

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>02/12/2009</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>03/12/2009</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Jonathan Markwell			a) 2009/4577/P b) 2009/4580/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
8 Downshire Hill London NW3 1NR			Please 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>				
a) Erection of a ground floor single storey rear conservatory to single family dwellinghouse (Class C3). b) Erection of a ground floor single storey rear conservatory to single family dwellinghouse (Class C3).				
<b>Recommendation(s):</b>		a) Grant Planning Permission b) Grant Listed Building Consent		
<b>Application Type:</b>		a) Full Planning Permission b) Listed Building Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>06</b>	No. of responses	<b>02</b>	No. of objections	<b>01</b>
Summary of consultation responses:			No. Electronic	<b>01</b>		
	<p>Separate site notices for the planning application and listed building consent were erected on 12/11/2009, expiring on 03/12/2009. Two responses have been received. The occupier of No. 14 Pilgrim's Lane objects, stating "With such a large underground development, we are very concerned about the effect of drainage on our property, which is immediately above the site. We are also concerned about the noise that will be created by the air conditioning units which seem to be entirely unnecessary, except for the purpose of the underground swimming pool, which is also entirely unnecessary!"</p> <p><b>Officer response:</b> This application is for a single storey rear extension at ground floor level; it does not comprise a 'large underground development', nor include air conditioning units or a swimming pool. It is considered that the objector may have confused the proposals with current applications at the neighbouring No. 9 Downshire Hill (2008/5894/P &amp; 2009/0056/L), which are currently under consideration by the Council. As such, this response is not being treated as an objection to this application.</p> <p>An occupier of 62 British Grove, London, W4 2NL submitted two letters of objection (Although it is not explicitly referred to, it is known that this objector acts on behalf of the owner of No. 9 Downshire Hill). A summary of the issues raised are as follows:</p> <ul style="list-style-type: none"> <li>- Lack of formal consultation with No. 9 Downshire Hill (Given this property is uninhabitable and the Council are in discussions regarding this site, "a phone call would not have gone amiss".</li> <li>- Insufficient information submitted by the applicant, namely: "No historic building assessment, no indication of impact on the existing building, no information about foundations that will materially affect the stability of the adjoining No.9 which is, as you know, in a perilous state. We have been coerced on pain of threatened judicial review against you, to provide more detailed information that any other similar application in Hampstead, surely that must apply reciprocally? Please take the matters raised... as basis for our initial objection and we shall enlarge on this to follow".</li> <li>- Alterations being made to staircase. How can this be assessed without historic background report</li> <li>- Inaccuracies in the drawings including inaccurate indication of extend of no. 8 Downshire Hill. It incorporates flanking wall of no: 9</li> <li>- No test of application against PPG15</li> </ul> <p><b>Officer response:</b> It is standard practice to notify adjoining occupiers by letter, not by telephone. In addition, site notices were erected outside the application site. As such, the Council has adhered to its minimum public consultation standards. Regarding the amount of information submitted and evidence of meeting tests of PPG15, it is considered that sufficient information has been submitted for an application of this nature and scale. Please see section 2.5 below for more details.</p>					

<b>CAAC/Local groups* comments:</b> *Please Specify	Hampstead CAAC has stated that that have no objection or comments to make on the application.

**Site Description**

The application site is located on the north-west side of Downshire Hill, close to the junction with Keats Grove (to the south-east). Pilgrim's Lane runs parallel to Downshire Hill to the north-west of the application site. The building is four-storeys in height (basement, ground, first and second floor levels), is a single dwellinghouse and includes a front and rear garden area. The application site forms one of a semi-detached pair (No. 7 Downshire Hill being the other) of grade II listed villas in the Gothic style from the early regency period. The buildings are stucco at the front with brickwork at the rear. Various alterations have been approved in the past at the application site (see relevant history section below). The host building is attached to the grade II listed No. 9 Downshire Hill via a 20<sup>th</sup> century porch and side extension at the host building. No. 9 Downshire Hill is on English Heritage's Buildings at Risk register, is currently scaffolded to prop the building and subject to a current applications under consideration by the Council for its demolition and redevelopment (2008/5894/P & 2009/0056/L).

The application building is also located within Hampstead Conservation Area and was listed in 1974.

**Relevant History**

PW9703069R1 - Demolition of existing single storey side extension and erection of two storey side extension. Granted Planning Permission 03/04/1998.

LW9703070R1- Demolition of existing single storey side extension and erection of two storey side extension, including internal alterations. Granted Listed Building Consent 02/04/1998.

PWX0103314 - The erection of a single storey rear extension. Granted Planning Permission 14/01/2002.

LWX0103313 - The erection of a single storey rear extension, together with internal alterations. Granted Listed Building Consent 14/01/2002.

LWX0202675 - Erection of an extension at basement level and internal alterations, as a variation to Listed Building consent dated 14.01.02 (Ref. No. LWX0103313R2) for erection of a single storey rear extension. Granted Listed Building Consent 07/02/2003.

2003/0133/P - Excavation to create a basement under an approved ground floor rear extension. Granted Planning Permission 16/06/2003.

**Relevant policies**

**London Borough of Camden Replacement Unitary Development Plan 2006**

- SD6 – Amenity for occupiers and neighbours
- B1 – General design principles
- B3 – Alterations and extensions
- B6 – Listed buildings
- B7 – Conservation areas
- N8 – Ancient woodlands and trees

**Camden Planning Guidance 2006**

**Hampstead Conservation Area Statement**

## Assessment

### 1. Introduction

1.1 Planning permission and listed building consent is sought for the erection of a ground floor single storey rear conservatory to this single family dwellinghouse. There is an existing part width single storey rear extension up to the boundary with No. 7 (to the south-west of the application site) at ground floor level. The proposed extension is on the north-east side of the rear elevation (up to the boundary with No. 9 Downshire Hill), thereby infilling the existing rear amenity space adjacent to the existing extension at the property.

