

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 25<sup>th</sup> February 2008. 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>	<b>06/02/2008</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>20/2/2008</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Sara Whelan			1) 2007/5885/P 2) 2008/0361/C	
<b>Application Address</b>			<b>Drawing Numbers</b>	
2 Connaught Mews London NW3 2NW			Please see 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>				
1) Alterations and extensions including the erection of a two-storey rear extension to square off the west facing splayed wall of the dwellinghouse, following the relocation of two-air conditioning units and demolition of outbuilding. 2) Demolition of outbuilding in association with alterations and extensions including a two storey rear extension to dwellinghouse.				
<b>Recommendation(s):</b>		<b>Grant</b>		
<b>Application Type:</b>		1) Full Planning Permission 2) Conservation Area Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	35	No. of responses	07	No. of objections	04
			No. Electronic	03		
Summary of consultation responses:	<p><b>18a and 18b Maryon Mews – Two Objections received</b></p> <ul style="list-style-type: none"><li>- The proposal will lengthen the two storey boundary wall which already overpowers our home. It is important to note that the gardens of 18a, b and c Maryon Mews are approximately 2m below the ground level of the application building.</li><li>- There should be a restriction in height of any new planting on the rear elevation wall adjacent to the rear gardens of 18 a, b and c Maryon Mews. The rogue tree to the rear of the outbuilding should be removed.</li><li>- Strongly object to the re siting of the air conditioning units close to the garden fence of 18a. The vibration against the boundary wall would result in an absolute noise nuisance whilst one is trying to enjoy the garden in the summer months.</li><li>- 2 Connaught Mews is an extremely large house and gardens so the air conditioning units could be relocated somewhere more suitable.</li></ul> <p><i>Officer response:</i></p> <ul style="list-style-type: none"><li>- A daylight and sunlight report has been submitted to the council. This shows that the proposed extension would not result in a loss of daylight or sunlight to the existing windows greater than 0.8 times its former value. The Building Research Establishment considers that this value would ensure that no detrimental impacts of overshadowing would occur upon the adjacent dwellings.</li><li>- The section of the wall which would be elongated does not face onto the rear amenity space of number 18a Maryon Mews. Therefore it is not considered that any further impacts of dominance would occur upon the adjacent dwelling compared to the existing situation.</li><li>- Unfortunately the Town and Country Planning Act (1990) does not legislate against tall vegetation. Therefore a condition can not be attached to any permission granted restricting the height of any new vegetation. An informative including an electronic link would be attached to any permission granted drawing the applicant’s attention to the Office of the Deputy Prime Ministers guidance on High Hedges (<a href="http://www.communities.gov.uk/planningandbuilding/planning/treeshighhedges/highhedges/">http://www.communities.gov.uk/planningandbuilding/planning/treeshighhedges/highhedges/</a>).</li><li>- The Council’s Environmental Health Department has assessed the submitted acoustic report and the proposed siting of the air conditioning units. No objection has been raised. It is not considered that any further</li></ul>					

*impacts of noise or disturbance would occur upon the adjacent dwellings.*

**27B Hampstead Hill Gardens – Objection**

- I opposed the original application to infill a valuable space in a Conservation Area. I therefore also oppose any extensions to the existing buildings whatsoever.

*Officer response:*

*- The owners of 1 and 2 Connaught Mews have the right to apply for further planning permission if they choose too. The Local Planning Authority can only assess the merits of each planning application once it has been submitted.*

**21 Pond Street – Suggest conditions**

- No objection in principle however, any construction vehicles would have to pass through a Grade II Listed archway attached to 21 Pond Street. We believe that previous construction vehicles have had an impact upon this archway and would therefore suggest the following points be included within conditions.

- Max vehicle width 2.18m
- Gross vehicle mass 2250 Kilograms
- No vehicle reversing
- No construction materials to be left in the arch area
- considerate building hours and noise levels should apply

**Flat 1, 21 Pond Street – Suggest conditions**

- No objection in principle to the proposal however, I am concerned about the building process.
- Access to the site is via a narrow passage and previous gardening works to 2 Connaught Mews resulted in damage to the access roadway.
- Machines were parked in our car parking spaces and the area was covered in a considerable amount of mud. In addition there was some damage to the tunnel.
- Can there be some assurance that the new project will involve only access without damage, mud and inconvenient unauthorised parking.

