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| Delegated Report | | Analysis sheet | | Expiry Date: | | 12/12/2006 | |
| | | N/A / attached | | Consultation Expiry Date: | | 26.12.06 | |
| Officer | | | | Application Number(s) | | | |
| Charles Thuaire | | | | 2006/3943/P, 4039/C | | | |
| Application Address | | | | Drawing Numbers | | | |
| 28 Perrins Walk London NW3 6TH | | | | See decision notice | | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | Date: | | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Demolition of existing garage and construction of new 3-storey plus basement 4-bedroom dwellinghouse with front basement lightwell, front second floor level balcony and rear courtyard area. | | | | | | | |
| Recommendation(s): | | Refuse permission | | | | | |
| Application Type: | | Full Planning Permission | | | | | |
| Reasons for Refusal: | | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | | |
| Consultations | | | | | | | |
| Adjoining Occupiers: | | No. notified | 21 | No. of responses | 05 | No. of objections | 05 |
| Summary of consultation responses: | | <p><u>5 neighbours</u> object - excessive scale and height, inappropriate materials, out of character with CA, impacts on setting of listed 27 Church Row; front projection at 1st floor particularly inappropriate in street scene; no parking; overdevelopment; loss of light and privacy to rear of 5a Heath St, loss of privacy to 27 Perrins Walk from balcony and to rear of 27 Church Row from rear windows and potential roof terrace; damage and possible loss of protected tree at rear of 27 Church Row.</p> | | | | | |
| CAAC/Local groups comments: | | <p><u>Hampstead CAAC</u> object - gross overdevelopment of particularly constricted site; although Perrins Walk has eclectic mix of styles, consider design to be totally out of character, making no contribution to street scene or CA; genuine harm would be caused by grotesque development to sensitive and charming walk.</p> <p><u>Heath and Hampstead Society</u> object - there are some features of merit, but grotesque sloping side wall is unacceptable and disruptive feature, only exists to protect rights to light and distorts design into ungainly lop-sided hulk; previous scheme is of modest height and has appropriate mass for this site; damages character of street and CA.</p> <p><u>English Heritage</u> - demolition is not objectionable in itself, but proposed replacement does not have any affinity with prevailing character of CA; overriding impression is one of a "quart in a pint pot" which would be more damaging to the scale and character of Perrins Walk than the more modest scheme granted in 2002.</p> | | | | | |

Site Description

Single storey workshop building between side elevation of 27 Perrins Walk and 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). Perrins Walk is a private mews road with a character of 2-3 storey mews-type dwelling houses. Site is within Hampstead CA 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.

Relevant History

1986 - pp refused for a 2 storey house on various grounds; appeal dismissed
1991 - pp refused for B1 building with reduced bulk; appeal dismissed
14.8.01 - pp refused on grounds of harm to CA, *but* cac granted for demolition of existing building
10.2.03 - pp granted for erection of 3 bedroom 2 storey dwelling house, subject to conditions on submission of materials and elevations, and pd rights removed

Relevant 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.

S1, 2; SD1, SD6, SD9; H1, H7; B1, B7; N8; T7, T8; E2

Assessment

Proposal is for demolition of the whole workshop building on the entire site and erection of a new 3-storey plus basement dwellinghouse with courtyard behind. The scheme involves excavation of a new basement across the whole site. The house will have a family room plus bedroom in the basement, with rear courtyard and front lightwell; the latter will have stairs down to give access to refuse and cycle storage and is enclosed by a glass balustrade. The ground floor will have living accommodation and the 2 upper floors will have 3 double bedrooms; the upper one doubling up as a study. The 2nd floor also will have a balcony on the front elevation. The design is unusual for this street in that the flank wall on the right hand side facing the rear of Heath St properties has a large sloping tiled mansard feature and the main roof is hipped, in order to maintain daylight to adjoining properties. The front elevation has a projecting 1st floor timber-clad panel enclosing the 1st floor accommodation (lit by a corner window and porthole) and the 2nd floor balcony. The overall footprint in terms of width and depth on ground and 1st floors is identical to the previous scheme, including its rear projecting curved bay, but its height and form on upper floors is different.

Previous scheme involved the redevelopment of the site by erection of a traditionally-designed 2 storey mews house in brick plus pitched slate roof.

Principle of land use - 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.

New housing - A family sized unit is welcome here and the overall space standards are acceptable. The house complies with all relevant Lifetime Home standards and some attempt has been made to incorporate sustainable measures in its design and construction. However, the new basement accommodation will receive inadequate light, both the front bedroom and the rear family room, despite the front lightwell with glazed balustrading and the rear courtyard, which replicates the size of the ground floor courtyard in the approved scheme. Both rooms at basement level are substandard in terms of receipt of light and do not comply with SPG advice which requires unobstructed glazing above a 30 degree angle to be equal to one tenth of the floor area: the rear habitable room in particular does not receive any light at all above this angle.

Demolition - 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. However, conservation area consent should be now refused on the grounds that the scheme for its redevelopment is unacceptable (as discussed below) and that there are no alternative plans for the re-landscaping or fencing of the

site once cleared without subsequent development.

