

Delegated Report		Analysis sheet		Expiry Date:	18/03/2009
		N/A		Consultation Expiry Date:	06/03/2009
Officer			Application Number(s)		
Bethany Arbery			2008/5631/P		
Application Address			Drawing Numbers		
4 Oak Hill Park Mews London NW3 7LH			Refer to draft decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of two-storey extension at rear ground and first floor level, erection of roof extension over part of roof and installation of balustrading to remaining part of flat roof to create terrace, and alterations to front first floor level balcony.					
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	06	No. of responses	05	No. of objections	02
			No. electronic	05		
Summary of consultation responses:	<p>A site notice was displayed from 13/02/09 to 06/03/09.</p> <p>Adjoining owners/occupiers The occupiers of 99A Frognal and 6 Oak Hill Park Mews have raised objection to the proposal on the following grounds:</p> <ul style="list-style-type: none">• Loss of daylight;• Loss of privacy;• Increased sense of enclosure;• Disappointing that it does not restore the features which are integral to Lyell’s design;• Do not disagree with the principle of developing the envelope, but object to the crude detailing;• The roof extension will be visible from Oak Hill Park and is completely alien in its form to the clean rectilinear and horizontal lines of the original design; and• Adverse impact on the character and appearance of the conservation area. <p>The occupiers of 7 and 8 Oak Hill Park Mews have written in support of the proposed development. They have made the following comments:</p> <ul style="list-style-type: none">• This block has suffered a long period of neglect and drags down the appearance and ambience of the mews; upgrading the properties is welcomed;• The rear extension will remove and lift a dirty, dank and unattractive backyard;• The roof terrace will have a minimal impact on the rest of the mews, but will be of benefit to the house providing it with splendid views;• The works to the front including the doors, windows and decking will enhance the look of the property;• A sensible proposal to enlarge and upgrade this property; and• The design is well resolved and a welcome addition.					
CAAC/Local groups comments:	<p>Hampstead CAAC No site or location plans. No existing or proposed floor plans. Please submit properly.</p> <p>Heath and Hampstead Society We were appalled to view this dreadful application, which would entirely destroy the architectural integrity of these mews houses, designed by Michael Lyell in the 1960s, and given architectural awards. The roof extension is completely alien in concept and detail, and would sit incongruously over the existing houses. It would be unacceptable even if the existing houses were of low quality. The roof terrace would also overlook adjacent gardens unacceptably.</p>					

Site Description

Oak Hill Park Mews extends north-east off Oak Hill Park. At the northern end of the mews there is a block which comprises ground, first and second floor and provides 3 residential properties (Nos. 4-6). This application relates to No. 4 which is in use as a single-family dwellinghouse (Class C3). The building, which was designed by Lyell Associates, dates from the 1960s. The building is not listed, but it is located within the Hampstead Conservation Area. Nos. 1, 3, 4 and 7 Oak Hill Park Mews are referred to in the conservation area statement as properties which detract from the character of the area and would benefit from enhancement.

Relevant History

1 Oak Hill Park Mews

2007/5672/P

Planning permission was granted on 09/05/08 for the erection of a mansard roof extension to the existing house.

2 & 3 Oak Hill Park Mews

2003/3629/P

Planning permission was granted on 25/06/04 for conversion of roof space to provide additional accommodation for the existing houses, including the erection of a mansard roof extension to both properties.

4 Oak Hill Park Mews

CTP/E6/2/C/14156

Planning permission was granted on 02/11/72 for the provision of a roof terrace and sun lounge.

4-6 Oak Hill Park Mews

2007/1885/P

Planning permission was refused on 03/07/07 for the erection of single storey roof extension to provide additional living accommodation and roof terraces to the existing terrace of three dwellinghouses.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

London Borough of Camden adopted Unitary Development Plan 2006

- S1/S2 Sustainable Development
- SD6 Amenity for occupiers and neighbours
- H1 New housing
- B1 General design principles
- B3 Alterations and extensions
- B7 Conservation areas
- SD9 Resources and energy

Camden Planning Guidance 2006

Hampstead Conservation Area Statement

Assessment

An application has been made for planning permission. The proposed drawings indicate the following works to the property:

- erection of two-storey extension at rear ground and first floor level;
- erection of roof extension over part of roof and installation of balustrading to remaining part of flat roof to create a roof terrace;
- alterations to windows and doors on front and rear elevation and front first floor level balcony; and
- installation of decking adjacent to front entrance.

