

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>13/01/2012</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>14/12/2011</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Hugh Miller			2011/5684/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
39 Rossllyn Hill London NW3 5UJ			See draft 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>				
Erection of a single storey rear and side extension as replacement for three separate single-storey rear extensions at lower ground floor level; associated rear garden excavation with new patio and access steps to garden level; enlarged roof terrace including installation of new refurbished iron balustrade on new rear extension, all to existing self-contained lower and upper ground floor self-contained flats (Class C3).				
<b>Recommendation(s):</b>		<b>Grant permission</b>		
<b>Application Type:</b>		<b>Full Planning Permission</b>		
<b>Conditions or Reasons for Refusal:</b>		<b>Refer to Draft Decision Notice</b>		
<b>Informatives:</b>				

## Consultations

<b>Adjoining Occupiers:</b>	No. notified <b>17</b>		No. of responses <b>00</b>  No. Electronic <b>00</b>		No. of objections <b>00</b>	
<b>Summary of consultation responses:</b>	Advertised in Ham & High 1/12/2011, expires 22/12/2011. Site Notice displayed 24/11/2011, expires 15/12/2011.					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p><u>Fitzjohns/Netherhall CAAC</u>: No Objection</p> <p><u>The Heath &amp; Hampstead Society</u>: Objection.</p> <p>Although this is not a major basement proposal, it does incorporate excavation very close to at least 3 adjacent properties, and thus should be accompanied by a Basement Impact Assessment. None is provided nor indeed any structural information.</p> <p>The standard of architectural design indicated also falls way below that required in our Conservation Area; the proportions and designs of windows are particularly inappropriate. Please refuse.</p> <p><b>Officer Comment.</b> Please refer to paragraphs. 2.0 – 2.5 below. The windows designs are consistent with the contemporary extension and the room they are associated with.</p> <p><u>Thames Water</u>: – No objection to the planning application.</p> <p>Thames Water has advised that the applicant should incorporate within the proposed development the installation of, for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewage network may surcharge to ground level during storm conditions.</p> <p><b>Officer Comment.</b> This is recommended to be added as an informative to any planning permission at the site.</p>					

## Site Description

A lower ground plus 3-storey pair of semi-detached houses located on the south side of Rosslyn Hill, south of the junction with Thurlow Road and east of Eldon Grove. The building is divided into self-contained flats, lower and upper ground. The application concerns the both units at the lower and upper ground floor levels. There are three existing single-storey extensions, at the lower ground level, two on the north side and one at the south (rear). The building is within the Fitzjohn/ Netherhall Gardens C.A. The building is not listed.

## Relevant History

June 1992 – PP Granted - The retention of a porch entrance to the basement flat including enlargement of the basement area as shown on drawing no 107/1-4 revised on 11.03.92; ref. 9200143

February 1993 – PP Granted - Erection of porch at rear lower ground floor level to the existing flat; ref. 9201177.

June 1999 – PP Granted - The erection of a single storey side extension to the existing house. As shown on drawing no(s) 19/1, 2, 3, 5 and one un-numbered revised plan with dimensions as clarified by letter dated 9th June 1999; ref. PW9902335

## Relevant policies

### ***LDF Core Strategy***

CS5 (Managing the impact of growth and development)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

### ***Development Policies***

DP22 (Promoting sustainable design and construction)

DP23 (Water)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP27 (Basements and lightwells)

### ***CPG 2011:***

Fitzjohns/Netherhall Conservation Area Statement

## Assessment

### **Proposal**

- ✓ Erection of a single storey rear and side (wrap-round) extension as replacement for three separate existing single-storey rear extensions at lower ground floor level;
- ✓ associated rear garden excavation;
- ✓ enlarged roof terrace above new enlarged rear extension including installation of new refurbished iron balustrade .

The main issues are 1] impact on lower ground excavation, 2] design, 3] impact on the appearance of the building and on the character and appearance of the C.A; 4] neighbour amenity.

### **2.0 Policy requirement**

#### New Basement & lightwells

**2.1** LDF policy DP27 states “In determining applications for basement and other underground development, the Council will require an assessment of the scheme’s impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. It states that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

**2.2** It further states that in determining lightwells, the Council will consider whether:

- i) the architectural character of the building is protected;
- j) the character and appearance of the surrounding area is harmed; and
- k) the development results in the loss of more than 50% of the front garden or amenity area”.

**2.3** The Hampstead /Netherhall CA Statement state “Extending into basement areas will only be acceptable where it would not involve harm to the character of the building or its setting”.

