

Delegated Report (Members' Briefing)		Expiry Date:	27/07/2015	Officer:	David Peres Da Costa
Application Address		Application Number(s)	1st Signature	2nd Signature	
Flat 1 89 Priory Road London NW6 3NL		2015/3100/P			
Proposal(s)					
Single storey rear extension to existing flat with enlarged window to rear elevation.					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Full planning permission			
Consultations	Date advertised	21 days elapsed		Date posted	21 days elapsed
Press notice	16/7/15	6/8/15	Site notice	10/7/15	31/7/15
	Date sent	21 days elapsed	# Notified	# Responses	# Objections
Adjoining Occupier letters	8/7/15	29/7/15	36		5
Consultation responses (including CAACs):	<p>4 objections were received from other flats within 89 Priory Road and 1 objection from an occupier of 87 Priory road. Their comments have been summarised below.</p> <ul style="list-style-type: none"> The extension is not a single storey, the plans are for a double storey extension. <i>Officer's comment: The proposal has been revised so that the extension would only be single storey and would not include any excavation (Please refer to paragraph 1.4)</i> Do not have permission to build the plans from the Freehold. <i>Officer's comment: The grant of planning permission does not preclude the requirement to obtain other permissions which may be necessary before the development can proceed.</i> Is 7m in size including the fenced terrace which in its present design is as obtrusive as having a solid structure in terms of light and physical obtrusion; damages the appearance of the communal garden <i>Officer's comment: The proposal has been revised during the course of the application to remove the timber fence around the terrace. (Please refer to paragraph 1.4)</i> The excessive height of the extension is disproportionate to existing building; cuts into the horizontal decorative brickwork; considerable obtrusion of light as if a separate dwelling house like structure has been erected on to the existing private garden. We would much rather see a smaller, lower, single storey extension, with materials that are in keeping with and respect the Victorian history of the house. <i>Officer's comment: The revised proposal no longer cuts into the horizontal decorative brickwork. The existing property is a substantial 3 storey building and the height and depth of</i> 				

the extension would be subordinate to the host property. (Please refer to paragraph 2.2)

- We believe a basement impact report should be submitted. Potential damage during construction to adjacent ground floor and basement flat. We are concerned that, in a designated flood area, known for subterranean water activity, no assessment of risks has been carried out on the excavation

Officer's comment: The proposal has been revised and would not include any excavation (Please refer to paragraph 1.4)

- Exceed the horizontal building line considerably; out of keeping with neighbouring extensions; damaging the charming Victorian façade

Officer's comment: A large extension was previously granted planning permission at 93 Priory Road (ref: H5/3/11/16212) and a large conservatory extension was allowed at 97 Priory Road (ref: 9005197). Both these extensions are relatively historic and demonstrate a range of different approaches to rear extensions on Priory Road. (Please refer to paragraph 2.4)

- The extension would require a tree to be felled; the tree could be pruned to prevent spreading of the disease and importantly keep the tree alive.

Officer's comment: The proposal has been revised and the tree would be retained (Please refer to paragraph 1.4 and 2.11)

- The size of the extension overshadows and narrows the rest of the garden. It substantially intrudes into the geography and character of our wonderful communal garden.

Officer's comment: The property has a large garden (approximately 344 sqm and 25.5m in length). The proposed extension would allow the majority of the garden (314sqm) to remain and so would not undermine the garden setting of the property. Please refer to paragraph 2.5)

- A Zinc Roof is not in keeping with a period building, which has a tiled roof. The floor to ceiling aluminum-framed windows is not in keeping with a Victorian building, or any of the neighbouring buildings facades.

Officer's comment: The zinc roof has been omitted. The materials would provide an acceptable contrast with the existing period property. (Please refer to paragraph 2.2)

- Loss of outlook to neighbouring flats. Loss of light to ground floor flat (flat 2), which receives the majority its natural light via the garden exposure. The height of the extension would be level with the windowsills in our flat obscuring our view of the communal garden. Direct sight line from Flat 3 into the extension by way of the proposed skylight; loss of privacy

Officer's comment: The proposal has been revised to reduce the height of the extension and to omit the rooflight. Please refer to paragraph 2.6-2.9 which addresses amenity.

