

2020/1530/P – 10 Canfield Gardens, NW6 3JS



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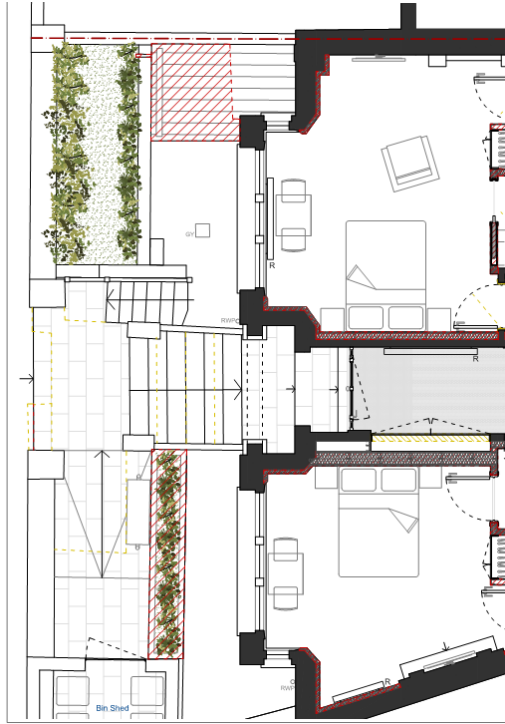
1) Front elevation of property.



2) Existing boiler room front extension



3) Front lightwell and boiler room



4) Proposed plan, showing boiler room and red hashed area indicating the scale of extension



5) Rear elevation and existing rear extension

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	29/07/2020
		N/A	Consultation Expiry Date:	05/07/2020
Officer			Application Number(s)	
Ben Farrant			2020/1530/P	
Application Address			Drawing Numbers	
10 Canfield Gardens London NW6 3JS			Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of front and rear lower ground floor extensions; removal of existing ground floor rear extension and erection of replacement rear extension; replacement of all existing windows with timber framed double glazed units (Use Class C3).				
Recommendation(s):	Grant conditional planning permission			
Application Type:	Full Planning Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	2	No. of objections	2
Summary of consultation responses:	<p>Site notices were displayed on 10/06/2020 (consultation end date 04/07/2020).</p> <p>A press notice was displayed on 11/06/2020 (consultation end date 05/07/2020).</p> <p>Two objections were received from the owners/occupiers of 12 Canfield Gardens and 11 Compayne Gardens following third party consultation, summarised as follows:</p> <ol style="list-style-type: none">1. The lean-to shed style boiler room is not appropriate at the front elevation of a property within a conservation area.2. The removal of the lower ground floor bars on the windows are welcome.3. The proposed new gate would require the demolition of part of the wall that is on land belonging to no.12 Canfield Gardens. It would alter the property line and require occupants of no.10 to enter land belonging to no.12. Alterations to the rear portion of the garden also require building on land belonging to no.12.4. The proposed ground floor plan shows the neighbouring garden gate to no.12 Stirling Mansions in the incorrect position.5. We would expect the owners to propose a secure keyless entry system for the security gate at the exit point to Compayne Gardens. <p><u>Officer Response:</u></p> <ol style="list-style-type: none">1. <i>By reason of the siting, scale and design of the proposed addition, it is considered to be acceptable in this instance (see Section 3 of this report).</i>2. <i>Noted.</i>3. <i>Whilst ownership concerns are a civil rather than planning matter, any planning consent would not override ownership consent. In any event, the plans have since been amended to correct these concerns.</i>4. <i>See response no.3 above. The plans are considered to be sufficiently accurate for the determination of the application.</i>5. <i>Noted.</i>			
Combined Residents Association of South Hampstead (CRASH)	<p>Two objections were received from CRASH, summarised as follows:</p> <ol style="list-style-type: none">1. As the basement is raised, the structure is effectively at street level and will be clearly visible from the street.2. The proposed boiler room will be effectively two and a half times larger than the existing boiler room.3. The boiler room is not appropriate for a conservation area.4. Steam from the boiler room will be released at street level and may affect passers-by.5. The boiler room should be relocated.			

	<i>Officer Response:</i> See section 3 of this report.
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Site Description

The application site is a three storey (plus basement) building located on the north-western side of Canfield Gardens. The building is not listed, though it is located within the South Hampstead Conservation Area. Due to the topography of the site, the lower ground floor front elevation is visible from street level, with the land stepped down to the front elevation lower ground windows/lightwell area. A small strip of planting exists across the front of the site.

