

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 05<sup>th</sup> October 2009. For further information see

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

<b>Delegated Report (Members Briefing)</b>	<b>Analysis sheet</b>	<b>Expiry Date:</b>	08/10/2009
	N/A	<b>Consultation Expiry Date:</b>	17/09/2009
<b>Officer</b>		<b>Application Number(s)</b>	
Jennifer Walsh		2009/3970/P 2009/3194/L	
<b>Application Address</b>		<b>Drawing Numbers</b>	
Woodbine Cottage Vale of Health NW3 1AX		Please refer to draft 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>			
Erection of ground floor glass conservatory at the rear of single family dwelling house (Class C3) with associated works to lower the windows facing the courtyard to create two new entrance doors.			
<b>Recommendation(s):</b>	Grant Planning Permission Grant Listed Building Consent		
<b>Application Type:</b>	Full Planning Permission Listed Building Consent		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>03</b>	No. of responses	<b>02</b>	No. of objections	<b>02</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p><b>Rose Cottage objected to the proposal on the following grounds:</b></p> <ul style="list-style-type: none"> <li>- Light – Height of box- floodlighting – changes to condition and appearance</li> <li>- The height is well above the party wall and would cause floodlighting to both Rose and Woodbine entrances.</li> <li>- The application does not refer to heating/ventilation of the glass box nor the splashing of heavy rain on the 'lid'.</li> <li>- The glass box is planned to be tied to the party wall. No mention is made of guttering to take the rain water off it. The wall is very old and forms part of the charm.</li> <li>- The plans shows the party wall as of the same height from front to back. In fact the wall reduces in height towards the road end. The lit up glass box would draw attention to itself from passers by.</li> <li>- In the description of the planned work, the york paving in the yard is to be retained, but the drawings show a change inside the box to floor tiles to meet indoors. There is reference in the plans to possible reinstatement of the listed entrance yard, but at what cost could that become realistic?</li> <li>- This application does not considered the overall effect of the charm of the symmetry of these two dwellings listed to protect them for the enjoyment and appreciation of future generations.</li> <li>- The development applied for would devalue Rose Cottage.</li> </ul> <p><b>5 Villas on the Heath objected to the proposal on the following grounds:</b></p> <ul style="list-style-type: none"> <li>- The proposed conservatory is totally alien and unsympathetic to its setting.</li> <li>- It would destroy the symmetry with the house's mirror image, Rose Cottage.</li> <li>- It would obscure and damage the weather boarding.</li> <li>- It would create two new doorways and change the character of the extension to the house.</li> <li>- The argument that the conservatory would not be visible from the street is weak in the extreme; the 1.55m eye level cited is of a short person, the door to the yard when open would give a full view to passers by.</li> <li>- The integrity of listed buildings is to be protected for all.</li> <li>- The back yard and passage of Rose Cottage is 1.5m wide. The conservatory protrudes two or three feet above the garden wall. This will cause light, noise and odour pollution.</li> <li>- No drainage or ventilation arrangements appear to be shown.</li> <li>- Such an interference with a neighbour's amenity should not be allowed.</li> </ul>					

**CAAC/Local groups  
comments:**

**Hampstead CAAC objected to the proposal on the following grounds:**

- They object to the loss of this attractive original courtyard and open space in this listed building.

- The proposal would cause light pollution and possible noise nuisance to the neighbouring house (its twin).

**The Health and Hampstead Society objected to the proposal on the following grounds:**

- A small addition, but the scale of these charming cottages is also small. The glazed roof of this proposal would produce light and noise pollution for the next door cottage and is thus unacceptable.

**The Vale of Health Society objected to the proposal on the following grounds:**

- A previous extension was refused by Camden in May 2001.

- Although the present application is somewhat different construction, it would, like the earlier application, effectively remove a large part of the courtyard and would thus radically change the external appearance of one of the very few remaining 18<sup>th</sup> Century artisan cottages in Hampstead Village. They believe it should be refused for the same reasons as the 2001 application.

- The application would be visible from the road, contrary to the drawing 5061\_02)120.

- The proposed extension would radically change the appearance of Woodbine Cottage from its neighbouring Rose Cottage, while parts (at least) of the new roof would also be visible from the upper floors of Fig Tree House, South Villa and 5-6 The Gables. The glass construction means that any night-time use would cause significant light pollution to Rose Cottage; such use would also make part of the extension visible to passers by and upper floors of the mentioned properties.

- Granting permission for the current application would make it virtually impossible to refuse planning permission for an equivalent construction in the courtyard of Rose Garden.

## Site Description

The application site is located on the west side of the vale of Health and comprises a modest 2 storey mid-terrace cottage dating from the early nineteenth century known as Woodbine Cottage. It is occupied as a single family dwelling. The site is bounded to the west by a pedestrian footway and to the east by the Vale of Health. To the north lies Rose Cottage that is similar in size and layout as the application property. The building is L-shaped in plan form with a long narrow two storey wing. The courtyard lies to the rear of the main part of the cottage and extends up to the boundary with the Vale of Health. The main garden area of the property fronts onto the pedestrian footway to the west. The elevations of the building are predominantly weather-boarded although parts of the rear of the building are painted brick. There is an existing shed adjacent to the rear of the house that is positioned against the northern side boundary wall with Rose Cottage.

The building is a Grade II Listed Building and the site is located within the Hampstead Conservation Area and is within an Archaeological Priority Zone.