**2.4** In this case, the area to be excavated is within the rear garden rather than at the front of the property and it would exclude the area below the application building. The application building has a sunken / lower ground floor level similar to adjacent properties (nos. 35, 37 & 39) with the remainder of the rear garden sitting at a higher level and is accessed by staircase from both the lower and upper ground levels. The proposed excavation would increase the width and depth of the existing rear lightwell area partly occupied by a conservatory extension and would extend across the whole width of the house and adjoining basement side extension - the increase in excavation is approx 1m depth behind the existing rear extension and 4m wide by 3.5m deep behind the existing side extension, ie. approx 20 sqm in area. In addition the rear garden will be partly excavated to provide a larger sunken patio area adjoining the new rear extension. Given this existing semi-basement layout, its location in relation to existing basements and neighbouring properties and the small area of proposed additional excavation involved which will sit behind existing basement areas, it is considered that the scheme would have no impact on groundwater flows and structural stability and that it would be unreasonable to seek a Basement Impact Assessment (BIA) in the form of technical reports to assess this issue.

**2.5** The excavation would be carried out to a depth/ level of 1.5m approximately at semi-basement level and is not thought to constitute basement excavation in the conventional sense.

### **3.0 Design and appearance**

#### Rear extension

**3.1** The proposed single - storey rear extension would be full width and have dimensions of 10.6m w x 3.5m d x 3.23m h (37.1sqm floor space). It would replace three smaller single storey extensions, one immediately to the rear comprising a timber framed conservatory structure, one on the rear north side

comprising a solid rendered extension and one on the front north side, comprising part brick, timber frame glazed porch structure, set back from the front building line. The proposed extension would comprise render painted white walls to match the main house, also timber framed windows and doors painted to match the existing. The proposed extension would have a larger footprint by incorporating the excavated area with the existing lightwell. In addition it would occupy the remaining space between the existing structures with the rear garden. The new extension would have a marginal increase in its overall height approximately 300mm but would be not discernable in the rear garden landscape due to its sunken siting at semi-basement level.

**3.2** As with the existing extensions on the north side, the proposed replacement extension's roof would not be visible from the public realm. Although partly visible from the some neighbouring houses, the height increase would be less noticeable due also to the boundary treatment particularly when viewed from Rosslyn Hill. In this regards, the proposed extension in terms of design, scale and proportion and use of materials would be subordinate to the application building and would not harm the character and appearance of the conservation area and is satisfactory. The design and proportions of the windows are also considered appropriate and consistent with the property and this rear garden location.

#### Roof-terrace & balustrade

**3.3** The proposed roof terrace area is limited to the rear only and excludes the roof area at the side. Although the proposed extension has a depth of 3.5m, the proposed terrace would have dimension of 1.5m depth (an increase of 700mm) but it would match the width of the proposed extension.

**3.4** It is proposed to refurbish the existing iron balustrade and erect new matching balustrade to the new roof terrace area and this is considered satisfactory.

#### Loss of garden amenity space

**3.5** The rear garden measures 12.5m x 23.5m or 293.75sqm approximately. The gap between the existing rear extension has a stepped boundary treatment comprises shrubbery plus brick walls that rises to the level of the soft-landscaping garden space. It is proposed to enlarge the rear patio area to the new extension by the removal some of the rear hard and soft landscaping of the rear garden. It is proposed to erect a new access steps between the new patio and the upper garden level. The proposed works would not result in the loss of or cause harm to the green character of the rear garden amenity space.

#### Trees

**3.6** The application site has mature trees located at the front, side and rear of the boundary. There is also shrubbery of various height and semi-mature trees within the rear garden. The proposed extension would not harm or result in the loss of mature trees/ shrubbery within the rear garden or along the common boundary with no.41 Rosslyn Hill because the proposed development is mostly located on the footprint of existing built development or hard standing..

### **4.0 Neighbour amenity**

#### Rear extension

**4.1** The majority of the proposed works is restricted to the basement floor area, which is sited such that it would not have any impact upon the amenities of neighbouring properties. The additional area of patio would be well below the height of the existing boundary walls and therefore the intensification of use of this space in addition to the distance is not likely to cause additional harm to occupiers of any surrounding dwellings, or residents within the upper floors of No. 39.

**4.2** As a consequence, the proposed extension would not result in the loss of privacy, loss of day/sunlight or outlook and is therefore satisfactory.

### Roof terrace

**4.3** The proposed works also include a slight increase in the size of the balcony accessed by the ground floor self-contained flat. It is to be increased in depth by 700mm to approximately 1m. The increase in the size of the balcony is considered sufficiently small. Moreover, there is an existing party brick wall on the east side at 1.2m high that would prevent direct overlooking or loss of privacy to occupiers at no.37. The new facilities (roof terrace and patio) proposed could be considered as likely harmful to occupiers amenities in terms of noise nuisance. However, in this instance, it is considered that no additional harm would cause to occupiers on the upper floors or at nos. 37 or 39 Rosslyn Hill. In terms of noise nuisance and the proposal is satisfactory.

**Recommendation:** Grant planning permission

### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 9<sup>th</sup> January 2012.**

**For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>