

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>02/09/2010</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>09/08/2010</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Rob Tulloch				2010/3582/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
337A West End Lane London NW6 1RS				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>							
Additions and alterations including erection of additional storey to roof of building with terrace at front, a dormer extension at rear second floor level, a terrace at rear at first floor level, and rooflights to the flat roof of the ground floor extension of house in multiple occupation (Use Class Sui Generis)							
<b>Recommendation(s):</b>		<b>Grant Planning Permission</b>					
<b>Application Type:</b>		<b>Full Planning Application</b>					
<b>Conditions:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>26</b>	No. of responses No. electronic	<b>01</b> <b>00</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>		<p>26 adjoining occupiers were notified and a site notice displayed from 14/07/10.</p> <p>35 Cavendish Mansions object to the first floor balcony - will increase noise pollution and lead to a lack of privacy due to its proximity to their bedroom and kitchen.</p> <p><i>Officer response: The small size of the proposed balcony (800mm x 3.1m) and the proliferation of existing terraces and large windows to the rear suggests that any increase in noise or overlooking would not be significant.</i></p>					
<b>CAAC comments:</b>		<p>West End Green CAAC raises no objection, but adds that the rooftop development is out of character with the original building and the first floor balcony is disproportionate in scale to adjoining balconies.</p> <p><i>Officer response: The style of extension is considered acceptable and the CAAC admit that there are numerous similar extensions along the parade. The balcony is relatively small compared to the host building and neighbouring terraces.</i></p>					
<b>Site Description</b>							
The application site is a 3-storey mid-terrace building located on the west side of West End Lane adjacent to West End Green. It is part of a terrace running from no. 327 West End Lane, next door to the Fire Station, up to no. 341 West End Lane at the junction with Mill Lane. The terrace comprises commercial units on the ground floor with residential above. The application site comprises an estate agent at ground floor front, a self-contained flat at ground floor rear and a licensed HMO above. The building is located within West End Green Conservation Area and within West Hampstead Town centre.							

## Relevant History

2010/0925/P Additions and alterations including erection of additional storey to roof of building with terraces at front and rear, a dormer extension with terrace at rear second floor level, a terrace at rear at first floor level, and rooflights to the flat roof of the ground floor extension of house of multiple occupation (Use Class Sui Generis) Refused 13/04/2010

2009/5191/P Certificate of Lawfulness for existing use of ground floor of property as a self-contained residential flat (Class C3). Granted 24/12/2009

2009/3574/P Certificate of Lawfulness for existing use of rear ground floor and basement levels as a self contained residential flat (Class C3). Refused 19/10/2009

2009/1308/P Change of use from business office (Class B1) to self contained studio flat (Class C3) and insertion of two roof lights. Withdrawn 21/07/2009

2008/4223/P Change of use from 6 bedsits to two self-contained flats, erection of an additional storey at roof level with terrace to front and alterations to existing rear dormer and creation of a balcony at rear first floor level. Refused 11/12/2008

PWX0002054 Erection of roof extension to accommodate a self contained studio flat. Granted 22/06/2000

## Relevant policies

### **Camden Replacement Unitary Development Plan 2006**

B1 General design principles

B3 Alterations and extensions

B7 Conservation areas

SD6 Amenity for occupiers and neighbours

### **Camden Planning Guidance 2006**

#### **West End Conservation Area Statement**

### **LDF Core Strategy and Development Policies**

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

CS5 Managing the impact of growth and development

CS14 promoting high quality places and conserving our heritage

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

## Assessment

No. 337 West End Lane comprises a commercial unit on the ground floor, with a self-contained flat at rear upper and lower ground floor levels, and six bedsits forming a house in multiple occupation (HMO) above (no. 337A). The proposal is for an additional floor at roof level with a front terrace, an extension at rear second floor level, and terrace at rear first floor level. The proposal also includes the insertion of two rooflights to the flat roof of the rear ground floor extension. The main issues are the impact of the proposal on the building, street scene and conservation areas, and its effect on residential amenity.

### History

A similar scheme 2010/0925/P was refused 13/04/2010 for the following reasons:

- (1) The proposed rear roof terraces, by reason of their design, scale and cumulative effect would dominate and upset the balance of the rear elevation, harming the character and appearance of the host building and the wider conservation area contrary to policies B1 General design principles, B3 Alterations and extensions and B7 Conservation areas of the London Borough of Camden Replacement Unitary Development Plan 2006.
- (2) The proposed rear terraces, by reason of their proximity to adjacent residential properties at Cavendish Mansions, would result in a significant loss of privacy to the detriment of the amenities of neighbours, contrary to policy SD6 (Amenity for occupiers and neighbours) of the London Borough of Camden Replacement Unitary Development Plan 2006.

This scheme differs from the previous scheme in that the previous scheme included three terraces to the rear at first, second and rooftop level, whereas this scheme has removed the rear terraces at second floor and roof level.