Relevant Planning History

2019/3052/P - Use of House in Multiple Occupation (HMO) as 16 self-contained flats (comprising 10 x studios and 6 x 1 bedroom flats) (Use Class C3) over basement, ground, first and second floor levels – **Lawful development certificate (existing) Granted 27/01/2020.**

8803845 - Change of use and works of conversion to form ten self-contained units including the insertion of rooflight at front as shown on drawing nos.8803/10 /11 /12 /13B /14B /15 /16a and /20 as revised on 20.12.88. - **Refused 07/06/1989.**

TP3261 - Alterations and use of the ground, first and second floors of 10 CANFIELD GARDENS, N.W.6. for letting in rooms - **Refused 21/11/1960.**

Relevant policies

National Planning Policy Framework (2019)

The London Plan (2016)

London Plan Intend to Publish (2019)

Camden Local Plan (2017)

A1 Managing the proposed impact of development

D1 Design

D2 Heritage

Camden Planning Guidance

CPG Altering and extending your home (2019)

CPG Amenity (2018)

South Hampstead Conservation Area Character Appraisal and Management Strategy (2011)

Assessment

1. The proposal

- 1.1. The property had a former use as a House in Multiple Occupation (HMO) though each of the units has been made fully self-contained over time. A lawful development certificate was granted (ref: 2019/3052/P dated 27/01/2020) confirming that as the units have been fully self-contained for in excess of four years, the lawful use is now as 16 self-contained flats (Use Class C3). Minor internal alterations are proposed to the flats, however this would not constitute development and so planning permission would not be required for these internal changes.

1.2. This application seeks planning permission for the following works:

- Removal of existing front boiler room extension and erection of replacement front extension. The boiler room extension would project 1.3m further than the existing addition with a width 0.4m greater than the existing (totalling 2.5m by 1.7m) with a maximum height of 2.8m.
- A storage area would be formed beneath the existing front access steps at lower ground level.
- Removal of existing ground floor rear extension and erection of replacement rear extension of similar proportions at lower and upper ground floor level.
- Replacement of all existing windows with timber framed double glazed units.
- Removal of metal bars from the lower ground front facing windows.

2. Revisions

2.1. The following minor revisions were received during the course of this application:

- The rear garden shown wholly within the boundary of no.10 and exit gate repositioned following the third party objections raising concerns regarding ownership boundaries.
- Minor alteration to the basement communal lobby and amended layouts for flats 12 and 15.
- Minor alterations to flats 11 and 14, to move the kitchens and remove bedroom doors.

3. Design

3.1. Local Plan Policy D1 states that the Council will seek to secure high quality design in development. The Council will require that development: a. respects local context and character; b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).

3.2. Local Plan Policy D2 states that the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

3.3. CPG Altering and extending your home (2019) states that windows where possible should be replaced 'like-for-like' with the originals, and that where timber is the traditional window material, replacements should also be in timber frames.

3.4. With regards to rear extensions, CPG Altering and extending your home (2019) states that rear extensions should respect the height and depth of the host building as well as the pattern of development. It states that where above ground floor level extensions are considered to be appropriate, these will generally have a smaller footprint in order to reduce the bulk of the addition as well as impact on neighbouring amenities. And that developments should in most circumstances be less than one full storey below the eaves height of the host building.

3.5. CPG Altering and extending your home (2019) also states that the design of front gardens makes a large impact on the character and attractiveness of an area and are particularly important to the streetscene. Front extensions are not specifically referenced within the guidance document, however typically these are the most prominent form of extension given their siting. As such, they need to be carefully designed and considered.

3.6. The application site is located within the South Hampstead Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.

3.7. The South Hampstead Conservation Area Character Appraisal and Management Strategy (2011) notes the property as being a positive contributor to the character and appearance of the conservation area.

3.8. The application proposes a replacement rear extension at lower ground and ground floor levels of very similar proportions and design as the existing rear extension. Considering the context of development, and existence of a rear extension of a similar design and proportions,

this element of the proposal is considered to be acceptable in design terms.

