

Friday, 20 September 2024

Objection to Application 2024/2988/P

Site Address: 27 Elizabeth Mews, London, NW3 4UH

Description: Excavation for a new basement extension, erection of a new dormer roof extension including external alterations for new office space at basement and ground floor levels and the change of use of the first floor from office accommodation to 1 x self-contained flat at first and second floor level.

Introduction:

This objection letter relates to application 2024/2988/P, which is a full planning application for the excavation of a new basement extension, erection of a new dormer roof extension including external alterations for new office space at basement and ground floor levels and the change of use of the first floor from office accommodation to 1 x self-contained flat at first and second floor level at 27 Elizabeth Mews, London, NW3 4UH.

The site sits within the Belsize Park Conservation Area.

Relevant Planning Policy:

National Planning Policy:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (NDG)

Local Planning Policy:

The London Plan (2021)

Camden Local Plan (2017)

Supplementary Planning Guidance:

CPG Amenity

CPG Design

Belsize Park Conservation Area Appraisal

Discussion of Scheme:

Design and Visual Amenity:

Paragraph 135 of the NPPF states that planning decisions should ensure that all developments will add to the overall quality of the area over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to

local character and history, including the surrounding built environment and landscape setting, establish and maintain a strong sense of place using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development. Paragraph 139 of the NPPF goes on to state that development that is not well designed should be refused.

Paragraph 201 of the NPPF states 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'

Planning Practice Guidance (PPG) states that achieving good design "is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations."

Policy HC1 of the London Plan outlines that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Policy D4 of the London Plan (2021) states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, using the analytical tools set out in the London Plan, local evidence, and expert advice where appropriate.

Local Plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance, and character of the area. Through Local Plan policy D2, the Council will seek to preserve and, where appropriate, enhance Camden's conservation areas.

The application seeks to excavate a new basement to the building and erect a mansard roof extension. The Belsize Park Conservation Area Appraisal outlines the addition of overly large, inappropriately proportioned dormers, and the addition of mansard roofs as the most noticeable changes within the Conservation Area.

The application attempts to justify the mansard roof addition through the inclusion of the Mansard Roofs at Nos. 25 and 26. However, the application does not include sectional drawings, meaning that the full impact of the relationship between the proposed mansard roofs cannot be properly ascertained, and as such, the full impact of the proposal cannot be seen. Guidance BE26 of the Belsize Conservation Area Statement states that "Roof extensions and alterations, which change the shape and form of the roof, can have a harmful impact on the Conservation Area and are unlikely to be acceptable where it would be detrimental to the form and character of the existing building, the property forms part of a group or terrace which remains largely, but not completely unimpaired and the roof is prominent, particularly in long views. In this instance, it is considered that the proposed extension would fail all these principles.

Furthermore, the "end" elevation of the building would jar visually with the flat roof of No. 28 England's Lane, creating an unattractive and uncharacteristic relationship between the buildings, which appears contrived to fit the limitations of the site. The use of a tall, end gable appears to have

been provided to maximise internal space, rather than taking a design-led approach to ensure that the building would be suitably sympathetic to the surrounding conservation area.

In addition, the proposed heat pump is not shown on the proposed plans. The air-source heat pump has not been sited to minimise its effect on the external appearance of the building and the amenity of the surrounding area and would result in harm to the character of the surrounding conservation area, and the visual amenity of the dwelling and locality more generally.

The result is less than substantial harm which would fail to preserve or enhance the conservation area, which would not be mitigated by any public benefit.

As such, the proposal fails to comply with Policies HC1, D4, D1 or D2, and the relevant provisions of the NPPF, and as such, permission should be refused.

Residential Amenity:

Paragraph 135 of the NPPF sets out six criteria against which planning decisions should meet to deliver well-designed places. This includes criteria (f), which requires development to “create places ... with a high standard of amenity for existing and future users.”

Planning Practice Guidance (PPG) states that achieving good design “is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations.”

Policy D3 of the London Plan states that development proposals should deliver appropriate outlook, privacy, and amenity.

Local Plan Policy A1 seeks to protect the amenity of residents by ensuring the impact of development is fully considered. The quality of life of occupiers and neighbours are protected by only granting permission for development that would not harm their amenity. This includes factors such as loss of outlook, loss of light and privacy.

The proposal would result in the erection of a mansard roof; Elizabeth Mews is a narrow, residential cul-de-sac, and two-storey residential dwellings sit directly across the Mews from the host dwelling. There are also residential properties behind, within 28 England’s Lane.

The proposed mansard roof would sit in extremely close proximity to these residential properties, resulting in significant loss of light and outlook to these properties, sitting directly across from the windows of habitable rooms. The provided plans clearly show the mansard roof within 25 degrees of windows of properties to the rear, and the mansard roof would clearly sit within 25 degrees of the windows of properties across the road.

In addition to loss of light and overshadowing, there would be an increase of volume, bulk, and massing vertically, which would be highly visible from the front windows of dwellings across the road and to the rear, leading to an increased sense of enclosure and overbearing impacts. Paragraph 2.14 of the Amenity SPG states that “developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers.” In this instance, the proposal would result in the almost total loss of outlook from the windows of nearby properties, resulting in harm to residential amenity.

Furthermore, the proposed mansard roof would have windows to the front. These would allow high level, uninterrupted views into the front windows of dwellings along Elizabeth Mews, resulting in an

unacceptable loss of privacy, and a sense of being overlooked at all times. Paragraph 2.4 of the Amenity SPG states that “to ensure privacy, it is good practice to provide a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed (either residential or non-residential) development, assuming a level topography. In instances where building heights, design or topography mean that opportunity for overlooking would be increased, it is advisable to increase this separation distance.” In this instance, the mansard would be raised, and the intervening distances would be smaller than those recommended.

Additionally, the proposal includes an air source heat pump to the roof of the dwelling; the provided noise assessment has not been made with the specific ASHP. Furthermore, given the proximity to sensitive receptors, a louvred acoustic enclosure is required; this has not been shown on the plans, and as such, it is unclear what this would look like visually, and what further visual impacts this may have on the locality. A further study, with reference to the specific ASHP to be installed should be provided, to ensure no harm through noise pollution.

Accordingly, the proposal would result in poor residential amenity outcomes, through loss of light and overshadowing, increased enclosure and overbearingness which would lead to a loss of outlook and overlooking and loss of privacy impacts. The proposal would fail to comply with Policies D3 and A1, or the relevant policies of the NPPF, and as such, permission should be refused.

Highways:

Policy T4 of the London Plan states that development proposals must engage positively with the public realm and must ensure that the public realm provides for the safety and convenience of all users.

The proposal would introduce a new, residential dwelling within this extremely parking constrained location; the current parking situation on the street leads to unsafe parking, extremely close to the front doors of dwellings. The addition of a dwelling in this location would worsen these parking pressures, leading to further dangerous parking on the road, to the detriment of highway safety, and the safety of pedestrians using the road.

Other Matters:

It is unclear how the works would be undertaken, in terms of scaffolding, road closures for the construction of the basement etc. Given the location at the end of the road and narrow nature of Elizabeth Mews, it is considerably likely that the construction process would result in disruption to the street, and difficulties accessing the dwellings during the construction process. In this instance, it is considered that a Construction Management Plan should be required prior to determination, to ensure that local residents are not unacceptably disrupted during the construction process.

Conclusion

The proposal would result in harm to general visual amenity, and specific harm to the conservation area. Furthermore, the proposal would result in residential amenity harm. Furthermore, there are concerns in relation to parking, and As such, the application should be refused as it fails to conform to local planning policy and should be refused.