

Address:	28 Perrins Walk London NW3 6TH		
Application Number:	2007/2477/P	Officer: Charles Thuaire	
Ward:	Frognal & Fitzjohns		
Date Received:	22/05/2007		
Proposal: Erection of a 2 storey plus basement and attic 3 bedroom dwellinghouse.			
Drawing Numbers: 28 PW(PL) 101; 102; 103; 104; 105A; 106C; 107D; 108B; 109B; 111; 112; 113; 114; revised design, access and energy statement			
RECOMMENDATION SUMMARY: Grant planning permission, subject to a Section 106 Legal Agreement			
Related Application	22/05/2007		
Date of Application:			
Application Number:	2007/2479/C		
Proposal: Demolition of single storey garage building			
as shown on drawing numbers: as above			
RECOMMENDATION SUMMARY: Grant consent			
Applicant:		Agent:	
Mr C Tsentas Global Home Estates Ltd 36 Montagu Square London W1H 1TL		Dalton Warner Davis 21 Garlick Hill LONDON EC4V 2AU	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B1	Business	80m ²
Proposed	C3	Dwelling House	200m ²

Residential Use Details:										
	Residential Type	No. of Habitable Rooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	n/a									
Proposed	house						1			

OFFICERS' REPORT

This application is being reported to the Committee as it entails the demolition of a building in a conservation area [Clause 3(v)].

1. SITE

- 1.1 The site contains a single storey garage workshop building on the north side of the Perrins Walk between the side elevation of 27 Perrins Walk and the rear elevation of 1-5 Heath Street, and covering entire site. The workshop was last used as a car repair garage but has been vacant for some considerable period, even before 2002 at the time of the previous permission (see history below).
- 1.2 Perrins Walk is a private mews road with a character of 2-3 storey mews-type dwelling houses. Site is within Hampstead Conservation Area and the building does not positively contribute to its character. A mature lime tree within the garden of 26 Church Row adjoins the rear of the garage.

2. THE PROPOSAL

Original

- 2.1 Demolition of building and replacement by a new 3 storey dwelling house with integral garage and 3rd floor roof terrace

3. RELEVANT HISTORY

- 3.1 14.8.01 - pp refused for erection of replacement building on grounds of harm to CA, *but* conservation area consent granted for demolition of existing building.
- 3.2 10.2.03 - pp granted for erection of 3-bedroom 2-storey house.
- 3.3 12.12.06 - pp refused for erection of 3-storey plus basement house with front lightwell, front balcony and rear courtyard, on grounds of inappropriate bulk, form and design, harm to tree, loss of privacy from balcony, inadequate light to basement; conservation area consent refused on grounds of no approved replacement scheme

4. CONSULTATIONS

Statutory Consultees

- 4.1 English Heritage - do not wish to make representations regarding demolition in conservation area; although in Archaeological Priority Area, unlikely to have any impact on archaeological heritage.

Conservation Area Advisory Committee

- 4.2 Hampstead CAAC - object to the basement excavation on account of danger to lime tree, otherwise no objection.

Local Groups

4.3 Heath and Hampstead Society – no response received.

4.4 **Adjoining Occupiers**

	Original
<i>Number of Letters Sent</i>	21
<i>Number of responses Received</i>	04
<i>Number in Support</i>	00
<i>Number of Objections</i>	04

4.5 **Objections:**

- overdevelopment of site due to basement, height and design; infill of gap between buildings harming conservation area; attic storey contradicts previous advice given that a 3 storey house was unacceptable here
(response- see paras. 6.8-6.10 below);
- design of basement will allow use as self-contained flat
(response- there is no intention to use it as such and permission will be required for any subdivision);
- basement uncharacteristic of conservation area and this street and harmful to its character; sets precedent in street
(response- see para. 6.8, basement will not be visible in street);
- impact on lime tree subject to TPO in adjoining garden, construction and size of new building should not damage its crown
(response- see paras. 6.13-6.14);
- overlooking from rear windows; loss of view from adjoining flat
(response- building is too far from 5 Heath Street and 27 Church Row to affect outlook or privacy to these properties);
- on street parking difficult in this mews
(response- see para. 6.15);

5. **POLICIES**

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. 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.

