



Planning Committee 21 February 2005

ADDRESS: Land Adjacent to 58 Aden Grove

WARD: Clissold

REPORT AUTHOR: Ralph Mullan

APPLICATION NUMBER: 2004/1281

DRAWING NUMBERS: 315.07C,
315.01C, 315.05L, 315.04L, 315.03H,
315.02H, 315.15B, 315.10H, 315.11G
& 315.06G.

APPLICANT: Miss Celina Smith & Mr
Chris Raine, 64 Ballater Road, London,
SW2 5QR

AGENT: Elsie Owusu Architects Ltd,
East Lodge, 188 Euston Road, London,
NW1 2EF

PROPOSAL: Erection of new two-storey (over basement) dwellinghouse

RECOMMENDATION SUMMARY: Conditional Approval

ANALYSIS INFORMATION

Zoning Designation:	
CPZ	NO
Conservation Area	NO
Listed Building (Statutory)	NO
Listed Building (Local)	NO

Land Use Details	Use Class	Use Description	Floorspace
Existing	C3	Yard/ Driveway	60.2m2
Proposed	C3	2-storey dwelling	124.7m2

Residential Use Details	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Proposed	Dwelling House			X		

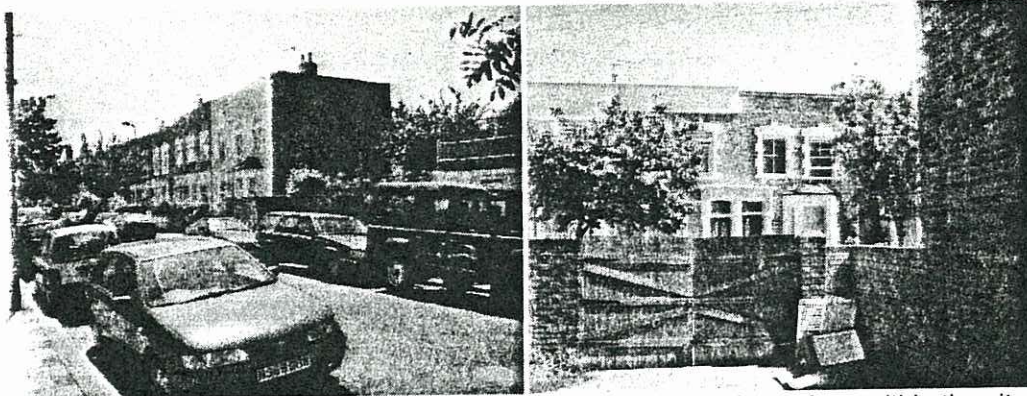
PARKING DETAILS:

	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	2 off street	0
Proposed	1 on street	0

OFFICERS REPORT

1. SITE DESCRIPTION:

- 1.1 The application site is located on the west side of Aden Grove, a residential street in Newington Green. Aden Grove and the surrounding streets are made up of two-storey, Victorian terraces which are relatively unaltered. The application site comprises an area of land which was formerly occupied by a garage at the north of 58 Aden Grove within its curtilage. No. 58 lies at the end of a long terrace of housing.



View across Aden Grove towards the site

View on to Aden Grove from within the site

- 1.2 The application site is characterised by the large flank wall of 58 Aden Grove to the south; this wall does not have any windows. Well-developed hedges and the rear gardens of a further Victorian terrace at Springdale Road adjoin the site to the east. As Aden Grove and Springdale Road converge to the north of the application site the northern boundary of the site is also adjoined by the gardens of properties on Springdale Road including a shed and further north a large roof terrace at no. 47 Springdale Road.
- 1.3 The houses at both 56 and 58 Aden Grove may be later additions to the Victorian terrace and are of a shallower design with slightly higher parapets and which also omit the typical rear projection present elsewhere in the street. This latter feature may be due to the increasingly limited space between the converging terraces of Aden Grove and Springdale Road.

