

Address:	15 Gayton Crescent London NW3 1TT	
Application Number:	2013/1031/P	Officer: Hugh Miller
Ward:	Hampstead Town	
Date Received:	22/02/2013	
Proposal: Erection of a two storey side extension on south side, including erection of a new bay window plus new access with balcony and stone coping on north side; and erection of single-storey lean-to extension at lower ground level rear to an existing dwelling house (Class C3).		
Drawing Numbers: Location & Block plan; 1 011; Existing plan Lower Ground A; Existing plan Ground A 1 06; Existing plans- First, Second, Roof A 1 07; Lower Ground A 1 11; Ground A 1 12; First, Second, Roof A 1 13; Existing Gayton Crescent elevation Context A 2 01 1; Existing Willow Road elevation A 2 02; Existing rear elevation A 2 03; Existing South elevation A 2 04; Proposed Gayton Crescent elevation. Context A 2 11; Proposed Willow Rd elevation A 2 12; Proposed rear elevation A 2 13; Proposed south elevation A 2 14; Proposed Gayton Crescent elevation A 2 15; Existing section EE -conservatory A 3 05; Section AA -conservatory A 3 11; Section BB House + Conservatory A 3 12; New Section CC - CC Front area extensions A 3 13; Isometrics of New work A 7 05; Design & access Statement.		
RECOMMENDATION SUMMARY: Grant Planning Permission		
Applicant:	Agent:	
Wendy Galway Cooper 15 Gayton Crescent London NW3 1TT		

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3 Dwelling House		268m ²
Proposed	C3 Dwelling House		325m ²

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	House				1					
Proposed	House				1					

OFFICERS' REPORT

Reason for Referral to Committee: The Director of Culture of Environment has referred the application following briefing members (Clause ix)

1. SITE

- 1.1 A detached basement 3-storey building located on the south side of Gayton Crescent at the junction with Willow Road. The host building is surrounded by garden amenity space, the largest located on the south side adjacent to no.14 Gayton Crescent and no.41 Willow Road. The building has lightwells at the front in common with other dwelling houses on the south side of Gayton Crescent. The building's brick surface has white painted finish similar to others in the locality. The building is not listed but is in the Hampstead Conservation Area and the buildings numbers 1-15 are identified in the Hampstead Conservation Area Statement as making a positive contribution to the character and appearance of the Hampstead Conservation Area.
- 1.2 To its east lies nos.33-41 Willow Cottages a detached terrace of 2-storey houses with painted and rendered finish. These buildings are listed.

2. THE PROPOSAL

- 2.1 Erection of a two storey side extension on south side, including erection of a new bay window plus new access with balcony and stone coping on north side; and erection of single-storey lean-to extension at lower ground level rear to an existing dwelling house (Class C3).

3. RELEVANT HISTORY

- 3.1 April 2012 – **Withdrawn application** - Erection of a two storey side extension, a single storey front extension at lower ground level, and a new bay window with a balcony above to an existing dwelling house (Class C3); ref. 2012/0529/P.
- 3.2 December 2008 – **Refused** – Certificate of Lawfulness (Proposed) Erection of a basement, ground and first floor rear extension to single dwellinghouse (Class C3); (2008/4730/P) for reasons as follows:
1. The proposed rear extension would be more than one storey and would be within seven metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse. It therefore fails to comply with Class A.1 (f) (ii) of the Town and Country Planning (General Permitted Development Order 1995 as amended by Amendment) (No.2) (England) Order 2008.
 2. The enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse. It therefore fails to comply with Class A.2 (c) of the Town and Country Planning (General Permitted Development Order 1995 as amended by (Amendment) (No.2) (England) Order 2008.

- 3.3 August 2008 – Granted - Certificate of Lawfulness (Existing) Two single storey ground floor level extensions to the rear of the single dwellinghouse; 2008/3188/P
- 3.4 September 2006 - **Withdrawn** – Planning Application - Change of use of basement of residential dwelling (Class C3) to nursery school (Class D1) and associated minor works; 2006/2929/P.