## Relevant History

**PWX0103478:** Internal and external alterations, including erection of courtyard extension with new front wall and door and first floor gable roof extension. **REFUSED 14/08/2001** *'The proposed alterations to the front roof to form a gable end fails to have regard to the character and appearance of the listed building and of the street scene. Consequently, it does not preserve or enhance the character of this part of the Hampstead Conservation Area.'*

*'The proposed side extension by virtue of its location fails to have regard to the historic character and setting of this listed building and its neighbour.'*

**LWX0103793:** Installation of new shower room, repair of first floor window to match existing  
**GRANTED 15/01/2002**

## Relevant policies

### Camden Unitary Development Plan 2006

SD6 – Amenity for occupiers and neighbours

B1 – General Design Principles

B3 – Alterations and Extensions

B6 – Listed Buildings

B7 – Conservation Areas

### Camden Planning Guidance 2006

26. Listed Buildings

### Hampstead Conservation Area Statement (Sub Area Eight: Outlying Areas).

The statement notes that the property forms part of “a pretty row of early 19<sup>th</sup> century two and three storey painted cottages with neat gardens (Old Cottage, Woodbine Cottage, Rose Cottage, North Villa, South Villa, Vale Cottage, Vale House).”

## Assessment

### 1.0 The proposal

1.1 Planning permission is sought for the erection of a single storey fully glazed conservatory at ground floor level. The glass box would measure approx 2.5 metres in height by 1.7 metres in width by 7.9m in length. The proposed extension would partially infill the rear courtyard area that measures 12.2m in length. The extension would project 0.7m above the existing northern side 1.8m brick boundary wall with Rose Cottage.

Two windows in the ground floor side elevation of the building would be removed and the openings lowered to install two doors.

### 2.0 Design

2.1 In terms of the principle of infilling the courtyard area in this location, the proposed development is considered acceptable. The conservatory would be located at the rear of the building (although this does face onto the road) and would sit satisfactorily next to the rear wing of the listed building. The proposal would partially infill the rear courtyard (approximately 70%). It is considered that this space is relatively small and the extension has been carefully designed to produce a transparent structure that would maintain the sense of openness at the rear of the building. The conservatory has also been set back 4.3m from the rear boundary wall which will reduce it's visually impact from the surrounding area.

2.2 The surrounding residents have cited a previous decision at Woodbine Cottage for a single storey extension that was refused in 2001. This extension was positioned at the rear of the courtyard area fronting onto the Vale of Health. The Council considered that its location was harmful to the special character of the listed building. No objection was raised to the principle of infilling the courtyard. This application is materially different as the proposed conservatory would be located adjacent to the main house and would be set back from the boundary with the road and would be considered acceptable in principle.

2.3 In terms of the design, the proposed conservatory is acceptable. It has been carefully thought out to produce as lightweight a structure as possible. Framing has been kept to a minimum with glass fin beams providing structural support. This will give the structure a minimal appearance which will allow views through to the host building behind.

Given its size, height and glazed appearance; it is considered that the proposed extension would not be read as a dominate feature from the neighbouring courtyard. Although it is accepted that the top part of this addition would be visible from the public realm, it is considered that due to the lightweight design of the structure and the set back from the rear boundary wall of 4.3m, the conservatory would not have a detrimental impact on the host property or the wider streetscene.

2.4 Care has been taken to minimise the impact on the actual fabric of the listed building with the use of brackets (supporting the glass fins) that would be fixed to the flank wall with the rear wall providing support. The works would result in the removal of the one weatherboard. Whilst the loss of some historic fabric is regrettable this is not considered to be harmful enough to sustain a reason for refusal. It must be noted that if the conservatory were to be removed a new painted board could be reinstated. A simple lead flashing would be used to seal this joint. An independent structure would be also built inside the boundary wall to provide support on the other side.

2.5 Linkage is provided with the main building by lowering the cills to two sash windows. This is considered acceptable as it does not unduly alter the spatial layout of the building and still retains a strong definition of the junction between the original building and the new extension.

2.6 Objections have been received in relation to the drainage details associated with the conservatory. The drainage details have been included within the detailed design of the scheme. The gutter detail will run along the boundary wall with Rose Cottage and will be dispersed within the yard of Woodbine Cottage. Therefore, the relationship with the yard of Rose Cottage is considered acceptable in terms of drainage. An informative would be attached to any permission to advise the applicant that Building Regulations may be required for the proposed conservatory.

2.7 It is considered that the proposed works preserve the special interest of the listed building and would be considered acceptable.

### **3.0 Amenity**

3.1 Objections have been received from adjoining residents in relation to potential light pollution from the proposed conservatory. The agent has submitted additional information which confirms the use of a specialised double glazing unit known as SPD Smartglass. This would be applied to all of the wall panels and the roof of the extension. The use of such material will allow the extension to become an opaque structure at night time, through the use of an electronic current – therefore reducing the amount of light reflection generated from inside the box. The use of this material will also increase the level of noise protection when compared with normal insulated glass units. A condition will be added to any permission requiring the submission of a sample of the proposed glass material for approval, prior to the implementation of the scheme.

3.2 The proposed conservatory would project up to the existing 1.8m side boundary wall with Rose Cottage and would extend 0.7m above this wall. Given the height of the wall the proposed extension there would be no overlooking from the conservatory into the ground floor windows of the adjoining property. Given the location of the windows in the upper floors of Rose Cottage it is considered that the proposal would not have an adverse impact on the amenity of the adjoining property in terms overlooking or loss of privacy.

3.3 Due to the proposed structure being single storey and of a fully glazed design, it is considered that the conservatory would not have an adverse impact the amenity of the adjacent properties with regard to overlooking, visual bulk or sense of enclosure. The proposal is considered to be consistent with Policy SD6 of the UDP.

### **4.0 Archaeology**

4.1 The site is located within an archaeological priority zone. English Heritage has advised that the proposal would not have an affect on any significant archaeological remains. Any pre- or post-determination archaeological assessment/evaluation of the site would not be required.

### **Recommendation**

Grant Planning Permission and Listed Building Consent.

