

Delegated Report		Analysis sheet		Expiry Date:		14/12/2011	
		N/A / attached		Consultation Expiry Date:		17/11/2011	
Officer				Application Number(s)			
Hugh Miller				2011/5244/P			
Application Address				Drawing Numbers			
4 and 5 Heath Passage LONDON NW3 7HB				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of a roof extension to raise the roofline of both single-storey buildings at 4 and 5 Heath Passage and to create an additional first floor level of accommodation at 4 Heath Passage (Class C3)							
Recommendation(s):		Refuse					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	07	No. of responses	05	No. of objections	00
				No. electronic	05		
Summary of consultation responses:		<p>Advertised in local press – Ham & High 3/11/2011, expires 24/11/2011. Site Notice displayed 28/10/2011, expires 18/11/2011.</p> <p>The objectors to the previous / withdrawn application (ref: 2011/2477/P) asked that their original written representations be carried forward.</p> <p>The objections are summarised as follows:</p> <ul style="list-style-type: none"> ▪ The roof extension would continue to increase the mass of buildings and result in the loss of the varied roof line in Heath Passage and Sandy Road, ▪ Concern about the loss of the attractive and unique glazed tiles on the existing roof because they are a special feature of the building and the area, designed by the famous mosaicist Boris Anrep. ▪ As Heath Passage runs obliquely to the afternoon sun, the amount of sunlight entering the houses, gardens and patios to the east and south of the site will be reduced. 					

- The roof extension would create a hemmed-in feeling along a narrow passageway and small cul-de-sac,
- The application is for 4 Heath Passage, but the roof belongs to 4 and 5 Heath Passage - therefore the application should be for both 4 and 5 Heath Passage.
- The raising of the roof on 4 and 5 Heath Passage destroys the character and appearance of the area and does nothing to either preserve or enhance the character and appearance of the conservation area. (See Policy DP26).
- The character of the local area is informed by a distinct variety in the scale and mass of dwellings and 4 Heath Passage is the smallest of these. In order to respect the prevailing pattern, density and scale of the surrounding development, 4 Heath Passage must retain its subordinate nature and the roofline must not be raised. See LDF policy 24.7.
- It will have an adverse visual impact on the conservation area and the views from nearby houses.
- This is the only single-storey residential building in the Sandy Road/The Village/Heath Passage enclave and contributes uniquely to the attractive variety of houses and roof lines in the conservation area. The approval of this Application would conflict with Camden Planning Guidance 2011,
- The proposed roof extension does not adhere to LDF objectives of achieving good design or respecting conservation area (paras. 24.13, 24. 4, 24.5 and 25.2).
- Concern about the discrepancies in the description of the proposal in the DAS and on the application form;
- More information is required to enable a proper assessment.
- Concern that there are no plans showing the proposed internal layout of no 5's extension to make a proper assessment of the full impact of the proposal.
- Concern about the actual height "approximately 1100mm" of the proposed roof extension and no mention of the windows orientated due west and north at 1st floor level are given.
- Concern about the impact on outlook and views as the roof extension is approx. 150mm from window at first floor level.

The Rook, Sandy Road: Objection- Summary of 15 page document of errors, omission and inconsistencies.

Very few corrections appear to have been made in 2011/5244/P since the last application was made (2011/2477/P). Specifically, no attempt has been made to correct the numerous errors in the site addresses. This is disappointing given that LB Camden presumably highlighted many of these discrepancies to the applicant/architect in the previous application

(2011/2477/P).

The overall heights of 2 The Village, 3/4 The Village do not appear to be accurately represented in relation to 4HP and 5HP. A full laser survey of the junction between 2 The Village and 4HP is requested so that precise measurements can be obtained. The laser survey should also include the true dimensions of 3/4 The Village.

The application drawings (especially dimensions and measurements) are too vague – the following terms are used extensively in the application: “approximate”, “do not scale”, “this drawing has been extrapolated from available information and is subject to a full survey”. This makes it very difficult for local residents to understand what is likely to be built if permission is granted.

LB Camden has already acknowledged the issue of “impact on residential occupiers amenity” in the previous application (2011/2744/P), which presumably relates to 2 The Village and 3/4 The Village.

