

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	14/10/2010
		N/A / attached		<b>Consultation Expiry Date:</b>	23/09/2010
<b>Officer</b>			<b>Application Number(s)</b>		
Rob Willis			2010/4506/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
4 Oak Hill Park Mews London NW3 7LH			See 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 roof top extension and roof terrace to create new third floor level at existing single dwelling house (Class C3).					
<b>Recommendation(s):</b>		Refuse planning permission			
<b>Application Type:</b>		Householder Application			

Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	09	No. of responses No. electronic	02 01	No. of objections	01
Summary of consultation responses:	<u>6 Oak Hill Park Mews</u> <ul style="list-style-type: none"><li>The Flettons on the rear elevation facing the high boundary wall have a poor appearance and are not very durable.</li><li>The specification of the brick and glass materials need to be clarified to avoid harm to the conservation area. If approved, any brick used for the proposed extension should match existing;</li><li>Concern expressed regarding glass used in proposed conservatory due to impact on appearance of conservation area: the louvres shading the patio doors obviate the need for specially reflective glass;</li><li>Any increase in noise levels from the proposals would have a marked impact, given the quiet location of the site;</li><li>The amenities of the mews are likely to be harmed by the increase in noise levels from the proposed pump. No baseline acoustic survey for the proposed heat pump provided alongside the application. Therefore not possible to assess conformity with UDP policies SD6, SD7 and SD8 or associated noise criteria in Appendix 1;</li><li>Proposed terrace planters in front of existing parapet to not appear to comply with part K of the Building Regulations;</li><li>The proposed large area of glazing would exacerbate the need for cooling, which could be provided by the proposed heat pump. Use of and noise nuisance from the pump should be minimised by eliminating unnecessary solar gain: it is not clear why the large area of roof glazing has not been shielded by louvres like the south facing elevation;</li><li>No screen to prevent lateral transfer of noise/ overlooking no nos. 5 and 6 Oak Hill Park is they have similar terraces;</li><li>The Design and Access Statement incorrectly states that there is no disabled access: the east side of the garden has a shallow incline and large paving slabs to allow for disabled access.</li></ul>					
	<u>8 Oak Hill Park Mews</u> <p>Support: the design is much better than the previous application and sits very comfortably with the existing architecture. It provides useful amenity space for the property without any visual intrusion on the rest of Oak Hill Park Mews.</p>					
CAAC comments:	Hampstead CAAC: Object – the property forms part of a 3-storey terrace and the addition of an extra floor on one unit is unacceptable.					

## Site Description

The site comprises a 3-storey end-of-terrace dwelling house that forms one of three properties, built in the 1960s and constructed from brick with stone cladding. The terrace forms part of Oak Hill Park Mews, branching off Oak Hill Park, a collection of residential buildings set around a small open space. The site is within Hampstead Conservation Area.

## Relevant History

### 4-6 Oak Hill Park Mews

2007/1885/P: Planning permission refused on 03-07-2007 for the erection of a single storey roof extension to provide additional living accommodation and roof terraces to the existing terrace of three dwellinghouses.

### 4 Oak Hill Park Mews

2008/5631/P: Planning permission refused on 18-03-2009 for the erection of a 2-storey extension at rear ground and 1<sup>st</sup> floor level, erection of roof extension over part of roof and installation of balustrading to remaining part of flat roof to create terrace, and alterations to front 1<sup>st</sup> floor level balcony.

## Relevant policies

### Replacement Unitary Development Plan 2006

SD6 Amenity for occupiers and neighbours

SD8 Disturbance

B1 General design principles

B3 Alterations and extensions

B7 Conservation areas

### LDF Core Strategy and Development Policies

*The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound.*

*This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and these LDF policies the Planning Inspectorate would consider it reasonable to follow the latter.*

*However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan.*

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

DP22 Promoting sustainable design and construction

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP28 Noise and vibration

## Assessment

The application seeks the erection of a conservatory at roof level, set back towards the rear of the building, with the creation of a terrace towards the front of the roof. The proposals also seek the installation of an air source heat pump on the terrace area.

The main issues raised by the proposals relate to design/visual impact/impact on design and appearance of the conservation area and amenity. These issues are addressed in turn below.

### (1) Design

The terrace comprising nos. 4-6 Oak Hill Park Mews occupies a prominent position in the context of a small mews development, and commands an elevated position overlooking the small area of open space to the front. The rear of the site is bounded by a substantial wall in excess of 7m in height.

The buildings set around Oak Hill Park Mews are two to three storeys in height. No. 4 Oak Hill Park Mews is higher than nos. 1, 2 and 3 Oak Hill Park Mews to the south, which lie perpendicular to the terrace, and higher than nos. 7 and 8 Oak Hill Park Mews at the opposite end of the development. The terrace is equal in height to the adjacent building, 4 Oak Hill Park, but lower than The Heights and Frogna Mansions, which front Frogna but are visible from the Mews development.

There are long views of the building from Oak Hill Park and specifically through the grounds of no. 4, which are largely screened by vegetation during the summer months.

### Previous applications

Planning permission was refused in July 2007 for the erection of a single storey roof extension to nos. 4-6 Oak Hill Park Mews (2007/1885/P). The increased height to the buildings (more than 2m) was considered to result in a building that would be unacceptably prominent and would fail to respect the height, bulk and scale of neighbouring buildings. It was also considered that the proposed building would further enclose the existing open space, and result in an overly large building dominating its surroundings, which are currently characterised by an informal collection of closely grouped low-rise houses. It would thus have failed to respect the setting of adjoining buildings and would harm the prevailing character and appearance of this part of the Hampstead Conservation Area.

