

<b>Address:</b>	1 Oak Hill Way London NW3 7LR	
<b>Application Number:</b>	2008/3697/P	<b>Officer: Eimear Heavey</b>
<b>Ward:</b>	Frognal & Fitzjohns	
<b>Date Received:</b>	16/07/2008	
<b>Proposal:</b> The erection of a part two, part three storey dwellinghouse with basement, roof terrace and integral parking space, following the demolition of the existing dwellinghouse.		
<b>Drawing Numbers:</b>  Site Location Plan; Site Plan Existing; Proposed Site Plan; 1542/1; 2; 3; 4; 5; 6; 7; 850R/020 Rev A; 021 Rev A; 022 Rev A; 023 Rev A; 031 Rev A; 034; 040; 041; 042; 043; 044 Rev A; 051; 052; Design & Access Statement (incorporating SuDS, Hydrological Review, Code for Sustainable Homes and Tree Survey)		
<b>RECOMMENDATION SUMMARY: Grant Planning Permission subject to conditions.</b>		
<b>Related Application Date of Application:</b>	26/11/2008	
<b>Application Number:</b>	2008/5580/C	
<b>Proposal: Demolition of existing dwellinghouse</b>		
Site Location Plan; Existing Site Plan; 1542/1; 2; 3; 4; 5; 6; 7; 850R/051; 850R/052		
<b>RECOMMENDATION SUMMARY: Grant Conservation Area consent subject to conditions</b>		
<b>Applicant:</b>	<b>Agent:</b>	
Mr & Mrs Peter & Gillie Regis 1 Oak Hill Way London NW3 7LR	European Urban Architecture 70-74 City Road LONDON EC1Y 2BJ	

### ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3	<i>Dwelling House</i>	353m <sup>2</sup>
Proposed	C3	<i>Dwelling House</i>	550m <sup>2</sup>

Residential Use Details:		
	Residential Type	No. of Bedrooms per Unit

		1	2	3	4	5	6	7	8	9+
Existing	<i>Dwellinghouse</i>				1					
Proposed	<i>Dwellinghouse</i>				1					

<b>Parking Details:</b>		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	2	
Proposed	1	

## **OFFICERS' REPORT**

**Reason for Referral to Committee: The proposal involves the demolition of a building in a Conservation Area [Clause 3 (v)].**

### **1. SITE**

- 1.1 The application site comprises an existing single family dwellinghouse located on the southern side of Oak Hill Way, close to its junction with Frognal Rise. The site sits on the fringes of Hampstead village and is characterised by its strong woodland character.
- 1.2 The existing property is split level, is accessed directly off Oak Hill Way and incorporates a swimming pool to the rear. The building is not listed but is located within Hampstead Conservation Area (sub area 6: Branch Hill/Oak Hill). The Hampstead Conservation Area Statement has identified the property as detracting from the character of the area, and one that would benefit from enhancement.
- 1.4 To the north of the site is an area of open space, whilst the southern boundary is formed by the expansive gardens of nos. 109, 111 and 113 Frognal. The eastern boundary is formed by the recently renovated dwellinghouse at no. 3 Oak Hill Way and the western boundary is formed by a quite substantial outbuilding, which appears to be used as garage/storage space.
- 1.5 This area is not considered to suffer from parking stress and the Public Transport Accessibility Level (PTAL) for this site is only 2 (poor). It is noted that the site is included in the Hampstead Heath Archaeological Priority Area.

### **2. THE PROPOSAL**

#### **Original**

- 2.1 The demolition of the existing building and the following development:
  - The erection of a part 2-, part 3-storey dwellinghouse with basement, roof terrace and integral parking space.
  - The proposed building would have a front elevation (facing Oak Hill Way), consisting of concrete, exposed stone, timber, weathered steel and insulated translucent glazing, whilst the rear elevation (facing south) would incorporate a fully glazed atrium and balcony.
  - The eastern elevation of the proposed dwellinghouse would incorporate a mix of the aforementioned materials and will also incorporate cladding and a terrace at first floor level. The western elevation also includes a small terrace at first floor level.
  - A terrace is also proposed at roof level, and parking will be at basement level. A swimming pool is proposed at basement level, and will extend outwards towards the garden space and will be covered by a decked area at this point.