Permitted Development

It has not been possible to locate the original planning permission for this development to see if any conditions were imposed which removed permitted development rights. There is no record of any planning application having been granted or refused for alterations to windows and doors etc, but it is clear that many of the properties that form part of this development have made changes to their windows and doors. It is therefore assumed that permitted development rights have not been removed from this single-family dwellinghouse. The proposal includes alterations to the windows and doors on the front and rear elevation. The existing powder-coated aluminium framed windows are to be replaced with windows of a similar material. The proposed alterations to the windows and doors are in themselves considered to be permitted development by virtue of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

Similarly, the majority of the works to the first floor level balcony on the front elevation would in themselves be permitted development. The proposed works include replacement of the existing glazed panels with new obscure glazed panels, replacement of the stainless steel balustrading with new stainless steel balustrading and the addition of silver/grey powder coated sheets around the concrete base of the balcony. The proposed works do not enlarge the balcony, do not extend beyond a wall which is the principal elevation and fronts a highway, it is not for the construction or provision of a balcony (the wording of the GDPO suggests that it is only referring to the installation of new balconies), but refurbishment work to an existing one. The replacement balustrading and panels, which are similar materials to existing are also in themselves permitted development. The only element which would not be permitted development would be the metal cladding to the concrete base which fails the test of condition A.2 (a) of Class A. Consideration is therefore given to this element in the design assessment.

The proposed decking which is located to the front of the house adjacent to the entrance door would also in itself be permitted development. The decking does not extend beyond a principal wall which fronts a highway and does not have a height of more than 300mm (it is raised by 200mm).

Design

The terrace comprising Nos. 4-6 Oak Hill Park Mews occupies a prominent position in the context of a small mews development, and commands an elevated position overlooking the small area of open space to the front. The rear of the site is bounded by a substantial wall in excess of 7m in height. There are also long views of the building from Oak Hill Park and specifically through the grounds of No. 4, which are largely screened by vegetation during the summer months.

The vast majority of buildings in the locality are two to three storeys in height and 'as existing' the terrace is either equal in height to or higher than its immediate neighbours. In particular, the property is higher than Nos. 1, 2 and 3 Oak Hill Park Mews to the south which lie perpendicular to the terrace, higher than 93 Frognal and also higher than Nos. 7 and 8 Oak Hill Park Mews at the opposite end of the development. The terrace is equal in height to the adjacent building, No. 4 Oak Hill Park (although this property is actually higher when viewed from the rear). The terrace is marginally lower than The Heights and Frognal Mansions, which front Frognal, but which are visible from the Mews development.

Planning permission has previously been refused for the erection of roof extensions to Nos. 4-6 Oak Hill Park Mews. The increased height to the buildings (more than 2m) was considered to result in a building that would be unacceptably prominent and would fail to respect the height, bulk and scale of neighbouring buildings. It was also considered that the proposed building would further enclose the existing open space, and result in an overly large building dominating its surroundings; which are currently characterised by an informal collection of closely grouped low-rise homes. It would thus have failed to respect the setting of adjoining buildings and would harm the prevailing character of this part of the Hampstead Conservation Area.

The current application seeks to erect a roof extension solely on No. 4. The extension is set to the rear of the

existing roof and takes the form of a lead clad flat roofed extension which is 1.9m in height. It has solar panels on the front roofslope and a pitched glazed rooflight set centrally; the extension is 3.0m at the apex of this rooflight. The extension has doors that open onto the existing flat roof which is to be used as a terrace. To the rear the roof extension has sash windows. Balustrading ranging from 0.5m (front elevation) to 1.1m (side elevations) in height and formed of stainless steel upstands and glazed panels are to be installed on the parapet wall to enclose the proposed roof terrace.

