

<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>	12/11/09
<b>Officer</b>			<b>Application Number(s)</b>	
Katrina Christoforou			2009/4631/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
6 Keats Grove London NW3 2RT			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>				
Alteration and extension of existing garage building in association with its use as an outbuilding ancillary to the existing residential dwelling house plus associated landscaping in the rear garden.				
<b>Recommendation(s):</b>		Grant planning permission		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>05</b>	No. of responses	<b>12</b>	No. of objections	<b>11</b>
<b>Summary of consultation responses:</b>	<p>A site notice was erected on the 16/11/09 and 5 neighbours were consulted. Twelve responses were received.</p> <ul style="list-style-type: none"> <li>- Concerned by what is meant by the use of the structure as an 'artists studio'.</li> <li>- Would the studio be let separately from the main house?</li> <li>- Whilst the existing garage is ugly, the proposed studio with its modern facades and steel railings belongs elsewhere.</li> <li>- Affect on the water table and stability of neighbouring houses.</li> <li>- Extension will crowd the street and reduce the much needed open space that gives the area its character.</li> <li>- The loss of off-road parking places further strain on the already stretched on-street parking in the area.</li> <li>- To allow a work space area would change the residential character of the area.</li> <li>- Loss of amenity from increased traffic and deliveries.</li> <li>- The design is aggressive and ugly.</li> <li>- The building might be used as a dwelling.</li> <li>- Out of keeping with the street.</li> <li>- Would set a precedent for garages to be converted into dwellings.</li> <li>- Privacy of neighbours would be affected.</li> <li>- The large house does not require this additional space.</li> <li>- Proposals do not enhance the conservation area.</li> <li>- Encroachment on the garden is regrettable.</li> <li>- The doors and rooflights will make the structure appear like a dwelling.</li> <li>- Ramp to be retained for parking may block pavement.</li> <li>- Party wall issues. <i>(Please note this is a private legal matter and is not a material consideration to the planning application)</i></li> <li>- Previous reasons for refusal still apply.</li> <li>- Concerned that the building could be used for other purposes in the future.</li> <li>- Over development.</li> </ul>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p><u>Hampstead CAAC: No objection.</u></p> <p><u>Heath and Hampstead Society: Objection</u></p> <ul style="list-style-type: none"> <li>- The proposals are an improvement on the over-scaled previous submission (2009/0865/P).</li> <li>- In granting any permission seek that a condition be put in place to prevent any future return to the larger development.</li> <li>- If the garden works are included in this application we object very strongly.</li> <li>-No grass would be left just paving and decking- objectionable in this green corner of Hampstead.</li> </ul>					

## Site Description

The substantial three storey plus roof level single dwelling house is located on the south side of Keats Grove on the corner with Heath Hurst Road. The site is within the Hampstead Conservation Area but is not listed unlike many of the neighbouring buildings on Keats Grove; however it is noted in the Conservation Area Statement as making a positive contribution to the character of the area.

## Relevant History

**2009/4586/P & 2009/4322/C:** Demolition and replacement of existing brick boundary wall and wooden fence with brick piers and steel railings at boundary of single family dwelling (Class C3) fronting Keats Grove and Heath Hurst Road. Withdrawn.

**2009/4586/P:** Replacement of existing brick boundary wall and wooden fence with brick piers and steel railings at boundary of single family dwelling (Class C3) fronting Keats Grove and Heath Hurst Road. Withdrawn.

**2009/0961/P:** Extension of existing balcony and associated railings at rear ground level to existing dwelling house, replacement of roughcast surfaces by render on front and side elevations, and excavation works to create enlarged lower terrace in rear garden. Granted 12/06/2009.

**2009/0865/P:** Erection of two storey building with double garage at lower ground floor level and storage above and garden shed fronting Heath Hurst Road following demolition of existing one storey single garage all in connection with existing residential use (Class C3). Withdrawn.

**2007/3382/P:** Erection of iron railing gates at vehicular entrance. Granted 12/12/2007.

**9100458:** Erection of a two storey building in the rear garden for use as double garage with first floor flat and rear terrace. Refused 19/11/1991.

**9500318:** Construction of new garage on site of existing garage and new garden room at garden level above. Refused 25/01/1995.

