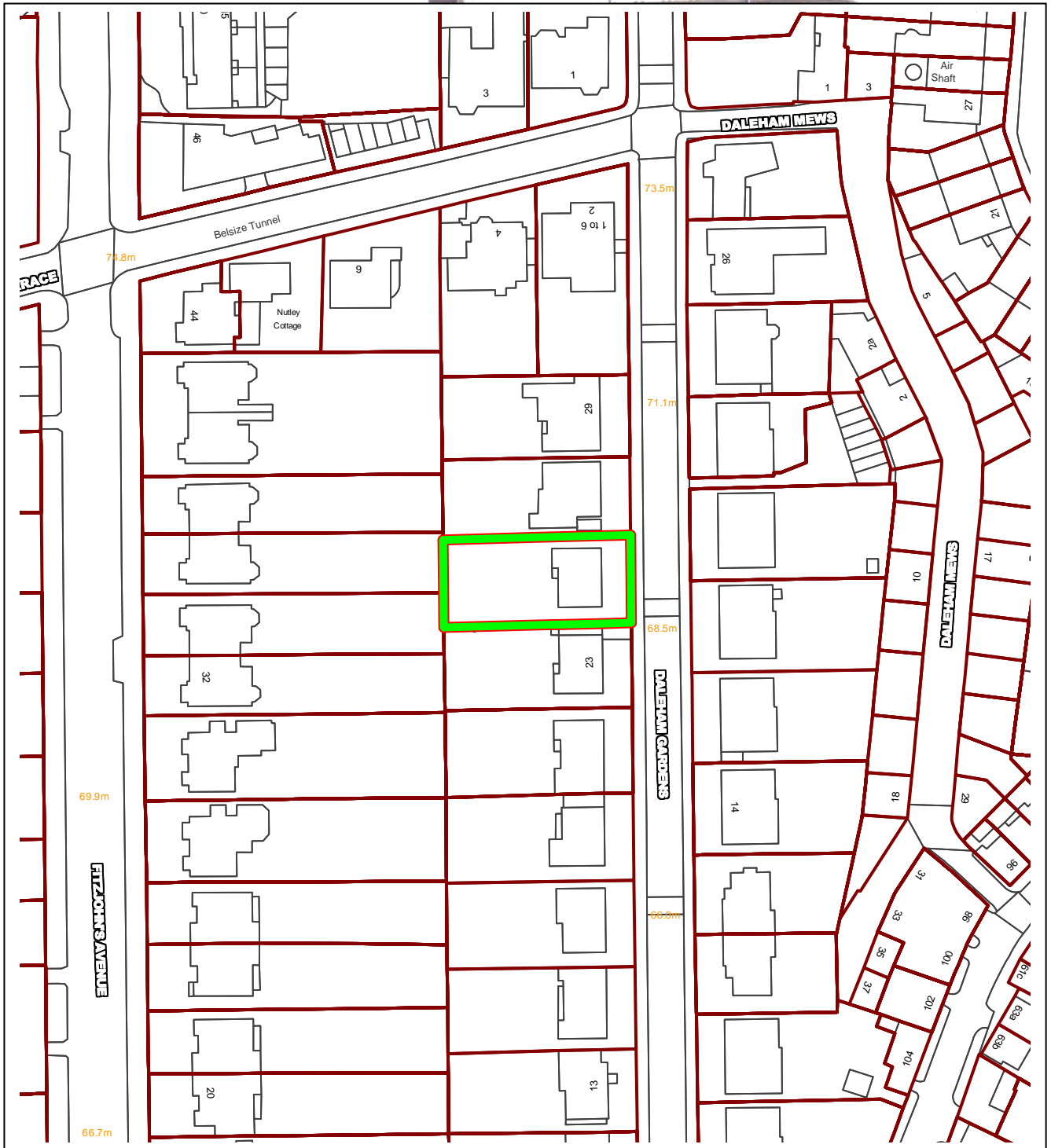


Flat 1, 25 Daleham Gardens, NW3 5BY



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Photo 1- Rear elevation of subject site



