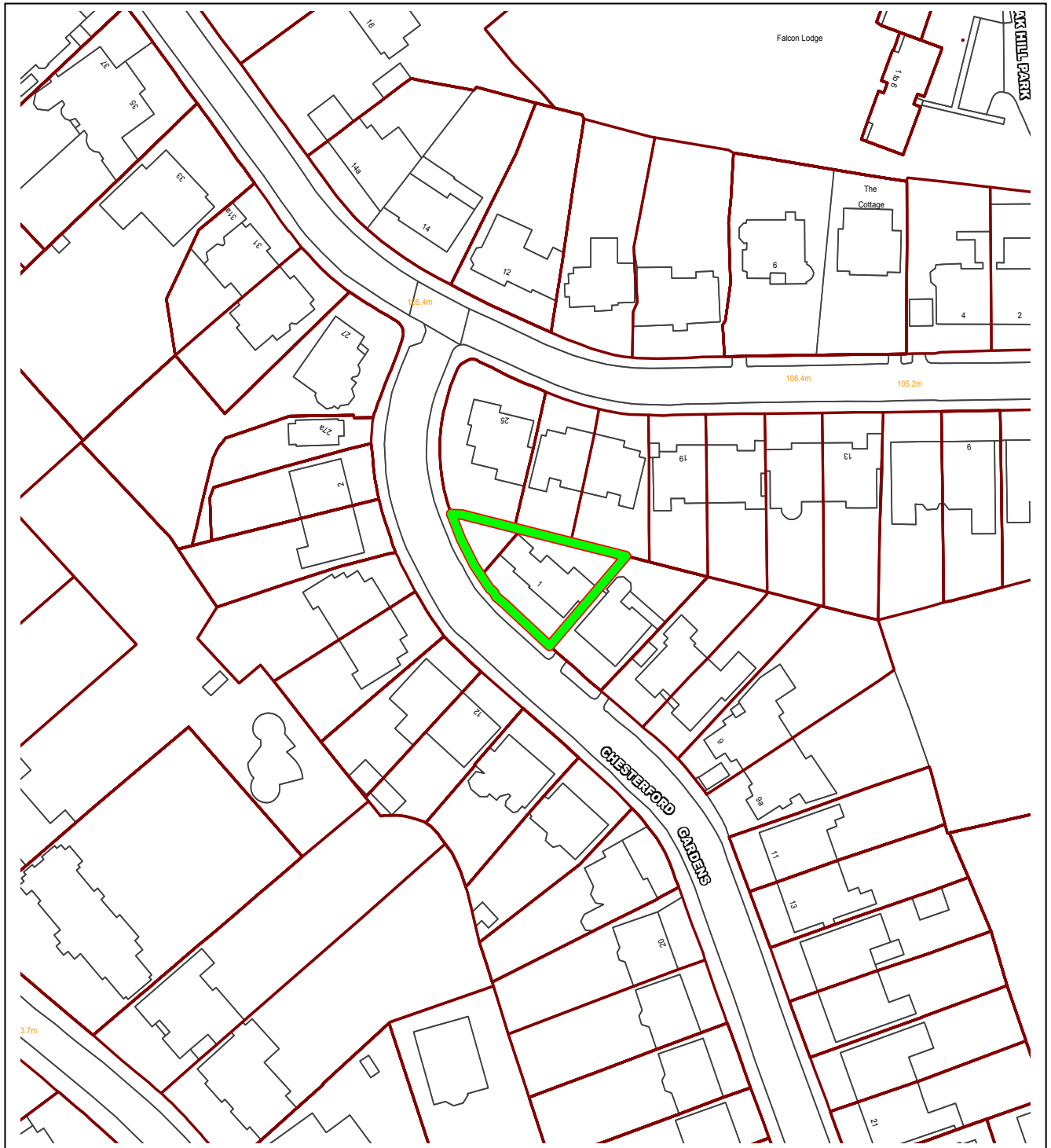
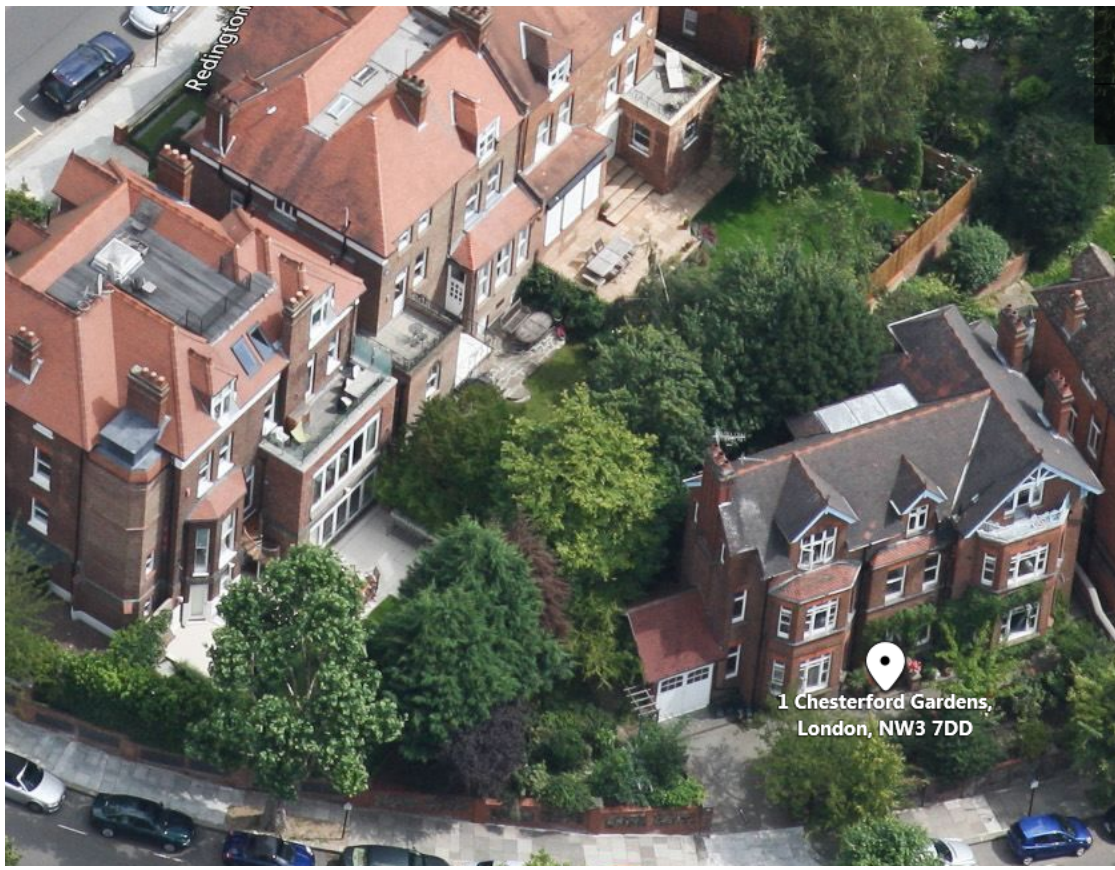