## Relevant policies

### Camden Replacement Unitary Development Plan 2006

SD1- Quality of life

SD6- Amenity for occupiers and neighbours

B1- General design principles

B3- Alterations and extensions

B7- Conservation Areas

N5- Biodiversity

N8- Ancient woodland and trees

T8 - Car free housing and car capped housing

T9 - Impact of Parking

Camden Planning Guidance 2006

Hampstead Conservation Area Statement

## Assessment

### The proposal

1.1 The proposal is for the conversion and extension of the existing garage building fronting Heath Hurst Road to form an additional habitable space for use as a storage/art studio for the occupants of the residential dwelling house. The outbuilding would take the same form as the existing garage with a double pitched roof but the width would be extended from 2.9m to 3.2m, widening to 4.5m. The garage door would be replaced with a glazed door covered with sliding wooden slatted shutters. The extension would be constructed of brick to match the existing with roof tiling to match the main house and four small rooflights. The north/garden facing elevation of the structure would have a large glazed area with wooden slat shutters.

1.2 The proposals also include the landscaping of the rear part of the garden. The landscaping proposals have been revised over the course of the application to include a grassed area.

### Principle of the conversion

2.1 The garage as existing forms part of the residential dwelling and as such can be used for any purpose falling within the lawful residential use class. Whilst planning permission is generally required for external alterations the garage as existing

could be used as a residential amenity space. Under planning legislation the Council does not therefore have control over the use of the garage provided that the activities taking place are associated and incidental to the residential use. Commercial use or use as a separate dwelling would not be permitted without planning permission.

### Design and appearance

3.1 Previous applications dating from the 1990's were refused for the replacement of the garage with two storey structures. An application for a two storey replacement was also submitted earlier this year and withdrawn following officer advice. The current proposal involves only a small increase in floor area (from 20.7m<sup>2</sup> to 27.6m<sup>2</sup>) at ground floor level. The appearance from the street will remain largely as existing with the section of increased width being recessed into the garden. The main difference when viewed from the street will be the replacement of the garage door with glazing and shutters. The small gap between the outbuilding and neighbouring number 47 Heath Hurst Road would be secured with rails. Whilst this may have a fairly contemporary appearance the outbuilding is not original to the house and is read as a stand alone addition. Whilst the character of the area is traditional there are a number of later garage additions in the vicinity that take on various forms and styles. The proposed combination of brickwork, roof to match the main house and shutters is considered to blend with the surrounding environment. The property benefits from a large garden that would not be compromised as a result of the extension. The proposals relating to the garage building are therefore considered to be compliant with policies B1, B3 and B7, supplementary guidance and the Conservation Area Statement.

3.2 However, it should be noted that a number of the drawings show alterations to the boundary of the site with the replacement of the timber fence and brick wall with brick piers and railings. This alteration formed part of application 2009/4586/P which has now been withdrawn pending revision. It is therefore recommended that a condition be added to any permission confirming that works to the boundary do not form part of the permission.

### Amenity

4.1 The main extension to the outbuilding would be within the rear garden area of the dwelling away from neighbouring boundaries. The glazed areas would be covered with shutters and would not look directly onto any neighbouring windows. The proposed works would not therefore have any impact on the amenity of neighbours in terms of loss of daylight, sunlight, outlook or privacy in accordance with policy SD6.

### Parking

5.1 Concerns have been raised on the basis that the loss of the garage would result in the displacement of a car onto the public highway within the controlled parking zone. As the property has additional off street parking to the front it is considered unlikely that this would occur. Given the scope of the proposals it is not considered warranted to require the property to be car-capped.

### Landscaping

6.1 The proposals include landscaping works to the rear part of the garden area that was not included in the previous permission 2009/0961/P. The proposals originally included a large decked area and 'stone garden'. This would have resulted in virtually the whole garden being hard landscaped; an issue raised in the responses to the consultation. Following officer's advice the plans were revised reducing the area of decking and including a grassed area and increased planting. This is considered to be more in keeping with the nature of the conservation area and supports biodiversity.

6.2 The tree report submitted is considered to demonstrate that the trees at the site will not be affected as a result of the works. It is recommended that any permission be subject to a condition requiring the submission of full details of hard and soft landscaping and detailed methodology of how the trees would be protected.

### Comment on the public consultation responses

7.1 The majority of the objections raised from the public consultation have been addressed in the assessment above. However, concerns were also raised relating to structural damage to neighbouring buildings and the affect on the water table. Structural issues fall under the Building Regulations and any structure would have to meet the standards. The volume increase proposed is so minor it is not considered likely to have any significant impact upon the local water table.

7.2 The Heath and Hampstead Society have recommended that a condition be attached to any permission preventing future increase in the size of the structure. The Council cannot pre-empt development and any proposal for an increase in the size of the outbuilding would be subject to assessment on its merits at the time.

### **Recommendation:**

Grant planning permission.

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