

Delegated Report		Analysis sheet	Expiry Date:	14/10/2013
Members Briefing		N/A / attached	Consultation Expiry Date:	19/09/2013
Officer			Application Number(s)	
Obote Hope			2013/5103/P	
Application Address			Drawing Numbers	
Flat 1, 114 Fitzjohn Avenue London NW3 6NT			Refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a single storey rear extension at ground floor level of existing garden flat (Class C3)				
Recommendation(s):		Grant Planning Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	18	No. of responses No. electronic	12 12	No. of objections	10
Summary of consultation responses:	<p>Advert placed in Ham & High on 29th August 2013 expires 19th September 2013 Site notice displayed on 23rd August 2013 and expires 13/09/2013</p> <p>Objection received from flat 2 114 Fitzjohn Avenue: The extension would be almost 8m long and would unbalance the architectural uniformity of the projection in terms of its built and un-built landscape. Increased in noise, loss of privacy with the skylight, light emitting from the extension below.</p> <p>112 Fitzjohn's Avenue Flat 5 Objection: The garden is used for by all the residents occupying 112 and the proposed extension would be blocking the light if the extension is allowed at 114 Fitzjohn's Avenue.</p> <p>112 Fitzjohn's Avenue Flat 2 Objection: No formal notice of the application, inadequate information to assess the application, the increase in height would have an affect with light and air.</p> <p>112 Fitzjohn's Avenue Objection: Object similar to flat 2 in regards to light and air, inadequate information, the loss of amenity space and contrary to good planning principles.</p> <p>Objector Camden's site has no reference to a current application for the above address, which is strange. The last entry appears as 1986.</p> <p>I was not present when this application was reviewed by Hampstead CAAC colleagues, but I would concur with their points.</p> <p>We are keen on prevention of rear garden take-up quite apart from any views on design, for which on that occasion colleagues lacked sufficient drawings on which to comment.</p> <p>Objection The extension would be 4m in violation of the property line with 114 and 112 that read as a pair, the creation of a terrace is in violation, proposed settlement/subsidence if supported to the existing structure, the extension and the impact with the party wall of 116 to the party wall of 112 which is over the extension compared with 110, concern with possible creating a new unit. Proposed fumes, privacy issues, alteration of use, loss of sunlight, security. Projecting beyond the neighbours backline and loss of open space.</p>					

**CAAC/Local groups*
comments:**
*Please Specify

Fitzjohns/Netherhall CAAC Objection

Insufficient information
Content suggested is not clear
Loss of open space
Projecting beyond the neighbours backline.

Please refer to Officer's comment below:

Site Description

The application site is located to the east of Fitzjohn's Avenue in close proximity to the junction with Perrin's Lane that lies to the north. The site comprises of a four storey building that has been separated into flats.

The site is located within the Fitzjohn's/Netherhall Conservation Area

Relevant History

Planning history

Full planning application, reference **2009/2282/P**, was granted on **18/09/2009** for: Installation of wheelchair platform lift to front external stair to residential flats (Class C3).

Relevant policies

National Planning Policy Framework 2012

LDF Core Strategy and Development Policies 2010

CS5 – Managing the impact of growth and development
CS14 – Promoting high quality places and conserving our heritage

Development Policies

DP22 – Promoting sustainable design and construction
DP24 – Securing high quality design
DP25 - Conserving Camden's heritage
DP26 – Managing the impact of development on occupiers and neighbours

Camden's Planning Guidance 2013

1-Design & appearance
6-Amenity

Fitzjohn's/Netherhall Conservation Area Statement

Assessment

Proposal & background

The single storey extension does not include any excavation works to the existing lower ground floor flat, the rear lower ground floor currently housed the living/dining room and bedrooms the proposed new extension will incorporate an infill-extension that wraps around the lower ground floor there is currently a rear dormer with French door that provides access to garden flat and the property has its own accessed through the side elevation.

The applicant has proposed the following works:

- The erection of a rear lower ground floor extension with 3 x rooflights;
- The erection of a side infill extension
- Proposed green roof
- Creation of a new entrance following the bricking-up of the existing door to the side elevation

Main Planning Considerations

- Impact on proposal on host property and on surrounding conservation area; and
- Impact on the proposal on neighbouring amenit

Design & appearance

Policies CS14, DP24 and DP25 are of relevance, as is CPG1. The council's design planning guidance provides guidance on rear extensions in chapter 4. Rear extensions should be subordinate to the original building in terms of scale and situation and should be designed to:

- be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;
- respect and preserve the original design and proportions of the building, including its architectural period and style;
- respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;
- respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to un-built space;
- not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;
- allow for the retention of a reasonable sized garden; and
- retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.

The proposed rear extension measures approximately 3.0m (height) x 4.1(width) x 4.0m in depth from the existing bay window along the existing patio area, the proposal will retained approximately 13.4m of garden space to the rear and replicate the existing octagonal extension in design. The proposed scheme includes a side infill extension, the infill extension was revised and would measure approximately 2.3m in width a combined depth of 7.5m at its longest point a reduction of 1.1m from the revised plans and a new door to the rear garden. The proposed infill addition would be approximately 7.4m in width when both the infill and the rear extensions are combined. The proposed walkway measuring between 1.0m to 1.1m at the northwest elevation would be retained. The proposed obscured glazing conservation style rooflight would measure approximately 1.4m in width x 0.9 in length that would be virtually flushed with the proposed flat roof and the 2 additional rooflights measure approximately 1.0m in height x 1.0m in width.