# 2020/1502/P – 1 Chesterford Gardens, London, NW3 7DD



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## Photos



Above: Aerial view of property (right) with Redington Road properties to the rear (left)



Front elevation and drive





Side elevation of garage



April 2019

View from the street



Existing rear view, showing rear boundary with properties on Redington Road where ground level is more than a storey higher than at the application site.

<b>Delegated Report (Members Briefing)</b>	<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>08/12/2020</b>
	N/A	<b>Consultation Expiry Date:</b>	<b>08/11/2020</b>
<b>Officer</b>		<b>Application Number(s)</b>	
Jaspreet Chana		2020/1502/P	
<b>Application Address</b>		<b>Drawing Numbers</b>	
Garage, 1 Chesterford Gardens London NW3 7DD		<i>Refer to decision notice</i>	
<b>Proposal(s)</b>			
Alterations and extension to existing garage to create a 2 bedroom residential dwelling.			
<b>Recommendation:</b>	Grant conditional planning permission subject to a S106 Legal Agreement		
<b>Application Type:</b>	Full Planning Permission		

Consultations				
Summary of Consultation:	The application has not been re-consulted on since the approved application in 08/12/2020.			
Adjoining Occupiers:	No. of responses	00	No. of objections	00
	<p><b>Background</b></p> <p>This application was previously brought to the Members' Briefing panel on 07/12/2020 with a recommendation to grant planning permission subject to S106 legal agreement. Members agreed that the officer recommendation should proceed under delegated powers. The S106 legal agreement is pending and therefore the application has not yet been determined.</p> <p>However in the interim since the panel in December neighbouring properties to the rear of the subject site wrote directly to the Council's legal team raising concerns with details of the application. These are summarised below:</p> <ul style="list-style-type: none"> <li>• <i>Drawings show inaccurate boundary wall locations between 23 Redington Road and 1 Chesterford Gardens.</i></li> <li>• <i>Level differences are not addressed in the revised proposals.</i></li> <li>• <i>Applicant's Party Wall assumptions are incorrect and the proposed scheme needs to be pulled back further into the Applicant's site. The redline plan is incorrect.</i></li> <li>• <i>A site visit should be carried out.</i></li> <li>• <i>Due to issues with accuracy of the plans the application should be returned as being invalid.</i></li> <li>• <i>The previous recommendation to approve a scheme subject to the Section 106 Agreement was unlawful as it would have been based on incorrect plans and drawings.</i></li> <li>• <i>Revised drawings have not been signed by the Appointed Architect.</i></li> <li>• <i>Any consents granted do not relate to tree works.</i></li> <li>• <i>Height of the indicated fence on the plans is a ploy to disguise the massing impact of the proposed development.</i></li> </ul> <p>Officer comments: see report below.</p>			

