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| Delegated Report | | Analysis sheet | | Expiry Date: | 19/06/2014 |
| | | N/A / attached | | Consultation Expiry Date: | 22/05/2014 |
| Officer | | | Application Number(s) | | |
| Olivier Nelson | | | 2014/1956/P | | |
| Application Address | | | Drawing Numbers | | |
| April House 45 Maresfield Gardens London NW3 5TE | | | See decision notice | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | |
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| Proposal(s) | | | | | |
| Erection of a side extension at second floor level. | | | | | |
| Recommendation(s): | | Refuse planning permission | | | |
| Application Type: | | Full Planning Permission | | | |

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|---|--|----|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 32 | No. of responses | 06 | No. of objections | 06 |
| | | | No. electronic | 00 | | |
| Summary of consultation responses: | Site Notice: 01/05/2014 – 22/05/2014. Press Notice: 01/05/2014 – 22/05/2014. Six neighbouring responses were received commenting as follows: <ul style="list-style-type: none">• The window to the rear (west) elevation is directly overlooking our property and terrace.• The proposed new extension at second floor level would block daylight to the existing staircase window at second floor.• Staircase forms an important part of circulation for the building and it is used by most residents.• Windows provide much needed light to the hall way.• On the front elevation a new terrace is being created. Use of this terrace would generate noise which will have a considerable effect on our residents.• One of the main reasons for the rebuilding of April House was to make the building more aesthetically pleasing and in keeping with its Victorian neighbours. The more changes being made will lead to a building of very little architectural quality. | | | | | |
| Fitzjohn Netherall CAAC/The Heath & Hampstead Society | Fitzjohn Netherall CAAC: We consider this application should be re-submitted with a full description of all elements proposed. Also the ground floor landscaping proposals should be clarified (removal of an existing hedge). The Heath & Hampstead Society : <ul style="list-style-type: none">• We oppose the proposal to alter and extend this locally listed building.• The application refers to a side extension only, In fact there is also a rear extension, replacing an existing conservatory.• The existing house, dating from 1880, is somewhat different in character to most of the Arts and Crafts period houses in this part of the Conservation Area, being eccentric in form and detail.• The proposal would damage this and create a bland and characterless building.• The applicant’s information within their Design and Access statement is incorrect as the materials would change. | | | | | |

Site Description

The site is occupied by a 3 storey building (plus lower ground and roof levels known as April House, being flats A and B, part of 45 Maresfield Gardens, which was originally a very substantial house. Flat B is the upper floor flat in which this application relates to. The application site is located on the western side of Maresfield Gardens. The property is within the Fitzjohns/Netherall Conservation Area and is considered to make a positive contribution. The building is located slightly upslope from No. 43 Maresfield Gardens.

Relevant History

Application property

2013/1071/P - Conversion of two existing flats into one single family dwelling (Class C3) and associated alterations – **Granted 22/07/2013**

2013/6291/P - Replacement of windows with sliding doors and associated Juliet balcony to rear elevation and installation of two rooflights to existing flat (Class C3) - **Granted 14/11/2013**

2014/1394/P - Alterations to replace windows and doors on front elevation at ground floor level with 2 windows and 3 doors, including installation of glazed canopy over entrance - **Granted 05/06/2014**

Property at 45A Maresfield Gardens

2014/1956/P- Erection of a side extension at second floor level. Pending determination with recommendation for refusal.

2014/5724/P- Extension of existing basement level (retrospective).Withdrawn.

2014/5725/P- Extension of existing basement level (retrospective). Granted 12/06/2015

(ENFORCEMENT) EN14/0713 – Excavation of basement and the approved scheme 2013/1071/P has not been implemented. As a result the current application was submitted (2014/5725/P) in order to firstly regularise the first floor side extension in line with the previous approval in 2013, and then to amend the as built extension, which differed from both the original side extension which it replaced and the as approved design from 2013.

