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66 Solent Road
Design & Access Statement
March 2017

Cousins & Cousins

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Aerial view

1.0 Introduction

Cousins & Cousins Architects and Montagu Evans have been instructed by the property owners to prepare a planning application for the extension of their terraced house at 66 Solent Road, NW6 1TX.

This application follows the grant of planning permission under application reference 2016/6108/P for:

"The erection of single storey side infill extension at ground floor level to the side of the existing dwelling house (Class C3)."

That planning permission granted allowed the reconfiguration of the existing rear extension of the property and a side infill erected between No.66 and the boundary with No.64 Solent Road.

That planning application was amended by the applicant during the course of determination to create a set back of the side extension from the rear elevation by 3 metres from that originally proposed. The original proposal was for the side infill to extend to the rear building line.

The planning officer set out her concerns in an email 13th December 2016 (08:53am) explaining:

"The scale and depth of the ground floor side extension is not considered to be acceptable. The side extension, both in terms of depth and height would be required to be reduced to comply with CPG1."

The planning officer explained further in an email dated 12th January 2017 (09:10am):

"That an extension of 9 metres (from the façade of the living room) on the boundary is contrary to policy and not considered to be acceptable."

As a consequence of this feedback, the application was amended to set back the rear elevation of the infill extension by 3 metres (thus extending 6 metres from the rear facade of the existing living room), and planning permission was granted.

This application has been submitted with the extension at the desired set back from the rear elevation, in the position originally proposed in 2016/6108/P.

1.0 Introduction *continued*

This application material demonstrates that there is no conflict with CPG1, no adverse impacts arising from the development in terms of neighbour amenity and that the application proposals are subordinate to the host property. This application also demonstrates that development that could be achieved under permitted development rights is also a material consideration in the determination of this application, with respect to the effect of the development on the boundary.

This Design and Access Statement is to be read in conjunction with the following drawings:

Existing and Proposed Drawings *by Cousins and Cousins*

- 16010_P-000 Site Location Plan
- 16010_P-010 Site Plan

- 16010_P-101 Existing & Proposed Ground Floor Plan
- 16010_P-102 Existing & Proposed First Floor Plan


- 16010_P-200 Existing & Proposed Section AA
- 16010_P-202 Existing & Proposed Section CC

- 16010_P-301 Existing & Proposed Side Elevation
- 16010_P-302 Existing & Proposed Rear Elevation

- 16010_P-400 Existing Southern Party Fence



Site plan - 1:1250 @ A3

Site boundary 

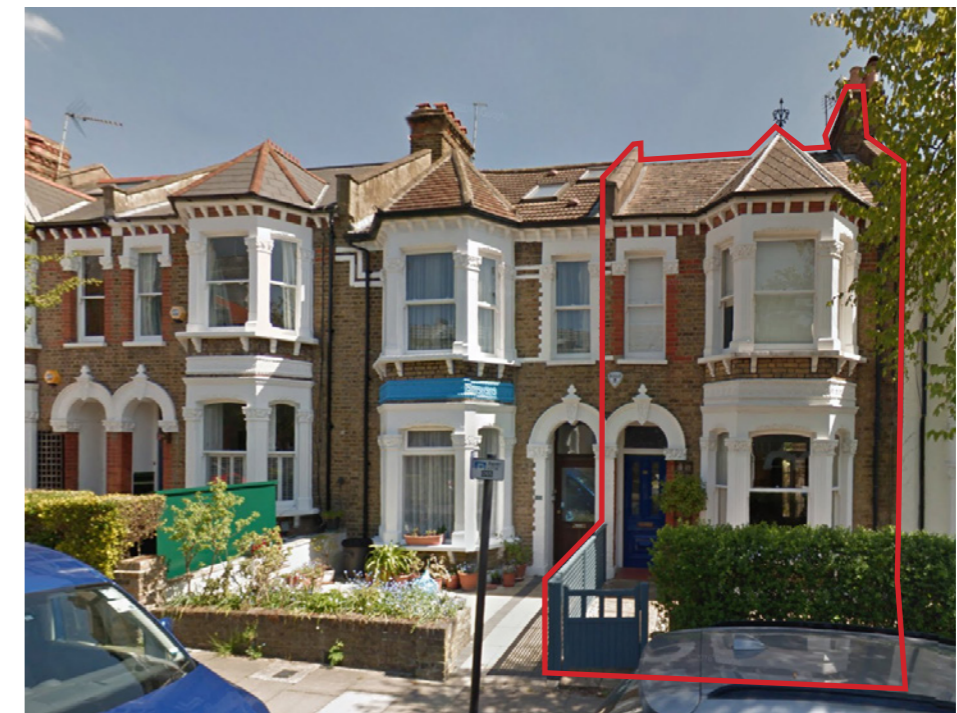


2.0 Site Description & Context

The property is located in Solent Road on the west side of West End Lane. The road was constructed in the 1870s and the houses in this area were all built between 1882 and 1894.