2. HISTORY:

- 2.1 The Planning Register shows only one previous application for planning permission in respect of this site:
15583 - Erection of two lock-up garages - Approved 9 January 1956

3. CONSULTATIONS:

3.1 Neighbors

4. 20 neighbors were consulted and objections from a total of 19 properties were received. Several objectors wrote more than once.
5. **Overdevelopment** – The proposal seeks to locate a 4-bedroom house on insufficient land resulting in the loss of residential amenity for the surrounding residents. The two proposed bedrooms in the basement will also suffer from insufficient light; architect done best to lever in as many habitable rooms as possible; squeezing a small house into small site will significantly affect amenity of neighbours.
6. **Out of Character** – The proposed development is not in keeping with the historical Victorian street scene; mediocre design in cramped location; the building steps in front of the existing building line at both ground and first floor levels, reducing light to the neighboring property; house could be used for multiple occupation; supposed to be an 'eco-house' but design makes no discernible use of latest sustainable power generation; loss of solar panels make proposal no longer an eco-house; cynical attempt to use ecological factors to curry favour; proposal is not 'state of art' and uses standard blockwork and render construction; strong community in street and will petition strongly against the development.
7. **Plans inaccurate:** trees on submitted plan are shown accurately
8. **Car Parking** – No provision is made for car parking. A unit of this size converted into flats could take up 2-4 on street parking spaces or more; inevitably lead to more cars trying to park on already congested streets.
9. **Obtrusive** – Due to the close proximity to number 41 and 43 Springdale Road, the two storey development will appear obtrusive and will result in overlooking and loss of light.
10. **Loss of Privacy** – Roof access will result in direct views into the rear habitable rooms of Springdale Road, noise disturbance and a serious loss of privacy; inevitably grass roof will be used as garden; potential to create unacceptable levels of noise pollution and disturbance; on other hand development without grass roof clearly unacceptable; house would have only 6.5 square metres of amenity space contrary to Hackney's policy;
11. **Inconsistency in approach:** Hackney's concern seems to be desire to use all possible means to avoid a planning appeal; loft conversions in area are rejected on much weaker grounds; appear to be only two factors in proposal's favour: design not so bad; and provides a new family house; valid planning objections apparently displaced in attempt to provide housing for borough;
12. **Construction Period** – The construction period will be very disruptive in terms of noise, dust and loss of privacy.
13. **Contrary to Policy** – The proposal is contrary to Policies EQ1 and EQ6 of the Hackney Unitary Development Plan 1995.
14. **Approach of comparable London boroughs:** no other borough would consider this application favourably; problem that Hackney has no supplementary planning guidance; other authorities not so remiss; Hackney's approach should be roughly in line with comparable authorities. Hackney would then surely have very strong grounds for rejecting this application. This is not a borderline case:

15. Islington: Would discourage development where windows of habitable rooms in back to back properties are closer than 18 meters. New development on existing garden space will not normally be permitted. A minimum garden depth of 4.5m should be maintained.
16. Camden: Would discourage development where windows of habitable rooms in back to back properties are closer than 18 meters.
17. Tower Hamlets: Would discourage development where windows of habitable rooms in back to back properties are closer than 18 meters.
18. Southwark: Would discourage development where windows of habitable rooms in back to back properties are closer than 21 meters. New development on existing garden space will not normally be permitted.
19. Southwark also describes a BRE test for determining whether surrounding properties would be affected by a loss of daylight and sunlight". Applying this test to our property as a result of this development and we would imagine that this is pronounced in the case of 41 and 39 Springdale Road as well as in Aden Grove - 71, 69, 67 and so on.
20. Lewisham: Would discourage development where windows of habitable rooms in back to back properties are closer than 21 meters. New development on existing garden space will not normally be permitted.
21. Brent: Would discourage development where windows of habitable rooms in back to back properties are closer than 20 meters or where flank walls are within 10 meters of the windows of habitable rooms. Habitable rooms of the new development should be a minimum 5 metres from the common boundary and no windows (obscured or otherwise) should be allowed on the common boundary.
22. Waltham Forest: Would discourage development where windows of habitable rooms in back to back properties are closer than 20 metres or where flank walls are within 12 metres development should be a minimum 5 metres from the common boundary.
23. It is understood that a petition is also to be submitted making the above points.
24. Letters of support have been received from 14 properties. The letters welcome the proposal as a really nice idea much needed in a borough like Hackney; its environmental features should be a welcome addition to reducing environmental pollution; enthusiastic support for an extraordinary, contemporary building; other letters from addresses in Aden Grove confirm that they have no objection to the proposal and feel it would represent a significant improvement to the area.