- The proposal also includes an area for the storage of waste as well as an area for the storage of bikes at lower ground floor level.

### **Revisions**

2.2 Amended plans were submitted which incorporated the following amendments in line with officers comments:

- At upper ground floor level, the proposed cosmetic pool close to the existing oak tree has been removed from the proposed scheme due to the potential damage that may be caused to the fibrous root growth.

## **3. RELEVANT HISTORY**

3.1 8804731 – Planning Permission was **granted** in March 1989 for alterations and extensions to a single family dwellinghouse comprising the erection at the rear of two storey extension and a single storey conservatory, the erection of a single storey studio annexe above the existing garage and the erection of a single storey extension with a terrace over on the west side of the house.

9200263 – Planning Permission was **granted** in November 1992 for works of partial demolition and extension at lower and upper floor levels together with the erection of a new pitch roof and alterations to the external elevations.

9260025 – Conservation Area Consent was **granted** in November 1992 for the partial demolition of a part basement, two storey single family detached dwellinghouse.

9300512 – An application for the construction of a swimming pool, plant and changing room at basement level at the rear of the dwellinghouse plus external boiler housing and bin store was **withdrawn** in June 1993.

PWX0202162 – An application to demolish an existing 2-storey side extension and erect a new 3-storey side extension to the existing single family dwellinghouse was **withdrawn** in April 2002.

## **4. CONSULTATIONS**

### **Statutory Consultees**

- 4.1 English Heritage – No objection to the proposed development.
- 4.2 English Heritage (GLAAS) – No objection.

### **Conservation Area Advisory Committee**

- 4.3 Hampstead CAAC – No objection to the demolition of the existing dwellinghouse [a building of no great distinction] or to the design of the proposed new dwellinghouse in principle, but object to the large swimming pool on ecological grounds, to the glazing on the south elevation [which will cause significant light pollution] and to the roof terrace [which will obtrude on the privacy of neighbouring gardens].

## **Local Groups**

4.4 The Heath and Hampstead Society – object to the proposal on the following grounds:

- Its curious, de-constructivist design would be completely discordant in this area. We do not oppose new architecture of high quality in Hampstead - there are many examples of such design which contribute to the character and diversity of the area – but this really is going too far. There are no points of visual reference to existing buildings and it would stand out like the proverbial sore thumb.
- The mix of materials proposed is also discordant and unpleasing, particularly the Corten steel; to describe rusting steel as “tactile and with changing qualities” is bizarre.
- The huge roof terrace, and its glazed “nest” will overlook adjoining properties, whatever the applicant implies.

## 4.5 **Adjoining Occupiers**

	<b>Original</b>
<i>Number of letters sent</i>	14
<i>Total number of responses received</i>	8
<i>Number of electronic responses</i>	0
<i>Number in support</i>	1
<i>Number of objections</i>	5

4.6 Objections were received from the occupants of nos. 107, 109, 111 and 115 Frogna Way [with several properties writing two letters] and also from Philips Planning Services who were acting on behalf of the owners and occupiers of nos. 109-115 Frogna. The concerns raised are as follows:

- The additional scale, bulk, massing and modern appearance will be an incongruous addition to the Conservation Area, thus detracting from it;
- The proposal reduces the space around the building and the new dwelling would move closer to the site boundaries;
- The proposal will adversely affect the trees;
- The design pays no regard to the design of the buildings in the surrounding area;
- The building will impact significantly on the skyline and on the views of 109 -115 Frogna;
- The building will be more prominent, it would be taller, wider and more overbearing;
- The proposal will result in overlooking and loss of privacy; and
- The proposal will result in disturbance