Bulk/height - the overall footprint is acceptable as this matches the approved scheme. The new basement is considered unacceptable as it represents a new feature in a mews where no others exist, and the introduction of a new lightwell at the front is not typical of this mews and thus harms the character of the street. This is considered unacceptable, as the established character of Perrin's Walk does not include lightwells, and furthermore, lightwells are generally considered inappropriate in a mews context. In addition, the effect of creating a lightwell (as well as the balcony at second floor level) is the creation of a front building line that is set back from the building next door at 27 Perrin's Walk, and the rest of the street. This again does not respect the established building line on Perrin's Walk.

It is considered that the previous scheme with a 2 storey house represents the maximum building envelope that could be accommodated on this site without harming the character and appearance of the CA. The site is a transitional one between buildings on Perrins Walk and Heath St, which represent the main terraced frontages on these streets. It was effectively once a rear garden gap site later infilled by a single storey building, and thus a 2 storey building is acceptable on the basis that it is still subordinate to the main buildings on either side and retains the essential visual gap between both higher buildings. In contrast to the approved scheme, which is modest and traditional in form, the proposed height, bulk and massing of the building is 3 storeys plus roof, with an idiosyncratic large angled section of bulk on the eastern end of the building, and a large projecting box bay at first floor level, supported by slim columns. The bulk and massing of the proposal is different from all other buildings within Perrin's Walk, which are more regular vertical compositions, and the angled and hipped roofslopes are considered particularly unorthodox and harmful to the essential character and appearance of this streetscape and this part of the Conservation Area. The proposal therefore relates poorly to its context. Furthermore, the bulk and massing of the proposed building are considered to create an over-scaled unattractive building as a solo composition, which is not subordinate to adjoining frontage buildings. The combination of bulk, mass and height is considered to not respect the bulk and scale of neighbouring buildings, and the wider Hampstead Conservation Area. It is suggested that the height, bulk and mass of any redevelopment here should be more akin to the approved scheme i.e. 2 storey without large projecting elements, such as the large angled bulk on the eastern elevation and the large bay to the front elevation.

Detailed design - The proposed front elevation is considered to create an overall jumbled composition of materials and fenestration dimensions that relates poorly to the design of neighbouring buildings and the wider Hampstead Conservation Area. The proposed materials of render and timber cladding are not prevalent in Perrin's Walk, where the prevailing material is brick. The proposed materials are therefore considered inappropriate. The proposed detailing on the front elevation of a porthole, large windows without glazing bars, glazed balustrade at ground floor, and columns at ground floor are also considered to relate poorly to the design of neighbouring buildings and the general streetscape where such features do not exist. The proposed detailing is therefore also considered inappropriate, and harmful to the character and appearance of the conservation area.

In any future resubmission, it is recommended that the front elevation be revised to include a more holistic composition that relates better to neighbouring buildings; the materials should be brick, which could be painted white if desired to replicate render, and the timber panelling should be dispensed with or reduced to a minimum; the fenestration dimensions should relate better to neighbouring buildings.

Impact on trees - 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 has been no arboricultural report submitted with the application. It is considered that the tree is likely to be rooting within the site. The lime is around 18 metres in height with an estimated dbh of 600mm. According to BS: 5837 (Trees in relation to construction 2005) the tree should have a Root Protection Area (RPA) with a radius of around 7 metres. The proposed plans show that excavation will come within one metre of the tree, encroaching substantially within its RPA

(for both the excavation of the garden and the basement area). This could lead to a severe decline in the tree's health and could affect its stability, which is unacceptable.

Parking - the house would generate at least one car; no objection is raised to the lack of car parking for this property as the street is a private road with no on-street parking controls and additional car parking is possible on this mews. Furthermore, it is anticipated that the house would generate less parking and traffic than the current lawful B1 use. Nearby roads do not suffer from parking stress, so it is not considered necessary to car-cap the scheme.

Amenity of neighbours and occupiers - 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. Hence a sloping roof is proposed on the flank wall facing the rear of Heath St. Although officers are unable to verify the study, as no data has been supplied, there is no reason to doubt this study and it is not anticipated that any material loss of light would occur: windows at the rear of 1 and 3 Heath St 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.

However, the front balcony would be likely to cause overlooking to the 2nd floor level living room/study of 29 Perrins Walk opposite, particularly at its western corner which is only 6m away. Privacy screens would not be appropriate, as they would be unacceptable as visual clutter on the front elevation.

Archaeology - 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. Hence it cannot be refused for a reason of possible damage to archaeological remains.

Contaminated Land - the site currently has a garage with the possibility of soil contamination. If planning permission was to be granted, it should be subject to a condition that an investigation is carried out and a report prepared recommending appropriate remedial measures.

Conclusion - the scheme is unacceptable on several grounds, namely the harm to the local streetscape and conservation area by the front lightwell and building line, by the bulk, form and height of the new house, and by its elevational design; the harm and potential loss of an important tree; the loss of privacy to habitable room windows opposite; the substandard nature of the proposed basement habitable accommodation in terms of daylight; and the potential damage to archaeological remains.

Recommendation: Refuse permission