66 Solent Road is a two storey mid-terraced late Victorian property with an ornately decorated front façade. The road consists of predominantly residential properties but the space previously occupied by 9-17 Solent Road bombed during the Second World War, was replaced by an open space and clinic, which are now key amenities of the area.

Most of the houses have been altered or extended at some point with rear extensions and loft conversions, as can be said for 66 Solent Road which has a rear ground floor extension with accessible terrace at ground floor and a small first floor ensuite in between the two front rooms.



Solent Road Streetscape

Site boundary

2.0 Site Description & Context *continued*

The relationship of the application site to the adjoining property at No.64 is relevant to the assessment of this application. The boundary wall between the two properties is at a height of 1,975mm from the ground level on the side of No.66 to the top of the boundary wall. The wall is formed by solid brick topped with a wooden trellis. Immediately abutting the boundary wall on the neighbour side at No.64 is a porch enclosure which is 3,098mm above the ground level measured from the side of 66 Solent Road.

The side elevation of No.64 is separated from the boundary wall of No.66 by a distance of some 1350 mm.

On the façade at No.64 facing that boundary wall, there are two windows and a door looking into No.64’s conservatory structure, all with obscure glass panes. Therefore they do not have any immediate outlook of No.66. These windows are illustrated on photo 1 & 2. It should be noted that the application proposals now in front of the council will not have any additional effect on these windows, as permission reference 2016/6108/P can be built abutting the boundary opposite these windows. As there is no greater material effect on the windows, they are not a consideration in the determination of this application.

At the eastern end of No.64 (i.e. at the end of the property where the additional extension at No.66 is proposed above and beyond what has already been permitted), there are no windows facing No.66. No.64 is a blank façade, with egress from the property achieved via the rear elevation. This is illustrated on Photo 3. Photographs 4-6 on the following page illustrates the general relationship between No.64 and No.66.



Photo 1 & 2 – Ground Floor Side Elevation No. 64 Solent Road showing existing obscure glazing



Photo 3 – Rear Elevation of No.64 (to left hand side of photo)

2.0 Site Description & Context *continued*



Photo 4



Photo 5



Photo 6

3.0 Design Statement

3.1 Proposal Overview

The existing front elevation is in good condition and it has been proposed to refurbish the existing entrance door and front windows as required.

The property has previously been extended to the rear with accessible terrace above and timber double doors into the garden. The rear garden has recently been updated.

The scheme aims to rejuvenate the property whilst creating a modern living space. To achieve this we are proposing opening up the ground floor level by removing the existing external side wall and extending the boundary across the site. This infill extension will be covered by a full length skylight which will maximise the light into the living space's elongated footprint.

The timber frame double doors in the existing rear extension are proposed to be replaced by a modern glazed elevation that will create a strong connection between the garden and the new open plan living/kitchen.



Views of existing side passway and back extension at 66 Solent Rd, dormer extension at neighbouring property 64 Solent Rd