Therefore, the owners of these two properties require an accurate account of what is being proposed in the current application. If the current proposal is given consent, it is imperative that the application drawings provide an accurate guide as to whether the new development has been built within the permitted grounds or not – and this can only be achieved by understanding what the true dimensions of the “as existing” and “as proposed” schemes are. Existing and Proposed measurements are critical for local residents to understand what is likely to be built if permission is granted.

Duplication exists with the section drawings – and these are inconsistent with each other. The new/revised documents (DAS, dwg. 272_001, dwg. 272_002, dwg. 272_003, dwg. 272_004, dwg. 272_005, dwg. 272_006) also contain errors, gaps in information and inconsistencies and therefore it is difficult for local residents to understand the likely impact of this proposal – without these discrepancies being addressed.

Further information about how the proposal will alter 5HP is required – specifically concerning the first floor round window (currently overlooking the blue tiled roof of 4HP and 5HP) and the use of the proposed new first floor space at 5HP (next to the existing 2-storey section).

The current application fails to mention that a large part of the planning consent for 2008/1852/P has already been built (and it is visible to the street). Local residents needs understand that if permission was granted for the current scheme, how it would relate to the planning consent for 2008/1852/P – given that that current application would also create a visible change to the Heath Passage.

If this proposal was granted, would the applicants be able to reinstate the permission granted in PA 2007/5734/P and 2008/4734/P and 2008/1852/P even though the current proposal states “instead of the partial excavation of the ground floor” at a later date? N.B. The planning permission for these three applications has now expired as more than 3 years has lapsed and the work has not commenced.

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

Hampstead CAAC: Objection.

The articulation between the assembly buildings is seriously compromised by this proposal. We seriously regret it.

Sandy Road and The Village Residents' Association: Objection

1. Under Camden's Local Development Plan (LDP), Section 24.7, you are required to consider "the prevailing pattern, density and scale of surrounding development" and under the LDP, Section 24.13, "development should not ignore patterns or groupings of buildings". The subject house forms part of a small, dense enclave of old houses, a significant feature of which is the variety of these houses and their associated roof lines. This roof top is the only single storey residential building in this enclave and as such, is unique. Raising the subject roof, even by as little as 1200mm, will therefore have an adverse visual impact on the conservation area, especially the views from nearby houses.
 2. Under the LDP, Policy DP25 'Conserving Camden's Heritage', the Council will "only permit development within conservation areas that preserves and enhances the character and appearance of the area". The raising of the subject roof does nothing to either preserve or enhance the character and appearance of the conservation area.
 3. Under the LDP, Policy DP26 'Managing the impact of development on occupiers and neighbours', the Council must protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Two of the factors you are required to consider are: overshadowing and outlook, and sunlight and daylight levels. The raising of the subject roof will significantly diminish both the outlook and light levels to the first floor rear window of 2 The Village and the south-facing garden, conservatory and windows of 3/4 The Village.
 4. Under Camden Planning Guidance 2011, Section 5 'Roofs, Terraces & Balconies', Subsection 5.8, a roof alteration or addition is likely to be unacceptable (if) "buildings are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form". As indicated in 1 above, the raising of the subject roof will detract from the variety of form in this part of the conservation area.
 5. We note that this planning application includes the removal and subsequent reinstatement of the glazed roofing tiles which we believe to be subject to a protection order, being the work of Boris Anrep who is particularly noted for his monumental mosaics in the National Gallery, Westminster Cathedral and the Bank of England. Any protection order is likely to be registered under The Studio, Heath Passage, as this was the earlier name of the buildings now known as 4 & 5 Heath Passage. There is an unacceptable risk of damage to these tiles.
- For all of the above five reasons, we ask you to decline this application.

Site Description

The application buildings comprise a terrace of single-storey houses with part flat roofs and part pitched roofs, the latter containing 2 lantern rooflights. No.4 has a small flat roof element which abuts no.2 North End Way and a pitched roof line with protruding roof lantern. No.5 to the southeast has a similar pitched roof with lantern plus a higher flat roofed 2 storey element. No.4 has a one bedroom unit while no.5 has a 3 bedroom unit, following recent permission; both effectively are now dwellinghouses. The adjoining properties at 2 North End Way and 6 Heath Passage are 3 and 2 storeys high respectively and effectively form higher bookends to the lower properties of nos. 4 and 5 in this terrace.