Photo 2- Rear elevation of subject site



Photo 3- Retaining wall to be pushed back to match line of wall section on right hand side

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	21/10/2015
		N/A	Consultation Expiry Date:	15/10/2015
Officer			Application Number(s)	
Tessa Craig			2015/4914/P	
Application Address			Drawing Numbers	
Flat 1, 25 Daleham Gardens London NW3 5BY			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of single storey lower ground floor extension. Reinstatement of terrace railing to Flat 2 upper ground floor. Realignment of garden retaining wall to allow for new garden patio.				
Recommendation(s):	Grant Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	32	No. of responses	04	No. of objections	04
Summary of consultation responses:	<p>No. electronic 00</p> <p>Flat 3, 25 Daleham Gardens- object to the proposal stating they have not been informed about the size of the extension, have not been able to hire an consultant for advice on structural consequences of extension, the applicant has not sought the other building owners approval and that the extension would take away some of the communal garden area.</p> <p>Flat 4, 25 Daleham Gardens- make similar comments to Flat 3 and also object to the extension due to the impact on the original character of the building, that the extension is not in keeping with the appearance and architecture of the neighbouring residences or this part of Hampstead, that the privacy of the shared garden would be affected and that the extension cannot occur without agreement from the other freeholders.</p> <p>Flat 2, 25 Daleham Gardens- object to the proposal and concerned about impact of extension on structure of the building and how the balcony would be affected.</p> <p>The Council is not party to agreements between freeholders and leaseholders for proposed works, this is a matter to be dealt with independently of the planning process. It is noted the applicant served notice on the other flats within the building on the 26 of August 2015 and completed certificate B in the application form declaring this.</p> <p>The proposed plans have been available to view online throughout the consultation process.</p> <p>The applicant has submitted the title deeds to show the extension would only be built on private garden which belongs to the ground floor flat.</p> <p>Whilst the extension has a modern appearance, it is considered this would be acceptable in this case as it would illustrate the new addition and furthermore have a lightweight appearance. Given the extension is at the rear, it would not impact on the character of the streetscene.</p> <p>Whilst the extension shall extend into the patio of the subject flat, given there is already rear glazed doors and windows, it is not considered the development would cause loss of privacy beyond the existing situation.</p> <p>The rear balcony is proposed to be replaced with a balcony to match the existing. If any party walls or structural walls are affected by the works, the applicant will need to make arrangements with the other freeholders and leaseholders of the building. The Council is not party to these agreements and it is not considered material ground for refusal of the application.</p>					

**CAAC/Local groups*
comments:**
*Please Specify

The Heath & Hampstead Society - could not access the drawings and recommended refusal on this basis. The drawings were subsequently emailed to the Society but no further comment has been received.

Site Description

The subject site is located on the west side of Daleham Gardens and is a large detached brick building that is subdivided into four flats. The subject flat is the garden flat at lower ground level. The property is within the Fitzjohns and Netherhall Conservation Area and is listed as a positive contributor to the conservation area but is not a listed building. The ground floor flat above the garden flat includes an existing rear balcony.

Relevant History

No relevant site history.

Relevant policies

National Planning Policy Framework 2012

The London Plan 2015 consolidated with amendments since 2011

LDF Core Strategy and Development Policies 2010

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)

Camden Planning Guidance 2015 and 2013

CPG1 (Design)

CPG6 (Amenity)

Fitzjohns and Netherhall Conservation Area Statement 2001

Assessment

1.0 Proposal

- 1.1 Planning permission is sought for a part-width, single storey rear extension. The extension would be 5.3m at the deepest point and 6.6m wide with a height of 3.2m and a replacement balcony at first floor.
- 1.2 The extension would be a mostly glazed construction with three frameless glass panels in the rear elevation and on the south facing side elevation and on the north

2.0 Assessment

- 2.1 The main planning issues to be considered are the impact of the proposal in terms of design and conservation and the impact of the proposal on the amenity of neighbours.

