

<b>Delegated Report</b>	<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>03/08/2006</b>
	N/A / attached	<b>Consultation Expiry Date:</b>	07/07/2006

<b>Officer</b>	<b>Application Number(s)</b>
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Matthew Durling	2006/1685/P
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<b>Application Address</b>	<b>Drawing Numbers</b>
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102A Frognal (Adjoining 102) London NW3 6XU	See decision notice.
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<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	<b>Date</b>
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<b>Proposal(s)</b>
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Demolition of existing conservatory and garage and the construction of a new three-storey plus basement dwellinghouse with integral garage and forecourt.

<b>Recommendation(s):</b>	<b>Refuse planning permission</b>
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<b>Application Type:</b>	<b>Full Planning Permission</b>
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<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>
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<b>Informatives:</b>	
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## Consultations

Adjoining Occupiers:	No. notified	46	No. of responses	29	No. of objections	28
<p><b>Summary of consultation responses:</b></p>	<ul style="list-style-type: none"> <li>• Consider the proposal to have an unattractive design and to have a pejorative impact on surrounding Victorian architecture;</li> <li>• Consider contemporary design is without any architectural merit and is out of scale with, and will dwarf 102 Frognal;</li> <li>• Consider the flat roof line looks awkward, contrived and out of place;</li> <li>• Façade facing road is a busy melange of materials;</li> <li>• Dimensions of the building are too wide, resulting in dwelling breaking up the rhythm of the street;</li> <li>• Proposal will destroy the view and aspect and erode the visual attraction of the area;</li> <li>• Residents of 100 Frognal will face onto a blank wall and have visual amenities and light detrimentally affected;</li> <li>• Consider proposal doesn't work as an infill, neither complementing or positively enhancing the environment;</li> <li>• Proposed parking arrangements will add to existing dangers and increase the risk of accidents;</li> <li>• Considerable inconvenience to residents, loss of access, disruption to traffic and increased risk to pedestrians throughout construction;</li> <li>• Consider a huge, modern, ugly building will be sandwiched between 2 distinguished period dwellings;</li> <li>• Concern that required foundations may harm adjacent property;</li> <li>• Privacy and quality of life of residents of the basement at 100 Frognal will be undermined if development takes place;</li> <li>• Consider a modern construction will undermine the architectural purity of the conservation area and will encourage future similar developments;</li> <li>• Consider the ground area is insufficient for an independent property;</li> <li>• Consider the proposals are a distinct threat to the character of Hampstead;</li> <li>• Consider the removal of the conservatory will take away an attractive and original building, which contributes to the quality of the conservation area.</li> </ul>					
<p><b>CAAC/Local groups* comments:</b> *Please Specify</p>	<p><u>Hampstead Conservation Area Advisory Committee:</u></p> <ul style="list-style-type: none"> <li>• Object to the design generally; 'do not object to a modern system in this position however the combination of a large area unrelieved by fenestration would be intrusive and unacceptable'.</li> </ul> <p><u>The Heath &amp; Hampstead Society:</u></p> <ul style="list-style-type: none"> <li>• Consider further information on the colour and texture of proposed materials should be sought;</li> <li>• Consider glazed brick is unusual and could be unacceptable if not sensitively selected.</li> </ul>					
<p><b>English Heritage</b></p>	<ul style="list-style-type: none"> <li>- Do not wish to comment on scheme in design/conservation area terms</li> <li>- Unlikely to have impact on archaeological heritage</li> </ul>					

## Site Description

The site comprises an existing double garage with a conservatory extension at first floor level attached to no 102 Frogna, a c1880s detached house of two storeys, with a further attic storey in a substantial tile hung gable lying on the east side of Frogna. The site is situated within the Hampstead Conservation Area, and no. 100 to the south of the subject site adjoining Frogna Way, and no. 102 are noted as making a positive contribution to the character of the CA. Although no. 102 is not a listed building, it adjoins nos.104 & 106, which are listed buildings.

## Relevant History

April 1973- pp for 2 storey house and integral garages on land adjoining 102 Frogna (not implemented)  
09/09/2005 (reference 2005/1284/P): PP granted for demolition of existing garage and conservatory and erection of new 2-storey dwellinghouse with garage.