The buildings are accessed from the pedestrian pathway, Heath Passage, a quiet residential cul-de-sac off the main road North End Way. The site is within the Hampstead Conservation Area.

Relevant History

October 2011 Application withdrawn - Erection of a roof extension to raise the roofline of both single storey building at 4 and 5 Heath Passage and to create an additional first floor level of accommodation to dwellinghouse properties (Class C3); ref. 2011/2477/P.

Heath Studio (5 Heath Passage)

17 June 2008 – PP granted - Erection of a single storey ground floor extension to the south west of the property, installation of French doors and railings at first floor level to facilitate the use of the flat roof as a terrace, and excavation below the existing bedroom and the enlargement of the existing roof lantern to the single family dwelling house (class C3); ref. 2008/1852/P

November 2008 – PP granted - Replacement of three domed rooflights with one pitched frameless glass rooflight to single-family dwelling as a revision to planning permission granted 21/01/2008 (Ref: 2007/5734/P) for the enlargement of existing lantern rooflight at roof level and partial excavation of ground floor level to provide additional floor of accommodation to single-family dwelling; ref. 2008/4734/P.

January 2008 – PP granted - Enlargement of existing lantern rooflight at roof level and partial excavation of ground floor level to provide additional floor of accommodation to single-family dwelling; ref. 2007/5734/P

3.3.06 – PP granted - change of use of the property from a single-family dwelling house to a one-bedroom flat and a three-bedroom maisonette, plus insertion of ground floor window in the Heath Passage elevation and French doors in the garden side elevation; ref. 2006/0185/P.

Relevant policies

LDF Core Strategy and Development Policies

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

DP24 – Securing high quality design

DP25 – Conserving Camden's heritage

DP26 – Managing the impact of development on occupiers and neighbours

Camden Planning Guidance

Hampstead Conservation Area Statement

Assessment

Overview

In June 2011, the Council registered a planning application (ref.2011/2477/P) to carry out works at addresses 4&5 Heath Passage. No. 4 occupies the north end of the single –storey building and is separated internally from no.5; whilst no.5 comprises the south end of the remaining single –storey plus the 2-storey flat roof building as a separate unit. In October 2011, the applicant withdrew the application following officers and residents concerns about inconsistencies with regards to the application address, the specific building (s) to benefit from alteration and the associated information submitted in the Design and Access Statement as well as annotations on the submitted drawings.

There have been a number of planning permissions associated with no. 4 Heath Passage for works of alterations. Some of the approved works have been implemented and some have not. Specifically, the March 2006 scheme (Reference 2006/0185/P) has been partially implemented; *“the change of use of the property from a single-family dwelling house to a one-bedroom flat and a three-bedroom maisonette, plus insertion of ground floor window in the Heath Passage elevation and French doors in the garden side elevation”*. Thus no.4 Heath Passage forms the northern half and the southern half is now part of no.5 Heath Passage.

Additionally, and except for application ref. 2008/1852/P which is partially implemented, the remaining associated planning approvals (references 2007/5734/P, expires 22/1/2011; 2008/4734/P, expires 26/11/2011) have not been implemented.

Notwithstanding the local residents comments regarding inaccuracies and errors in the submitted documents; the current proposal is considered to have addressed the inconsistencies to enable the determination of the application.

Proposal

- Erection of a roof extension to raise the roofline of both single-storey buildings at 4 and 5 Heath Passage and to create an additional first floor level of accommodation including installation of rooflights at 4 Heath Passage (Class C3)

The main issues are 1] design, 2] the impact on the appearance of the host building and on the character and appearance of the conservation area and 3] neighbour amenity.

