

# DESIGN & ACCESS STATEMENT

APPLICATION SITE: 45 LANCASTER GROVE, LONDON, NW3 4HB  
LOCAL AUTHORITY: LONDON BOROUGH OF CAMDEN

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## **A. INTRODUCTION & SITE DESCRIPTION**

1. Located on the northern side of Lancaster Grove and in close proximity to the junction with Lancaster Drive, the application site comprises the ground floor flat of a two storey detached property, previously subdivided into 3 self-contained flats.
2. The property is not listed, it is however located within the Belsize Park conservation area (sub area 3: Eton Avenue).

## **B. PROPOSAL**

3. The applicant proposes the demolition of the existing unauthorised ground floor rear extension (which replaced the existing ground floor rear extension), the retention of the existing unauthorised rear basement extension with associated internal & external alterations, the reinstatement of the existing ground floor rear bay and the erection of a new single storey ground floor rear extension.

## **C. RELEVANT PLANNING HISTORY**

4. The application site has a chequered planning history which culminated in the serving of a planning enforcement notice and a subsequent planning inquiry both of which are discussed further below.

The relevant planning history is as follows;

5. On 14<sup>th</sup> October 2005, planning permission was granted in respect of the appeal site under planning reference **2005/3563/P** for: "Demolition of existing single storey rear extension and erection of a new single storey rear extension for the ground floor flat.
6. On 21<sup>st</sup> August 2007, a planning permission was granted under planning reference **2007/2133/P** for: "Demolition of existing single storey rear extension and erection of a new two storey extension at basement and ground floor level for the existing flat.
7. On 15<sup>th</sup> January 2008, planning permission was granted under planning reference: 2007/4905/P for: "Excavation of basement level with front light well enclosed by railings and with bridge over to the front entrance door all in connection with additional accommodation for the ground floor level flat: as a revision to planning permission granted 21/08/2007 (**2007/4905/P**) which allowed for demolition of existing single storey rear elevation and erection of a new two storey rear extension at basement and ground floor level for the existing flat."

8. On 30<sup>th</sup> May 2012 an application for retrospective planning permission was refused under application reference **2012/1510/P**, for: “excavation of basement extension to rear and erection of rear ground floor level extension above all in connection with existing flat (Class C3) (Retrospective).”
9. The council issued an enforcement notice, reference **EN12/0064**, dated 6<sup>th</sup> August 2012 against an alleged breach of planning control; being: “ excavation of basement extension to rear and erection of rear ground floor level extension above all in connection with existing flat.”
10. On 03<sup>rd</sup> March 2014 an appeal was dismissed by a decision of the Secretary of State in respect of the refusal of application ref: **2012/1510/P** and enforcement notice ref: EN12/0064 was upheld by the same decision.

#### **D. THE REQUIREMENTS OF THE ENFORCEMENT NOTICE**

11. The enforcement notice as upheld by the Secretary of State required the following;

***‘the complete removal of the rear ground and basement floor level extension and return the building to the condition as shown on the existing plans (drawing no LG.10.01A; LG.10.02A; LG.10.03A; LG.10.04A; LG.10.13; LG.10.14) accompanying application 2012/1510/P.’***

(It should be noted that the above-mentioned enforcement notice forms a material consideration for the purposes of the present application. As such, the drawings mentioned above are attached here as application documents).

#### **E. DEVELOPMENT PLAN POLICIES**

12. The relevant development plan policy documents in respect of the present proposal comprises ‘Camden Development Policies 2010’, ‘Camden Core Strategy 2010 – 2025’, Additional relevant planning documents include; ‘Camden Planning Guidance 2011’, ‘Belsize Conservation Area Statement’, ‘The London Plan 2015’ and the ‘National Planning Policy Framework’,

#### **F. OTHER MATERIAL CONSIDERATIONS**

13. Pursuant to section 38 of the ‘*Planning and Compulsory Purchase Act 2004*’, the following are to be considered as other material considerations in the determination of the application;
  - ‘Appeal Decision Letter 03 March 2014’; ‘Officer’s Delegated Report ref: 2012/1510/P’
  - ‘The previously demolished ground floor rear extension’.