Existing front elevation



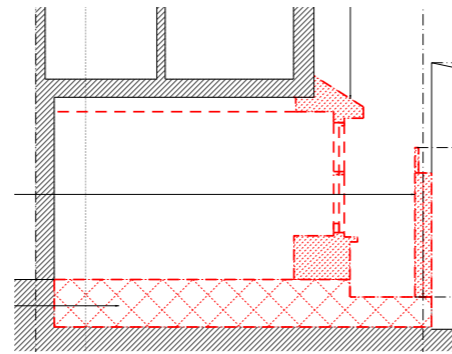
Existing landscaped back garden



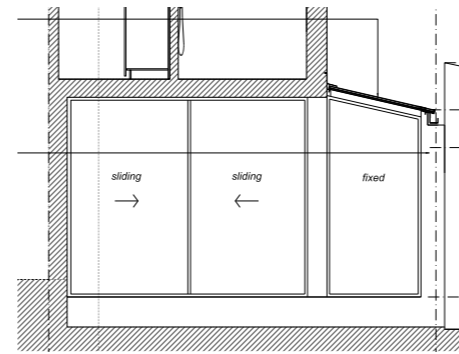
Existing side passageway



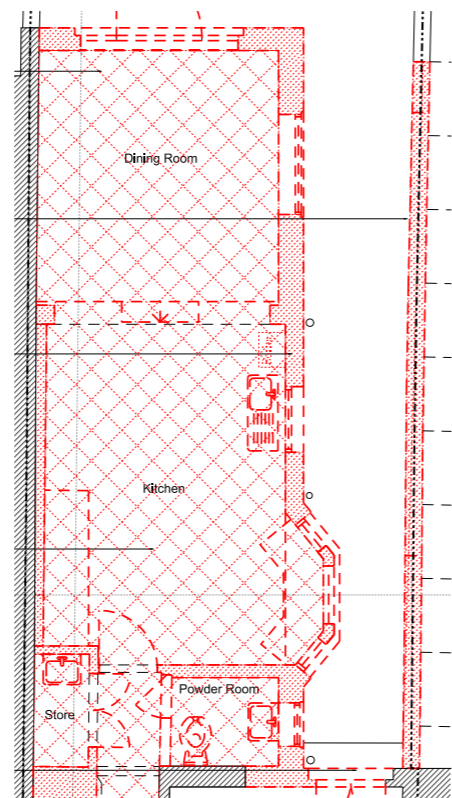
View of existing rear elevation and side passageway



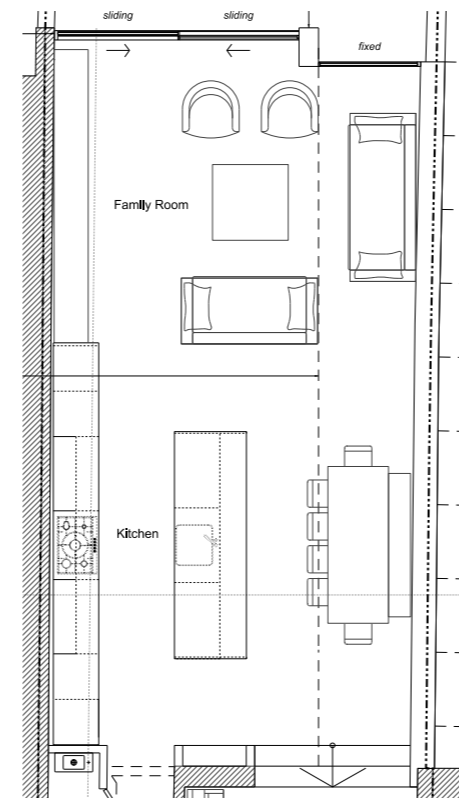
Existing/Demolition ground floor section



Proposed ground floor section with glazed roof side extension



Existing/Demolition ground floor plan



Proposed ground floor plan with side extension

3.0 Design Statement

3.2 Side Extension

One of the main proposals for this scheme is the demolition of the ground floor side wall in order to create and infill extension into the existing side passageway that will significantly improve the size and quality of the living space at ground floor level.

As mentioned, the installation of a full length skylight to this extension will bring light into the heart of the property, adding significantly to its amenity. The inclusion of a new glazing to the rear elevation will dramatically improve the relationship between the living and exterior spaces, as well as refining the overall look of the property from the garden.

Planning permission has already been granted under permission reference 2016/6108/P for a side infill extension extending 6 metres from the rear façade of the living room (setback 3 metres from the rear building line of the house).

The proposals now before the planning authority are for an extension extending 9 metres from the rear elevation of the living room (i.e. an additional 3 metres over what has already been proposed).

Therefore, the determination of this application should turn solely on the difference between what has already been approved under 2016/6108/P, and what is now proposed in this application. This difference is limited to 3 metres of additional depth of extension in the infill area, and it is therefore incumbent upon the decision maker to assess whether this additional area of extension conflicts with planning policy, or is otherwise harmful in terms of amenity or design.

This determination should be made with reference to all relevant material considerations, including in this case the facts that the application site is not in a conservation area and also that there are permitted development rights available to the owners of No.66 to alter and increase the height of the boundary between No.66 and No.64. The relationship of windows in No.64 and the existing conservatory structure at No.64 are also relevant.

The application proposals retain a half metre setback between the end of the infill extension and the rear elevation of the property to ensure that it remains subservient to the host building.

During the determination of application reference 2016/6108/P, emails from the officer referred to Camden's Planning Guidance CPG1 as a reason why the original proposed extent of infill extension (extending 9 metres from the rear façade of the living room) was unacceptable. However, the officers did not provide any further explanation on this point other than stating an alleged conflict with CPG1.

