

Delegated Report (Member's Briefing)		Analysis sheet		Expiry Date:	29/12/2011
		N/A / attached		Consultation Expiry Date:	09/12/2011
Officer			Application Number(s)		
Fergus Freeney			2011/5645/P		
Application Address			Drawing Numbers		
Hampstead West 224 Iverson Road London NW6 2HU			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
The erection of a rear roof extension to the existing office (Class B1).					
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	26	No. of responses	02	No. of objections	02
			No. electronic	00		
Summary of consultation responses:	<p>Site notice: 18/11/2011 – 09/12/2011</p> <p>1x Objection received from neighbouring business on the ground that:</p> <ul style="list-style-type: none"> - The proposals would alter the character and attractive design of the business park. - Any development on the roof is totally unnecessary and counter productive to the appearance of the buildings. <p><u>Officer Comment:</u> <i>This application relates solely to the rear of the building which is not visible from the main entrance or business park.</i></p> <p>1x Objection from resident of adjoining property at Redcroft, 226 Iverson Road on the grounds that:</p> <ul style="list-style-type: none"> - The extension would block light to the flat and outdoor terrace area. This would affect the ancient right to light under English Law. - The dormer is out of keeping with the rest of West Hampstead. The existing building material is brick, whilst the proposed extension would be constructed from sheet metal. Redcroft and the Business Park have been designed to compliment each other; the extension would detract from this. <p><u>Officer Comments:</u> <i>The right to light is a legal right which one property may acquire over the land of another. Planning permission does not override a legal right to light, however where a right to light is claimed, this is a matter of property law, rather than planning law. The Council will have no role or interest in any private dispute arising and it will be for the owner or occupier affected to seek a legal remedy.</i></p> <p><i>Nonetheless, the photographs submitted by the objector indicate that, given the unusual rear roof pitch of the application building, where the eaves are higher closer to the objectors property and slope downwards from this point, views of the extension would be minimal or non existent, and any loss of light would be negligible or none as the extension is set 8.7m from the gable end which faces the objectors property and is below the main roof ridge.</i></p> <p><i>Please see section 2.3 with regard to design.</i></p>					
CAAC/Local groups* comments: *Please Specify	No CAAC and no statutory groups to consult.					

Site Description

The site is located off Iverson Road on a small 80's/90's development of commercial and residential buildings.

The application site relates to the south eastern most commercial building which backs onto the North London Railway Line/West Hampstead Overground Station.

The site is not a listed building, nor is it within a Conservation Area.

Relevant History

No relevant history

Concurrent Applications

2011/5971/P - Erection of dormers to front and rear roof to existing office (Class B1). *Decision pending.*

Relevant policies

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

DP24 – Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

Assessment

1.0. Proposal:

1.1. Permission is sought for the erection of a dormer roof extension at the rear of the existing two-storey commercial building.

2.0. Assessment:

2.1. The dormer would measure approx 5.2m in width x 2.3m in height x 6m in depth. It would be located on the western most side of the south elevation of the building.

2.2. The rear of the building does not feature in prominent views and backs onto a railway line/ West Hampstead Overground Station. There are residential flats to the east of the building.

2.3. The building is modern in design and it is considered that a contemporary addition at roof level, such as is being proposed, would be acceptable in design terms. The materials used, sheet metal and glazing, are considered acceptable in this instance given the limited views of the rear elevation and contemporary design of the scheme.

2.4. Although the proposal does not fully comply with Camden Planning Guidance, in that there is not a 50cm gap between the eaves and roof ridge, it is considered that in this instance the scheme is acceptable. The rear elevation of the building is not highly visible and given the unusual nature of the roof pitch it would be difficult to install a dormer which complies with the guidance and still offers adequate headspace. Furthermore, the building is not within a conservation area, nor are there are listed buildings in the vicinity.

2.5. The dormer would be located on the westernmost side of the south elevation, away from the flats to the east; it is therefore considered that there would be little potential for the scheme to impact upon the amenity of residents. It is far enough away from the flats that sunlight/daylight and outlook would not be significantly impacted upon.

2.6. The drawings indicate that there would be a glazed panel on the eastern elevation of the dormer, in order to preserve the amenity of residents of the adjoining flats with regard to overlooking a condition will be added to ensure this the glazing is opaque and non-opening.

Recommendation: Grant Planning Permission.

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