## **G. PLANNING MERITS OF THE PROPOSAL**

### **Detailed Description of the Proposed Development**

14. The applicant proposes the retention of the existing basement extension and the erection of a ground floor rear extension with associated works at ground floor level, including the reinstatement of the and restoration of the ground floor rear elevation bay.
15. The basement area is fully subterranean and features a two third length light-well to the West facing flank elevation. The present application proposes internal alterations to the basement that puts the area to use as a utility and recreation area.
16. The ground floor rear extension will feature external brick walls of bricks to match that of the main building. Larger areas of brickwork to flank walls that are uninterrupted by windows or doors have been punctuated with recessed imprints to provide interest and character to the building. The ground floor structure comprises a high percentage of glazed fabric, resulting in a softening of the ground floor structure to reduce any impact from size, bulk or scale.

The roof to the ground floor development is split level. The applicant has given the careful consideration to the roof structure. Commencing at a height of 3.8m, the roof height reduces to 3.1m at the commencement of the rear garden area of no.47 Lancaster Grove. Thus the aforementioned higher roof level exists only at the part of the proposed development that would site adjacent to the flank elevation wall of no.47 which protrudes beyond the rear elevation wall of the application site.

The materials have been carefully selected to match that of the host building so as to compliment the character and vernacular of the host building itself and buildings within the wider area. Those materials consist of an attractive sheet lead covering to the roof surface, red brick external walls to match that of the host property and glazing to soften any impact from scale and bulk.

The new bay would represent the reinstatement of the previously removed bay with a white painted float rendered finish to match that of the original. The bay will take pride of place in its former position where it is given space to breath on either side and therefore to form a focal point in terms of views from the rear garden.

The applicant has applied care to ensure that the proposed extension, whilst remaining clearly subordinate to the host property, would add positively to the host building and the wider conservation area in terms of size, bulk and visual amenity.

## Material Considerations

### 17. Inspector's Decision Letter

- By a decision of the secretary of state on 03 March 2014, an enforcement notice in respect of the existing unauthorised development was upheld and an appeal under section 78 of the primary Act for the retention of the unauthorised development was dismissed. In deciding the appeal, the Inspector considered the planning merits of the development. The Inspector's decision letter (DL) therefore forms a material consideration in respect of the present application and the applicant now identifies relevant extracts as follows.

### The Rear Elevation Bay

- The Inspector discusses the rear elevation bay at **para. 19 of the DL**. In so doing, the Inspector opines that the building makes a positive contribution to the significance of the conservation area and as to the bay, the Inspector states as follows;

***'To my mind, the detailing and scale of this bay means it would have further enhanced the property's contribution to the significance of the historic surroundings.'***

- The applicant has responded to the above comments by allowing for the complete reinstatement and restoration of the rear elevation bay to match that of the original as part of the application. This addresses the Inspector's comments.

### The Ground Floor Rear Extension

- The Inspector makes various references to the unauthorised extension and in so doing, provides indication as to what is and what is not acceptable in planning terms. The applicant now identifies relevant extracts as follows;
- At para 23 of the DL the Inspector discusses the scale, height and form of the unauthorised extension with particular reference to the Western elevation. The Inspector states as follows;

***'The extension would be of significant scale and mass and would sever the original house from its garden'. 'Its gable would be ... a striking and relatively tall feature that rose up to a similar height to the top of the bay window. Moreover, given the height of this gable and the limited openings there would be extensive areas of render apparent, especially when seen from the side. Therefore taking these factors together with its form, it would not be a subservient addition..'***

- The applicant has responded to the above comments by considerably reducing the width and height of the ground floor rear extension in comparison to the unauthorised extensions.

The unauthorised extension stood at 4.6m at its highest point. The width of the extension reached some 11.5m across the full width of the host property, providing access to the garden only via the rear of the extension and via the alley ways to the side. The external surfaces of the extension was finished with vast expanses of plain white render.

- In contrast, the present application proposes an extension almost half the width of the unauthorised ground floor extension. As such, the rear garden would now re-connect with the main property. This can be seen from drawing no. **LG-PP-RV-005-A**, which shows the garden area to the Eastern elevation of the proposed extension where the applicant has included a grassed lawn area directly adjacent to the reinstated bay window thus forging a visual connection of the rear garden with the main property with the impression of the patio area having been placed onto the garden rather than separating the garden from the property.
- The height of the extension has been considerably reduced from the of the 4.6m high unauthorised extension. The height as proposed would now be 3.7m for a distance of 3.1m to match the projection of the flank wall of no. 47. At the end of the flank wall projection (at no.47) the height of the extension deliberately drops to 3.1m in order to avoid any adverse impact on the rear garden at no. 47.
- The newly proposed extension is of red brick external walls to match the host building and there are large areas of full height glazed fabric and the external brick faces are punctuated with recessed imprints to add interest and character.
- The result is that by the considerable reduction in width, height and scale of the extension and by the simplified form, the proposed extension would now present as a conservatively designed structure that would complement and integrate with the host building whilst remaining markedly subservient and reinstating the connection of the main building with the rear garden.