Relevant policies

National Planning Policy Framework 2012

London Plan 2015, consolidated with alterations since 2011

Camden LDF Core Strategy 2010

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

Camden Development Policies 2010

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance (updated 2013)

CPG1 Design

CPG6 Amenity

Fitzjohns and Netherall Conservation Area Statement

Assessment

1. Detailed description of proposed development

- 1.1 The application proposes a side extension at second floor level which would be positioned over the existing side extension at first floor level. The extension would be constructed of brick. There would be windows on the front and rear elevation. The extension would be finished with a hipped roof.
- 1.2 Fitzjohn and Netherall Conservation Area appraisal and management plan notes that side extensions may be acceptable providing they do not upset the character and relationship between the properties:
- 1.3 Generally side extensions at first floor level or above are not considered to be acceptable where they upset the character and relationship between the properties. Normally the infilling of gaps will be resisted where an important gap is compromised or the symmetry of the composition of a building would be impaired. Where side extensions would not result in the loss of an important gap they should be single storey and set back from the front building line. In this instance the applicant has a first floor side extension.

2. Design

- 2.1 The building is noted as being a positive contributor within the conservation area and proposals to extend or alter the property must preserve and enhance the established character and appearance.
- 2.2 Planning permission is sought to erect a side extension at second floor level which would be above the existing first floor side extension. The extension would see a change to the existing first floor side extension and would see the extension finished with a hipped roof.
- 2.3 The position of this extension would be an in principle objection. The position of the extension would see a loss of the visual gap which exists above first floor level. The proposal would infill the gap between 43 and 45 at a higher level which would make it visually obtrusive. The proposed side extension would be finished with a roof which finishes higher than the eaves at the neighbour. The building is a positive contributor within the conservation area and such an extension would impact on the appearance of the property.
- 2.4 Policy F/N24 of the Fitzjohns/Netherall Conservation Area statement states that side extensions would only be acceptable where they do not upset the character and relationship between the properties. The statement goes on to say that the infilling of gaps would be resisted where an important gap is compromised or the symmetry of the composition of a building would be impaired. There was already a side extension and the proposal would not be in line with the Conservation Area management strategy with the additional height and the loss of symmetry to the building. The proposal would fail to preserve or enhance the character and appearance of the Fitzjohn/Netherall Conservation Area.
- 2.5 The position of the side extension at second floor level would see the loss of the visual gap. The Conservation Area Statement does discuss that extensions such as this can alter the balance and harmony of a group of properties. There have been additions within the Conservation Area which have harmed the character. Policy F/N24 states that the Conservation Area, the infilling of gaps will be refused where an important gap is compromised or the symmetry of the composition of a building would be impaired. The policy goes on to say "...where side extensions would not result in the loss of an important gap they should be single storey and set back from the front building line." In this case the visual gap has already been lost as a side extension has existed at ground and first floor levels. This level of development is

already considered to be over what would be in line with the Conservation Statement. An extension at second floor level would fail to preserve the character and appearance of the Fitzjohn/Netherall Conservation Area.

2.6 For the reasons listed above the proposed development is not considered to be consistent with LDF policies CS14, DP24 & DP25 of the London Borough of Camden's Local Development Framework as well as Camden Planning Guidance on Design.

3. Residential amenity

3.1 It is not considered that the proposed side extension would lead to overlooking; the proposed windows would face on to the front and rear garden. No windows have been placed on the side elevations and this would help to reduce overlooking opportunities. There may be privacy issues as the ownership of the front garden differs to the ownership of the upper floors. Although the front garden is readily visible from street level so it is not considered in this instance to be a loss of privacy.

4. Other issues

4.1 The submission includes incorrect plans which do not accurately depict what existed on site at the time of the application. At the time of submission the first floor side extension had been knocked down and work had begun on the application (2013/1071/P) which was approved. This was a separate application which relate to the two flats being separate units. This application is solely for the upper floor flat, so as such the two cannot be married together unless work has been completed on the site.

5. Recommendation: Refuse Planning Permission