2.2 Design

- 2.3 The Council's design policies seek to achieve the highest standard of design in all developments. Policy DP24 states that development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

- 2.4 CPG1 design guidance recommends alterations take into account the character and design of the property and surroundings, windows, doors and materials should complement the existing building, and rear extensions should be secondary to the main building.

- 2.5 The Fitzjohns and Netherhall conservation area statement advises some rear extensions whilst not widely visible in public views can adversely affect the architectural integrity of the building to which they are attached to the detriment of the character of the conservation area.

- 2.6 An adequate amount of garden space would be retained and the extension is considered acceptable in terms of scale in relation to the main building.. It is considered that the use of lightweight glazing with a more modern appearance will complement the traditional features of the property and the extension would be read as a lightweight addition. The replacement balcony balustrade for the upper floor flat is to match the existing balustrade and is therefore acceptable in design terms.

- 2.7 The rear extension is not visible from the public realm or the streetscene and therefore is not considered to have a significant impact on the conservation area. The garden retaining wall which runs parallel to the northern property boundary currently steps in 1m in the rear garden. It is proposed this will be straightened out to exclude the step and to widen access stairs to the rest of the garden which is at a higher level than the rear patio. These works are considered relatively minor and to be acceptable in this case.

2.8 Amenity

- 2.9 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be "designed to protect the privacy of both new and existing dwellings to a reasonable degree" and that the Council will "aim to minimise the impact of

the loss of daylight caused by a development on the amenity of existing occupiers.”

2.10 CPG6 Amenity states: “Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The most sensitive areas to overlooking are:

- Living rooms;
- Bedrooms;
- Kitchens; and
- The part of a garden nearest to the house.”

2.11 The proposed extension is not considered to raise any amenity issues in terms of privacy or overlooking. There will be glazing in the rear elevation facing toward the garden and glazing on the north facing elevation which faces toward a high blank brick wall of the neighbouring property.

2.12 The additional depth of the extension is considered acceptable in terms of daylight and outlook for neighbouring properties. The extension is set in 9m from the southern property boundary and 1m from the north. The ground level of the subject site is much lower than the property at 27 Daleham Gardens (to the north). The property to the north has a high windowless brick flank wall facing toward the subject site and therefore no loss of light to the site would occur.

3.0 Recommendation

3.1 The proposed rear extension is considered acceptable in terms of design, impact on the conservation area and impact on amenity. The development is deemed consistent with the objectives and policies identified above. It is recommended planning permission be granted.

DISCLAIMER

Decision route to be decided by nominated members on Monday 26th October 2015. For further information, please go to www.camden.gov.uk and search for ‘Members Briefing’.

Mr Paul Chrysaphiades
Domus Architects & Project Managers
Ltd
Rowlandson House
289-297 Ballards Lane
London
N12 8NP
United Kingdom

Application Ref: **2015/4914/P**
Please ask for: **Tessa Craig**
Telephone: 020 7974 **6750**

16 October 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Flat 1
25 Daleham Gardens
London
NW3 5BY

DECISION

Proposal:
Erection of single storey lower ground floor extension. Reinstatement of terrace railing to Flat 2 upper ground floor. Realignment of garden retaining wall to allow for new garden patio.

Drawing Nos: Heritage Statement Design & Access Statement, PA_001, PA_002, PA_003, PA_004, PA_005, PA_006, PA_007, PA_008, PA_009, PA_010 and PA_011.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.



Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Heritage Statement Design & Access Statement, PA_001, PA_002, PA_003, PA_004, PA_005, PA_006, PA_007, PA_008, PA_009, PA_010 and PA_011.

Reason:

For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

DRAFT

DECISION