#### Impact of the Extension on no.47

- The Inspector discusses the impact of the unauthorised development on no.47 at paras. 43 – 45 of the DL. The Inspector states as follows;

*'The .. scheme would project some 6m beyond the rear wall of no.47, given the height of its gable and taking into account the existing extension, this proposal would unduly dominate the rear room and garden of that neighbouring flat, creating an unacceptable sense of enclosure'.*

***'However, as the extension would be to the West and as trees already shade the garden of no. 47, the effect of the scheme on sunlight and daylight would be limited and would not be unacceptable'.***

***'..even if it (the previously approved extension in 2008 under ref: 2007/4905/P) rose to 4m, the topmost section would be glazing and so when seen from no.47 it would not have been as dominant as the solid walling now proposed. '...its effect on that property would not have been as great as the development now before me'.***

- The applicant has responded decisively to the above comments. The unauthorised extension exceeded 4m in height along the Eastern elevation facing no.47. The extension approved under ref: 2007/4905/P was approx. 4m in height along that same elevation with a glazed uppermost section as discussed above by the Inspector.

The present application reduces the full length of the Eastern elevation adjacent to the rear garden of no.47 to 3.1m in height. This takes the height of the extension to below the line already being discussed as more acceptable by the Inspector above.

#### **Impact of the Extension on no.43a**

- The Inspector discusses the impact of the unauthorised development on no.43a at paras. 47 – 52 of the DL. The Inspector states as follows;

***'The entire 10m long side elevation would be apparent from the rear of no.43a and its height plus the difference in land levels means it would have an unduly dominant effect on the rear garden of that neighbouring property. While I appreciate it would be set some 3m back from the boundary, in my opinion this would not be sufficient to overcome this concern sufficiently. However, given the window arrangement at no.43a, when inside that property I am not satisfied that the impact in this regard would be unacceptable'.***

***'Accordingly I conclude that the scheme would have an unduly dominant and overbearing effect on the rear garden of no.43a...'***

- The applicant has again demonstrably addressed the Inspector's comments above. Instead of the 3m separation between the unauthorised development and the boundary with no.43a has now been increased by more than double the distance mentioned above to 6.7 in the present application.

- Furthermore, any potential for harm in respect no.43a is further diminished by the considerable reduction in height of the presently proposed scheme in relation to the unauthorised extension discussed above by the Inspector.
- In terms of visual amenity, views from no.43a will benefit from the reinstatement of the original bay, the change in material to red brick to match the host building, the large areas of glazing that soften the visual impact of the elevation and the interesting feature provided by the central brick imprint.
- All objection raised by the Inspector in respect of no.43a have therefore been comprehensively addressed and there is accordingly, no potential for any adverse impact on no.43a from the presently proposed scheme.

### Contemporary Elements of the Design

- The Inspector discusses the matter of contemporary design at para 22 of the DL. The Inspector states as follows;  
  
***'I raise no objections in principle to contemporary additions to strident Victorian Properties. However, clearly this does not mean that all such additions would be acceptable. Rather, they would still need to respect the existing development around'.***
- The present application proposes a contemporary scheme with echoes of the host building and the era of the host building. The external masonry is of matching material to the host building. The roof finish is of lead sheet which was common in the era. Brick imprints hark back to the Victorian era before the window tax was repealed. The contemporary form and wide expanse of glazing work hand in hand with the traditional features, thus allowing for a pleasing integration of the contemporary and the traditional.
- The Inspector's comments above are accordingly addressed.

### 18. The Existing (Previously Demolished) Extension As a Material Consideration

- Prior to the erection of the unauthorised ground floor extension, there was an existing ground floor rear extension in place which was demolished in connection with the unauthorised works.
- The steps required by the enforcement notice included the reinstatement of the demolished extension.



- In upholding the enforcement notice, the Inspector considered the requirement for reinstatement of the extension at para. 72 of the DL. In so doing, the Inspector determined that no variation to the enforcement notice omitting this requirement was necessary.
- The result is that the applicant remains free to reinstate the existing ground floor rear extension and the extension must accordingly form a material consideration in the determination of the present application.