4. **CONSULTATIONS**

Conservation Area Advisory Committee – Hampstead CAAC Comments)

- Existing house is an asset to the area and the proposed side extension unbalances that contrary to DP24. 24.13.
- The proposed rear top floor terrace will overlook cottages and gardens, including windows.
- We would like to see reinstallation of railings and kerb which we believe to have been put in without consent and prevention of present use for off-street parking. We believe consent for such a dropped kerb highly unlikely as it is a dangerous corner.

Local Groups

Heath & Hampstead Society – Objection

- When the drawings illustrating this proposal are examined, it would appear that what is being applied for is proportionate and reasonable.
- However, as you will have been informed by local residents, the actual situation is very different, and deceptive.
- Not only are the developers' intentions quite different, but work is now in hand. In others a word, unauthorised work is being built, concealed by scaffolding screens.
- This calls for Enforcement action on an urgent basis.
- The sizes and, in particular, the heights, of the two units of extension are not as drawn on the application drawings. Both are intrusive, and overlook adjoining properties in Willow Road to a significant degree.
- There is a 2nd floor level balcony, accessed by new doors, adding to the loss of privacy. DP26 applies.
- Nor is the work capable of being interpreted as Permitted Development, as we believe has been suggested; in particular, it exceeds the prescribed 3 metre height limit.
- The matter is causing understandable distress and anger locally, especially since it has been recalled that this developer tried something not dissimilar some years ago.

- Please refuse, and ensure that unauthorised work is demolished forthwith.

4.2 12 Gayton Road - Gayton Residents' Association (GRA) - Objection

1. Over several years, the owner has continued to build without planning permission and in the face of refusal by Camden of previous applications.

2. The owner has placed a crossover at the east end of this property. This was placed without permission and is dangerously situated for pedestrians and traffic. It should be reversed with immediate effect.

3. The proposals are an over-development of this small site and closely abut on neighbouring properties with an adverse effect on their amenities.

4. The proposals are out of character for the Conservation Area.

GRA request that Camden refuses this application and insists on reversal of the cross-over. (*Comment: See paragraphs 6.26 - 6.27 below*).

Adjoining Occupiers

<i>Number of letters sent</i>	12
<i>Total number of responses received</i>	12
<i>Number of electronic responses</i>	12
<i>Number in support</i>	0
<i>Number of objections</i>	12

The Council received **12 signed letters** all raising concerns as follows:

4.3 17 Gayton Crescent

- Concern that the proposed changes would be detrimental to the building and to the Conservation Area.
- Instead of allowing further building works the owners should be required to complete the existing works for which permission was granted. The ongoing works cause significant disturbance to residents as the builders obstruct the parking bay opposite the house to prevent anyone from parking there.
- I have complained about the obstruction of the residents parking bay separately and sent photos to prove it but Camden have taken no action.
- I am extremely concerned that Camden is not supervising the building works diligently and that no further works should be allowed. The additional works will be out of character with the existing structure and area.

4.4 18 Gayton Crescent

- Concern that the extensions would increase the footprint of the building dramatically. This is not in keeping with the conservation area. The building as it is (or rather was) has a wonderful simplicity and any further additions would alter a very distinctive property in a negative way.
- Secondly, extensive unauthorized works have already taken place: left-hand lean-to increased from 1 storey to 3 storeys with balcony on top, central protrusion increased from 2 storeys to 4 storeys, right-hand lean-to now 2 storeys high and extends further towards the boundary fence. I feel that the current owners are ignoring building regulation in the hope that the council either does not notice, or does not want to incur any costs by taking them to court.
- Thirdly, a mature tree was removed without approval to create the parking space to the North side of the property. I ask the council to take action to ensure a suitable replacement will be planted. The parking space as such was never approved and should not be approved as it is a detriment to the local environment. (*Comment: See paragraphs 6.26 - 6.27 below*).

