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|--|----------------------------|--|-------------------------------------|-------------------|
| <b>Delegated Report</b>  |                            | <b>Analysis sheet</b>  | <b>Expiry Date:</b>                 | <b>15/12/2010</b> |
| <b>(Members Briefing)</b>  |                            | N/A / attached   | <b>Consultation Expiry Date:</b>    | <b>25/11/2010</b> |
| <b>Officer</b>   |                            |  | <b>Application Number(s)</b>        |                   |
| Anette de Klerk  |                            |  | 2010/5567/P                         |                   |
| <b>Application Address</b>   |                            |  | <b>Drawing Numbers</b>              |                   |
| Worsley Court<br>45 Pilgrims Lane<br>London<br>NW3 1SR   |                            |  | Refer to decision notice            |                   |
| <b>PO 3/4</b>  | <b>Area Team Signature</b> | <b>C&amp;UD</b>  | <b>Authorised Officer Signature</b> |                   |
|  |                            |  |                                     |                   |
| <b>Proposal(s)</b>   |                            |  |                                     |                   |
| Additions and alteration to existing block of flats (Class C3) to include removal of the existing mansard roof and exterior rear stairwell, the erection of a new second storey with new mansard roof at third floor level, erection of side, part rear extension at lower ground level and rear extension at ground, first and second floor level, all in association with reconfiguration of existing 5 no. flats to provide 1 x 1 bed, 3 x 2 bed and 1 x 3 bed flats. |                            |  |                                     |                   |
| <b>Recommendation(s):</b>  |                            | Grant Planning Permission subject to Section 106 Legal Agreement |                                     |                   |
| <b>Application Type:</b>   |                            | Full Planning Permission   |                                     |                   |

|   |   |           |                  |           |                   |           |
|---|---|-----------|------------------|-----------|-------------------|-----------|
| <b>Conditions or Reasons for Refusal:</b> | <b>Refer to Draft Decision Notice</b>   |           |                  |           |                   |           |
| <b>Informatives:</b>                      |   |           |                  |           |                   |           |
| <b>Consultations</b>                      |   |           |                  |           |                   |           |
| <b>Adjoining Occupiers:</b>               | No. notified  | <b>84</b> | No. of responses | <b>14</b> | No. of objections | <b>14</b> |
|   |   |           | No. Electronic   | <b>0</b>  |                   |           |
| <b>Summary of consultation responses:</b> | <p>A site notice was displayed between 04/11/2010 – 25/11/2010. A press notice was published on 04/11/2010, expiring on 25/11/2010. Fourteen letters of objection were received from the following properties: No's 8, 9, 10, 11, 12 &amp; 16 Willow Road and No's 58, 60, 64 Pilgrim's Lane and Flat No's 2, 5, 7 &amp; 10 contained within Princess Court at No 68 Pilgrims Lane. A letter was also received from the 68 Pilgrims Lane Residents Association. The objections are summarised as follow:</p> <ul style="list-style-type: none"> <li>- Increase in height does not considered proportional space between properties decreasing outlook and leading to sense of enclosure as Willow Road residents will face a large, heightened mass. <i>(Paragraphs 2.6, 2.7 &amp; 2.8)</i></li> <li>- Object to the bulk of the new building and the removal of the attractive Palladian-window style canopy over the front door. <i>(Paragraphs 2.6, 2.7, 2.8 &amp; 2.9)</i></li> <li>- The adjoining property at 43 Pilgrims Lane should not become the legitimate new height to which Worsley Court building should be raised. <i>(Paragraphs 2.6, 2.7 &amp; 2.8)</i></li> <li>- Existing building is a perfect functioning building and anything but restoration is highly unsatisfactory. <i>(Paragraphs 2.6, 2.7, 2.8 &amp; 2.9)</i></li> <li>- An additional storey added to Worsley Court will dominate the corner and will be visible from the Heath. <i>(Paragraphs 2.6, 2.7, 2.8 &amp; 2.9)</i></li> <li>- Increased bulk and increased footprint is overdevelopment. <i>(Paragraphs 2.6, 2.7, 2.8 &amp; 2.9)</i></li> <li>- Increase in height and size would reduce the amount of direct sunlight to rear gardens and light to rooms of properties along Willow Road, believe the daylight/sunlight is wrong. <i>(Paragraphs 3.3 – 3.7)</i></li> <li>- Introduction of additional floor with windows would result in direct overlooking of properties along Willow Road. <i>(Paragraphs 3.1, 3.2)</i></li> <li>- There seems to be a large roof terrace planned that would lead to overlooking of properties along Willow Road and noise problems <i>(The proposed development does not involve the creation of a roof terrace).</i></li> <li>- Risk of floods – the development will funnel the underground stream flowing between Willow Road and Pilgrim's Lane to the properties along Willow Road. <i>(Paragraph 7.1)</i></li> <li>- Excavation of additional lower ground space threatens stability of surrounding properties. <i>(Paragraph 7.1)</i></li> <li>- Would cause considerable disruption, noise, dirt and parking restrictions to Pilgrim's Lane. <i>(Paragraphs 7.1)</i></li> <li>- Vibration and disturbance due to pile-driving in close proximity to concrete built Victorian Houses along Willow Road may cause damage to houses. <i>(Paragraph 7.1)</i></li> <li>- Proposed works would damage root systems of trees in adjoining properties. <i>(Paragraph 7.2)</i></li> </ul> |           |                  |           |                   |           |
| <b>CAAC/Local groups comments:</b>        | <b>Hampstead CAAC</b> – No response received after formal consultation.   |           |                  |           |                   |           |