## Assessment

### 1. Background

- 1.1 This application was previously brought to Members' Briefing on 07/12/2020 with a recommendation to grant planning permission subject to S106 legal agreement. Members agreed that the officer recommendation should proceed under delegated powers. The original Members Briefing report is attached as an appendix to this addendum.
- 1.2 The S106 legal agreement is pending and therefore the application has not yet been determined.
- 1.3 Following the receipt of photos and information from neighbours, officers reviewed the original drawings and confirmed with the applicant that there were discrepancies with the existing and proposed rear elevations (see existing rear elevation in Photo 1 and the original rear elevation proposed plan below).



*Photo 1 and Plan – Existing and proposed rear elevation (photo and annotated drawing from neighbours)*

- **Annotation A:** The rear photo shows that the roof eaves level is all the same height across the centre of the building whereas on the proposed rear elevation drawing this is not the case.
  - **Annotation B:** The flat abutment is located above the right hand windows lower sill as seen in the rear photo, however on the plan it is set lower than the window sill.
  - **Annotation C:** This part of the building highlighted appears wider up to the chimney on plan, whereas on the photo it can be seen as ending just before the roof ridge goes up.
  - **Annotation D:** The distance between the rear door and first floor window in the existing photo is around 60cm while on the proposed plan there is a 1m distance.
- 1.4 The concerns have been discussed with the applicant and the site was subsequently re-surveyed. The drawings were revised to clarify and rectify the above discrepancies. Officers accept that these are now sufficiently accurate to ensure that the planning assessment can be completed.



- 1.5 In addition to highlighting discrepancies in the drawings, neighbours have raised concerns relating to the ground level change of the properties towards the rear (Nos.21-23 Redington Road), and the height of the existing/proposed fence on the rear boundary, both in relation to Party Wall issues and the accuracy of representation/impact of the proposed development. This matter was reviewed and discussed with the applicant as the proposed development would be constructed adjacent to the rear boundary fence. The applicant has confirmed that a legal Party Wall agreement would be sought with the neighbours. The revised drawings have not altered the heights or ground levels, merely the representation of the existing building. In the context of any remaining ambiguity about the fence, and given the fact that the applicant has permitted development rights to construct a rear boundary to a height of 2m, the indicative proposed fence has been removed from the revised drawings.
- 1.6 During the covid lockdown Camden corporate policy has meant that officers have not been able to carry out site visits, with few exceptions. The additional information from neighbours is therefore helpful and welcomed, but neither the clarifications/corrections to the drawings nor the removal of the fence from the proposed plans fundamentally alter officers' assessment of the scheme nor the resulting recommendation.
- 1.7 Without a replacement fence at the boundary the proposed extension would be exposed and its rear wall and part-flat, part-pitched roofs would be seen from the rear properties at Nos.21 & 23 Redington Road. As noted within the officers previous report (see Appendix 1) the rear elevation of the proposed extension would have no openings at first floor level and would be set between 9-13m away from the rear walls of Nos.21 & 23 and therefore the omission of the fence would have no impact on the privacy of neighbours. Furthermore, the view from Nos.21 and 23 would be similar to that of the existing situation where they would face a brick wall with a part, flat, part pitched roof, although without the lower level screening of a boundary fence. Overall, the omission of the boundary fence would not alter the impact on the amenities of Nos.21 and 23 in respect of loss of light, overbearing, overshadowing or privacy.
- 1.8 The revised drawings demonstrate that the footprint, height and scale of the scheme would not be significantly different from the earlier erroneous drawings. The revised proposals do not include any new openings, and would not alter the previous assessment of the impact of the scheme on the residential amenity of neighbouring occupiers.
- 1.9 The clarifications demonstrate that the proposals would still be in keeping with the character and appearance of the surrounding area, and it is considered that the proposed new dwelling would make a positive contribution to the street scene.
- 1.10 All other matters are addressed within the report previously presented to the Members Briefing Panel (see Appendix 1) and all the previous conditions recommended will still apply. The recommendation therefore remains unchanged, with the exception of the references to the newly received drawings.
- 1.11 The application is being brought back to Members for their information. It is not considered that the clarifications provided in the revised drawings warrant the application being re-considered at Members' Briefing.