*Officer response:*

*- An informative would be attached to any permission granted advising the applicant that the access to Maryon Mews is Listed and that all works throughout construction should be mindful of this archway.*

**CAAC/Local groups\*  
comments:**

\*Please Specify

**Hampstead Conservation Area Advisory Committee – Objection**

-No acoustic measurement report was included in our copy. We are concerned that the relocation of the air conditioning units would result in noise nuisance to the neighbouring properties.

*Officer response:*

*An Environmental Health Officer of the Council has assessed the submitted acoustic report and the proposed siting of the air conditioning units. It is not considered that any further impacts of noise or disturbance would occur upon the adjacent dwellings compared to the existing situation.*

## Site Description

The application property is a semi detached dwelling. It comprises ground, first and part second floor level accommodation. The dwelling is set within a generous garden to the west. Within the grounds of the building is an existing outbuilding. The outbuilding abuts the northern and north-western boundary to Maryon Mews Gardens and has two windows in its north-west elevation facing onto the garden of 18c Maryon Mews. There are two existing air conditioning units located to the west side of the house.

The property adjoins number 1 Connaught Mews, to the east. The pair of semi detached properties are enclosed by surrounding buildings, they do not have a street frontage. The mews is accessed off the north side of Pond Street. The access drive provides parking and a secure entrance gate. The buildings have a modern appearance, they are not Listed but do lie within the Hampstead Conservation Area.

A three storey building lies to the north east of the application site, this building is vertically divided into three, three storey residential dwellings known as 18a-18c Maryon Mews. These dwellings front onto Maryon Mews a residential development accessed off South End Road. 18a and 18b have small courtyard style gardens adjoining the north-east boundary of the application site. These gardens are on a lower ground level approximately 1.5m below the ground level of 2 Connaught Mews. The two storey rear elevation of 2 Connaught Mews is 6.5m deep, the rear garden of 18a Maryon Mews is 5.4m deep. Therefore, the two storey flank elevation of 2 Connaught Mews faces onto the rear amenity space of 18a.

## Relevant History

PW9802270R2 – Change of use of 21 Pond Street to 5 residential flats including the conversion and redevelopment of the rear part of the site to provide 1-bedroom house in the retained outbuilding and 2, 4-bedroom houses in the rear part of the garden, together with the opening up of the carriage archway, the provision of a vehicular access to the rear of the site, car parking and landscaping – approved 25/2/1999

PWX0003022 – Alterations to the built form and appearance of the two buildings at second floor level only, together with full approval of elevations and materials of the two new houses approved as part of planning permission PW9802270R2. the sub-committee considered a report on this application and recommended approval subject to conditions and a S106 legal agreement removing the right to build the second floor level. The applicants did not enter into this S106 legal agreement and the application was subsequently - withdrawn 10/12/2001

PWX0202435 – The retention of two houses as built (this application sought to regularise the existing situation and make the development lawful) – approved 3/10/2002

2006/3848/P - Alterations and extensions including the erection of a two-storey rear extension to square off the west facing splayed wall of the dwelling house, and the relocation of two air-conditioning units – withdrawn due to lack of information submitted, namely a daylight and sunlight report and acoustic report – 29/3/2007

2006/3849/C – Demolition of existing outhouse building – withdrawn 29/3/2007

## Relevant policies

SD6 – Amenity for occupiers and neighbours  
B1 – General design principles  
B3 – Alterations and extensions  
B7 – Conservation areas  
Camden Planning Guidance 2006  
Hampstead Conservation Area Statement

## Assessment

### Overview

These applications seek full planning permission to reposition two existing air conditioning units and to 'square off' an existing two storey splayed elevation wall. The proposed extension would be 4.5m wide, 4.3m deep and 6.4m high. It would have a flat roof which would adjoin the existing building. The two existing air conditioning units would be repositioned adjacent to an existing boundary wall. Conservation Area Consent is sought to demolish an existing outbuilding. This outbuilding adjoins two boundary walls. These walls would be retained to their existing heights.

The current applications are resubmissions to application numbers 2006/3848/P and 2006/3849/C. The proposals have not changed however, further information regarding daylight and sunlight and an acoustic report have been submitted with the current applications.