4.5

19 Gayton Crescent

- The owners have recently submitted a planning application for various extensions although they have been working on the house for several years, concealing activity behind screens of plastic sheeting wrapped around the scaffolding. There appears to have been a blatant disregard for standard planning procedures and I believe that considerable changes have been made without authorisation.
- I urge the planning department to exert their authority in order to resist the cavalier manner in which work appears to have gone ahead regardless of the necessary consents and I wish to object to the proposed changes which I consider to be an overdevelopment of a unique property which contributed significantly to the area.
- Concern about the removal of a wall at the corner of Willow Road, together with removal of a mature tree, to allow for an off-street parking space; was this really approved within a Conservation area and if not, I trust that action will be taken to restore the wall and an appropriate, mature tree?
- Apart from a number of broken and dislodged paving stones outside the property as a result of building work over several years, the pace of work has recently increased and with it, part of a continuous residents' parking bay is regularly blocked off, day and night, with the use of pedestals, planks of wood and heavy sand bags to reserve the space and to prevent authorised parking, without any apparent authorised suspension of the bay. This displays a further blatant disregard for normal procedures and the local community.
- The cavalier manner with which activity on the building appears to have forged ahead must surely be met with appropriate action by the council. I trust unauthorised work will be dealt with accordingly and that any consents will be

consistent with the original design of the property together with the limitations imposed by a Conservation area.

4.6 34 Willow Road

- Number 15 Gayton Crescent is now entering its fifth year as a building site and it is clear from the neighbours detailed report that extensive structural alterations and additions to the rear elevation have already been carried out without planning permission and despite a clear rejection by Camden's Planning authority of a 2008 application for a three storey extension to the rear.
- The current planning application shows these changes as if they were an integral part of the original building, although it is clear from the 2008 application that this is not the case.
- This is a worrying development in a conservation area and flies in the face of the democratic process. It is vital that Camden does not allow this case to become a precedent that others can exploit.

4.7 37 Willow Road – 2 letters of (Similar contents)

- The current planning application shows these changes as if they were an integral part of the original building, although it is clear from the 2008 application that this is not the case. I understand the owners have presented Camden with later photos in an attempt to deliberately mislead Camden that these photos were taken at an earlier date.
- Camden must not let this breach in planning continue any further and must preserve the conservation area.
- In addition the scaffold that has been in place over the last few years has caused safety issues in the past with a section falling off in high winds in to the end garden of Willow Cottages. The scaffold had no identifier on and I had to call the police in the middle of the night as was worried that further sections would fall. As a parent of young children who have to walk past the site on the daily route to school I have severe safety concerns over this site.

4.8 38 Willow Road

- I have already signed the 20 page objection with 12 annexes submitted by a neighbour on behalf of a number of the residents of Willow Cottages. I object strongly to the proposed additions as they breach Camden's planning laws and guidance, they impact negatively on Grade II listed neighbouring Willow Cottages, and because unapproved works have already taken place at the property.
- I urge the Council to take enforcement action as set out in the 20 page objection. Also the reconfiguration of the internal staircase at 15 Gayton Crescent means that the rear windows will no longer be for service areas, and will intrude on the privacy of the gardens of all the residents of Willow Cottages -

No's 33-41 Willow Road, as would the windows of the proposed two storey extension.

4.9 40 Willow Road

- We have today submitted a 20 page objection with 12 annexes. We object strongly to the proposed additions, including because they breach Camden's planning laws and guidance, they impact negatively on Grade II listed neighbouring Willow Cottages, and because substantial unapproved works have already taken place at the property. 15 Gayton Crescent is a prominent building on a corner lot in a Conservation Area.
- It has been shrouded in scaffolding and tarpaulins for more than 4 years. We urge the Council to take enforcement action as set out in our 20 page objection.