- 3.9. The proposed replacement of the windows with double glazed timber sashes is considered to be acceptable; this would have a neutral impact on the character and appearance of the property and wider conservation area.
- 3.10. The removal of the iron bars to the lower ground floor front facing windows is considered to be a beneficial alteration to this property and would serve to enhance its character and appearance.
- 3.11. The front projecting lower ground floor boiler room extension would replace the existing addition. The addition at present is discreet despite its siting to the front of the property given its proportions and siting at lower ground level. Whilst it is acknowledged that the proposed front extension would be visible from the street, visibility in itself does not constitute harm. Whilst the scale of the extension would serve to increase (1.3m in length and 400mm in width, as well as in height), the addition would continue to be read as a subservient addition to the host property. It is additionally noted that the extension would only serve to build over a currently concreted area to the front of the property, and would retain the existing planting area of the front garden. The material finish of this element would require careful consideration and so notwithstanding the details shown on the plans, full details of the finish with respect to this element shall be required via condition. For these reasons, the proposal is on balance considered to be of an acceptable siting, scale and design and would not serve to harm the character and appearance of the host property. It is further considered that the proposal would not serve to cause harm to the character or appearance of the surrounding conservation nor, nor would it detract from its special architectural or historic interest. For these reasons, on balance, the proposal is considered to comply with policies D1 and D2 of the Camden Local Plan.
- 3.12. Notwithstanding the above, it was queried whether the boiler room could be relocated to the rear of the property (following concerns received from third parties); due to the constraints of the site, notably the number of small units, the location to the front of the property would have the least impact on the already constrained units. To relocate the plant to the rear would require additional interventions in these constrained flats thereby reducing their quality further. On balance, considering the acceptability of the design of the front extension noted above, the proposal is considered to be acceptable in this instance.
- 3.13. No flues have been shown on the proposed plans and so no flues would be approved as part of this consent. It may be that vents/flues form permitted or de-minimis development, but if planning consent is required, this would need to be applied for.
- 3.14. Minor alterations are proposed to the front waste storage area, including the formation of a ramp to street level and the formation of landscaping. This waste storage area at present does little to positively contribute to the character and appearance of the conservation area. It is considered that the small ramped level change would have a neutral impact on the conservation area, whilst the introduction of a planting area could help to improve its contribution.
- 3.15. The proposal is considered to preserve the character and appearance of the 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.

4. Impact on neighbouring amenity

- 4.1. Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing;

artificial light levels; noise and vibration.

- 4.2. The replacement windows would fit within the existing openings and would not project any further beyond the plane of the building than the existing. Similarly, the rear extension would replace a rear addition of generally similar proportions. As such, these elements of the proposal are considered to be acceptable in terms of its impact on privacy, outlook, sunlight, daylight, overshadowing, artificial light levels, noise, and vibration.
- 4.3. The front extension would increase in height and depth on the boundary with the adjoining property to the south-west. However, by reason of the level of increase in scale, coupled with the orientation of the properties, the proposal would not result in undue harm to the amenities of this neighbour.
- 4.4. Given the above, the proposed development is in general accordance with policies D1, D2 & A1 of the London Borough of Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2019.

Recommendation:

Grant planning permission subject to conditions.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 13th July 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: 2020/1530/P
Contact: Ben Farrant
Tel: 020 7974 6253
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Date: 3 July 2020

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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**10 Canfield Gardens
London
NW6 3JS**

Proposal: Erection of front and rear lower ground floor extensions; removal of existing ground floor rear extension and erection of replacement rear extension; replacement of all existing windows with timber framed double glazed units (Use Class C3).

Drawing Nos: Location plan (unnumbered), CAD/CG/AK/17, CAD/CG/AK/18, CAD/CG/AK/19, CAD/CG/AK/20, P1.01_Rev.I, P1.02_Rev.F, P1.03_Rev.B, P1.04_Rev.E, P2.01.01_Rev.G, P2.01.02_Rev.H, P2.02.01_Rev.H, P2.02.02_Rev.H, P2.02.03_Rev.C, P2.03_Rev.H, P2.04_Rev.G, P3.01, P3.02, P3.01_Rev.C & P3.02_Rev.B.

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: Location plan (unnumbered), CAD/CG/AK/17, CAD/CG/AK/18, CAD/CG/AK/19, CAD/CG/AK/20, P1.01_Rev.I, P1.02_Rev.F, P1.03_Rev.B, P1.04_Rev.E, P2.01.01_Rev.G, P2.01.02_Rev.H, P2.02.01_Rev.H, P2.02.02_Rev.H, P2.02.03_Rev.C, P2.03_Rev.H, P2.04_Rev.G, P3.01, P3.02, P3.01_Rev.C & P3.02_Rev.B.

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

- 4 Notwithstanding the details shown on the plans hereby approved, prior to the commencement of the relevant part of the development, manufacturer's specification details of all facing materials shall be submitted to the Local Planning Authority for approval and samples of those materials shall be provided on site.

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 policies D1 and D2 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.

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>

Yours faithfully

Director of Economy, Regeneration and Investment

DRAFT

DECISION