Design and appearance

The applicant sought pre-application advice on the suitability of raising of the roof of only No.4 Heath Passage initially and later the raising of the roof to both No.4 Heath Passage & No.5 Heath Studio /Passage. Officers written response [ref. ENQ/05085] on the roof extension would best be summarised as follows: **a]** adverse impact on the overall appearance of the group of buildings, the passage and the conservation area, **b]** the implications for the residential amenity of neighbours and **c]** the impact on the additional building bulk. Officers raised these issues because of the unique site issues of having a diverse group of closely positioned buildings that vary in their height, roof form, footprint and distance between the building and partially the restricted access way.

LDF Policy DP24 states the Council will require all developments, including alterations and extensions to existing buildings, to consider the character, setting, context and the form and scale of neighbouring buildings, the character and proportions of the existing building and the provision of visually interesting frontages at street level. Camden Planning Guidance (Design) 2010 states that a roof addition is likely to be unacceptable where the proposal would have an adverse affect on the skyline, the appearance of the building or the surrounding street scene.

In addition, paragraph 24.7 of Policy DP24 states that development should consider:

- The character and constraints of its site;
- the prevailing pattern, density and scale of surrounding development;
- the impact on existing rhythms, symmetries and uniformities in the townscape;

- the composition of elevations;
- the suitability of the proposed design to its intended use;
- its contribution to public realm, and its impact on views and vistas; and
- the wider historic environment and buildings, spaces and features of local historic value.

Policy DP24 para. 24.12 states that: *“In order to best preserve and enhance the positive elements of local character within the borough, we need to recognise and understand the factors that create it. Designs for new buildings, and alterations and extensions, should respect the character and appearance of the local area and neighbouring buildings...”*

Policy DP24 para. 24.13 states that *“Development should not undermine any existing uniformity of a street or ignore patterns or groupings of buildings. Overly large extensions can disfigure a building and upset its proportions. Extensions should therefore be subordinate to the original building in terms of scale and situation, unless, exceptionally, it is demonstrated that this is not appropriate given the specific circumstances of the building. Past alterations or extensions to surrounding properties should not necessarily be regarded as a precedent for subsequent proposals for alterations and extensions”.*

Section 5 (Roofs, terraces and balconies), para. 5.8 of the CPG states *“A roof alteration or addition is likely to be unacceptable in the following circumstances where there is likely to be an adverse affect on the skyline, the appearance of the building or the surrounding street scene”:*

- Buildings already higher than neighbouring properties where an additional storey would add significantly to the bulk or unbalance the architectural composition;
- Buildings or terraces which have a roof line that is exposed to important London-wide and local views from public spaces;
- The building is designed as a complete composition where its architectural style would be undermined by any addition at roof level;
- Buildings are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form;
- Where the scale and proportions of the building would be overwhelmed by additional extension.

The host building has not been identified as making a positive contribution to the conservation area however, The Hampstead Conservation Area Statement has identified several neighbouring buildings which make a positive contribution to the special character and appearance of the area; such as The Village (nos.5, 6), Sandy Road 1-3 (cons), The Rook and also West House. The C.A. statement further notes that extensions can alter the balance and harmony of a property or of a group of properties by insensitive scale, design or inappropriate materials. The proposed roof extension would create a 2-storey house replacing the existing single-storey building and in this location is considered unacceptable in principle for reasons set out below.

As a single –storey part flat roof part gable roof building, the host building is subordinate in scale and proportion to the neighbouring dwelling houses, which comprises two and three storeys with much larger footprints. No.2 North End Way and no.5 Heath Studio abut the host building and provide the framework that encapsulate the uneven rhythm and articulation of the roofline along Heath Passage. The uneven building height is resplendent and reflects the slope of the land and reinforces the varied scale of the existing buildings which together frames Heath Passage between the open and built spaces. Moreover, the character of the local area is informed by a distinct variety in the scale and massing of dwellings and 4 Heath Passage is the smallest of these. It is considered that the proposed roof extension would not respect the host building or the prevailing pattern and the scale of the surrounding development and therefore it would not be subordinate in terms of scale and proportion and is unsatisfactory.