## Relevant policies

### Replacement UDP 2006

S1,2,3,4,7,8,9 strategic policies

SD1 Quality of life

SD6 Amenity for occupiers and neighbours

SD9 Resources and energy

H1 New housing

H7 Lifetime homes

B1 General design principles

B3 Alterations and extensions

B7 Conservation areas

B9 Views

N8 trees

T3 cycling facilities

T7 offstreet parking

T8 Carfree housing

### Hampstead Conservation Area Statement

### Supplementary Planning Guidance

## Assessment

It should be noted that during an initial assessment of the application and a subsequent site visit, it was established that the submitted drawings were not an accurate representation of the proposals. The application was made invalid pending further accurate plans, and residents and local groups have been subsequently reconsulted.

### Principle of development:

The Hampstead Conservation Area Statement makes reference to the existing double garage as detracting from the fine detail of no.102 Frogna and the character of the area, and as a building that would benefit from enhancement. The proposal to demolish this extension is therefore acceptable in principle. The erection of a new dwelling house here is also acceptable and was established as such by the granting of permission for the erection of a two-storey dwellinghouse on the site in September 2005 (application reference 2005/1284/P). This permission hence sets a benchmark for assessing any future development here. The scheme is also in broad compliance with policy H1 of the UDP, which seeks to increase the amount of land and floorspace in residential use.

The application site is a plot immediately adjoining 102 Frogna. The site is at present part developed as a side extension to 102 Frogna and also part open space, comprising the garden of 102, which is set behind a 2.5m high brick wall. The side extension is two-storeys high and set back from the original 1880s house to allow for a driveway and access to a double garage. The proposal comprises the erection of a three-storey plus basement four-bedroom dwellinghouse. Although the footprint is similar to the previous permitted scheme, in contrast its height and form is very different. The former had 2 storeys in a vernacular style with a pitched roof mimicking the style of the cottages at 98-100 next door. However the new scheme has a very contemporary block-like form comprising 3 elements- a front cantilevered bay 2m deep at 1<sup>st</sup>/2nd levels in glazed brick; a setback façade 1m higher than this bay in dressed stone and 2.5m deep; a rear block 7.5m deep in part stone, part brick and stepped down in 3 sections on its south side towards the flank wall of 102.

The footprint of the building will be similar to the footprint of the scheme approved in 2005, in that the front elevation will be set back 2.5m behind the brick wall to the right of the site at ground floor level. The large bay on the front elevation will project 1m at first floor level and, by virtue of the set back, will project 2m at second floor level. Part of the building will also project 2.4m from the existing building line at rear ground floor level, and by virtue of a further bay will project 3.4m at rear first and second floor levels. Whilst this footprint and these building lines are considered acceptable in principle, the form and height of the building are considered to give a very bulky and dominating appearance as discussed below.

### Design and appearance:

This proposal is essentially to create a semi-detached neighbour to the existing building at 102 Frogna, but in a radically different form. The scheme has therefore been assessed in terms of how it relates to 102 Frogna and its immediate surrounding context, which comprises the Hampstead conservation area.

The excavation of a basement is considered acceptable in principle as it will have no external physical manifestation by way of lightwells. In terms of height and scale however, the proposed three-storey building is considered to be unacceptable. The proposal is one storey higher than the considerably smaller two-storey building approved in 2005 and is of considerable more bulk. The approved scheme was considered to be acceptable as it was deemed to be a subordinate extension to 102 Frognal in terms of its height, bulk and massing. Contrary to the design statement, it is argued that the overall relationship of the proposed building with 102 Frognal does not preserve either the prominence or dominance of the older building. The current scheme reads as a separate building with a bulk and massing that, notwithstanding its set back and lower height, is not subordinate to the existing building.

The proposed building is also considered to significantly reduce the townscape gap between 102 and 100 Frognal. This is particularly evident in the photomontage perspective looking up Frognal, where views of the flank wall of 102 are completely masked and indeed dominated by the proposal. Informal views such as this are considered to be important within the conservation area and worthy of protection as they contribute to the interest and general character of the townscape. The proposed development is not considered to be compatible with the character of these views in terms of its scale, setting and massing.