1.2 It was originally proposed to erect a steeply pitched glass roof conservatory. At the juncture between the existing rear elevation and the conservatory it was proposed for the roof to reduce in height, with a lead flat roof / rooflight adjacent to the existing building to retain the existing window on the rear elevation at first floor level. The rear elevation included a double glazed painted timber framed conservatory, with two double french door openings and associated pilasters, cornice and natural stone cill. The design also incorporated the removal of a tree stump and replacement with york stone steps leading to the garden area and the removal of a non-original window on the rear elevation at basement floor level and a further non-original window on the side elevation of the existing ground floor extension. The originally proposed conservatory was approximately 4.75m in depth (including 1m beyond the existing rear extension), 3.55m in width and a maximum of 4.1m in height.

1.3 During the course of the application the proposed conservatory was amended in terms of its design and appearance. A lead flat roof is now proposed with two flush rooflights, resulting in the height of the conservatory being reduced to 3m. The depth of the extension has been reduced by 0.5m to 4.25m, so that it only extends 0.5m beyond the existing rear building line. Thin framed painted timber windows / doors are proposed on the rear elevation of the proposed conservatory. The set back of clear glass adjacent to the existing rear elevation is retained as originally proposed to maintain the first floor rear elevation window as existing. The width of the proposed extension remains 3.55m, up to the boundary with No. 9 Downshire Hill.

### 2. Design

2.1 In terms of design, the scheme has been amended in line with discussions during the course of the application between the applicant and the Council. The revised proposals are considered to have simplified the design of the conservatory into one which is considered to be acceptable in design terms. For example, by reducing the height of the conservatory and incorporating a flat roof design, the proposed conservatory is not as dominant as that originally proposed. Moreover, the proposed conservatory is considered to allow the original rear façade of the building to remain the prominent aspect of the listed building. In addition, a glazed link has also been incorporated in the proposals between the proposed rear extension and the existing side wing. This is considered to allow the original envelope of the listed building to be more easily recognised and appreciated at this point.

2.2 Furthermore, the depth of the proposed extension has been reduced so that it is in line with the extension at No. 7 Downshire Hill, which is the listed building the host property is paired with. At No. 7 there is considered to be delicate and uncomplicated rear extensions, which are part conservatory, part rear wing such as that proposed by this application. At No. 7 the rear wing element (adjacent to the boundary with No. 6 Downshire Hill) is set forward further from the conservatory element (which is adjacent to the boundary with the host building). The proposed extension will be in line with that of the rear wing at No. 7, thereby reinforcing the symmetrical nature of the pair of listed buildings with a view to preserving their special architectural character. The proposed revision secured during the course of the application is considered to achieve this.

2.3 During the course of the application it has also been confirmed that the internalised rear wall will remain as brickwork and will not be rendered. This is considered to be an appropriate approach, recognising the historic envelope of the building and allowing the proposed works to be reversed in the future if necessary without causing harm to the setting of the listed building. To ensure that this takes place when the proposals are implemented, this is recommended to be secured via condition.

Similarly, it is also proposed to add standard listed building conditions relating to only works shown on the plans being approved shall be carried out and all works to match the existing design unless where otherwise shown on the plans.

2.4 The proposals also include the removal of a large tree stump close to the boundary with No. 9. A tree application has already been approved for its removal, so no issues are raised on this point. The proposed york stone paving and steps at this point are considered to be acceptable in design terms and will not result in the loss or harm to any nearby trees.

2.5 Concerns have been raised regarding lack of information provided on the foundations of the proposed extension. This is not considered to have any impact in historic building terms, owing to the relatively recently constructed existing flank extension and rear basement and ground floor extension resulting in foundations already underpinning the rear façade of the host building (see relevant history section above for more details). In this regard any new foundation is not considered to unduly harm the existing fabric or original foundations which have already been altered. Similarly, given the scale of the works, there is not considered to be any impact on the setting on the neighbouring listed building.

2.6 Overall, following revisions, the proposed extension is considered to relate satisfactorily to the host building, neighbouring building and the wider conservation area. Therefore no issues are raised in design terms, subject to the conditions recommended above.

### **3. Amenity**

3.1 With regard to amenity matters, the proposed extension will not extend above the c. 4m high boundary wall with No. 9 Downshire Hill. As such, the proposed extension is not considered to raise any overlooking and privacy, outlook or sunlight and daylight issues with regard to this neighbouring building. With regard to the neighbouring occupiers at No. 7, the extension will only extend 0.5m beyond the existing extension at the host property. In addition, the proposed extension will be approximately 3.7m from the boundary with this neighbouring property. Given this context, the proposed extension is not considered to result in any adverse amenity impact for the neighbouring occupiers at No. 7. In respect of the impact on occupiers to the north-west of the application site on Pilgrim's Lane, there is a significant distance between the buildings of over 30m. In addition, there are a number of mature trees and planting which will further reduce opportunities for overlooking, loss of privacy or light pollution to present and future occupiers from the proposed conservatory. Therefore there are not considered to be any anticipated amenity impacts which would warrant the refusal of the application on this basis.

3.2 However, in order to protect the amenity of neighbouring occupiers, it is recommended that a condition is added to prevent the flat roof area of the single storey rear conservatory being used as a roof terrace. This condition will also state that any access onto this area shall be for the maintenance of the roof only and no other purpose.

### **4. Recommendation**

4.1 Grant Planning Permission / Grant Listed Building Consent

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