## **2. Recommendation**



2.1 Grant conditional planning permission subject to a S106 Legal Agreement
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***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members' Briefing panel on Monday 19<sup>h</sup> April 2021, 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](http://www.camden.gov.uk) and search for 'Members Briefing'***

Application ref: 2020/1502/P  
Contact:  
Tel: 020 7974  
Date: 14 April 2021

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

SF Planning Limited  
12 Royal Crescent  
Cheltenham  
GL50 3DA  
United Kingdom

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**Garage**  
**1 Chesterford Gardens**  
**London**  
**NW3 7DD**

Proposal:

**DECISION**  
Alterations and extension to existing garage to create a 2 bedroom residential dwelling.

Drawing Nos: 001, Existing G/F Plan prior to application, 003, 004, 1 (Rev Feb 2021), AP01 (Rev C), AP02, AP03 (Rev C), Updated Planning Statement, Sustainability and Energy Statement, Supplemental Planning Note, Magnolia report 25/02/2021, Magnolia E-mail 13/04/21.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 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: 001, Existing G/F Plan prior to application, 003, 004, 1 (Rev Feb 2021), AP01 (Rev C), AP02, AP03 (Rev C), Updated Planning Statement, Sustainability and Energy Statement, Supplemental Planning Note, Magnolia report 25/02/2021, Magnolia E-mail 13/04/21.  
  
Reason:  
For the avoidance of doubt and in the interest of proper planning.
- 4 Before the development commences, details of secure and covered cycle storage area for 2 long stay cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.  
  
Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.
- 5 Before the development commences, details of the refuse bins shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.  
  
Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CC5 of the London Borough of Camden Local Plan 2017.
- 6 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:
  - a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;
  - b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 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 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319>



or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square  
c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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.

Yours faithfully

Supporting Communities Directorate

## **APPENDIX 1 – Original Member’s Briefing Report**

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>22/05/2020</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	15/02/18
<b>Officer</b>			<b>Application Number(s)</b>	
Jaspreet Chana			2020/1502/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
1 Chesterford Gardens London NW3 7DD			<i>Refer to decision notice</i>	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Alterations and extension to existing garage to create a 2 bedroom residential dwelling				
<b>Recommendation:</b>	Grant conditional planning permission (subject to a Section 106 Legal Agreement)			
<b>Application Type:</b>	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	The site notice(s) were displayed on 20/05/20 (consultation end date 13/06/20). The site notices were re-displayed after receiving amended plans on 14/10/20 with a consultation end date of 07/11/20.  The development was also advertised in the local press on the 21/05/20 (consultation end date 14/06/20). The development was re-advertised on 15/10/20 with a consultation end date of 08/11/20.			
Adjoining Occupiers:	No. of responses	10	No. of objections	07
Summary of consultation responses:	Objections were received from neighbouring properties (Nos. 2, 3, 5, 8, 8a Chesterford Gardens), these can be summarised below: <ul style="list-style-type: none"><li>• This application should not be considered until the matter of unauthorised alterations are addressed. These include enlarging the driveway, reducing the planted area, removing trees and shrubs and creating an additional parking space. These were completed prior to submitting the application, in which misleading and inaccurate information was given, falling to disclose these changes, which conflict with the council’s local plan.</li><li>• The new front boundary wall does not take into account the subtle inward leaning of the old wall. You may recall that the council refused demolition of a similar wall in 2007 recognising the unique features of properties on the north side of Chesterford Gardens.</li><li>• The front aspect of the new conversion is top heavy, height and width are out of proportion. I therefore urge the planning committee to demand the restatement of the previous inward leaning wall to both the front boundary wall as well as to rebuild the side wall in its original location.</li><li>• From the plans submitted it appears that the new flat will extensively block the light coming from the direction of Redington Road onto Chesterford Gardens.</li><li>• This proposed major extension would be highly visible from the street on Chesterford Gardens and from the houses of Redington Road that back onto the extension. The back wall of the extension would sit flush against the party fence – unusual and unsightly for the area.</li><li>• We have serious concerns that the proposed visible extension would damage the aesthetic character of the current house, and would not be in keeping with the beauty of the conservation area.</li></ul> It is also noted that two comments have been received in support of the proposal and encourage the proposal to be approved subject to matching materials.  <u>Officer’s response:</u> Please see section 5, 7 and 9 below.			