## 5. **POLICIES**

### **Replacement Unitary Development Plan 2006**

5.1 S1/S2 – Strategic Policy on Sustainable Development

SD1 – Quality of Life

SD6 – Amenity for Occupiers and Neighbours

SD8 – Disturbance

SD9 – Resources and Energy  
SD12 – Development and Construction Waste  
H1 – New Housing  
H7 – Lifetime homes and Wheelchair Housing  
B1 – General Design Principles  
B3 – Alterations and Extensions  
B7 – Conservation Areas  
N5 – Biodiversity  
N8 – Ancient Woodland and Trees  
T3 – Pedestrians and Cycling  
T7 – Off Street Parking  
T12 – Works affecting highways

## 5.2 **Camden Planning Guidance 2006**

## 5.3 **Hampstead Conservation Area Statement 2002**

Page 42 of the Conservation Area Statement states that several undistinguished modern houses have been built among the trees along Oak Way, and it identifies the application site as detracting from the Conservation Area.

## 6. **ASSESSMENT**

6.1 The principal consideration material to the determination of this application and summarised as follows:

- Demolition of the existing dwellinghouse;
- Acceptability of size, footprint, height, design of dwellinghouse, and its impact on the surrounding conservation area;
- Impact on neighbour amenity;
- Transport and access; and
- Various other matters

## 6.2 **Principle of Demolition**

The existing dwellinghouse is not a positive contributor in the Hampstead Conservation Area Statement (2002) and is identified as a property which would benefit from enhancement. The existing property is therefore not considered to contribute to the character and appearance of the area; hence, there is no objection to the principle of its demolition subject to an appropriate design for the replacement being agreed. It is noted that English Heritage has no objection to the proposed demolition of the existing dwellinghouse.

## 6.3 **Design Issues**

### Scale of the proposal

The scale and bulk of the proposed building is considered to be acceptable. Although the proposed building incorporates a larger footprint than is existing, it is considered to be suitably proportioned to the size and scale of the site. The proposed building consists of lower ground, upper ground and first floor levels; the raised ground floor level being typical of the character of Oak Hill Way.

6.4 The proposal also incorporates terraces at first floor level and at roof level and a glass atrium to the rear; all of which are entirely enclosed within the profile of the dwellinghouse and are considered to relate well to their surroundings. Furthermore, the topography of the site is recognised through the split level design of the proposed building, whilst the use of a mix of materials has helped to break down the overall mass of the building, thus helping it to better connect with its setting.

6.4 Materials

The proposed building has been conceived as an extension to the landscape and the use of a mix of materials helps to integrate the proposed dwellinghouse within its surroundings. The building is partly clad in timber strips, which helps to reflect the wooded character of this area and results in an overall blurring of both the inside and outside spaces. The glazed atrium to the rear of the proposed dwellinghouse continues this dialogue between inside and outside spaces.

6.5 The lightweight timber and glazed elements are also contrasted with exposed stone walls and steel, which help to define the boundary of the property, and act as points of reference and establish the building as a solid feature within the landscape. A condition has been placed on the permission requesting that a sample panel of the materials be approved prior to development commencing. This is necessary in order to ensure that the proposed materials will be of the quality that is stated in the plans, such as to help integrate the development with its surroundings.

6.5 Elevational Design

The elevational design of the proposed building is contemporary, but the use of a mix of natural, tactile materials will compliment the existing architectural character of this area.

6.6 The CAAC have no objection to the proposed design of the dwellinghouse but the Heath and Hampstead Society regard it as discordant to the surrounding area. However, officers consider that the proposed dwellinghouse will not impact negatively upon the Conservation Area due to the fact that the elevations have been broken up with a mix of natural materials and also the dwellinghouse will only be visible from Oak Hill Way (a cul-de-sac) and will be only marginally visible from Frognaal Rise. Furthermore, due to the distances between the properties, the dwellinghouse is not considered to adversely impact upon the setting of the listed buildings on Frognaal.

6.7 Notwithstanding the above, it is considered that the most prominent design aspect of the proposed dwellinghouse is the glazed atrium/nest area to the rear. It is noted that the CAAC have objected to the glazed atrium on the grounds that it will cause light pollution; however the atrium will face the rear of no. 3 Oakhill Way, which does not contain any windows on this elevation [only velux windows at roof level] and therefore there will be no issues with regards to glare.