4. POLICIES:

- a. **National Planning Policy Guidance**
 - i. PPG 1: Planning Policy and Principals
 - ii. PPG 3: Housing
 - iii. PPS1: Creating Sustainable Communities
- b. **London Plan**

- i. Policy 3A.2: Borough Housing Targets
 - ii. Policy 3A.4: Housing Choice
 - iii. Policy 4B.1: Design Principles for a Compact City
 - iv. Policy 4B.3: Maximising the Potential of Sites
 - v. Policy 4B.6: Sustainable Design and Construction
 - vi. Policy 4B.7: Respect Local Context and Communities
- c. Hackney Unitary Development Plan 1995**
- i. ST1; ST2; ST3; ST5; ST6.
 - ii. EQ1: Development Requirements
 - iii. EQ5: Infill Development
 - iv. EQ7: External Works and Landscape
 - v. EQ31: Trees
 - vi. EQ45: Waste Disposal
 - vii. HO1: Provision of Additional Housing
 - viii. HO3: Other Sites for Housing
 - ix. HO9: Requirements of New Housing
 - x. HO11: Sites With Constrained Street Frontages
 - xi. HO19: Safety and Accessibility
 - xii. HO20: Planning Standards
 - xiii. TR6: Traffic, Access and Parking
- d. Supplementary Planning Guidance**
- i. SPG 1: New Residential Development

5. OFFICERS COMMENT:

Principle of Development

Current planning guidance set out in the PPG1, PPG3 and the London Plan 2004 encourage more sustainable patterns of development with the emphasis on providing high density residential development in urban area on previously developed land.

Planning Policy Guidance Note 3 - 'Housing' - emphasises the government's commitment to the re-use of previously developed land in order both to promote regeneration and

minimise the amount of 'greenfield land' being taken for development. Local planning authorities should take a proactive approach to ensure that 60% of new development is on previously developed or 'brownfield' land. To promote more sustainable residential environments, local planning authorities should promote development that is linked to public transport. With developers, they should think imaginatively about designs and layouts, which make efficient use of land without compromising the quality of the environment. Local planning authorities should seek greater intensity of development at places with good public transport accessibility such as town centres. Parking standards should be revised to allow for significantly lower levels in locations where services are readily accessible by walking, cycling or public transport. The guidance also stresses the importance of respecting local character and the context of the surrounding streetscape.

Similarly the London Plan states the Mayor of London is committed to achieving 30,000 new homes each year and expects London boroughs to exceed their individual targets. London Borough of Hackney has been allocated a total target of 14,310 new homes and an annual monitoring target of 720 homes. The Mayor expects London boroughs to identify new sources of supply including small scale residential infill schemes such as the current proposal.

The London Plan requires that developments achieve the highest possible intensity of use compatible with the local context, acceptable design and public transport capacity. The plan also emphasizes sustainable design and construction. The proposal which is tightly developed and would have a density of and which includes a grass roof accords with these requirements. The proposed development would have a plot ratio of 1.6:1 and a density of 619 habitable rooms per hectare and would be a high density development.

Policies HO1, HO3 and EQ5 in the Council's own Unitary Development Plan also support the development at appropriate infill sites within the borough.

Description of development

The proposed development the subject of this application comprises a three-bedroomed, two-storey house with a basement to be attached to the existing dwelling at no. 58 Aden Grove. The house would have an internal floor area of 105 square metres and would have a total of 4 habitable rooms. The new house is of contemporary design and is flat-roofed with a low parapet, a feature which accords with the prevailing character of the road.

