

Delegated Report		Analysis sheet	Expiry Date:	16/03/2010
		N/A / attached	Consultation Expiry Date:	09/03/2010
Officer			Application Number(s)	
Hannah Parker			2010/0425/P	
Application Address			Drawing Numbers	
Land at rear of Oak Hill House Oak Hill Park London NW3 7LP			See Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of new 5 bedroom single storey dwelling house within curtilage of existing residential block (Class C3), including communal roof garden for use by occupants of Oak Hill House.				
Recommendation(s):		Refuse Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	39	No. of responses	97	No. of objections	93
			No. electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 5/02/2010 until the 26/02/2010. 93 objections were received. Approximately half the objections came in the form a pro-formal letter and the other were written individually. A summary of the main objections are detailed below:</p> <ul style="list-style-type: none">• Be detrimental to the character and appearance of Oak Hill House and the wider Conservation Area, which is characterised by large building set within spacious and well landscaped gardens• Represent an unacceptable form of back land development• More than double the footprint of the existing building thereby substantially reducing the amount of green space to the rear of the sight• Result in a loss of a number of important trees• Detract from the setting of the existing building• Result in a substantial increase in the hard standing to the front of the site• Be out of keeping with the design of Oak Hill House• Adversely impact upon the existing habitats for local wildlife• Result in a loss of privacy to the properties surrounding the site• Result in increased traffic within an area which is already heavily congested• Set a similar precedent for other similar applications within the area• Windows out of keeping• The proposal would affect outlook of the existing flats within Oak Hill House• Loss of privacy to the surrounding flats• Would adversely impact the drainage/ hydrology of the area• Disruption during construction• The importance of rear gardens• Construction of parking to the front <p>4 letters of support received.</p>					
CAAC/Local groups comments:	No responses to date.					

Site Description

The site is within Hampstead CA sub area six. Sub area six is described in the Conservation Area Statement as such "The area is principally woodland on the western slopes of Hampstead in which buildings play a subordinate role".

The proposal is situated in the garden of Oak Hill House. The host villa, dating from around 1850 and recognised as a positive contributor, is sub divided into flats. The proposal introduces an additional single storey flat onto the rear garden space. In appearance, in its proximity and in its attachment to the existing retaining wall it reads as an extension.

Relevant History

2009/4617/P- Erection of new 5 bedroom dwelling house within curtilage of existing residential block (class C3) – Withdrawn.

21078 -Land adjoining Oakhill House. Erection of a two-storey dwelling house with garage. Granted 1975

Relevant policies

Camden Replacement Unitary Development Plan 2006

- SD6 – Amenity for Occupiers & Neighbours
- B1 – General Design Principles
- B3 – Alterations and Additions
- B7 – Conservation Areas
- H1 – Housing
- H7 – Lifetime Homes
- N5 – Biodiversity
- N8 – Ancient woodland and trees
- T3 – Pedestrians and Cycling
- T7 – Off Street parking, city car clubs and city bike clubs
- T8 – Car free and car capped housing
- T9 – Impact on parking
- T12 – Works affecting the highway

Hampstead Conservation Area Statement

Camden Planning Guidance

Assessment

Proposal: The erection of a single storey dwelling house to land to the rear of oak hill house. The house would lie largely in the garden area but some excavation of the garden is required to remove the slope and existing steps in order that the extension will appear flush with the host building.

Background: This is a resubmission of a previously withdrawn scheme (2009/4617/P). The main differences were the change of the cladding of the property from timber to white render and the reduction in the number of car parking spaces.

Main Considerations:

- Impact on Oak Hill House building and conservation area
- Neighbourhood amenity
- Transport
- Trees
- Residential standards
- Lifetime Homes

Impact on Oak Hill House and conservation area

Policy H11 of the Conservation Area Statement reads "Rear garden and back lands contribute to the townscape of the Conservation Area and provide a significant amenity to residents and a habitat for wildlife. Development within gardens is likely to be unacceptable".

The proposal presents a full single storey elevation on three sides and is clearly legible as a single storey building rather than a basement or subterranean development. It would occupy much of the rear garden plot of a period villa in an area of Hampstead recognised as having an open character in which buildings play a

subordinate role. The present topography of the garden has allowed this style of development as the main grass lawn area is at a considerably lower level to the main house. This means although some excavation is required adjacent to the house, the majority of the proposal would be at the existing garden level which, is equivalent to the host building's basement level.

The proposal is not subordinate in terms of footprint to the host. In fact the extension has a slightly larger footprint than that of the existing house. It disconnects the host villa with its traditional garden setting, harming its architectural integrity, and makes only notional attempts (through the green roof) to harmonise in form, detail or design with the landscape. It is acknowledged that the green roof would act as a garden area. However, a roof garden is no substitute for the large garden in an area which characterised by open spaces. The house appears overly large and out of scale.

The elevational approach of a white render box with metal framed windows and sliding French doors does not respond to the architectural character of the host building. The modern additions neither respects the host building or results in a considered high quality design in its own right.

The applicant's Design and Access Statement comments that the proposals maintain the openness of the site. This is not considered to be the case as no importance has been placed on the existing topography of the site which openness defines the character. If planning permission were granted a precedent would be set for similar developments within areas of open land within the large properties area Oak Hill Way which would erode the relation of buildings being set within larger garden spaces.

The works are considered detrimental to the appearance and setting of Oak Hill House and the wider conservation area contrary to policies B1, B3, B7 and N2 of the London Borough of Camden Unitary Development Plan.