4.10 41 Willow Road

- The two storey side extension will reduce the light in our living room significantly. It will obliterate what was once a pleasant view from Gayton Crescent over a garden with shrubs and a laburnum tree (cut down without permission) to the end of Willow Cottages.
- There has already been illegal building of a four storey and a three storey extension at the rear near the boundary wall, without planning permission and outside permitted developments. The three storey extension clearly has a balcony on top accessed by doors and overlooking Willow cottage gardens with resulting loss of privacy.
- The current application proposes a ground floor WC creating a further two storey rear extension as it is on top of what was previously an old rear lean-to - not only will this now abut the boundary wall but due to the lie of the land it will be above the boundary wall i.e. right on top of it. There has been ample opportunity in the many changes that have taken place inside this building for a ground floor WC to have been sited elsewhere. Building so close to the boundary wall is not acceptable.
- With the dominating rear extensions, loss of gardens, removal of trees and shrubs, removal of nice old railings around the corner together with the squalor of site with heaps of rubble and rubbish over the years, this property has been an eyesore in a conservation area. The project if approved will damage a formerly attractive conservation area of Hampstead.
- Please refer to the very detailed objection sent by post written by David Stone and other Willow Road residents, myself included, which will take you through the various changes that have taken place in this building since it was purchased by the current owners.
- For your attention - the description in the box above under 'Details' in the application is not totally accurate it does not mention the rear WC extension; the single storey front extension mentioned does not appear again in the plans.

4.11 39 Christchurch Hill

- I have had an opportunity to review the comments prepared by a neighbour on behalf of Willow Cottages in relation to this application. I support these comments, and recommend that that the council should consider them carefully.

4.12 8D Willoughby Rd

- I am a resident of Willoughby Road, in the surrounding environs of Willow Road and Gayton Crescent. I use Willow Road as pedestrian thoroughfare and pass Gayton Crescent almost daily. Amidst this Hampstead Conservation Area, is the eyesore of 15 Gayton Crescent on the corner of Willow Road, with its ongoing building works.
- The structure on 15 Gayton Crescent has, for as long as I can recall, been clad in scaffolding jutting out at all angles; tatty tarpaulin hoarding that has disintegrated, unfixed and blows noisily about in the wind (quiet dangerous); and surrounded by building rubble. The property is quite exposed to gusts of wind and I do have some concerns about pedestrian safety as the entire site seems like it is not being properly maintained in its state of construction.
- The iron fencing to the property has been partially removed and this ineffective barrier results in potential hazards for footpath pedestrians if anyone were to trip or fall as the property slopes away to hazardous building rubble on the other side of the fence.
- Its prolonged current state of building works, untidy scaffolding and prolonged removal of 15 Gayton Crescent's garden / foliage is a blight on a Conservation Area and has a negative impact on my enjoyment of experiencing the day-to-day of my neighbourhood in keeping with the rest of the area.
- Very little work appears to be currently being undertaken on the property, which does ask the question: when will it be aesthetically returned to a state in keeping with its Conservation Area environs?
- I object to further disruption of the peace and aesthetic of the area due to further building works at 15 Gayton Crescent. I also object to the proposed side extension that will reduce the amount of foliage bordering Gayton Crescent that previously existed and should be reinstated.

4.13 8d Willoughby Road

- Willow Road and Gayton Crescent share an extraordinary history. They are also part of the Hampstead Conservation Area. It is important that these streets are not destroyed by building work and activity that is out of character with the neighbourhood.
- I would like assurance of the safety of the existing property works and an audit of the timeline on works to the property since 2008. There has been a stalemate

and I think the local community needs to hear answers as to why this ought to continue.

- Young children and families with children walk by the building site constantly. I do not think it is safe for scaffolding and hoardings to be on a property for years on end. Furthermore, when a building site is not fenced in accordance with rules and regulations it is a recipe for a major accident to occur.