Camden Replacement Unitary Development Plan 2006

- 5.1 S1, S2 environmental protection (*complies*)
SD1 quality of life (*complies*)
SD6 neighbour amenity (*complies*)
SD9 resources and energy (*complies*)
SD10 contaminated land (*complies*)
B1, B2 design principles (*complies*)
B7 conservation areas (*complies*)
B8 archaeological heritage (*complies*)
H1 increased housing provision (*complies*)

H7 lifetime homes standards (*complies*)
T3 cycling (*complies*)
T7 residential parking standards (*complies*)
T8 car capped parking (*complies*)
T9 impact on parking (*complies*)
E2 retention of business uses (*complies*)

Camden Planning Guidance

5.2 Demolition in conservation areas, parking standards

Hampstead Conservation Area Statement [CAS]

6. ASSESSMENT

6.1 The principal considerations material to the determination of this application are summarised as follows:

- demolition of building in conservation area;
- bulk, height and footprint of new building;
- design of new building;
- impact on conservation area;
- impact on neighbour amenities and parking conditions.

Proposal

6.2 The scheme has been revised considerably following the last decisions to refuse planning permission and conservation area (see history above) and attempts to address the various reasons for refusal. The scheme is now designed on much more traditional principles, but maintains a similar footprint. As before, it entails demolition of the whole workshop building on the entire site and the erection of a new 2-storey plus basement and attic dwellinghouse with courtyard behind.

6.3 The scheme involves excavation of a new basement across the whole site, with rear courtyard as before but without the previously proposed front lightwell; the basement will now accommodate a media room and bin store at the front and ancillary living area facing the rear. The ground floor will have living accommodation and the 2 upper floors will have 3 bedrooms, the attic one doubling up as a study. The 2nd floor is now treated as an attic floor, with hipped roof profile. The design is now more traditional and is based on the approved scheme of 2003, in that it involves a 2-storey brick façade with 3 traditional sash windows on each floor. However, the scheme now has an additional hipped roof storey set behind the parapet and stepped back from the flank wall to maintain daylight to the rear of the Heath Street properties; it contains velux windows at the front and dormer windows at the rear. The overall footprint, in terms of width and depth on ground and 1st floors, is identical to the previous schemes, including its rear projecting curved bay.

Land use

6.4 Loss of employment uses and new housing has been established by the previous permission (which is still valid until 2008), so no objections are raised to the loss of a vacant B1 unit or to the introduction of new housing in this location.

- 6.5 A family sized 4-person unit is welcome here and the overall space standards are acceptable. The new house complies, or is capable of complying in future (in terms of potential stair lift or lift hoist), with all relevant Lifetime Home standards. An attempt has been made to incorporate sustainable measures in its design and construction: thermal insulation of walls, roof and double glazed windows will exceed the minimum requirements of the Building Regulations; a gas condensing boiler will be used with thermostatic radiator valves; low energy lighting, dual flush toilets and spray taps are used; grey water recycling system and rainwater harvesting provided. As the client is a building company, all construction waste and demolition materials will be reused on other building projects. Green roofs are not feasible due to the mainly pitched roofs, but solar panels will be introduced on the flat upper part of the roof.
- 6.6 The new basement accommodation has been redesigned so that the only habitable accommodation is at the rear; although this continues to receive inadequate daylight due to the obstructing boundary wall at the rear, it is designated as ancillary living space and the main living rooms and bedrooms on ground and upper floors will be adequately lit, and thus in this context it is considered now acceptable. Refuse storage is provided in the basement.

Demolition

- 6.7 The loss of the existing building is acceptable in itself, as it is of neutral benefit to the area; the previous conservation area consent of 2001 has now expired and needs to be renewed. In contrast to the previous scheme, the replacement building is now considered acceptable as discussed below.

Bulk/height/footprint

- 6.8 The new building's overall footprint in terms of overall site coverage and also building lines at upper levels is acceptable, as this matches the approved scheme. The new basement is now considered acceptable as it has no external manifestation at street level which would impact on the streetscene or conservation area - the previously proposed lightwell is now omitted and the rear courtyard at basement level would be enclosed on all sides by existing buildings and rear extensions and would have no impact on the overall character of the conservation area.
- 6.9 The front elevation of the new house is different from the approved scheme by being narrower at 1st floor level, set back from the side adjoining Heath Street by 1.5m, and by having an additional attic roof storey. The reduced width of the house is in response to the daylight analysis which seeks to protect light angles to the rear of Heath Street. The approved scheme had a parapet at front and rear and a small pitched roof of approx. 1.5m height. The new scheme has a similar parapet height on all sides, and now has an additional attic storey set behind and hipped from the parapet on all sides, with its ridge level with the line cornice line of the adjoining house at no.26 and approx. 1m higher than the approved ridge line.
- 6.10 It is considered on balance that this roof is acceptable, as it is designed as a subordinate feature and recessed on all sides as a genuine attic storey. Given the restricted views of the building in this narrow street, the additional storey will have limited impact on the streetscape and will not appear appreciably larger than the

approved roof pitch in longer views from the junction with Heath Street. The roof remains lower than the parapet of the adjoining house at no.26, and overall the new building will read as a mainly 2-storey building with pitched roof form which is still subordinate to the main buildings on either side and which retains the essential visual gap between both higher buildings. The combination of bulk, mass and height is considered to respect the bulk and scale of neighbouring buildings, and the wider Hampstead Conservation Area.