Neighbourhood Amenity

Due to the location of the proposal and the topography of the rear garden the works will have little impact on the surrounding properties. The windows will overlook what remains of the garden or directly towards fences. There is considered not to any significant opportunity for overlooking into neighbouring properties.

It is not considered that the outlook from the existing flats at Oak Hill House would be significantly harmed as the proposal would be below the level of the ground floor windows to the rear.

The roof of the dwelling house will be at ground level equivalent. The roof would therefore be at or above the existing fence level. The roof of the extension would therefore allow for views into the property at located on land to the side of Oak Hill House. If all other things were acceptable this could be rectified by condition to include a 1.7m high obscured glazed privacy screen along the boundary which would border the property called "Weeping Ash".

Transport

Cycle Parking: UDP policy T3 requires development to sufficiently provide for the needs of cyclists, which includes cycle parking and UDP policy T7 states development must comply with Camden Parking standards. The applicant has included provision for the required amount of cycle storage in the proposed design.

Off-street parking: One new parking space is proposed, however the plans show that at least three vehicles could easily park within the space designated. The standard states that a maximum of 1 parking space per dwelling will be permitted per residential unit. Therefore the driveway would need to be reduced in order to facilitate parking for one vehicle and the ability to enter and exit the site in a forward gear. Due to the overly large proportions of the proposed drive, it is considered that the scheme would be exceed the limit set out in Camden's Parking Standards (Appendix 6 of the Replacement UDP) and as such would be contrary to Policy T7 of the UDP.

Servicing Management Plan (SMP): UDP Policy T12 seeks to protect the safety and operation of the highway network. For some development this may require control over how a site is serviced through a Servicing Management Plan (SMP) secured via S106. However, due the scale and kind of this development, the servicing vehicle trips that it is likely to generate are such that a Servicing Management Plan is not required in order to mitigate any adverse impacts.

Construction Management Plan (CMP): UDP Policy T12 seeks to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented

(including demolition and construction) through a Construction Management Plan (CMP) secured via S106. Due to the nature of this development being partly below ground a large volume of material will need to be excavated and therefore the impact of the construction vehicles on the highway network should be investigated to ensure that the development does not adversely affect the safety or operation of the public highway. A Construction Management Plan would therefore be required and secured under a section 106 if all other things remained acceptable.

Trees

An arboricultural report has been provided which appears to demonstrate that the construction of the building would not be detrimental to trees on or adjoining the site. Whilst this may be true in theory, the practical effectiveness of methods to protect the root zone of trees to be retained when constructing a vehicular access down to the rear of the property for diggers, piling rigs etc and the construction of steps and lift shafts to provide access to the building can only be fully accessed by providing details of their construction matched to a plan. The existing plans do not provide existing levels. Due to the change in levels between the existing lawn and the access to the site, and the closeness of tree trunks, the applicants need to demonstrate the practicality of the proposed construction methods. In the absence of such an assessment, it is considered that insufficient information has been submitted to demonstrate that trees of amenity value would not be harmed or lost. The proposal is therefore contrary to Policy N8 of the UDP.

The Design and Access statement does not seem to be clear on the type of green roof to be provided. There seems to be some confusion around Intensive and Extensive Green Roofs and their functions. It is stated that the roof will provide level access for the communal use of occupants at Oak Hill House. It is also stated that the roof will be a Sedum Roof. A Sedum Roof is usually designed to be an extensive roof type with either no public access or limited access. The use of a green roof for amenity use would usually be designed as a roof garden with a wider range of planting that Sedum and specially constructed planters and seating areas etc. (this type of green roof is known as an intensive type). It is notable that some drawings show planting which is not Sedum planting. It is not clear what the arrangements, ownership and maintenance responsibility would be if access were to be granted to the occupants of Oak Hill House on what would be another person's house. If the roof were to be used as a roof garden a greater proportion of constructed planters would be required. If access were to be provided to a Sedum Roof it is likely that barriers would need to be provided around the roof edges for safety purposes (similarly for a roof garden). Were the application to be approved, it is considered that an appropriate planning condition would be able to provide the necessary clarification.

Residential standards and Lifetime Homes

The new dwelling would contain five generously sized bedrooms, each with en-suite facilities. A residue of the existing garden would remain to provide some amenity space around the edges of the building. It is likely that natural light to the property would be significantly limited by the proximity of several large trees which would be retained. This would be particularly the case along the north-western elevation. There is concern that this may result in pressure to severely prune or fell the trees in order to improve the situation. However, it is not considered on balance that the overshadowing in itself is sufficient to warrant refusal on the grounds of poor amenity for future occupants given the generally high standard of the accommodation. It would also be at the discretion of future occupants as to whether they wished to live under such conditions.

The application property does not have any level access and to make it lifetimes home and disabled compliant a lift is proposed. If all other things were acceptable full details of the proposed ramp, stairs and lift would be secured by condition as the sections appear at present to suggest that the ramp is unsuitable. The property also falls short on point 6. The width of internal doorways and hallways should conform to Part M, except where the approach is not head on and the corridor width is 900mm, where the clear opening width should be 900mm rather than 800mm. There should be 300mm to the side of the leading edge of the doors on the entrance level. And Point 10. There should be a) a wheelchair accessible entrance level WC. These two points are considered easily amendable and will not constitute a reason for refusal.

Waste

A refuse area is indicated on the drawing. This is considered acceptable in terms of its size and access.

Recommendation Refuse permission

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