- If this project is approved there is a risk the building insurance will no longer be valid.

Officer's comment: This is not a relevant planning consideration.

- Removal of tree and excavation would affect the building's stability and increase the risk of flooding; removal of the tree would risk heave to our house (which has experienced movement in the past)

Officer's comment: The proposal has been revised and the tree would be retained (Please refer to paragraph 1.4 and 2.11)

- Concern that works may affect 91 Priory Road; I would like to appoint an independent surveyor to assess potential impact. The cost should be borne by the party initiating the project.

	<p><i>Officer's comment: The proposal has been revised and would not include any excavation (Please refer to paragraph 1.4). Party wall matters fall outside the scope of planning.</i></p> <ul style="list-style-type: none"> This is a conservation area and nothing in the architect's drawings seems to have taken this important fact into account <p><i>Officer's comment: The rear extension would not be visible from the public realm. The proposal extension would have an acceptable relationship with the host property and would preserve the character and appearance of the conservation area. (Please refer to paragraph 2.2-2.3)</i></p> <ul style="list-style-type: none"> The extension is unattractive and will no doubt impact negatively on the value of the rest of the flats in the building. <p><i>Officer's comment: The impact on property prices is not a relevant planning consideration.</i></p> <ul style="list-style-type: none"> The excavation does not seem reasonable considering the noise and structural risks involved <p><i>Officer's comment: The proposal has been revised and would not include any excavation (Please refer to paragraph 1.4).</i></p> <p>Letters were sent to 36 adjoining occupiers 21/8/15 to re-consult on the application following the submission of revised drawings (the revision followed liaison between the applicant and fellow leaseholders within the property). Three further objections were received which raised the following issues:</p> <ul style="list-style-type: none"> The extension is too long it will still block our light if built. We believe it doesn't adhere to the 45 degree rule. <p><i>Officer's comment: Please refer to paragraph 2.8.</i></p> <ul style="list-style-type: none"> Its size is also out of balance with the aesthetic of the rear of this Victorian house. This is a Conservation Area and the design of this extension does not take into account this very important fact. The detailed design is not sympathetic to the period property. <p>There is still a considerable amount of glass being used at the rear of the extension.</p> <p><i>Officer's comment: Please refer to paragraph 2.2-2.3</i></p> <ul style="list-style-type: none"> The provision of a bedroom will affect our enjoyment of the communal garden. <p><i>Officer's comment: The use of the room as a bedroom would not have any impact on the use of the garden as an amenity space by residents of neighbouring flats in this property.</i></p> <ul style="list-style-type: none"> Damage the appearance and character of the rear garden. Loss of willow tree. <p><i>Officer's comment: The proposal has been revised and the tree would be retained (Please refer to paragraph 1.4 and 2.11). The proposed extension would allow the majority of the garden (314sqm) to remain and so would not undermine the garden setting of the property. (Please refer to paragraph 2.5)</i></p>
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Site Description

The site is a 3 storey detached building on the west side of Priory Road. The site falls within the South Hampstead Conservation Area. The property has been sub-divided into flats and the application relates to one of the ground floor flats.

Relevant History

5633/27150: Convert into three self- contained flats the premises known as No. 89, Priory Road, Hampstead. Granted 28/09/1936

TP5633/53948: The erection of an addition at 89, Priory Road, Hampstead. Granted 8/7/37

2014/7707/P: Installation of 2 x conservation rooflights to single storey side elevation. Granted 11/02/2015

Relevant policies

NPPF 2012

The London Plan March 2015, consolidated with alterations since 2011

LDF Core Strategy and Development Policies

CS1 (Distribution of Growth)

CS5 (Managing the Impact of Growth and Development)

CS14 (Promoting High Quality Places and Conserving Our Heritage)