The roofline of the approved scheme included a gable feature similar to that of the host building, and it took its design cues from architectural elements of this host building. However the proposed roofline of the current scheme is flat and in no way relates to 102 Frognal. The elevational detailing of the approved scheme was also reflected in the existing building and as such it was deemed to preserve the character and appearance of the conservation area. The proposed front elevation is not considered to respect or relate to the character of 102 Frognal or the Hampstead conservation area and, while the concept of attaching an overtly contemporary property to a 1880's cottage is not necessarily inappropriate in itself, the proposed building is considered to relate very poorly to 102 Frognal and its surrounding context. It is considered to harm the setting of the adjoining buildings at 100 and 102, both of which positively contribute to the character of the conservation area. The rear projecting bay of the scheme in terms of depth and height is also overpowering and unneighbourly in terms of its relationship with adjoining properties.

The projecting bay element on the front elevation includes wrap-around windows on each corner of the bay, which do not relate to the front elevation of 102 Frognal. In addition, the centre of the bay is considered to be very stark and plain when compared to the detailing of its neighbour. The design statement refers to the cantilevered and wrap-around windows as reflecting the oriel windows of the adjacent building; however they are considered to be disproportionate and over-scaled. Furthermore, the window on the right hand side of the proposed elevation creates a strangely asymmetrical elevation that does not respect the form or character of 102 Frognal. In terms of materials, the proposed painted hardwood windows do not relate to 102 Frognal; however they seem at odds with the contemporary design of the rest of the building. Furthermore, glazed brick and dressed stone are not considered to complement or match the traditional, predominantly brick materials evident in the adjoining building or the wider conservation area and are considered inappropriate in this context.

In conclusion, it is considered that this proposal, rather than preserving or enhancing the character or appearance of the conservation area, would cause harm to it by virtue of its incongruous design and overbearing presence.

#### Trees and landscaping:

A substantial number of trees and shrubbery within the existing garden area will be retained. This well-established and landscaped garden is considered to make a positive contribution to the character and appearance of the conservation area, and thus the proposed retention of the existing mature landscaping is welcomed. A Ceanothus tree, Grandiflora Magnolia and a row of Cypress trees exist along the rear garden boundary backing on to no. 20 Frognal. Three Hornbeam trees, planted in 2001, also exist along the side boundary between nos. 102 and 100 and one additional Hornbeam was planted on the side of no. 100. The hornbeam trees create an important screen between the properties of 100 and 102 Frognal and appear to be in good health. The proposed development comes to within 1000mm of one of these trees, which is short of the recommended 1800mm root protection area. However this could be mitigated by use of a pile and beam foundation design, and if the scheme was recommended for approval, details of foundation designs showing how the root system of this tree will be protected would have been required by condition. Excavation for the lower ground floor is outside the protected root zone.

The proposal will result in the loss of two trees; an Apple tree and a Willow tree adjoining the sidewall of the garage. The loss of these trees was considered and approved as part of the assessment of the previous application. It is proposed to replace these trees with two new trees in the rear garden. The size, species and location of the replacement trees is unknown and details would be required by condition.

#### Quality of accommodation proposed:

The proposal is acceptable in relation to the residential quality of the new development. Four bedrooms are proposed at first and second floor level, all of which are larger than the minimum floor areas as recommended in Council Supplementary Planning Guidance for a four-bedroom, five/six person house. The basement level accommodation will comprise a bathroom, media room and laundry room, none of which require direct access to daylight. Approx. 130m<sup>2</sup> of a well-landscaped amenity area exists in the rear garden area. The site is large enough to accommodate provision for 2 bike stands and provision for bin storage/recycling areas. The Council also welcomes the efforts taken to address sustainability within the proposal, including a system for managing and recycling rain water and introducing solar panels on the flat

areas of roof, which would be concealed from the public realm by parapet walls. The new house is capable of being designed with amendments internally to meet Lifetime Homes standards, such as provision of stairlift and wheelchair WC, and the house will have level access and disabled parking space outside. An informative will be added to advise of the need to meet these standards in any future resubmission.