Planning permission was also refused in March 2009 for the erection of a roof extension solely on no. 4 (ref

2008/5631/P). The proposed extension was set to the rear of the roof, along with the installation of balustrading to the remaining part of the existing flat roof to create a roof terrace. The proposed roof extension was considered to be unacceptable in principle as, although confined to the rear of the roof, it would still be highly visible in views of the building from the front, side and the rear. It would have been particularly prominent in views of the building from Oak Hill Park across the grounds of no. 4. It was considered that the extension would make this building the tallest in the area, and unbalance the proportions and composition of the terrace. There was also concern regarding the visual impact of the detailed design of the extension and the proposed balustrading around the roof terrace.

### **Proposed conservatory**

The proposed roof conservatory would be set back from the front elevation of the building by approximately 4.7 metres, and would measure approximately 2.6 metres in height.

Under Unitary Development Plan Policy B3 and Local Development Framework Development Policy DP25 (and supporting text), extensions and alterations should respect the form, proportions and character of the building and should be subordinate to the original building in terms of scale and situation. They should also preserve the architectural integrity of the existing building. The Camden Planning Guidance SPD states that a roof alteration or addition is likely to be unacceptable where (a) complete terraces or groups of buildings have a roof line that is unimpaired by alterations or extensions, (d) a building is already higher than neighbouring properties where an additional storey would add significantly to the bulk or unbalance the architectural composition, and (h) the building is designed as a complete composition where its architectural style would be undermined by an addition at roof level.

Whilst the proposed extension would be set back, it would still be visible from street level and from existing long views of the site. The host terrace and surrounding properties are characterised by even, flat roof layouts: the proposed conservatory would interrupt an otherwise flat roof line, and is therefore considered to be unacceptable in principle. The extension would unbalance the proportions and composition of the terrace, and fail to reflect the strong horizontality of the rooflines of the surrounding buildings. This conflicts with the guidance on alterations and additions to roofs set out in the Camden Planning Guidance SPD.

The proposals therefore do not respect the form, character or architectural integrity of the building, fail to comply with UDP Policy B3 and Development Policy DP24, and would fail to preserve the character and appearance of the conservation area as required by UDP Policy B7 and Development Policy DP25.

Notwithstanding the objection to the principle of the proposed development - in terms of detailed design, the materials used would be consistent with the materials used on the lower floors of the terrace. The provision of glazing as the principal façade treatment to the front and rear elevations is, were the principle to be acceptable, broadly considered to be an appropriate design approach, in particular given the provision of a louvre to prevent excessive solar gain to the south elevation. However, the vertical emphasis established in the proposed front elevation windows appears to be at odds with the more horizontal emphasis achieved by the existing building. The fenestration detail also fails to reflect that of the existing front elevation. Whilst the Council would solicit revisions to address these matters within the context of a scheme that was in all other respects acceptable, this concern [design details] does not warrant a substantive reason for refusal and could be dealt with by condition in the event of an appeal.

### **Proposed roof terrace**

The application seeks the provision of a terrace to the front of the roof space, with stainless steel planters around the perimeter of the terrace, level with parapet. The planters would be not visible from the public realm, and therefore do not raise any specific design concerns. However, it should be noted that the absence of railings around the perimeter of the proposed terrace railings is likely to be contrary to Building Regulations requirements, and these would have to be provided were the development to be approved. This would raise design/conservation issues and such railings would be unlikely to be acceptable.

## **(2) Amenity**

### **Loss of light, outlook and privacy**

In accordance with Policy SD6 consideration must be given to the potential impact of the development on the amenity of neighbouring properties in terms of loss of light, outlook or privacy.

It is considered that there would be no demonstrable loss of daylight or outlook to any adjoining neighbours.

The proposed roof extension would not impact on nos. 5 and 6 since it does not project beyond the front or rear building line where they have windows. To the south of the site is no. 3 Oak Hill Park Mews. There are no windows in its flank elevation that face towards the application site. Given the scale of the extension and its distance from windows at no. 99A Frogna, it is considered that there would be no detrimental impact on light or outlook to this property. No. 4 Oak Hill Park does have windows on its side elevation which face towards the application site, but given the scale of the proposed development, it is not considered that there will be a significant loss of light or outlook to this property, and any views to the window from the terrace would be oblique in nature.

As such it is considered that there would be no harmful loss of privacy to any adjoining occupiers.

### **Noise and disturbance**

The application proposes the installation of an Air Source Heat Pump on the roof of the property. Under UDP policies SD6 and SD8, and LDF Development Policies DP26 and DP28, developments should not have an adverse impact on amenity through noise and vibration, and should not exceed the council's Noise and Vibration Thresholds.

The Design and Access Statement provided alongside the application indicates that the proposed pump will operate at 52 dB. However, it is not clear whether this refers to the Sound Power Level or Sound Pressure Level; there is a potential that the requirements of policy SD8 would not be met, especially as the Background Noise Level in that location can in certain areas be very low. Consequently, the application does not provide sufficient information regarding the potential impact of the proposed plant. Were the application to have been considered acceptable, further information would have been sought through the submission of an Acoustic Report. In the event of an appeal, this matter could be dealt with by condition.

### **Conclusion**

It is considered that the proposed rooftop conservatory would appear incongruous in its surroundings, and is therefore unacceptable in principle, as it would cause harm to the character and appearance of the host building and wider conservation area. The application has also failed to adequately demonstrate the acceptability of the scheme in relation to potential noise impact on adjoining occupiers from the proposed air source heat pump.

**Recommend refusal.**

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