## Site Description

The application site relates to a four-storey (including basement and loft) end of terrace building which currently comprises 5 residential flats. The site is located on the northwest side of Pilgrims Lane and is within the Hampstead Conservation Area and close to Hampstead Heath.

The building is not identified as a building that makes a positive contribution to the character and appearance of the conservation area, nor is it listed.

The surrounding area is predominantly residential in character.

## Relevant History

**2010/0636/P & 2010/0751/C:** Demolition of existing building and erection of a four-storey and two level basement building to provide 4 (2 x 2-bed and 2 x 3-bed) residential units (Class C3), following demolition of existing four-storey building. Withdrawn 14/05/2010.

**2008/2714/P & 2008/3167/C:** Demolition of existing building and erection of a four-storey building with two levels basement to provide 2x 2-bedroom and 2x 3-bedroom residential units. Refused 31/10/2008. Appeals (Ref no's APP/X5210/A/09/2098025 & APP/x5210/E/09/2098026) dismissed 08/06/2009.

**2007/1796/P & 2007/1801/C:** Replacement of the existing 3 storey and basement property (containing 5 flats) by a 5-storey building with two basements containing 5 self-contained flats with basement parking for 6 cars, plus balconies at rear and roof terrace to front/side elevations. Withdrawn 27/08/2007.

**2007/6314/P & 2008/0755/C:** Demolition of the existing property and the erection of a replacement four storey building with two levels of basements containing 5 self-contained flats and basement parking, plus balconies to front and roof terrace to front/side. Refused 04/04/2008

## Relevant policies

### LDF Core Strategy and Development Policies

#### Relevant Policies in Camden Core Strategy

- CS1 (Distribution of growth)
- CS5 (Managing the impact of growth and development)
- CS 6 (Providing quality homes)
- CS11( Promoting sustainable and efficient travel)
- CS14 (Promoting high quality places and conserving our heritage)
- CS19 (Delivering and monitoring the Core Strategy)

#### Relevant Policies in Camden Development Policies

- DP2 (Making full use of Camden's capacity for housing)
- DP5 (Homes of different sizes)
- DP6 (Lifetimes Homes and wheelchair housing)
- DP16 (The transport implications of development)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking standards and limiting the availability of car parking)
- DP19 (Managing the impact of parking)
- DP20 (Movement of goods and materials)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)
- DP26 (Managing the impact of development on occupiers and neighbours)
- DP27 (Basements and lightwells)
- DP28 (Noise and vibration)

Camden Planning Guidance  
Hampstead CAS

## Assessment

### 1. Proposal:

- 1.1 Planning permission is sought to remove the existing mansard roof and exterior rear stairwell, the erection of a new second storey with new mansard roof at third floor level, erection of side, part rear extension at lower ground level and rear extension at ground, first and second floor level and reconfiguration of existing 5 no. flats to provide 1 x one bedroom, 3 x two bedroom and 1 x three bedroom flats.
- 1.2 This application follows a number of recent applications at the site, which comprised the demolition and redevelopment of the site (see relevant history above). The current application does not seek to demolish the existing building, so in this respect is more modest in nature.

### 2. Design, Scale and Appearance:

#### Context:

- 2.1 The existing four storey building was constructed circa 1930 and contains 5 no. flats of varying sizes. The existing building has a brick façade with a basement and attic dormers. The property has an external staircase to the rear.
- 2.2 The adjoining property to the south, No 43 Pilgrim's Lane, is a four storey plus basement building displaying motifs of middle eastern design. This building measures approximately 22.615 metres in height and appears a storey higher than the adjoining application building due to the sloping nature of Pilgrims Lane.
- 2.3 Princess Court, a five storey, brick built mansion block is located opposite the application site at No. 68 Pilgrims Lane. No's 66 and 64 Pilgrims Lane also contain 5 storey residential properties. These properties also appear to be a storey higher than the application site.
- 2.4 The application site is flanked to the north by the rear gardens of properties located along Willow Road. The properties along Willow Road contain 3 and 4 storey plus basement buildings with some of the properties also displaying rear extensions. The property adjoining the application site to the north, No. 8 Willow Road has an existing ground and lower ground floor side extension and two garages located along its rear boundary with the application site.