6.8 The glazed atrium area is contemporary in form, but acceptable as it is lightweight, will relate well within the setting of the site and allow natural light to penetrate through the dwellinghouse without adversely impacting upon neighbouring properties. Terraces are also proposed to the east, west and rear of the proposed dwellinghouse. These areas will be set behind timber strips in order to help

integrate them within the profile of the dwellinghouse. There is also an enclosed, fully glazed terraced area proposed for the front elevation.

6.9 The proposed dwellinghouse, whilst contemporary in style, is considered to be well sited and is an improvement on the existing building. It is therefore considered that the proposed development would enhance the character and appearance of the Hampstead Conservation Area. Finally, in order to protect the integrity of this design, a condition has been placed on the permission removing permitted development rights, thus requiring a planning application to be submitted for any alterations and extensions to the dwellinghouse.

6.10 **Amenity Issues**

Outlook and Natural Light

The roof level of the proposed dwellinghouse exceeds the height of the existing dwellinghouse by approximately 2.5 metres. However, given the size of the site and the distances between the neighbouring properties, the proposal is not considered to have a significant impact on the outlook for the occupiers of the properties along Oak Hill Way and Frognaal. Furthermore, the increased profile of the proposed building in comparison to what is existing will not result in any reduction in sunlight or daylight with regards to the neighbouring properties.

6.11 The general outlook and orientation of the proposed dwellinghouse is considered to be acceptable; in addition, the main living areas at upper ground floor level would have good levels of natural light.

6.12 Privacy

As set out in para. 3.8 above, the proposed dwellinghouse will incorporate terraces to the east, west and rear; whilst the roof of the dwellinghouse is also proposed to be used as outside space. With regards to the roof terrace to the east of the building, it will be located at first floor level, would be set behind glazing, timber strips and would mainly overlook the nearby storage/outbuilding on Oak Hill Way. The terrace is therefore not considered to affect the privacy of neighbouring properties on Frognaal or Oak Hill Way. There is also an enclosed, fully glazed terraced area proposed at upper ground floor level on this elevation, but this will not adversely impact upon neighbouring properties, as it would only overlook the courtyard entrance of the proposed new dwellinghouse.

6.13 The proposed terrace on the western elevation would be at first floor level and would also be set back behind timber strips. Given that the proposed dwellinghouse (and terrace) is set further forward than the neighbouring property at no. 3 Oak Hill Way and that there are no windows on the northern elevation of the neighbouring property, this terrace is not considered to impact on the privacy of this dwellinghouse. It is noted that no objections were received from this property.

6.14 The following table displays the approximate distances between the neighbouring properties of Frognaal and the application site:

House no.	109 Frognaal	111 Frognaal	113 Frognaal	115 Frognaal
Distance from applic site.	44metres	38 metres	34 metres	33 metres



Objections have been received from these properties on Frognal, whose occupiers are concerned about loss of privacy due to the proposed roof terrace and atrium/nest area. It is noted that the CAAC have also raised concerns about the roof terrace and potential overlooking issues.

6.15 The proposed outdoor space at roof level of the proposed dwellinghouse is not considered to adversely impact upon the privacy of neighbouring properties due to the distances between the properties and the application site and the substantial garden space of the neighbouring properties. It is also considered that the level of overlooking possible from the proposed roof terrace would not be considerably more than what is already possible from the upper floor of the existing dwellinghouse.

6.16 The proposed roof terrace will also be set back approximately 1 metre from the edge of the roof, and will be screened by timber strips and glazing, which will also help prevent any overlooking towards Frognal. Furthermore, the roof terrace is not considered to adversely impact upon the privacy of the neighbouring properties on Oak Hill Way, due to the topography and orientation of these dwellinghouses and their distance from the application site.

