

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		13/04/2010	
		N/A / attached		<b>Consultation Expiry Date:</b>		24/03/2010	
<b>Officer</b>				<b>Application Number(s)</b>			
Rob Tulloch				2010/0925/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 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)							
<b>Recommendation(s):</b>		Refuse Planning Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	17	No. of responses	00	No. of objections	00
				No. electronic	00		
<b>Summary of consultation responses:</b>		A site notice was displayed from 03/03/2010 and 17 neighbours notified. No responses were received.					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		<p>West End Green CAAC object that the materials proposed for the front elevation are not in keeping with the neighbouring roof extensions and the balconies and rear elevational treatment are not in keeping with the conservation area guidelines and out of keeping with the rest of the terrace.</p> <p><u>Officer response</u> the neighbouring roof extensions are of varying materials and colours, hanging slate at the front is an acceptable material for a roof extension and would not look out of place. The rear elevational treatment is an incongruous element that would harm the appearance of the building and conservation area.</p>					

## Site Description

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 327 West End Lane, next door to the Fire Station, up to 341 West End Lane at the junction with Mill Lane. The terrace has a parade of shops at ground floor level with residential uses above. The building is located within West End Green Conservation Area and within West Hampstead Town centre.

## Relevant History

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

### Replacement Unitary Development Plan 2006

SD6 – Amenity of Occupiers and Neighbours

B1 – General Design Principles

B3 – Alterations and Extensions

B7 - Conservation Areas

### Camden Planning Guidance 2006

Extensions and alterations

Roofs and terraces

### West End Green 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

*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 forms part of a commercial frontage running from 327 to 341 West End Lane. There is a commercial unit on the ground floor, with a self contained flat at rear upper and lower ground floor levels, and a six bedsits forming a house in multiple occupation (HMO) above (337A). The proposal is for an additional floor at roof level with front and rear terraces, and further terraces at rear first and second floor levels. They are described on the plans and application form as balconies, but as they sit on top of various parts of the building as opposed to being cantilevered projections they are more accurately described as terraces. 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.

### 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 railing on top of the existing parapet. It would be set back from the parapet by 2 metres with a terrace in front. At the rear, the extension would have a single door with sash windows to either side, and a terrace on top of the reconfigured second floor.

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, but this proposal did not feature terraces or balconies to the rear. 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 there is no objection in principle to a roof extension in this location as it would not harm the appearance of the street scene or conservation area, but there are concerns about the rear terrace.

The rear of the properties from 327 to 341 West End Lane are arranged with pairs of two 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 with terrace in front. The pitched roofs are one of the only features to remain at the rear these properties, and although various properties have one terrace, the proposal would incorporate three terraces on top of each other. The cumulative impact of three terraces with railings, with each ascending floor set further back, would be an incongruous feature which would give the building the appearance of a block of flats, discordant with the terrace's late Victorian appearance, and be visible from the street and Westheath Yard. As such it would harm the character and appearance of the building, terrace and the conservation area.

### Amenity

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 directly face the rear of no. 337A. The replacement of the double window at first floor level and the dormer at second floor level with sliding doors and terraces, and the introduction of an additional storey with a 3.5 x 3.3 metre terrace would significantly increase overlooking, the sense of being overlooked, and lead to a loss of privacy for the occupiers of Cavendish Mansions contrary to policy SD6 of the current development plan which seeks to protect amenity for neighbours and the Council's planning guidance which states that balconies and terraces should not cause overlooking and that habitable rooms that directly face each other should be at least 18 metres apart.

The previously unsuccessful application at this site, 2008/4223/P, in which the principle of a roof

extension was considered acceptable did not feature a rear roof terrace, and a previous application, PWX0002054, was granted permission for a roof extension in 2000, although this was not implemented, and again this application did not feature a terrace at the rear. There is no rear roof terrace at no. 335, and although there is a terrace at first floor level, this was in situ before permission was granted for the roof extension in 1999. No. 333 does have a rear roof terrace, but this is at least 15 metres away from Cavendish Mansions and only has an oblique view.

### **Internal alterations**

The proposal also includes internal alterations which are not included in the application form and 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 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**

Refuse Planning Permission

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