The proposed roof extension would keep the section of flat roof that abuts no.2 and also retain the gable and the pitched roof form. However, the elevation drawings show that the roof extension would be set only a few mm below the top of the rendered parapet of no.5 the taller of the two buildings

whilst section drawings show the roof alignment with no.5. It is considered that the proposed roof extension would align with no.5 to gain maximum internal headroom height required. The raised roof would not only alter and interrupt the prevailing roofline/scape; it would also increase the solidity and bulk of the roofline and would detract from the appearance of the host building but also the character and appearance of the conservation area. No.5 at the southern end is on higher ground and no.2 North End Way is on lower ground, southern end. The proposed roof extension would have a detrimental visual impact on the host building in both long and short views from the public realm and private gardens. When viewed from the southern end of Heath Passage, the proposed roof extension would not only give the appearance of its coalescence with the roof parapet of no.5 it would also obscure the northern flank wall and orbital window clearly altering the general scale and proportions of the buildings.

The host building and those that abut it are located on the south-east side of Heath Passage with a narrow green open space with timber fence boundary treatment on the west side in front of Golders Hill houses. It is considered that the proposed extension would mean that the overall 'look and feel' of Heath Passage would be canyon-like detracting from the current semi-rural character and appearance of the immediate locality.

It is noted that, the Council granted approval for partial excavation to increase the floor space of this flat; which, if it were implemented would have resulted in minimal impact both in terms of actual and visual bulk. This option was not implemented by the applicant. Whilst it may be pertinent to improve the residential unit, it is considered that the resultant effect should have least impact on the building itself and on the area generally. It is considered therefore, that the 1.1m high x 14.8m long roof extension is unacceptable in this location and would neither preserve nor enhance the appearance of the host building or the character or appearance of the Hampstead conservation area; contrary to policies LDF DP24 and DP25.

Neighbour amenity

Window / north elevation - 3 /4 The Village

No. 2 North End Way and no. 3 /4 The Village, lies due south-east of the host building where there is a narrow gap between the host building and no.3 /4 The Village. At the southern end, the gable roof of the host building is slightly forward of an existing ground floor window on the north elevation of no. 3/ 4 The Village. This window measures approx. 1.0m width x 800mm height and provides daylight into the kitchen/ dining room floor space also outlook and views due north above the host building part flat and part gable roof of 4 Heath Passage. No. 3 /4 does have the benefit of a south-western orientated window and glazed doors (single-storey extension). Other than the proposed rooflights at roof level, no windows are proposed on the southern elevation/ flank wall and therefore no overlooking or loss of privacy would occur to habitable rooms of the occupiers at no.3 /4. Notwithstanding this, the proposed roof extension has a height of approximately 1.1m and width 3.3m. Whilst it would not cause loss of privacy or overlooking of the occupiers of the neighbouring houses, it is considered that it would cause an increased loss of daylight to the ground floor window also outlook and heightened sense of enclosure to the occupiers at 3 /4 The Village.

Additionally, there is an extant approved scheme for the erection of a glazed lantern rooflight on the flat roof area immediately in front of the window at no. 3 /4 The Village. It is considered that the cumulative effect of the glazed lantern rooflight and roof extension would significantly worsen the levels of outlook being exacerbated to the detriment of residential amenity contrary to LDF CS5 and DP26.

The south-west orientated window at 1st floor to no.2 North End Way would be partially obscured but the habitable room has the benefit of windows orientated due north and east and therefore no significant harm to outlook would occur.

The applicant has submitted a 'preliminary solar & daylight study' which indicates shadows cast by the

sun as it traverse the buildings. It does not provide a definitive BRE sunlight study.

Rear Garden – 3 /4 The Village

The rear garden of no. 3 /4 is enclosed by houses of varied height, 2 / 3+ 4 storeys. The common boundaries except for the host building have tall privet hedges that are orientated due south-west. It is considered that the proposed roof extension which would raise the entire height of the building to form 2-storeys would interrupt the existing open character and pleasant enjoyment of the garden amenity space. It is considered that the impact of raising the height of the host building would cumulatively create an increased sense of enclosure for occupiers within their rear garden amenity space contrary to LDF CS5 and DP26.

It is also considered that the roof extension to create a 2-storey building may worsen levels of sunlight and outlook/ views. However, this is unlikely to be to such a level to warrant a sustainable reason for the refusal of the application.

Recommendation: Refuse Planning Permission.

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