The new house would have a maximum width of 6.7 metres and a maximum depth of 6.2 metres. The house would be 5.8 metres high and would have a grass roof. There would be no internal access to the roof so that it would have to be maintained solely by external means.

The green turf roof is not designed to be used as a roof terrace, but as a sustainable, self-contained mix of mosses, succulents, herbs and grasses intended to reap various environmental and economical benefits.

The new house would be served by an amenity area of 7.4 square metres to the rear of the house at basement level.

The application has been revised several times in response to concerns raised by neighbours and officers. A photovoltaic cell which was to have been attached to the side of no. 58 Aden Grove has been removed from the proposal; the building line of the development has been set back to follow the existing front building line of the street; all windows at first floor level in the rear elevation have been removed to avoid intrusion to the properties behind; the layout has also been adjusted to position the proposal as far as possible from the adjoining properties.

Design

As noted above the proposal has been designed in a contemporary style. This design has been the subject of consultation with officers both before and during the application process. In relation to the design of the front elevation, the first floor has now been stepped back in line with the building-line of the existing terraces. At ground floor level, a contemporary bay type feature has been incorporated across the façade, stepping forward of the building line to a similar degree as neighboring properties, with an instep back to the building line at the new end of the terrace at the point of the access door.

The window designs of the front elevation follow a horizontal emphasis. Whilst this is not completely in character with the other houses in the street the windows of which generally follow a vertical emphasis it is not considered that the proposed design is discordant because the windows and bay feature at the ground floor have been lined up exactly with that of neighboring property and because the new development is located at the end of the terrace. The window line has then been dropped at first floor level to enable a lower and less intrusive building form. The proposal will also be finished in render to match the existing dwelling at no. 58 Aden Grove.

The proposal seeks to continue this line of terraces, whilst reducing the new building's comparative depth and height, in order to avoid encroachment on the amenity of the terraces to the rear.

The room sizes and layout are considered acceptable and conform to the Council's housing standards. The development has also been designed to 'Lifetime Homes' standard as required by the London Plan

It is therefore considered that the proposal complies with the criteria for design principles for a compact city set out in the London Plan which require a proposal to be attractive to look at and to respect London's built heritage and which enhance the public realm

Amenity Space

The small size of the application site which measures approximately 60.2 square meters is relatively constrained for a 3-bedroom dwelling. The site is further limited by the convergence of the two terraces at Springdale Road and Aden Grove, leaving a limited distance between the buildings. However, as noted above the London Plan emphasizes an intensive use of development sites. The Council's own Supplementary Planning Guidance note no.2 'New Residential Development' requires the provision of a garden area of 30 square metres for a

dwelling suitable for occupation by a household with children. In this case a very small amenity area of only 7.4 square metres would be provided. It is considered that the London Plan which has been recently adopted and which accords with other government guidance especially that in PPG3 'Housing' should be accorded more weight and the absence of a garden area should not be used as a reason for refusal.

Overdevelopment

Parking

The application site was formerly occupied by a garage which has since been demolished. The site as it stands is capable of being used for parking and is separated from the road by a pair of double gates. The proposal will therefore result in the loss one off-street parking space. However, the existing crossover prevents the area in front from being used for on-street parking. The proposal will therefore result in one new on street parking space for general use although it will also result in two dwellings without on site parking provision. However, it should be noted that this is the general arrangement in the street. In the context of an urban location with good access to public transport the proposal does not conflict with government guidance and the London Plan.

Loss of light

A Solar Access, Sunlight and Daylight Report has been submitted by the applicant. The report concludes that the proposed dwelling would not have a negative effect on the surrounding residential development. There would be some overshadowing to gardens at Springfield Road due to the development but it should be noted that this is the situation already due to the presence of the existing hedge the rear boundaries of the gardens. The adjacent dwellinghouses would continue to enjoy good levels of sunlight. The proposal would not have a negative impact on daylight availability to the surrounding properties. The report has been reviewed by officers and it has been accepted as an accurate assessment of the impact of the proposal.