### **Comparison of the Existing Ground Floor Extension with that of the Proposed**

- Plan views of the existing (previously demolished) ground floor rear extension is illustrated on drawing refs: 'LG-A-EX1-FP002-A' and 'LG-A-EX1-FP001-A'. Elevations are also illustrated on other 'As Existing' drawings.
- The existing extension projected approx. 10.2m from the host property into the rear garden. In comparison, the extension now proposed will project 10m, thus matching the projection of the existing.
- The existing extension was 4.9m in width at its widest point. The now proposed extension represents a conservative increase in width of only 1.1m to a total width of 6m at its widest point.
- The existing extension stood at 3.8m at its highest point, only dropping to 2.5m after a projection of 4m from the host property. This means that the 4m height continued to project and overlook the rear garden of no.47 for a distance of 1.7m prior to dropping to the 2.5m height. The now proposed extension addresses this matter by commencing at 3.7m high at its highest point. However, the 3.7m height drops to 3m after only a 2.7m projection. The extension deliberately reduces in height at that point because it is at 2.7m from the host building that the flank wall of no.47 stops and the rear garden at no.47 begins.
- The existing extension was white in colour over the whole of its external surface. Clearly there is some considerable contrast between a plain white external surface and that of the external surface of the host building. The council has previously expressed some discomfort with this contrast and the now proposed extension responds to that concern by allowing for and exposed brick external surface to match that of the host building.
- Thus, in conclusion; the applicant submits that any increase in size and scale of the now proposed ground floor extension and that of the existing is both measured and conservative in nature. It appears clear that by the applicant's careful consideration of both neighbouring amenities and design, the now proposed extension represents negligible impact over and above that of the existing extension and in a number of aspects, the now proposed extension provides more positive results over and above that of the existing ground floor rear extension.

## **Policy Context**

### **19. Camden Development Policies 2010 – 2025**

#### **Policy DP24 – Securing High Quality Design**

The policy requires that extensions to existing buildings should be of the highest standard of design.

##### **Compliance**

- The ground floor extension only marginally exceeds the mass and scale of the previously removed ground floor rear extension and accordingly remains subordinate to the host building. The materials match that of the host building and the rolled lead roof surface is reminiscent of the era of the host building.

The development therefore complements the building by way of character, context, form and scale. The extension respects the character and proportions of the existing building and the combination of glazed areas with brick imprint detailing on the external walls forms a visually interesting form of development.

#### **Policy DP25 – Conserving Camden’s Heritage**

The policy that extensions to a listed building should not cause harm to the special interest of the building.

##### **Compliance**

- The application building is not a listed building. It is however located within the Belsize conservation area and it is mentioned within the conservation area guide as being within a group of buildings of interest.
- The reference within the conservation area statement is to the front façade of the buildings. The proposed extension is located at the less visible rear of the building and will not therefore be visible from the public realm.
- In terms of scale and massing, the proposed extension remains subordinate to the host building thus preserving visual amenity in respect of the characterful features at the rear. Pivotaly, the proposals include for the reinstatement and restoration of the previously removed bay which forms heritage focal point of the rear of the property.

- The use of materials including matching brickwork and large areas of glazing to ameliorate visual impact, allows the proposed extension to integrate sympathetically with the host building and provide a visually pleasing interaction of contemporary and traditional materials.

#### **Policy DP27 – Basements and Lightwells**

The policy requires that for all basement developments must be supported by an assessment on the scheme's impact on drainage, flooding, groundwater conditions and structural stability.

#### **Compliance**

- The applicant has provided a full hydrogeological report, compiled by fully qualified and established Geo-Environmental Consultants to support the application. The detailed report concludes that ***'the new basement construction is highly unlikely to cause adverse changes to the local hydrogeology'***, and that ***'the basement construction has not caused any significant adverse movements of party wall foundations'***.

#### **Bellsize Conservation Area Statement**

- The BCAS addresses rear elevation extensions at clauses BE21 – BE25. The general requirements are extensions should not disturb the harmony of a group of properties. Extensions should not disturb the architectural integrity of the host building or conservation area and should be in harmony with the host building.

#### **Compliance**

- The group of properties within which the application site sits do not have a uniform or distinctive character. The extension would accordingly have no impact in that respect. As discussed above the extension integrates well with and compliments the host property.

#### **Other Policy Considerations**

- The applicant submits that the present application accords with the policies and requirements of the London Plan 2015 and the NPPF both of which encourage development for improvement and residential use.

END