

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	29/10/2007
		N/A / attached	<b>Consultation Expiry Date:</b>	03/10/2007
<b>Officer</b>			<b>Application Number(s)</b>	
Victoria Lewis			2007/3876/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
33 Maryon Mews London NW3 2PU			See decision.	
<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 a roof extension to provide additional accommodation to dwellinghouse and creation of two terraces at second and third floor levels.				
<b>Recommendation(s):</b>		Refused		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>12</b>	No. of responses	<b>04</b>	No. of objections	<b>04</b>
Summary of consultation responses:	<p>3 representations have been received objecting to the proposal on the following grounds:</p> <p>The plans are not available on the website, please rectify this and advise of the new deadline for comments.</p> <p><u>Response</u> – <i>the plans are available on the website. Comments can be received up to the day of determination therefore no extension of the deadline for comments is required.</i></p> <p>Loss of light to a kitchen window.</p> <p><u>Response</u> – <i>the proposal would require the blocking up of a kitchen window to the neighbouring property. It is not known whether there is another window serving this room therefore it is not possible to assess whether this would be acceptable. The applicant has advised that the upper terrace on the roof of the proposed extension would be given to this property.</i></p> <p>Loss of view and loss of light to the first and second floors of 34 Maryon Mews.</p> <p><u>Response</u> – <i>the replacement of a window with a door (which could be glazed) and repositioning an existing window would not result in significant loss of light.</i></p> <p>The applicant has offered the upper terrace to 34 Maryon Mews. This would negate the harmful effects on the property provided this is legally binding. The plans submitted do not adequately represent the need to make significant alterations to the existing windows.</p> <p><u>Response</u> – <i>there is no scope within planning legislation to ensure the terrace is given to 34 Maryon Mews. This would require a private agreement between the affected parties.</i></p>					
CAAC/Local groups* comments: *Please Specify	<p><u>Hampstead CAAC</u>: No objections.</p> <p><u>The Maryon Mews Residents Company</u> has commented as follows:</p> <p>No objection to the planning proposals but raise concerns regarding access to the Mews during construction and require that any damage caused to communal areas must be repaired by the applicant.</p> <p><u>Response</u> – <i>The access to the Mews is private and there are electrical gates preventing public access. This is therefore a private matter between the applicant and the other affected parties.</i></p>					

## Site Description

Maryon Mews is a gated residential development located at the rear of properties on South End Road. Number 33 is a 2-storey dwelling attached to the rear of 31 South End Road which has retail at ground floor level with residential use above. There is a mirrored extension at the rear of 33 South End Road and the two structures have mono-pitched roofs which connect at the site boundary to form a symmetrical pair. 31 South End Road has retail use at ground floor level with flats above.

The site forms part of the Hampstead Conservation Area.

## Relevant History

P960132 - The use of the premises as a consulting room and dental surgery. This application was REFUSED for the following reason:

*“The proposed change of use involves the net lose of existing residential floorspace, contrary to the Council's policy, as expressed in the Borough Plan (policies HG14, HG15 and HG17) and the deposit draft of the Unitary Development Plan (policies HG1 and HG2), to retain and protect residential floorspace”.*

## 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

Planning permission is sought to change the mono-pitched roof to a flat roof and increase the overall height of the dwelling by 1.2m to create additional accommodation plus an enclosed terrace at second floor level and an external terrace at third floor level. There are currently one first floor and two second floor windows in the rear elevation of 31 South End Road which form part of 34 Maryon Mews and permission is sought to block in the first floor window, reposition one of the second floor windows higher up within the wall and to replace the other with a door. The door would lead out onto their third floor terrace and the applicant has advised that this would be given to 34 Maryon Mews.

It is proposed to alter an existing first floor rear window to form a Juliet balcony. As this would not create any additional floor area and the property is in use as a single dwelling, this is considered to be permitted development by virtue of Schedule 2, part 1, class A (d) of the Town and Country Planning (General Permitted Development) Order 1995.

Also shown on the drawings is the reduction in size of two first floor level windows in the flank wall of 34 Maryon Mews. These windows are not within the applicant's ownership and this is thought to be an error so has not been assessed.

## Design

Policy B1 of the UDP establishes general design principles, B3 relates specifically to alterations and extensions to existing buildings and policy B7 seeks to preserve or enhance the character or appearance of designated conservation areas.

The existing house adjoins and mirrors an identical pitched roof extension at the rear of 33 South End Road; the rear of the two buildings when viewed from Maryon Mews have an ordered, symmetrical appearance and are an important feature in the townscape of the Mews. The proposed extension with its two-tiered flat-roof profile and unusual enclosed balcony feature would cause harm to the symmetry and balance of the buildings and would detract from their appearance, contrary to policy B3 of the UDP. Its detailed design including the terraces and balustrades would appear overly fussy and would not be acceptable. The overall size of the extension is considered to be excessively bulky and not subordinate to the rear of the building fronting South End Road. The Juliet balcony would appear particularly incongruous but there is no scope to control this. The plans also show the demolition of the existing chimney stack which is regrettable, but again there is no scope to control this as it would not represent substantial demolition.

The proposed works would be visible from access road serving the Mews which is considered to be in the public realm. It is therefore considered that the proposed works would fail to preserve or enhance the character or appearance of this part of the Hampstead Conservation Area, contrary to policy B7 of the UDP.

## Amenity

Policy SD6 of the UDP seeks to ensure an adequate standard of amenity for neighbours and occupiers.

Concerns have been raised that if the terrace at third floor level is not given to 34 Maryon Mews, the proposals would result in loss of light to windows at rear of this property, including the complete blocking up of a first floor kitchen window.

The blocking up of the kitchen window would result in loss of light to this habitable room. However, there is another window to the kitchen in the flank wall of the building which receives sufficient levels of light to ensure no significant adverse impact.

With regard to 33 South End Road, the third floor terrace would be higher than the nearest neighbouring windows and would be of limited depth therefore there would be no direct views in. At the boundary with this property the extension would measure only 1.2m higher than existing therefore there it is unlikely there would be any impact upon levels of light.

The rear of 29 South End Road has been extended and contains residential accommodation served by dormer windows facing the application site. The proposed terraces would allow views into these windows at a distance of approximately 7m which would result in unacceptable levels of overlooking.

**Recommendation**

That planning permission be refused.