The proposed roof extension and balustrading are considered to be unacceptable in principle. Although the extension is confined to the rear of the roof, it will still be highly visible in views of the building from the front, side and the rear. It would be particularly prominent in views of the building from Oak Hill Park across the grounds of No. 4. It would make this building the tallest in the area, and unbalance the proportions and composition of the terrace. Furthermore, the detailed design of the extension is considered to be entirely out of keeping with the style and form of this 1960s building. The lead clad extension with its pitched rooflight and sash windows appears incongruous and completely alien to this building. The proposed balustrading will also be highly visible in views of the building, and would add additional height and bulk at roof level. It is considered that the proposed roof extension and balustrading would have an adverse impact on the architectural composition of the building and the character and appearance of the conservation area.

The property has a relatively small rear garden which backs onto a rear footpath which is accessible by all 3 properties. The proposal includes a rear extension to the property at ground and first floor level which extends over the footpath leaving only a small gap between the extension and the rear boundary wall. The proposed rear extension at ground and first floor level is quite large and, in most cases, would be unacceptable on a building of this scale. However, in this case, it will be entirely concealed from public view due to the high level boundary wall immediately to the rear and therefore is considered to be acceptable in principle in design terms. The detailed design of the extension, however, is not considered to be acceptable. The form of the extension bares no relationship to the original building or that of buildings in the immediate area; the pitched rooflights are particularly incongruous. A simple design with a horizontal emphasis would be more appropriate for this building.

The proposed cladding of the concrete base of the existing first floor level balcony is not considered desirable, as the concrete balcony slabs are an original feature of the building. However, if the cladding were appropriately coloured to minimise its visibility then this would probably be acceptable. The installation of the cladding does not form a reason for refusal as, had the proposal been acceptable in all other respects, the colour and form of the cladding could be dealt with by condition.

Amenity

In accordance with Policy SD6 consideration must be given to the potential impact of the development on the amenity of neighbouring properties in terms of loss of light, outlook or privacy.

The proposed roof extension would not impact on light or outlook to any of the neighbouring properties. The proposed roof extension would not impact on Nos. 5 and 6 since it would stand a storey higher than them and does not project beyond the front or rear building line where they have windows. To the south of the site is No. 3 Oak Hill Park Mews. There are no windows in its flank elevation that face towards the application site. The occupants of the property to the rear (No. 99A Frognal) are concerned about the potential impact on light and outlook to their property. Given the scale of the extension and its distance from windows at No. 99A Frognal, it is considered that there would be no detrimental impact on light or outlook to this property. No. 4 Oak Hill Park does have windows on its side elevation which faces towards the application site, but given the scale of the development, it is not considered that there will be a significant loss of light or outlook to this property.

The roof extension includes window openings on the front and rear elevation and a large terrace is to be located in front of the extension. The front window opening faces towards the flank elevation of No. 3 Oak Hill Park Mews and will not result in any significant increase in overlooking. The opening on the rear elevation is to be obscure glazed and fixed shut, so there will be no significant increase in overlooking to No. 99A Frognal. The proposed roof terrace will allow views east, south and west. To the east the nearest property, The Heights, is sufficiently distanced for overlooking not to be an issue. To the south the terrace will face onto the flank wall of No. 3 Oak Hill Park Mews. To the west it will face towards No. 4 Oak Hill Park. This property does have windows on the side elevation which would be visible from the roof, it is not clear what rooms these windows serve. The proposal includes higher level screening on this elevation, presumably to prevent overlooking to these windows. It is possible that the screening would need to be slightly higher in order to achieve its aim. Were the application considered to be acceptable in all other respects (the balustrading is not acceptable in design terms), then this could have been secured by condition.

The proposed rear extension is confined below the height of the rear and side boundary walls. The only

property which could be affected in terms of light and outlook would be No. 5. The height and depth of the extension would result in some loss of light and a heightened sense of enclosure to No. 5. However, those windows affected serve non-habitable rooms and therefore this is considered to be acceptable. At ground floor level there is a window serving a kitchen, but this is positioned far enough east not to be affected. The first floor level windows serve a stairwell and bathroom. The proposed extension includes glazing in the side elevation, but this is confined to the rear section which is set away from the boundary with No. 5. It would not be possible to gain views into neighbouring windows from this glazing.

Other Issues

The proposal includes the installation of renewable technologies which is welcomed and is in accordance with Policy SD9 of the Unitary Development Plan (2006).

Recommendation: Refuse permission.

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