#### Proposal:

- 2.5 The proposed extensions and internal and external alterations to the existing building will entail the removal of the existing mansard roof and exterior rear stairwell, the erection of a new brick build second storey with new mansard roof at third floor level, erection of side, part rear extension at lower ground level and rear extension at ground, first and second floor level. The internal alterations will allow a new layout to provide 2 no flats at lower ground level, 1 no. flat at ground level, 1 no. flat at first floor level and 1 no. flat at second and third floor level.
- 2.6 The proposed infill side/rear extension at lower ground level will follow the existing building line of the building along the front and will be hidden behind the existing fencing along the boundary with the properties on Willow Road. The removal of the external stairwell to the rear of the building will allow the erection of an infill rear extension at ground, first and second floor level which will square off the rear building line of the building. The proposed rear extension will not project beyond the existing building line along the northern boundary with the rear gardens of properties along Willow Road.
- 2.7 The proposed new second floor will follow the existing rear building line displaying a setback along the rear north eastern corner. The proposed mansard roof extension will have a similar angle as the existing mansard roof extension and will also display two dormer windows along the front elevation and a single dormer to the side elevation. The overall height of the building will match the height of the adjoining building at No 43 Pilgrim's Lane. The brickwork of the proposed extensions will match the existing in colour and style with the proposed bay window at first floor level matching the existing

in details and finish. The proposed dormers will match those of Princess Court opposite the application site and will display white timber windows to match originals with tiled cheeks and lead flashing. The new windows will be timber painted to match the existing in design and appearance. The new painted timber front doors will also be in keeping with the overall style and appearance of the building. The existing curved canopy over the front door will also be replaced by a flat roof canopy supported by posts. The detailed design and materials of the replacement canopy are considered satisfactory and are not considered harmful to the character and appearance of the building or conservation area.

2.8 The design and scale of the second floor, mansard roof extension and infill rear extension are considered to be well-conceived in relation to the context of the street with the overall roof height similar to those of the adjoining property at No. 43 Pilgrim's Lane and the buildings opposite. It is acknowledged that the additional storey will be visible in long views, however, this is not considered to be out of scale with the host building or context, or otherwise harmful to the streetscene given the number of buildings of similar height in close proximity to the site. The use of matching materials, window sizes and proportions work appropriately with the character of the building.

2.9 In terms of design, materials, scale and proportions, the proposed development is considered satisfactory in overall terms. It is therefore considered that the proposed development would not have a detrimental visual impact on the appearance of the building or the surrounding conservation area. However it is also considered that the success of the scheme is very much dependant on the precise execution of the scheme in terms of high quality materials, detailed design and finished appearance. Thus conditions are recommended which seek full details/samples of all external surfaces of the extension to be provided prior to any development taking place. Furthermore, in terms of detailed design, details in relation to windows, doors and railings will also be secured via condition.

### **3. Amenity:**

#### Overlooking:

3.1 The rear gardens of properties along Willow Road are already being overlooked to a certain degree by the 9 no. windows in the side elevation of the existing building. Three of these windows are to habitable room windows with the rest serving bathrooms/wc's and stairwells. The proposed development will result in a reduction in the number of windows to 5. Only one window, the proposed dormer window to the living room, will serve a habitable room. Given that the rear garden areas of properties along Willow Road are already being overlooked by habitable room windows in the existing building, it is not considered that the proposed development will result in an unreasonable amount of additional overlooking into rear garden areas or habitable rooms of these properties. In fact it is considered that the possible amount of overlooking will be reduced.

3.2 The proposed extension to the rear will be in line with the existing building line of the building. The existing building has windows at ground, first and second floor level and it is therefore not considered that the proposed windows will result in an unreasonable amount of additional overlooking into any habitable rooms of adjoining properties.

#### Daylight and Sunlight:

3.3 A daylight and sunlight report has been submitted as part of the application. This report details the impact of the proposed development on daylight and sunlight to neighbouring residential properties at 8-15 Willow Road, 60-66 Pilgrim's Lane and 43 Pilgrim's Lane. The report identifies all the residential properties which would be most affected by the development.

3.4 In terms of daylight, the report details both the existing and proposed VSC figures. It concludes that there will be very little noticeable impact on daylight levels to the surrounding residential properties. This is supported by the data provided in the report.

3.5 The BRE guidance and CPG states that if a window already receives a good level of daylight then any reduction below 27% should be kept to a minimum and that where they already receive lower levels of light any reduction to less than 0.8 times of its former value will result in a noticeable affect on amenity. This does not occur and in no location does VSC fall below 0.94 the former value of properties along Willow Road or below 0.89 the former value of properties along Pilgrim's Lane, which is considered to be indiscernible.