Effect on amenity of surrounding occupiers

At the back and south side of the application site the new building backs onto Springdale Road. Although the site abuts a significant amount of the properties on this road the new building runs parallel rather than directly back to back with the terrace. The new house has also been set behind the rear building line of the terrace at Aden Grove so that only two properties on Springfield Road at nos. 41 and 43 are significantly affected by the proposal. Moreover, the proposal will be 5.9 meters in height, compared with 58 Aden Grove at 7.75 metres in height, a total of 1.85 metres lower than the neighboring property.

There is a significant amount of vegetation in the form of hedges and trees, at the boundary with these properties which would screen the ground floor of the new house from view as well as significant amounts of the first floor, greatly reducing any potential loss of outlook or increased enclosure.

Nevertheless, it should be noted that given the constrained configuration of the site, the new development will be only be a maximum of 3.5 metres from the rear boundary of the site and at its northern end directly adjoins the boundary. Both nos. 41 and 43 Springfield Road are Victorian terraced houses which have constructed with deep two-storey returns (rear projections). The rear wall of the proposed development would be only 7 metres from the rear wall of the return at no. 41 and only 7.5 metres from the rear wall of the return at no. 43. These returns contain a kitchen window at ground floor level and a bedroom window at first floor level.

The main rear wall of both houses are set much further back from the boundary with the site by 14m in the case of no. 41 and 13.5 metres in the case of no. 43. The windows in the these wall will be unaffected by the proposal and in both case due to the angle of the street will not directly face the new house.

Despite the proximity of the development to the windows in the returns at the adjacent properties, it is not considered that an unacceptable impact on the living conditions of the occupiers of these properties would result. The new building is to be only 5.8 metres in height and as already noted above there would be no loss of light to any of the habitable rooms at the properties. The separation distance between the buildings although close would not be out of character in a densely developed urban location such as this.

Outlook from nos. 41 and 43 would be unaffected due to the presence of the existing hedge and the orientation of the properties with the exception of the upper windows in the returns. The rooms which are served by these windows would no longer have an uninterrupted view of Aden Grove to the rear but as the new building is of a relatively modest height it is not considered that the changes would be oppressive.

Neighbours have referred to minimum separation distance standards used by other London Boroughs in assessing new development. Such guidance is of little weight in the consideration of this application. The guidance has not been adopted by this borough and in any case is likely to be used flexibly by those boroughs. As already noted the London Plan encourages intensive use of development sites and it has been established that the proposal would not have an unacceptable impact on the living conditions fo the surrounding occupiers. Even were such separation standards to be in existence it is unlikely that they by themselves could be used to justify refusal of this proposal.

6. CONCLUSION:

7. RECOMMENDATION:

8.1 Conditional Approval

8. CONDITIONS:

- a. Commencement within 5 years (SCB1)
- b. Materials to be approved (SCM2)
- c. Landscaping Scheme to be approved (SCT1)
- d. Dustbin Enclosure Details (SCR2)
- e. Boundary Walls to be approved (SCM5)
- f. Restriction of Permitted Development Rights (SCG6)
- g. Ground Surface Treatment (SCM4)
- h. No Extraneous Pipe Work (SCM9)

9. INFORMATIVES:

Reasons for Approval: The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: Policy ST1; ST2; ST4; ST5; EQ1 (Development Requirements); EQ45 (Waste Disposal); HO1 (Provision of Additional Housing); H03 (Other Sites for Housing); HO9 (New Build Housing Schemes); & HO20 (Planning Standards), and TR6 (Traffic, Access and Parking).

- SI.1 Building Control
- SI.2 Works affecting Public Highway
- SI.3 Sanitary, ventilation, and drainage arrangements
- SI.6 Control of Pollution (Clean air, noise, etc)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering

Signed.....

Date.....