Amended plans have recently been received removing a first floor window on the flank elevation of the proposed extension.

### Demolition of existing outbuilding in the Conservation Area

Conservation Area Consent is sought to demolish two linked brick/blockwork sheds located along the northern and north-western boundaries with Maryon Mews. These sheds are of 20<sup>th</sup> Century date and are of no architectural or historic interest. No objection is raised to their loss.

The rear amenity space of 2 Connaught Mews is enclosed by a brick wall approximately 3m high from the rear gardens of Maryon Mews. These brick garden walls are characteristic to this part of the Conservation Area. Sections of the flank elevations of the sheds to be demolished are party walls with the rear amenity spaces of 18a-c Maryon Mews. The submitted plans illustrate that although the outbuilding will be demolished the existing boundary walls will be retained to the existing height and that two windows in the north west elevation will be removed and in filled with brick work to match existing. A condition would be attached to any permission granted stating that these walls should be repaired to match the existing brickwork and pointing. The retention of the existing brick wall would preserve the appearance of the Conservation Area and ensure that no detrimental impact of overlooking would occur between neighbouring properties.

### Two-storey extension

#### Design

The application building lies in the Hampstead Conservation Area. The building is not highlighted as

having a positive impact upon the Conservation Area and it is not viewed from the street scene.

The existing building has a two storey splayed elevation. This elevation faces onto the rear amenity space of the application dwelling and has no windows. The proposed extension would take the form of squaring off this corner. The extension would be no higher, deeper or wider than the form of the existing building.

Considering that the proposal would not be visible from the street scene and that the extension would be an infill extension, it is not thought that the form of the proposed extension would be out of character with the existing dwelling. Nor is it considered that the proposal would have any detrimental impacts upon the character or appearance of the Conservation Area.

#### Residential amenity

The proposed extension would sit to the south of numbers 18a-c Maryon Mews. A daylight and sunlight report in accordance with the Building Research Establishment (BRE) guidance has been submitted with the application, this assesses the potential impacts of overshadowing upon these properties. The three windows on the ground floor have been considered within the report. However, the window of principle concern is the ground floor window on the rear elevation of 18a Maryon Mews, described in the daylight and sunlight report as window 3. This window would be closest to the proposed extension.

The Vertical Sky Component (VSC) takes account of the amount of skylight reaching the external plane of the window wall. Prior to the development the VSC at window 3 is 26.5%, after the development window 3 will achieve a VSC value of 25.5%. The VSC would not be reduced by more than 0.8 times its former value, this would ensure that the diffuse day lighting of the existing building would not be adversely affected.

The existing shared boundary wall of 18a-c Maryon Mews is 3m high, the outbuilding due to be demolished is maximum 3.7m high. The daylight and sunlight report has calculated the Annual Probable Sunshine (APS) on the basis that the existing outbuilding will be removed. The existing amount of annual probable hours of sunshine prior to the development is 29%. The amount of sunshine hours after the proposed development would be 35%. Therefore considering the Conservation Area Consent seeks to demolish the existing outbuilding the amount of annual probable sunshine would increase.

#### **Air conditioning units**

The two existing air conditioning units are located on the splayed flank elevation of the dwelling. By nature of the proposed extension these air conditioning units would need to be relocated. This application seeks to reposition the air conditioning units 5m to the north east of their existing position. They would be located adjacent to the shared boundary wall with the rear garden of 18a Maryon Mews. An Environmental Health Officer has assessed the submitted acoustic report and the new position of the air conditioning units. No objections have been raised. Therefore, it is not considered that the repositioning of the existing units would have any further impacts of noise or disturbance upon the adjacent properties compared to the existing situation.

## **Conclusion**

Considering the submitted daylight and sunlight report and that the existing outbuilding would be demolished it is not considered that the proposed developments would have any detrimental impacts of dominance or overshadowing upon 18a-c Maryon Mews. The proposed extension would not include windows on the flank elevation at first floor, this would ensure that no detrimental impacts of overlooking would occur upon numbers 18a-c Maryon Mews. Considering the location of the house and that it does not have a street frontage it is not considered that the proposals would have any detrimental impacts upon the character or appearance of the Conservation Area. The repositioning of the existing air conditioning units would have no detrimental impacts upon the Conservation Area or residential amenity of surrounding properties.