4.14 The Council received a signed letter from numbers 34, 37, 38, 40, 41, 52 Willow Road including an associated 20 **page document and supporting Annexes (1-12)** comprising of photographs, copies of drawings, copies of planning application forms, copies of planning decision notices, copy of letter dated 27th June 2008, copy of online application details (2012/0529/P, copy of letter dated 14th October 2008. The document raised concerns as follows:

A summary of the covering letter is as follows:

- We object strongly to the proposed additions, this objection follows the same outline as our objection to the previous application (ref. 2012/0529/P). Last year's planning application was withdrawn following many objections. This planning application is basically the same; also in the meantime, the enforcement action requested has not occurred.
- Willow Cottages are Grade II listed and DP25 in relation to listed buildings notes that the Council will not "permit development that it considered would cause harm to the setting of a listed building". The proposed plans block the views from Gayton Crescent of the Willow Cottages and significantly impact on the amenity of both 41 Willow Road and the gardens of the other cottages.
- Concern that significant unapproved building work has taken place at the site since 2008 which was not drawn to officers' attention; having failed to gain permission for a 3-storey rear extension in 2008, the current owners have built it anyway under the scaffolding that has blighted the property for over four years.

5. **POLICIES**

5.1 **LDF Core Strategy and Development Policies**

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving heritage / conservation areas.

DP24 – Securing high quality design

DP25 – Conserving Camden's heritage / conservation areas

DP26 - Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011:

(CPG1: Section – 1 Introduction; 2 Design excellence; 3 Heritage; 4 Extensions, CPG6: Section – Section 6 Day/sunlight

Hampstead Conservation Area Statement 2001

National Planning Policy Framework 2012

5.2 Supplementary Planning Policies

6. ASSESSMENT

6.1 The principal consideration material to the determination of this application are summarised as follows:

- Alleged unauthorised works to principal building/ responses to objections;
- Extensions - Design and impact on listed Willow Cottages also impact on the conservation area
- Neighbour amenity

Alleged unauthorised works to principal building

6.2 As noted in the history section above, the application site has a long planning history. More specifically, the substantive objections raised are related to extensions to the host building which are referred to in the written representations as requiring planning permission or that the Council should enforced against.

Comments on objections

6.3 Whilst a few objections made specific reference about the proposed extensions, the subject of this proposal; the substantive objections raised are related to allege unauthorised works to the building or on the site and are identified as follows: **a]** *the erection of extensions at the rear of the building, b]* *the removal of a fence/ low-level wall and use of the garden for off-street parking c]* *internal alterations, d]* *blocked footpath/ pavement, e]* *removal of Holly tree, removal of hedges at front of building, f]* *the impact of the scaffolding and its safety.*

6.4 The Council received complaints regarding alleged unauthorised works on the site, which led to investigations by officers during July and August 2008 and intermittently until November 2012. To aid the investigation, the Council also served a Planning Contravention Notice on the owners of the host building [*This is an investigative tool whereby the Council seeks information. A failure to respond could result in a prosecution in the magistrates' court*]. Officers concluded their investigations as follows:

6.5 **Rear extensions:** The total increase in volume of the extensions did not exceed 10% of the existing volume of the main dwellinghouse [*The western extension is 1.75m X 3.8m, the middle staircase compartment is 1.7m deep X 2.6m wide. The house is 9.8m wide by 6.5m deep over four floors with some loft space. The cubic content of the house is 892 cubic metres approx, the cubic volume of the two extensions is 75 cubic metres approx, the rear boundary is close to the edge of the building but the middle staircase extension is over 2m away, it meets all the other criteria but in any event was completed over four years ago*]. On this basis the development was deemed as permitted by Class A, of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995. Subsequently, in

2009 a single storey rear extension for a W.C. not exceeding 3 metres in height was constructed. This development too was deemed as permitted by Class A, of the Schedule 2 of The Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008.