**The Heath and  
Hampstead Society:**

The Heath and Hampstead Society has objected to the proposal on the following grounds:

- This is a large extension to an existing house providing an extra dwelling. The drawings are of a poor quality illustrating a lack of design in a Conservation Area composed of many well designed houses.
- The drawings are crude and lacking in clear information, no sections show the relationship to surrounding building, or the changes of level.
- This application would seriously detract from the Conservation Area. Please refuse.
- We have already sent in an objection but have now been informed, contrary to the local plan the boundary wall has already been partially demolished and a wider opening formed to allow extra parking in the front garden – also contrary to Camden’s Local Plan.
- We understand that trees have been removed – presumably to allow the extension of paving for parking. In order to meet the requirements of the neighbourhood plan the planting area at the front should be increased in order to restrict the parking to one car only.
- This application needs to be considered within the context of the Redington Frognal Conservation Area’s garden suburb character and Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990, as amended. In particular, it is important to understand the central contribution of the amalgam or rear gardens to the conservation area character.
- The building footprint is already excessive in relation to the plot size and very little garden remains, following recent development.
- Unconsented building work here has been ongoing since February, prior to submission of any planning application. Works undertaken to date include:
  - An increase in the number of off street parking spaces
  - The removal of a section of front boundary wall in order to create a wider
  - Felling of numerous trees
- The neighbourhood forum welcome the reference to the Redington Frognal Neighbourhood Plan, which is with Camden’s legal department for the Regulation 16 consultation. However the application is not compliant with the Plan’s policies for sustainable development: SD 1, SD 4, SD 5 and BG 1.
- The development proposal fails to comply with either Camden or Redington Frognal Neighbourhood Plan policies. The neighbourhood forum therefore objects to the proposal and seeks enforcement action in respect of the illegal works.

Officer’s response:

*Please see section 5, 7 and 9 below.*

**Redington and  
Frognal  
Neighbourhood  
Forum:**

## Site Description

No.1 is a three storey brick built large detached dwellinghouse located on the north-east side of Chesterford Gardens and is split into 3 self-contained flats. The surrounding area is predominantly residential consisting of similar 19<sup>th</sup> Century houses of various size and design. The subject property falls within Redington and Frogna Conservation Area, it is not listed but is noted as a positive contributor to the area. .

## Relevant History

### Tree applications on 1 Chesterford Gardens:

**2020/1293/T** - FRONT GARDEN: 2 x Leyland cypress - Reduce height by up to 3m and sides by up to 2m. REAR GARDEN: 1 x Bay - Fell to ground level – No objection to works to trees in CA – 23/04/2020.

**2020/2053/T** - SIDE GARDEN: 2 x Unknown Species - 2m crown reduction - No objection to works to trees in CA – 03/06/2020.

## Relevant policies

### National Planning Policy Framework (2019)

### The London Plan (2016)

### The London Plan (Intend to Publish) 2019

### Camden Local Plan (2017)

- A1 – Managing the impact of development
- A4 – Noise and vibration
- D1 – Design
- D2 – Heritage
- CC1 – Climate change mitigation
- CC3 – Water and flooding
- CC4 – Air quality
- CC5 – Waste
- DM1 – Delivery and monitoring
- G1 – Delivery and location of growth
- H1 – Maximising housing supply
- H3 – Protecting existing homes
- 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 – Car-free development and limiting the availability of parking.

### Camden Planning Guidance:

- Amenity (March 2018)
- Access for all (March 2019)
- Altering and Extending your home (March 2019)
- Air Quality (March 2019)
- Design (March 2019)
- Housing (March 2019)
- Interim Housing (March 2019)
- Energy efficiency and adaptation (March 2019)

- Water and flooding (March 2019)
- Transport (March 2019)
- Trees (March 2019)

**Redington and Frognal Conservation Area Statement (2000)**  
**Redington Frognal Neighbourhood Plan (Draft May 2020)**

**Assessment**

**1. The proposal**

1.1. Planning permission is sought for:

2. Alteration and extension of the existing garage (approx.22sqm) to construct a two storey extension to provide a two bedroom dwelling (approx.88sqm)

**3. Revisions**

3.1. It should be noted that during the course of the assessment revisions to the proposed scheme were requested in order to appease concerns raised. The revision made to the proposed scheme can be summarised as follows:

- A new existing floor plan was requested to see where the existing boundary wall was located.
- The design of the side extension/dwelling was revised and set back a brick course from the main building.
- Reduction in the width of the extension and using stepped NW elevation to reduce the bulk of the extension when seen from the street.
- The windows were changed to reflect those of the existing dwelling and they were also reduced in size on the first floor
- New chimney feature was added to replicate the chimney on the main house.
- Roof form of the extension was changed to be more shallow and subordinate to the main dwelling.
- Details requested of windows and chimney.

3.2. The revisions made to the scheme did not materially affect the scheme and as such were accepted as amendments under the ongoing application.