#### Impact on amenity of adjoining occupiers:

The proposed development would be sited approximately 6000mm from the side elevation of the flats at no. 100 Frognal. The proposed dwellinghouse would be built up to the existing boundary fence as with the previous scheme; however unlike the previous house which sloped away from a 3m high flank wall up to a 7m high ridge, the proposed scheme rises up sheer from the boundary wall to 9m at its front section and 8m at its rear section. In an attempt to mitigate any loss of light to the habitable rooms of the adjoining property, the rear part of the side elevation has been stepped back at first and second floor levels. Concerns have been expressed about the impact in terms of loss of light and overshadowing to the habitable rooms at no. 100, particularly in respect of the basement flat.

The existing side boundary fence is stepped back towards the rear of the site and located 4m away from the rear part of the flank wall of no. 100 behind a projecting chimney stack where there are windows; it measures 2.5m height and is densely landscaped with 4 x 4m Hornbeam trees measuring up to 4-5m in height along the boundary fence. The affected windows of the flank wall of 100 serve a kitchen and bedroom at basement level, and a kitchen and bathroom at ground level. The windows are set back from the frontage as explained above and thus only face the stepped section of the rear element of the proposal. It should be noted that the windows will already be affected by the previous approved scheme and that the latter just maintained the 25 degree light angle for the upper ground floor windows. The windows most directly affected by the new scheme will be the basement kitchen facing the new side stepped wall: however this is a small galley kitchen, not a habitable room, and although the stepped building facing it will be 1m higher than the ridged roof of the approved scheme, it is not considered significant enough to cause serious loss of daylight to this window and daylight will still reach it from the northeast side. The other window to the rear of this at basement level is a secondary window to a bedroom and hence is not the sole source of light to this room; in any case, this window is level with the rear corner of the house so that half of its view remains open and unobstructed, hence sufficient light should reach it from the northeast. In relation to the ground floor windows, these are further setback than the basement ones. They serve a small galley kitchen and bathroom and both have obscured glass. Again, despite that these are not habitable rooms, they face the rear corner of the new house and thus sufficient light should reach the kitchen from the northeast.

The rear section of the new scheme is bulky and high compared to the previous scheme and does present a rather overbearing presence to the flank wall of 10 and its garden. Nevertheless, it is considered that outlook is not seriously affected as the windows serve either non-habitable rooms or are set back enough to still enjoy half a view over the rear garden. Sunlight is not affected as the flank wall is north-facing.

With regards to overlooking, there are no windows on the side elevation of the proposed dwellinghouse; therefore no overlooking will take place into no. 100. Furthermore, the side elevation of no. 100 currently has frosted windows at ground and upper floors, which means there will be no overlooking through the rooflights of the proposed building. The views from the projecting bay to the front of the property would be so acute as to restrict any overlooking of either adjacent property.

Thus the scheme would not cause an unacceptable loss of amenity to the residents of the adjoining property.

#### Archaeological impact:

Whilst the site is situated within an Archaeological Priority Area, the land has had previous development since the 1970's/1980's, therefore the demolition of the existing structure and the excavation of a small basement plus three-storey dwelling would not warrant the need for a desktop study to explore any archaeological findings. The basement excavation will not harm the stability of adjoining buildings as the site is not within a known area of unstable land and issues of structural stability will be addressed at the Building Regulation stage.

#### Traffic implications:

The proposal involves the demolition of the existing double garage and its replacement with a single garage, plus the provision of one further off-street parking space (as existing) on the forecourt to the front of the property. The implications of one additional house to Frognal in terms of an increase in traffic movements is not envisaged to be detrimental. The development therefore has an adequate parking facility in compliance with maximum parking standards of policy T3. If the scheme was to be recommended for approval, it would have to be subject to a legal agreement requiring the house to be car-capped, ie. preventing visitor and additional parking overspilling into the highway. A condition attached to the permission at no. 102 itself ensures that it has use of a parking space within the Oakhill Park Estate opposite and thus there will be no loss of parking facility to the existing house at 102.

#### Conclusion:

The proposed building is considered unacceptable in terms of its height, bulk, massing and design, and would not preserve or enhance the conservation area and setting of adjoining buildings. The application is accordingly recommended for refusal.

**Disclaimer**

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