- 6.6 *Railing/wall removal/off-street parking*: The demolition of the a two metre section of railings was less than 1.0m in height and is not considered to require planning permission or conservation area consent and the creation of off street parking and hardstanding is deemed permitted development by Class A, of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995.
- 6.7 *Internal alterations*: Planning permission is generally not required for internal alterations to a dwellinghouse unless the alterations are for the sub-division of the flat or house into more individual flats.
- 6.8 *Removal of hedges*: The removal of green hedges from the front of the site does not require planning permission.
- 6.9 *Blocked footpath/pavement*: The blocking of the pavement / footpath is not a planning matter relevant to the determination of the application but rather a matter for the Council's Highway Services.
- 6.10 *Holly tree removal*: The tree was removed more than four years ago, and therefore the applicant is immune from enforcement action being taken by the Council. Notwithstanding this, the applicant has planted three small Cypress trees in the same side garden area and is unwilling to plant any more trees.
- 6.11 *Scaffolding & safety*: The scaffolding is located on private land and therefore no permit or license is required from the Council. Safety issues should be referred to the contractor, the Police and or The Health and Safety Executive. Whilst it can be argued that the scaffolding may not be aesthetically pleasing, and could be considered to harm the wider appearance of the conservation area, it is there to enable works to the host building. Nevertheless, it is not a material consideration relevant to the determination of the application.
- 6.12 *Supervision of works*: The Councils officers do not supervise works on development sites; and this is not a material consideration relevant to the determination of the application.
- 6.13 **The current application proposes the following:**
- Erection of a two storey side extension (south side),
 - Erection of a new bay window plus new access with balcony and stone coping (north side);
 - Erection of single-storey lean-to extension at lower ground level at rear.

Extensions - Design and impact on listed Willow Cottages and impact on the conservation area

Extension – south side

- 6.14 On the south side, lies an existing garden space between the host building and number 14 Gayton Crescent. At the ground level, the proposed extension would appear as single-storey; however, when viewed from the rear would read as 2-storeys due to the topography of the site.
- 6.15 At the ground floor level, the proposed extension has dimensions of 5.0m width x 5.1m. depth x 4.2m height; and measure 25.5sqm at this level. It is set back from the front and rear elevations of the host building. The proposed extension would retain a gap with no.14 Gayton Crescent, which would retain the vista at this level. At the ground floor level, the extension would have a pair of painted timber framed double-hung, double glazed sash windows at the front and rear and an identical single window at the side. At the lower ground floor level rear, it would have painted timber framed double-hung, full-height double glazed windows and a largely glazed door. The proposed extension with its decorative brick dentils and raised parapet height would align with the height of the front bay windows of the host building; and its walls painted to match the main building. Its glazed hipped roof would sit behind and below the rendered raised parapet. Its new windows would have Yorkstone cills which would complement the main building.
- 6.16 The retained gap at the ground floor level ensures that the semi-detached character of the application site relative to the neighbours is retained; and it further minimise the extensions overall scale and proportions when compared with the host building. However, given the topography of the site, it is considered that a full-width lower ground floor extension would not add any significant additional bulk to cause harm to the host building or harm the Conservation Area, as the essential wide gap at the ground floor level would be maintained. The proposed extensions overall design, use of materials and setting would anchor the extension in this location whilst being subordinate in scale to the host building.
- 6.17 The extension is not considered to harm the listed Willow Road buildings in terms of design, scale and proportions or its setting and it is considered satisfactory and is considered to be compliant with LDF policies DP24 and DP25 and Camden Planning Guidance (CPG1 Design) guidelines.

New bay-window / north side/new windows 1st floor

- 6.18 To the north, comparisons are made with the openings on the front elevations of houses nos.42-48 Willow Road, which distinguish their elevations both in their opening pattern and their rhythm. Elsewhere at no.1 Christchurch Hill (located south of the application site) there is such an example showing a window on its southern most elevation that ties the windows on the east and west elevations.
- 6.19 On the host building, the north elevation frontage along Willow Road is devoid of any architectural details. It is proposed to erect a new bay-window extension at the ground floor level. It would include stone coping edged balcony, plus steel handrail and new window at 1st floor level. The new timber framed and glazed openings are of similar scale and proportions to the existing and are considered satisfactory. The bay window would complement and not detract from the appearance of the host

building; provide visual interest on this blank elevation and it would not harm the appearance of the host building and is considered satisfactory.