For general reference, core strategy policy CS14 states:

CS14 - Promoting high quality places and conserving our heritage

The Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:

- a) requiring development of the highest standard of design that respects local context and character;*
- b) preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;*
- c) promoting high quality landscaping and works to streets and public spaces;*
- d) seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;*
- e) protecting important views of St Paul's Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views.*

We clarify at this point, that the application proposals are not located within a conservation area nor within the setting of any listed building and therefore there is no affect whatsoever arising from the application proposals in connection with designated heritage assets. Policy CS14 must therefore be read in this context.

Policy DP24 states:

Policy DP24 - Securing high quality design

The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:

4.0 Planning Policy Context

- a) character, setting, context and the form and scale of neighbouring buildings;*
- b) the character and proportions of the existing building, where alterations and extensions are proposed;*
- c) the quality of materials to be used;*
- d) the provision of visually interesting frontages at street level;*
- e) the appropriate location for building services equipment;*
- f) existing natural features, such as topography and trees;*
- g) the provision of appropriate hard and soft landscaping including boundary treatments;*
- h) the provision of appropriate amenity space; and*
- i) accessibility.*

CPG1 is supplementary to Core Strategy policy CS14 (Promoting High Quality Places and Conserving our Heritage), and development policy DP24 (Securing High Quality Design). These are addressed briefly below.

CPG1 does provide guidance on side extensions. 4.16 of CPG1 states that certain building forms may lend themselves as side extensions. It goes on to state that such extensions should be designed in accordance with the general consideration set out in paragraph 4.10 of CPG1. 4.10 states:

- *Rear extensions should be designed to:*
- *be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;*
- *respect and preserve the original design and proportions of the building, including its architectural period and style;*
- *respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;*
- *respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space;*
- *not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;*
- *allow for the retention of a reasonable sized garden; and*
- *retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.*

Paragraph 4.16 goes on to state that in general terms side extensions should be no taller than the porch, and set back from the main building.

4.0 Planning Policy Context *continued*

Paragraph 4.17 of CPG1 refers to side extensions where they could be visible by gaps between the buildings. As this is a terraced property this is not relevant.

Paragraph 4.19 states that:

Conservatories should normally:

- *be located adjacent to the side and rear elevations of the building;*
- *be subordinate to the building being extended in terms of height, mass, bulk, plan form and detailing;*
- *respect and preserve existing architectural features, e.g. brick arches, windows etc;*
- *be located at ground or basement level. Only in exceptional circumstances will conservatories be allowed on upper levels;*
- *not extend the full width of a building. If a conservatory fills a gap beside a solid extension, it must be set back from the building line of the solid extension; and*
- *be of a high quality in both materials and design.*

This is the extent of guidance contained within CPG1, and despite being asked to justify their position on a number of occasions (see emails at **Appendix 1**), officers have not explained which of the relevant points of guidance set out above are not complied with, other than referring to conflict with CPG1 only in a very general sense.

As set out in section 3, the application proposals build on what has already been permitted under permission reference 2016/6108/P. The difference relates only to the additional 3 metres depth of infill extension, and the effect that this has in terms of design and amenity.

Design

It should be noted at this stage that the planning authority has not raised any in principle objections to the materials and general design of the infill extension. The infill extension is a lightweight structure which enables the main masonry elements of the building to still be read by external viewers. The rear elevation of the infill extension is set back a generous half metre from the rear elevation of the property. It will be a single storey, set adjacent to the two storey element of No.66. It will be naturally read as a subservient structure, and does not dominate the appearance of the property whatsoever. In any event, views of the property will be extremely limited. The rear is not visible at all from public views, and will be visible only from very limited private views from the rear of the property, which will be at some distance and will discern only the glazed elevation set back from the rear masonry façade of the building.

We do not identify any conflict with the guidance set out in CPG1, and we identify no conflict with either paragraphs 4.10 or 4.19 of that guidance.

In particular, 4.19 contains criterion that states that “if a conservatory fills a gap besides a solid extension, it must be set back from the building line of the solid extension.”

This is particularly important as it confirms that infill extensions can be provided adjacent to later extensions, providing they are set back from the building line. The proposals comply with this criterion. We do not agree with the officer’s assertion in her email of 13th December that the proposals conflict with Cph1, nor do we agree that there is a conflict with policy as alleged in the officer’s email of 12th January.