**4. Assessment**

4.1. The principal considerations material to the determination of this application are as follows:

- Land use and dwelling mix
- Principle of demolition
- Design and conservation
- Occupier amenity
- Neighbour amenity
- Transport impact
- Trees and landscaping
- Sustainability
- Conclusion
- S106 Obligations

**5. Landuse and dwelling mix**

5.1. Self-contained housing is the priority land-use of the Local Plan. In particular, policy H1 aims to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing. Furthermore, policy H3 of the Local Plan states that the Council

will resist developments that results in a net loss of residential floor space, and usually, resist developments that results in the loss of more than one existing homes. As the proposed development concerns the alteration and extension of the existing garage to erect a two storey side extension to accommodate a new two bedroom unit it is considered the dwelling would provide C3 use and add to the supply of homes to meet the future housing demand, it is therefore considered that the proposed development in land use terms is acceptable.

- 5.2. Policy H7 of the Local Plan seeks to secure a range of homes of different sizes in all residential development and will seek to ensure that all residential development contributes to meeting the priorities as set out in the Dwelling Sizes Priority Table. The Priority Table indicates that market housing with 2 or 3 bedrooms are the highest priority and most sought after unit size. Policy H7 defines large homes as homes with 3 bedrooms or more and small as units of less than 3 bedrooms.
- 5.3. The proposed development would comprise of 1 x 2 bedroom unit. In this instance, the dwelling mix is considered acceptable given that the modest house would be developed within an existing appropriate plot size which would be similar with other houses in close proximity to the site; the property also meets the national space standards requirements.
- 5.4. Given that the proposed new unit would have less than 100sqm (measuring at 88sqm) and that the new unit is an extension to an existing dwellinghouse a contribution towards affordable housing would not be required in this case.

## **6. Design and conservation**

- 6.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 6.2. Redington and Frognal Neighbourhood plan (draft May 2020) aims to support creative development that complements the garden suburb characteristics of the area. Planning policies have been devised on this basis: SD1 (Refurbishment of existing housing stock), SD2 (Redington Frognal Conservation Area), SD4 (Sustainable development and Redington Frognal character), SD5 (Dwellings: Extensions and garden development), BGI 1 (Rear gardens and ecology).
- 6.3. The existing context of Chesterford Gardens is of large detached and semi-detached late Victorian and early 20<sup>th</sup> century dwelling houses within wide plots with front and rear gardens. The character of this road is defined by its compactness of development and the extent and density of roadside trees. The road consists of tightly spaced houses three to four storeys in height with bay windows and dormer windows as prominent features in the streetscene. The street rises from the south to the north and is bordered by mature trees. Red brick is heavily used as evident within the construction of the dwelling houses and the front boundary wall treatments.

### Scale, bulk and form

- 6.4. The typology of Chesterford Gardens is of detached and semi-detached dwelling houses that are four storeys in height, but due to the road sloping and levelling between the plots and the street, some appear as two and three storey dwelling houses along the street. There are also modern detached houses within the immediate vicinity of the site which add variety to the existing streetscene.
- 6.5. The proposed alteration and extension of the current garage reflects on the established height



observed along the street and terminates just below the two storey bay window to the main dwelling (1 Chesterford Gardens) resulting in a two storey side extension with a shallow hipped roof design. The width and depth of the extension is similar to that of the existing garage however the extension does jut outwards within the core towards the north-west elevation and extends along the rear angled boundary and attaches onto the main dwelling. Although the footprint is slightly odd it complements the unusual shaped plot within which the properties are housed and is therefore considered acceptable.

- 6.6. The front elevation of the proposed extension sits well attached to the side elevation of No.1 Chesterford Gardens, it is in proportion with the existing dwelling and appears as a modest extension. The extension is set back and set down from the front of the main dwelling leaving the existing dwelling as the prominent building and this helps to ensure that the extension would read as a more sympathetic, subordinate addition. The new unit would have access from the north-west elevation from the front driveway and also has amenity space as a garden to the north-west side.
- 6.7. The existing access and parking area for the existing house would be maintained. New access would be provided to the new unit via a door from the north-west elevation therefore from the front view the new addition would just seem like an extension to the existing building.
- 6.8. It is therefore considered that the proposed extension would maintain a sense of visual separation from the existing dwelling and would still allow an appreciation of the historic existing dwelling. Overall, the scale, bulk and form of the development has been carefully designed and is in keeping with the character and appearance of the surrounding area.