The extension would be approximately 0.5m higher than the existing party wall, would be no less than 2.0m from the nearest windows or door of the adjoining property and 1.5m below the existing first floor balcony of the flat above. The extension would include a sliding door measuring approximately 2.1m in width. The proposed extension would incorporate materials that compliment the host building and the general conservation area .i.e. timber sash windows and wooden sliding doors, and green roof are proposed to match the aesthetics of the host building and would be less of a visual impact. A substantial amount of the garden space will be retained (approximately 13.4m) and the proposed rear extension is considered to accord with Planning Policies DP22, DP24, DP25, CS14 and CPG 1 of the Camden Planning Guidance.

Revision

The revised plans were negotiated for green roof (subject to prior approval), the setting back of the infill extension by approximately 1.1m in depth, the installation of a new door and a conservation style rooflight that would be in accordance with DP 22 of the LDF.

Officers comments

The information supplied including the revised plans and elevation drawings along with the ordinance survey map were sufficient information to determine the planning application. Admittedly the extension would project by more than four metres from the neighbouring property. However, the principle of the extension would not contribute to any significant impact on the neighbouring property of 112 Fitzjohn's Avenue that would still be read as a pair to the principal elevation. The projection beyond the neighbouring property is not considered to be a detrimental factor in determining the application as the rear and side infill extension would be within the boundary of the applicant's property.

The concerns raised by the neighbouring occupiers stipulate that the extension would unbalance the uniformity of the building. However, the extension was negotiated to respect the uniformity of the building in terms of built and un-built land the extension would make good of the unused space to the side elevation. Whilst, retaining a significant amount of the garden area. It is not anticipated that the extension would result in the increase with noise after the extension is built. Especially, as the extension would be enclosed contrary to the comments received. The proposed extension would not impact with loss of air, daylight, sunlight and privacy when considerations are taken in terms of the height, width and position to the neighbouring properties. The extension would not be an excessive addition due to the size the concern raised seems to relate to the proposed infill extension rather than the proposed rear addition. I am of the opinion that, the extension would not be in-proportionate addition to the host building, would result in significant loss to residential amenities or have any impact with the flats to the side or above. Furthermore, the proposed rear and side extension would not have a detrimental impact in terms of light spillage, loss of privacy, or light pollution due to the sky light.

It is not proposed that the scheme would be for the provision for a roof terrace as indicated by the objector. Therefore, the rear and side extension would have a negative impact on the outlook or privacy of the neighbouring flats. Comment suggested that the extension would result in the loss of enjoyment to garden area of 112 Fitzjohn's Avenue. However, an extension that would project approximately 0.5m with a total depth of 7.5m to the side elevation would not lead to overshadowing to a south facing garden area. Furthermore, there are no high level windows to the side elevation that would contribute to overlooking. Considering the skylights would be built to the side and rear elevations, the impact of light emitting through the rooflights causing light pollution to the top floor flat would be minimal due to its obscured glazing. The skylight on the proposed rear extension is revised to be virtually flushed with the flat roof. Therefore, the proposed side infill and rear extension would not have a detrimental impact on the conservation or neighbouring amenities.

The details of any party wall agreement or the settlement/subsidence of the building structure would not constitute as material considerations when determining this planning application as this is dealt with by other departments. "The four metre violation" as described by the objector is out of context with the land being developed, there is no proposed 4 meter rule violation as the applicant applied for full planning permission for the proposed side infill and rear extension.

The proposed extension would also be subjected to approval from building control and any such application would be subjected to structural engineering report as part of the application process and the party wall issue is a private matter between both parties. The relocation of the entrance by bricking up of the existing door formalised a separation from the outlook into the bedroom area in terms of the current layout of the flat and the newly created opening if read with the plans and elevation combined with the site visit established why the new entrance/exist is proposed as this formalised a separate entrance to the living room space.

It is not anticipated from the floor plan and elevation drawing that a separate flat would be created, the floor plan indicate that access to the rest of the flat would be retained as part of the proposed scheme.

Amenity

The proposed rear extension does not have any windows or doors which face the neighbouring properties and therefore it will not result in loss of privacy. The extension would not create a tunnel effect that would lead to the loss of daylight and sunlight. The Flat roof is approximately 3.0m from the proposed rooflight with the 1st floor balcony and an additional 3.1m lower than the existing 1st floor window the flat roof as a terrace will be conditioned in order to protect the amenity space of the resident of the property above and would be built in accordance with planning policy CS5 and DP24 of the LDF.

Conclusion

The proposed extensions are considered to be respectful of the character and appearance of the host property would not be unobtrusive in its surroundings and in no way have a detrimental to the amenity of the surrounding Conservation Area. The proposal broadly complies with policies therefore, it is considered to be acceptable in relation to policies: CS14; DP24; DP25 & DP26 of Camden's LDF.

Recommendation: Grant conditional permission