6.17 The proposed atrium/nest area to the rear of the dwellinghouse would be situated at a lower level than the proposed roof terrace, and therefore would not adversely impact upon neighbour amenity due to the distances between the neighbouring properties and the application site and also due to the fact that there are no windows in the northern elevation of no. 3 Oak Hill Way.

6.18 Landscaping and trees

The proposal has incorporated terraced areas within the profile of the dwellinghouse and these will offer amenity space for future occupants. There are a number of trees in the immediate vicinity of the dwellinghouse and in the gardens of the neighbouring properties; however, the tree officer is satisfied that they will not be at risk as a result of the proposed development. Notwithstanding, a condition has been placed on the permission requiring that a method statement be submitted in order to ensure protection of the existing tree roots during the construction of the new foundations. Furthermore, revised plans were submitted which exclude the proposed cosmetic pool to the front of the dwellinghouse, as it could potentially have damaged an existing Oak Tree.

6.19 **Transport and Access Issues**

Pedestrians and cycling

Camden's Parking Standards for cycles (*Appendix 6 of the Unitary Development Plan*), states that 1 storage or parking space is required per residential unit. The proposal is for 1 residential unit; therefore 1 cycle storage/parking space is required. The proposal has included provision for the required amount of cycle storage/parking in the proposed design and although a 'Sheffield' cycle stand is not provided, the cycle store is in a secure, dedicated space. Hence the cycle parking storage provided is considered to be acceptable.

6.20 Off-street parking

It is proposed to provide 1 car parking space within a garage. The current dwellinghouse has 2 car parking spaces. Whilst this indicates a reduction in parking provided, the proposed layout of the paved courtyard would be able to accommodate a further 2 vehicles. Policy T7 of the Camden UDP states that a maximum of 1 off-street car parking space per dwelling is allowed. However, given that there is a long narrow section of private road that runs along side Oak Hill Way in front of the property, the applicant could easily park additional cars there if they wished. Therefore it is not practical to try and restrict the level of parking by design, and the proposal is therefore considered acceptable in this instance.

#### 6.21 Construction Management Plan

Whilst this development will involve substantial redevelopment of the site, it is considered that the majority of the work will be able to be carried out within the boundaries of the site. There is a very low traffic and pedestrian flow in the area, therefore the construction works should have minimal impact upon traffic and pedestrians. Thus a Construction Management Plan is not considered to be a necessary or reasonable requirement of the development.

#### 6.22 **Other Matters**

##### Sustainability Issues

The applicants have submitted a Code for Sustainable Homes assessment for the scheme, which suggests that the development can meet the Code Level 4. The roof of the proposed dwellinghouse has been designed to drain directionally, so that rainwater can be collected, stored and reused. Furthermore, a Sustainable Urban Drainage System (SuDs) report was submitted with the application, which recommended that a soakway system with a capacity of 10 cubic metres be required for the proposed development; this could also feed the rainwater recycling system.

#### 6.23 Excavation for proposed swimming pool

The proposal also incorporates further excavation of the basement/lower ground floor level for an extension to the existing swimming pool to the rear of the property. A hydrological review was submitted as part of the application, which concluded that the excavation would not impact upon ground water conditions. It is also noted that the site is within a low floor risk area, as per the hydrological review which was submitted with the application.

#### 6.24 Lifetime Homes

The applicant has demonstrated that all of the relevant Lifetime Homes standards can be met within this proposed development.

#### 6.25 Waste disposal

The proposal has incorporated areas for the disposal and collection of waste which meets the criteria set out Camden's Planning Guidance, and the Councils' Street Environment Services have no objection to the proposal.

### 7. **CONCLUSION**

7.1 It is considered that, on balance, the scheme is acceptable in terms of bulk, height, footprint, and design. There is no objection to the demolition of the existing

dwellinghouse and the redevelopment of that part of the site by the erection of a replacement dwellinghouse, the design of which is considered to enhance the character and appearance of the conservation area. The scheme, subject to conditions, is considered to be acceptable in its impact on existing trees and landscape, views and neighbouring amenities.

## 8. **LEGAL COMMENTS**

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.