Amenity

In terms of amenity, there would be no additional adverse impact on the amenity of No.64 arising from the proposals. In terms of outlook and sense of enclosure, the area between the boundary wall and the main part of No.64 is already enclosed within a conservatory structure, and the additional proposed 3 metres of infill is adjacent to the part of No.64 which does not have any windows overlooking No.66. Any existing windows on that elevation are obscure glazed. These existing windows only overlook the part of No.66 which already has permission to extend. The additional extended area will not further impact these windows.

5.0 Assessment & Proposals

In any event, the effect of the proposals now in front of the planning authority are limited to the extent of the distance between what has already been permitted and the end of the infill extension now proposed. This is a distance of 3 metres, which will extend above the existing trellis wall by 500mm. This equates to an area of 1.5 sq m of wall facing No. 64, facing a part of the property which does not overlook the proposed extension, nor forms useful amenity space, notwithstanding its enclosure within a conservatory structure (this is largely treated as internal space).

Permitted Development Rights as a Material Consideration

It is instructive to examine the General Permitted Development Order to consider what might be capable of construction on the boundary wall. Class A of the order allows boundary walls to be altered, and increased in height to a height of 2 metres where they are not adjacent to a highway. In this case therefore, the trellis from the wall could be removed and replaced in brick to a total height of 2,000mm. A solid brick wall of 2,000mm height should therefore be considered the baseline position for the assessment of the application.

It is also instructive that the general permitted development order allows extensions on boundaries of terraced properties to a height of 3 metres. (Part A, Class A, (h)(i)) It must follow that the order therefore does not consider that extensions on the boundary up to that height are harmful to the amenity of neighbours. Clearly, the proposed extension is considerably lower at the boundary of the property than that height which is a reasonable indicator that there would be no adverse effect on the amenity of the neighbour (notwithstanding the analysis set out above).

Other Examples of Similar Developments

Appendix 2 contains details for planning permission granted in November 2016 under permission reference 2016/5274/P at 47 Solent Road for a similar infill extension. In this case the infill extension while extending to the distance of the building line, is not set back from that rear building line.

Appendix 3 contains details of planning permission granted in August 2015 under reference 2015/3387/P at 51 Sumatra Road for a similar infill extension extending along the boundary with its neighbour past the existing modern extension into the rear garden.

Appendix 4 of this document contains details of planning permission 2015/7536/P at No.72 Solent Road. This again shows a side infill extension adjacent to a later modern addition at the rear, similarly set back from the rear building line as is now proposed at No.66.

5.0 Assessment & Proposals *continued*

It is important to note that all of these planning permissions were granted under the same policy environment as now exists in the determination of the proposals at No.66. There are no substantial material differences between the circumstances at any of the above properties that would result in the decision maker coming to a different view with regards to No.66. It is a generally accepted principle that like circumstances must be determined in a like fashion. The planning authority has so far failed to approach the proposals at No.66 with this principle in mind. There would need to be a very substantial change in planning circumstances under which a decision at No.66 would be inconsistent with those decisions above. Any departure from a previous decision in like circumstances can only be justified where there are clear reasons to do so, having had regard to the merits of consistency.



6.0 Access

Access to the property from the street is maintained as existing.

The application site is located within a highly accessible area within Zone 1 in close proximity to West Hampstead Overground and Underground station and to West Hampstead Thameslink.

The application proposal has no implications on the site's accessibility and doesn't have any effect on parking.

In conclusions:

- Planning permission has already been granted under reference 2016/6108/P for an infill extension extending 6 metres from the rear elevation of the living room.
- This application proposes an additional 3 metres of depth of that side infill extension, still set back 0.5 metres from the rear building line. Therefore, the assessment of this application is limited to the difference between what has already been approved and that now proposed. i.e. the additional 3 metres of depth, which equates to an area of 1.5 sq m additional build form projecting above the existing boundary between No.66 and No.64.
- It should be noted that while the existing boundary is formed of a brick wall and trellis, this boundary could be altered under permitted development rights to construct it fully from brick to the height of 2 metres.

The circumstances of No.64 are also material:

- o The area of garden between the boundary of No.66 and the house has already been enclosed by a conservatory structure (to a height of 3,098 mm);
- o The only windows on that elevation are obscured glaze and directly face only the boundary where the extension has already been permitted;
- o There are no windows overlooking the area where the increased depth of extension is proposed, and therefore there will be no effect whatsoever on the amenity of neighbouring properties;

7.0 Conclusion

- The application proposal is fully compliant with the guidance set out in CPG1;
- The application proposals are of a material and design which are manifestly subservient to the host building, even though the extension will be present in very limited views;
- The proposed extension does not affect the character of any designated heritage assets;
- Numerous examples of similar decisions made in like circumstances elsewhere in the vicinity can be found. There are no material distinctions between those decisions and that now in front of the council that should lead to the council coming to a different view on the proposals now before them;

We conclude that the proposals are acceptable and planning permission should be granted.