3.6 In terms of sunlight it is submitted that given the orientation of the terrace no significant impact will occur. This is considered to be acceptable and no concern is raised with regard to sunlight.

3.7 It is considered that the daylight and sunlight report submitted demonstrates that the impact of the proposal would not be such as to justify a refusal on these grounds.

#### **4. Land use:**

4.1 In terms of the provision of new housing, the Council's policy DP2 seeks the fullest use of underused sites and buildings for housing provided that the accommodation reaches acceptable standards. This proposal entails the replacement of the existing 5 no. units (4 x 2 bed and 1 x 1 bed) with 5 new units (1 x 1 bed, 3 x 2 bed and 1 x 3 bed). There are no land use issues raised in principle to the reconfiguration proposed.

#### **5. Residential Standards and Lifetimes Homes:**

5.1 The internal arrangements as shown on the proposed plans meet size requirements for both individual room sizes and the total floor area of the proposed dwellings. The proposed habitable rooms would receive adequate levels of light and ventilation. The proposed residential units are therefore considered to provide residential accommodation of an acceptable standard.

5.2 Policy DP6 of the LDF encourages new housing to be accessible to all and built to 'Lifetime Homes' standards. The applicant has demonstrated where the proposed dwellings will adhere to 'Lifetime Homes' standards in the submitted Design and Access document. The submitted drawings suggest the residential units can meet the relevant criteria of the appraisal and is considered acceptable in the context of this policy. An informative will encourage the applicant to implement as many of these standards as possible.

#### **6. Transport:**

6.1 The proposal entails the provision of the same number of residential units as existing and therefore it is not required to secure the development as car-free.

6.2 LDF policy DP17 require development to sufficiently provide for the needs of cyclists, which includes cycle parking and UDP policy T7 states development must comply with Camden Parking standards. The London Plan also adopts the Transport for London cycle parking standards.

6.3 Appendix 2 of the LDF states that 1 storage or parking space is required for bicycles per residential unit. Transport for London's cycle parking standards require the provision of 1 cycle parking space per flat and 2 spaces for flats with 3 or more bedrooms. The applicant is therefore required to provide 6 cycle parking spaces (3 Sheffield stands). At the present time no provision for cycle parking is shown. There is considered to be sufficient space for this to be provided and this is considered necessary. The provision of cycle parking will therefore be secured by condition.

6.4 A construction management plan was submitted as part of the application. This is considered to be insufficient in its current form to meet the Council's requirements for a Construction Management Plan. A Construction Management Plan is considered to be necessary in this instance owing to the scale of works proposed and the need to protect the local highway network and neighbouring amenity during the construction period. Therefore, the submission of a Construction Management Plan is recommended to be secured through a Section 106 Agreement.

6.5 The proposed demolition, excavation and construction works are likely to lead to damage to the footway adjacent to the site during the course of works. A financial contribution is recommended to be sought through a Section 106 Agreement to repave the footway at this point of Pilgrim's Lane.

## 7. Other Issues:

### Risk of flooding and impact on water table:

7.1 The proposed side/rear extension at lower ground level would not take up a substantial part of the outside amenity space or permeable surface area as it would be below the footprint of the existing side extension of the building. The proposals incorporate a very small level of excavation, amounting to an additional depth of 1.2m on the lower ground floor side extension. It is considered unlikely that the infill extension at lower ground level would have a significant impact on rainwater absorption in the context of the surrounding area, which incorporates the large open space of Hampstead Heath. Some of the objections are in relation to issues of stability and under ground water channels. The limited depth of excavation, over a small area below the footprint of the existing building means such issues are considered unlikely to occur. These issues are also subject to Building Regulations. It is recommended that informatives referring the applicants to Building Control requirements and permitted hours of construction as controlled by the Control of Pollution Act, be included to draw attention to these matters.

### Trees

7.2 There are no trees present on the development site. There is a tree located in the rear garden of No. 14 Willow Road near the shared northern boundary with the application site. There is a level change between the application site and the rear garden at No. 14 Willow Road and a retaining wall with foundations act as a barrier between the two sites. Due to the location of the retaining wall it is not considered that there is any rooting near the boundary of the development site. There is another tree located to the east of the development site. This tree is separated from the proposed development by the two garages along the eastern boundary and therefore it is not considered that there is any rooting near the boundary with the development site. The proposed development is therefore not considered to have any detrimental impact on the nearby trees.

### **Recommendation: Grant Planning Permission subject to S106 Legal Agreement concerning the following obligations:**

- Construction Management Plan
- Financial contributions for highway works to repave the footway on Pilgrim's Lane adjacent to the application site