 & 4. Arboricultural Impact Assessment Method Statement Tree Constraints Plan November 2019. Tree Survey Schedule. Campbell Reith: Basement Impact Assessment Audit February 2020.

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, (all new brickwork shall be London Stock bricks, sash window to rear elevation to be slim line timber framed, and solid timber door to side elevation).

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location/ Block Plan: 0110_PLN_EX_001, 0110_PLN_EX_002 Rev1, 0110_PLN_PRO_003 Rev 5, Design and Access Statement. Desk Study and Basement Impact Assessment Report 21/11/2019. BIA appendices; 1, 2, 3 & 4. Arboricultural Impact Assessment Method Statement Tree Constraints Plan November 2019. Tree Survey Schedule. Campbell Reith: Basement Impact Assessment Audit February 2020.

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

- 4 Prior to the implementation of any hereby approved living roofs, full details in respect of the living roof in the area 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.

- 5 The outbuilding hereby approved shall remain ancillary to the use of the main property 7 Dartmouth Park Road, NW5 1SU, and shall not be used as separate residential accommodation, business premises or similar non-ancillary use.

Reason: In order to protect the residential amenities of neighbouring occupiers in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of works, tree and root protection measures as described in the supporting documents (Arboricultural Impact Assessment Method Statement, Tree Constraints Plan November 2019, Tree Survey Schedule). shall be implemented in full and remain in situ throughout the duration of construction of the rear outbuilding. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 7 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.

DECISION

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 for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

DRAFT

Yours faithfully

Director of Regeneration and Planning

DECISION