Rear extension

- 6.20 It is proposed to erect a 2-storey extension of similar footprint at rear (east side) as replacement for the former single-storey w.c. extension. It would comprise mono-pitched slate roof, a small timber framed double glazed sash window and painted matching brick finish. In terms of design, scale and proportion, use of materials, the proposed extension would be subordinate to the main host building and it would be discernible in terms of its impact on the host building and the wider conservation area.
- 6.21 On the north side, the proposed brick retaining wall would be painted to match the host building and is considered acceptable. The proposed timber bin store is also acceptable.
- 6.22 *Rooflight:* The proposed rooflight design is of heritage/ conservation type; moreover, if it does not project more than 150mm above the main roof surface it is permitted development as per GDPO Class C; C.1 (a).

At second floor level rear, the French doors and roof terrace is also permitted development by virtue of the building being a single-dwellinghouse and planning permission is not required.

Amenity

South side/ Side extension:

- 6.23 A gap of approximately 6.0m lies between no.14 Gayton Crescent and the south flank wall of the host building; the space to be developed. No.14 forms a semi-detached pair of dwelling houses and its rear flank wall is approximately 3.0m from the north flank wall of no.41 Willow Road.
- 6.24 The relationship between the host building and no.41 Willow Road is atypical. The west flank wall of no.41 Willow Road is also the boundary wall/ line between the garden amenity space of the host building with no.41. Number 41 Willow Road has a window each at the ground and first floor levels on this boundary. In this location therefore, any extension or building erected on the south side of the host building would be visible from no.41.
- 6.25 At no.41 Willow Road, the proposed extension would be visible from the windows at ground and first floor levels, although at this level, the views are partly obscured by the staircase which is located next to these windows. Moreover, no.41 has additional windows on its east side (Willow Road frontage) that provides outlook and views. In addition, when viewed from within no.41, some reciprocal views are likely to occur from the proposed new openings of the extension [also the use of the host garden amenity space]; but not to the extent that significant amenity loss in terms of overlooking, or the loss of privacy would occur; due partially to the location of the staircase. In this regard therefore, it is considered that the impact given the

circumstances of the site is not considered so materially detrimental to the extent that the proposal should be refused.

- 6.26 A side window is proposed that provides views towards the south at no.14 Gayton Crescent. However, there are no views into habitable rooms from this proposed window. Similarly, it would be sufficiently far not to cause loss of sun/daylight or impact on the occupiers' views or outlook.
- 6.27 The proposed extension would be set back approximately 6.5 m from the windows at no.41 Willow Road. Given the location of these windows (flank boundary wall) any structure erected on this south side would be visible to the occupiers of no.41. However, it is considered that there is more than sufficient distance between the ground floor window at no.41 for there not to be an unreasonable loss of sun/daylight to the occupiers at no.41 and the proposal is satisfactory.
- 6.28 Daylight: Due to the scale /location of development, the proposed extension would not have a significant impact on matters of sun/daylight.
- 6.29 North side/ bay-window/balcony: The balcony and windows are orientated due north overlooking the Willow Road and the rear garden of Willow Hall; with no impact on residential occupiers' amenities.
- 6.30 The proposed extensions south side, rear and the new bay window would be in compliance with policies DP26 & CPG extensions guidelines.

7. **CONCLUSION**

- 7.1 The proposed extensions are of modest scale and proportions, well designed and would harmonise and complement rather than detract from the appearance of the host building. As such the proposed extension on the south side would be sympathetic to and would not be harmful to the appearance or the setting of the listed Willow Road houses opposite. Therefore on its merits the proposed extension on the south side is in accordance with the Council's policies and guidance and is acceptable.
- 7.2 Similarly, the proposed extensions and their uses will not harm neighbour amenity and are acceptable.

8. **LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.