#### Detailed design and materials

- 6.9. In regards to detailed design, CPG Design reads that the design of the building should seek to contribute to the character, seek to provide visual interest and be contextual in terms of its texture, colour, pattern and patina of materials. The Redington Frogna Conservation Area Statement reads that original detailing should either be retained or incorporated into new development.
- 6.10. The design of the proposed front/side extension draws inspiration from the main dwelling (at 1 Chesterford) replicating the design of the timber casement windows, the red brick, chimney stack and the proposed hipped roof form. These elements are also common within the vicinity and wider conservation area. Due to the ground level changes, the rear elevation of the site is on a lower level to houses to the rear on Redington Road this elevation would not be visible from the streetscene. The proposed extension may be seen from partial views from the north-west elevation however these would be limited due to the sloping of the road and the greenery within the front garden.
- 6.11. The proposed material choice for the proposed dwelling is considered appropriate and sympathetic as it matches the established material palette of this section of Chesterford Gardens.
- 6.12. Overall, the design of the proposed development is considered acceptable. The scheme is considered to reflect on and respond to the existing form, scale, appearance and material palette that is observed along Chesterford Gardens. It is considered that the proposed alteration and extension of the existing garage would not cause harm to the character and appearance of this part of the Redington Frogna Conservation Area, and is in accordance with policies D1 and D2 of the Camden Local Plan and policies SD1, SD2, SD4, SD5 and BGI 1 of the Redington and Frogna Neighbourhood Plan (May 2020).

## **7. Occupier amenity**

- 7.1. The proposed new unit would have reasonable layouts with decent sized rooms with high ceilings and good access to daylight and natural ventilation. The unit would have a living room, W/C, kitchen and dining area on the ground floor and two spacious bedrooms with on-suites, study and

closets on the first floor. The unit would be dual aspect and would meet the London Plan space standards for bedrooms and overall floor space. The proposed dwelling would have sufficient external amenity space in the form of (north-west elevation) private garden of 83sqm and leaving 78sqm of garden space to the rear for the existing building.

Dwelling	Bedroom/Persons	Floor space	London Plan Standard
1	2-bed/4persons	88sqm	79sqm

7.2. The dwelling would have separate refuse and cycle stores within the front/side of the property with easy access from the street. The new unit would continue the same arrangement for waste as the existing dwelling 1 Chesterford Gardens uses and would provide easy access for waste collection crews from the front of the dwelling.

## 8. Residential amenity

8.1. Policy A1 of the Camden Local Plan seeks to ensure that development does not cause adverse amenity impacts upon neighbours. This is in regards to sunlight, daylight, privacy and overlooking.

8.2. The application site is within a constrained plot with an odd shaped. The proposed extension would be attached to No.1 Chesterford Gardens to the east side. The extension would face onto the north-west side out onto its own private garden towards the street. The rear elevation of the extension would be attached to the rear boundary adjoining rear gardens of Nos.21 and 23 Redington Road.



8.3. Nos.21 and 23 Redington Road are set at a higher level almost two storeys above No.1 Chesterford Gardens. The proposed rear extensions window openings (two first floor windows) would be set below the retaining boundary wall and fence. Furthermore these properties are set back between 9-13m from the rear boundary.



*Existing rear view, showing properties to the rear are almost two storey higher in height*

- 8.4. Given this it is not considered the proposed extension would have an adverse impact on the amenity of neighbouring properties in regards to loss of light, overbearing, overlooking and overshadowing impacts.
- 8.5. The extension proposes two new windows to face towards the existing buildings rear garden area. The ground floor window would serve a dining room and the first floor window serves a bedroom. The ground floor looks to be separated from the garden with No.1 however the boundary treatment has not been highlighted so details of this would need to be secured via condition.
- 8.6. Therefore if the windows look onto a fence or small wall then it would not impact the amenity of No.1s rear garden. The first floor bedroom window although angled would have partial views into the garden of No.1s rear garden, given that No.1 is split into 3 flats therefore occupiers from different flats already look into the rear garden it is not considered the outlook had by the new units occupiers would be any different to that had already by the existing residents.
- 8.7. The proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring residents. The development is thus considered to be in accordance with planning policies A1 and A4.

## **9. Transport impact**

- 9.1. Policy T2 seeks to ensure car-free development across the borough. As such, the proposed new unit would be subject to a legal agreement to secure the proposed dwelling as car-free. This would ensure that future occupants of the development are aware that they are not entitled to on-street parking permits. No on-site parking is being proposed as part of this application, the existing off street parking for the occupied flats at No.1 Chesterford are to be retained and remain unchanged as detailed on the proposed plans.

### Cycle parking and bin store

- 9.2. According to the proposed development two secure and accessible cycle parking spaces should be provided in accordance with Policy T1. The submitted design and access statement states that the private garden to the new unit would house a bin store and cycle storage however this is not reflected on the plans, therefore conditions would need to be imposed on any planning permission granted securing the details.

9.3. The transport officers recommend securing the provision of 2 long-stay cycle parking spaces with a bay width of at least 0.6m per bike and have a bay length of 2 metres by condition and securing the new unit to be car free via S106 agreement.