### Visual impact

The full width box shaped extension at roof level would be clad in slate with timber framed double doors and side lights to the front with metal railings on top of the existing parapet. It would be set back from the parapet by 1.7 metres with a terrace in front. At the rear, the extension would have a single timber framed sash window and a smaller timber framed casement window.

Although the roof extension would be set back from the parapet, it would still be highly visible from the street. The conservation area statement states that roof extensions that fundamentally alter the roof form will not normally be allowed; however there are similar roof extensions at nos. 327 to 335 West End Lane, and the extension would be read as a continuation of these roof top alterations. Permission was first granted for these extensions in 1988 (no. 327), and the most recent (no. 331) was granted in 2006 under the deposit draft of the current development plan and current incarnation of the Conservation Area Statement. A recent application at the site (2008/4223/P, unsuccessful because it involved the loss of the HMO), also featured a roof extension and this was accepted in principle, although it did not feature a terrace at the rear.

Therefore as there is not an unspoilt roofscape; a roof extension in this location is acceptable as it would not harm the appearance of the street scene or the character and appearance of the conservation area.

The rear of the properties from nos. 327 to 341 West End Lane are arranged with pairs of 2-storey extensions with pitched roofs rising to original roof level. The properties have been variously altered with small dormers, terraces at first floor levels and the aforementioned rooftop extensions. The proposed alterations at second floor level would convert the pitched roof into a dormer the full width of the extension. It would be made of brick, to match the rear of the rooftop extension and the rest of the rear of the building, and feature a central double timber framed sash window. This minor alteration is not considered to harm the appearance of the rear of the building, or the character and appearance of the conservation area.

At rear first floor level, it is proposed to create a terrace on top of a projection at ground floor level. This would involve the replacement of a uPVC window with a timber framed door and sliding sash sidelight. The terrace would be enclosed in black painted metal balustrading. Although the terrace would be partially visible from Mill Lane, due to the proliferation of changes to the rear of the neighbouring buildings and the number of terraces at various levels, the proposed terrace is not considered to harm the appearance of the building or the character and appearance of the conservation area.

The proposal uses slate for the front of the roof extension, and brickwork to match existing at the rear. The proposed doors and windows are timber framed. The rear fenestration maintains a hierarchy of sizes with the large door and window at first floor level supporting to smaller windows above. The changes would not be very

visible from the highway and the surrounding properties have similar alteration, as such the proposal is considered acceptable in line with policies B3 and B7 of the UDP.

It is considered that the design reason for refusal of the previous application has been addressed, because it related to three terraces at the rear which had a negative cumulative impact, whereas the proposed scheme only features one small terrace at rear first floor level.

#### **Amenity**

The proposed roof extension would be set back from the building line of the host building and neighbouring buildings, so is not considered to affect daylight or sunlight to any neighbouring properties.

The rear of the application site currently features a single and double window at first floor level and a single window and small dormer at second floor level. The side elevation of Cavendish Mansions in Mill Lane is 8 metres away from the proposal site and there are habitable rooms at first, second and third floor levels that face the rear of no. 337A.

The replacement of a 1.3m x 1.3m window at first floor level with a door and window measuring 1.3m x 2.3m is not considered to significantly increase overlooking. The proposed terrace would measure 800mm x 3.1m and the proliferation of existing terraces and large windows to the rear and its small size suggest that any increase in noise or overlooking would not be significant to adjoining occupiers. The increase in the size of the window at rear second floor level, and a smaller window at third floor level, are not considered to increase overlooking or create a loss of privacy.

The second reason for refusal of the previous application was on amenity grounds. As stated above, the previous scheme included three terraces at the rear including a 3.5m x 3.3m terrace at roof level. The combination of three terraces was considered unacceptable. The reduction in the number of terraces to one, allied with its relatively small size, means that it is no longer considered that the proposal would harm the amenity of adjoining occupiers and that the proposal now complies with policy SD6.

#### **Internal alterations**

The application drawings also include internal alterations that are not included in the application form and which are described on the existing plans for the first and second floors as not being part of the application, but as they are referred to in the design and access statement and shown on the proposed plans they must be assessed. The property comprises a self-contained flat at rear ground and basement level, with a six room HMO above. The internal changes to the self-contained flat do not require planning permission. The reconfiguration of the HMO is to bring it up to Environmental Health standards; the extra space afforded by the roof extension would allow each bedsit to increase in size and enjoy more facilities, but the number of units would not increase.

Three of the rooms have their own cooking facilities, but share toilets and showers. The proposal would give two of the rooms their own cooking facilities, shower and toilet, and two of the rooms their own toilet and shower/bath, and provide a large shared kitchen. Although this would effectively self-contain two of the units, the upper floors would still be considered an HMO under the Housing Act 2004, and the alterations would not constitute a material change of use.

**Recommendation:** Grant Planning Permission

### **DISCLAIMER**

**Decision route to be decided by nominated members on Tuesday 31st August 2010. For further information see**

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