Detailed design

- 6.11 The proposed front elevation now follows a more traditional design idiom, based on the approved scheme's approach - it has a stock brick façade with timber sash windows, the proportions and sizes of which have been since amended; the clay-tiled roof will have flush velux rooflights at front and traditionally designed dormer windows at rear. The previously proposed front balcony has been omitted, thus addressing the reasons for refusal based on overlooking and inappropriate design. The simple and modest design approach is now considered acceptable and appropriate for this infill site, and will preserve the character and appearance of the conservation area.

Neighbour amenity

- 6.12 The new house as before has no impact on neighbour amenity. A daylight study has informed the scheme by dictating the maximum building envelope possible here without harming daylight levels to adjoining windows to the rear of Heath Street and 29 Perrins Walk opposite. It is not anticipated that any material loss of light would occur: windows at the rear of nos. 1 and 3 Heath Street serve A2, B1 and A3 uses; whilst windows directly opposite are small kitchens and halls to flats. It will not cause any loss of light or privacy to 27 Perrins Walk, as there are no projections at the upper levels. The previously proposed balcony has been omitted, so there will be no loss of privacy to properties opposite.

Trees

- 6.13 The site adjoins the rear of 27 Church Row, which has a mature lime tree at the corner immediately abutting the existing garage. This tree is considered to provide a significant level of visual amenity and to make an important contribution to the character and appearance of this part of the conservation area. There were concerns with the previous scheme that excavation will come within 1m of the tree; thereby encroaching substantially within its Root Protection Area, which would lead to a severe decline in the tree's health and could affect its stability.
- 6.14 Trial pits have since been dug in the rear yard to establish the extent of root encroachment within the site; they reveal that there is no evidence of tree roots within the site due to the obstruction caused by the boundary walls and deep foundations of the garage. On this basis, the tree officer is satisfied that no damage will occur to the tree root zone (nor to the tree's crown on account of the set back from the upper storeys) and thus the new building will have no detrimental impact on the tree.

Traffic

- 6.15 No objection is raised to the lack of off-street car parking for this property, as the street is a private road with no on-street parking controls and additional car parking is possible within this mews. Furthermore, it is anticipated that the house would generate less parking and traffic than the current lawful B1 use. However, nearby roads suffer from parking stress, due to demand exceeding supply of on-street parking permits and therefore it is considered necessary to car-cap the scheme to prevent possible overspill of parking onto the surrounding public highway network. Cycle parking within the house will be required by condition.
- 6.16 Perrin's Walk has a very narrow carriageway adjacent to the proposed site, and so construction vehicles will find it difficult to access the site. The proposal is to construct a 2-storey with basement and attic dwelling house, which will include the demolition of the existing building and the construction of a basement requiring earth excavations. It is likely that there will be a significant number of construction vehicle movements to and from the site to remove excavated earth and to bring in building materials. These movements are likely to cause disruption to the road network surrounding Perrin's Walk, which is exacerbated further by the site being located directly adjacent to Hampstead Town Centre.
- 6.17 A Construction Management Plan will thus be required by a S106 legal agreement and approved before works start on site; it will outline how construction work will be carried out and how this work will be serviced (e.g. delivery of materials, set down and collection of skips etc.), with the objective of minimising traffic disruption and avoiding dangerous situations for pedestrians and other road users.

Other issues

- 6.18 The site lies within an Archaeological Priority Area, and there is the possibility of archaeological remains existing under the site, although these would be somewhat disturbed by the existing garage. Although the proposed new basement excavation has the possibility of disturbing any further subsoil remains, English Heritage have advised on the basis of information available that they would not recommend that a condition be imposed to protect any such remains if permission was granted.
- 6.19 The site currently has a garage with the possibility of soil contamination. Planning permission should be subject to a condition that an investigation is carried out and, if appropriate, a report prepared recommending any necessary remedial measures.

7. CONCLUSION

- 7.1 The demolition of the existing neutral building is acceptable. The replacement house is considered appropriate in terms of bulk, height, footprint and facade design and it will preserve the character of this mews and the overall conservation area. The new building will not harm the adjacent tree nor harm neighbour amenity in terms of outlook, light, privacy or parking conditions.
- 7.2 Permission is recommended subject to a S106 on the following issues -
a) construction management plan
b) car-capped housing.

8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Head of Legal Services at the start of the Agenda.

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