## **10. Trees/landscaping**

10.1. The proposed development has not proposed any works under this application. However neighbouring residents and the Heath & Hampstead Society and Redington and Frognal Neighbourhood Forum have raised comments in regards to felling of numerous trees without permission these have been outlined within the summary of consultations above; however recent permissions have been approved under two separate tree works applications:

**11. 2020/1293/T** - FRONT GARDEN: 2 x Leyland cypress - Reduce height by up to 3m and sides by up to 2m. REAR GARDEN: 1 x Bay - Fell to ground level – No objection to works to trees in CA – 23/04/2020.

**12. 2020/2053/T** - SIDE GARDEN: 2 x Unknown Species - 2m crown reduction - No objection to works to trees in CA – 03/06/2020.

12.1. These two tree work applications are responsible for changes to the trees/greenery within the side and rear garden of No.1 Chesterford Garden and the tree officers had no objections to these works.

### *Retrospective works to front boundary wall*

12.2. It was brought to officer's attention that the front boundary wall has been partly demolished and set back over 2m, the brick pier has been reduced in size and design and stone clinker panels have been reduced from 2 to 1 with the widening of the hardstanding to the front of the property. Also the wall towards the rear is now set back more than one and half brick length and is now completely vertical from top to bottom.

12.3. Having a look at all the comments and speaking to our enforcement team officers we have a joint view in that the works carried out to the boundary wall are minimal and cannot be called substantial, the works are also within the sites boundary and only appear marginally different than the existing situation. Although we appreciate the widening of the hardstanding would allow new access into the new unit, but with comments in relation to increase of parking on the site the new unit would be car-free and this would be secured via a S106 legal agreement only the current spaces would be retained no new spaced would be allowed under this permission.

## **13. Sustainability**

13.1. In line with Policies CC1, CC2 and CC3 of the Camden Local Plan 2017, all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

13.2. The applicants had submitted an energy and sustainability statement which highlights what sustainable measures would be proposed as part of the development. The new extension would incorporate the following sustainable measures: high levels of thermal insulation with low embodied impact, time and temperature zone control, 100% low energy lights, smart metre for energy consumption, pulse water meter with leak detection, BRE Green guide to help source materials, responsibly sourced with certification of materials and, fire and carbon monoxide and alarm systems will be installed. Together these measure will help reduce carbon emissions to a level that ensures the dwelling will perform well with the aim to improve upon 19% CO2 reduction below Part L 2013 Building Regulations.

13.3. Compliant storage space will be provided internally for recyclable waste with a total capacity of 30 litres. New environmentally friendly and responsibly sourced building materials will be specified for use of the development.

13.4. All new build or converted dwellings are required to achieve 110L per person, per day (including 5L for external water use). This would be secured by condition.

#### **14. Conclusion**

14.1. Overall, it is considered that the proposed development would respond well to its neighbouring buildings and would fill in an opportunity gap with a traditional design that will positively contribute to the street scene and the wider area.

14.2. The proposed development is in general accordance with Policies G1, H1, H6, H7, A1, A3, A4, D1, CC1, CC2, CC3, CC5, T1, T2 and T4 of the Camden Local Plan 2017 and policies SD1, SD2, SD4, SD5 and BGI 1 of the Redington and Frognal Neighbourhood Plan (May 2020). The proposed development also accords with the London Plan 2016; the London Plan (Intend to publish); and the provisions of the National Planning Policy Framework 2019.

#### **15. Recommendation**

15.1. Grant conditional Planning Permission subject to section 106 agreement, S106 clauses:

**16.** Car free development for the new unit

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 7<sup>th</sup> December 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2020/1502/P  
Contact:  
Tel: 020 7974  
Date: 3 December 2020

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

SF Planning Limited  
12 Royal Crescent  
Cheltenham  
GL50 3DA  
United Kingdom

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

## **DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:  
**1 Chesterford Gardens**  
**London**  
**NW3 7DD**

**DECISION**  
Proposal:  
Alterations and extension to existing garage to create a 2 bedroom residential dwelling.  
Drawing Nos: 001, Existing G/F Plan prior to application, 003, 004, 005, 006, AP01 Rev A, AP02, AP03 Rev A, Updated Planning Statement, Sustainability and Energy Statement.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 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: 001, Existing G/F Plan prior to application, 003, 004, 005, 006, AP01 Rev A, AP02, AP03 Rev A, Updated Planning Statement, Sustainability and Energy Statement.

Reason:

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

- 4 Before the development commences, details of secure and covered cycle storage area for 2 long stay cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 5 Before the development commences, details of the refuse bins shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CC5 of the London Borough of Camden Local Plan 2017.

- 6 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 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 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319>

or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square  
c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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.

Yours faithfully

Supporting Communities Directorate