DP24 (Securing High Quality Design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the Impact of Development on Occupiers and Neighbours)

DP27 (Basements and lightwells)

Camden Planning Guidance

Assessment

1. Proposal:

- 1.1. Permission is sought for a rear extension to the ground floor flat. A window on the rear elevation would be widened by 0.4m.
- 1.2. The existing property has a stepped rear elevation. The extension would measure 5.5m from the rear elevation adjacent to 87 Priory Road and 4.3m from the elevation adjacent to the neighbouring ground floor flat. The extension would be 5.6m wide. The extension would have flat membrane roof (3 degree incline) with parapet and would have a height of 3.75m from ground level. The extension would have a brick construction with aluminium framed glazing with door and folding sliding door. The extension would provide a bedroom and en-suite bathroom at lower ground floor level. The extension would have 2 timber framed windows with opaque glass in the side elevation (facing towards 87 Priory Road).

1.3. Revision:

- 1.4. The proposal has been substantially revised following liaison between the applicant and adjoining occupiers. The extension would now be single storey and would not include any excavation or removal of brick wall with decorative brick banding. The tree would now be retained. The rooflight has been omitted as has the timber boundary fence. The erection of a fence that is not more than 2m in height from ground level would be permitted development by virtue of Class A of Part 2 of The Town and Country Planning (General Permitted Development) Order 2015 and so the subdivision of the garden does not require express consent.

2. Assessment:

2.1. Design

- 2.2. The property is in the South Hampstead conservation area. Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The aluminium framed glazing would provide an acceptable contrast with the existing period property. A substantial brick surround would provide an appropriate solid to void ratio. The extension would measure 5.5m from the rear elevation adjacent to 87 Priory Road and 4.3m from the elevation adjacent to the neighbouring ground floor flat. The extension would have a flat roof with parapet and would be 3.75m high. The existing property is a substantial 3 storey building and the height and depth of the extension would be subordinate to the host property.
- 2.3. The rear extension would not be visible from the public realm. The proposal extension would maintain existing architectural features such as the brick banding on the existing rear elevation. Overall it would have an acceptable relationship with the host property. Given this context, the proposed development would preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act) 1990.
- 2.4. A large extension was previously granted planning permission at 93 Priory Road (ref: H5/3/11/16212) and a large conservatory extension was allowed at 97 Priory Road (ref:

9005197). Both these extensions are relatively historic and demonstrate a range of different approaches to rear extensions on Priory Road.

- 2.5. The property has a large garden (approximately 344 sqm and 25.5m in length). The proposed extension would allow the majority of the garden (314sqm) to remain and so would not undermine the garden setting of the property.
- 2.6. Amenity
- 2.7. The neighbouring ground floor flat has French doors (with glazed window above) approximately 1.6m from the proposed extension. The French doors serve a dining room which kitchen beyond.
- 2.8. The BRE guidelines set out a 45 degree rule to establish the impact on daylight of an extension on neighbouring windows. For the neighbouring French doors, a point 1.6m above the ground on the centre line of the window would be below the 45 degree line and so the impact of the extension is likely to be small. It is also noted that the kitchen dining room is also lit by rooflights (planning ref: 2014/7707/P) and two small side windows. Although there would be some effect on the outlook from this flat, the garden outlook would be retained.
- 2.9. The property to the south (87 Priory Road) has a bay window at ground floor level. The bay window has a central sash window with windows on either side of the bay. Although there would be some reduction in light to the side bay window closest to 89 Priory Road, the impact on this room would be small as there are other unaffected windows within the bay. The two proposed windows which would face towards 87 Priory Road would be obscure glazed so they would be no loss of privacy to the occupiers of this property. A condition would be included to ensure they would be permanently fixed shut and obscure glazed.
- 2.10. Tree
- 2.11. There is a weeping willow tree approximately 9m from the rear elevation of the host property. The applicant has confirmed that, following revisions to the scheme, this tree would be retained.

Recommendation: Grant planning permission