8.0 Appendix

8.1 Appendix 1

From: Farthing, Helaina <Helaina.Farthing@camden.gov.uk>
Sent: 13 December 2016 08:53
To: Cristina Martin
Subject: RE: 2016/6108/P - 66 Solent Road - Update
Attachments: CPG 1 - Design.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Morning Cristina,

Firstly I would note that in this instance, given the required changes that it is recommended that the application is withdrawn and a new application is lodged, free of charge, with an amended scheme.

With regards to comments relating to the application, please note the following;

- The scale and depth of the ground floor side extension is not considered to be acceptable. The side extension, both in terms of depth and height, would be required to be reduced to comply with CPG1.
- The 'pitched roof dormer extension' and the 'dormer roof extension' are not considered to be acceptable in terms of both siting, massing and design.

It is best advised that either the application is withdrawn and either a pre-application is requested to work through the scheme or alternatively a much reduced scheme is submitted. If you do not wish to withdraw the application, in this instance I will proceed with a refusal as I consider that the amendments required are considerable.

I would advise that you review CPG1 in detail in terms of the design guidance principle's, in particular looking at those of rear extensions and dormer extensions (attached for your information).

Regards
Helaina.

1. Email from planning officer dated 13th December 2016

From: Farthing, Helaina <Helaina.Farthing@camden.gov.uk>
Sent: 12 January 2017 09:11
To: Ben Cousins
Subject: RE: 2016/6108/P - 66 Solent Road - Update
Attachments: image002.jpg; image001.jpg

Ben,

I have reviewed this further with senior colleagues, and the view is still the same that an extension of 9m on the boundary is contrary to policy and not considered to be acceptable. Whilst it is acknowledged the examples sent through, each case needs to be assessed on its individual merits

With regards to options forward, I either suggest that the appropriate amendments are made or the Council proceed with refusing the decision from which you'd be able to appeal the decision to the planning inspectorate.

Please can you let me know how you'd like to proceed and I will action accordingly.

Regards
Helaina.

2. Email from planning officer dated 12th January 2017

8.0 Appendix
8.2 Appendix 2



**Regeneration and Planning
Development Management**
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Tel 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Mr David Anderson
Andooi Design Ltd
Chemin du Haut de St Pierre
Ladeveze-Ville
32230 France

Application Ref: **2016/5274/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

16 November 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
**47 Solent Road
LONDON
NW6 1TY**

Proposal:
The erection of a single storey infill and rear extension to existing rear outrigger following the removal of the existing conservatory.
Drawing Nos: Site location, P-1, P-2A, P-3A.

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



LONDON BOROUGH OF CAMDEN

8.0 Appendix
8.3 Appendix 3



**Regeneration and Planning
Development Management**
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Tel 020 7974 4444
Textlink 020 7974 6866

planning@camden.gov.uk
www.camden.gov.uk/planning

Mr & Mrs Wynn-Chandra
Ground Floor Flat,
51 Sumatra Road
London
NW6 1PT

Application Ref: **2015/3387/P**
Please ask for: **Hugh Miller**
Telephone: 020 7974 **2624**

17 August 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Ground Floor Flat
51 Sumatra Road
London
NW6 1PT

Proposal:
Erection of a single storey side return and rear extension including rooflights to ground floor flat.
Drawing Nos: Location plan; 101; 111; 121; 131; 201; 211; 221; 231

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).



Director of Culture & Environment
Ed Watson

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8.0 Appendix
8.4 Appendix 4

Mr Yiannis Pareas
Yiannis Pareas Chartered Architects
82 Mill Lane
West Hampstead
London
NW6 1NL



**Regeneration and Planning
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Textlink 020 7974 6866

planning@camden.gov.uk
www.camden.gov.uk/planning

Application Ref: **2013/7536/P**
Please ask for: **Emily Marriott-Brittan**
Telephone: 020 7974 **2125**

7 January 2014

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Householder Application Granted

Address:
72 Solent Road
London
NW6 1TX

Proposal:
Single storey rear extension

Drawing Nos: Existing: Rear elevation 384/3; side elevation 384/4; first floor 384/2; kitchen floor plan 384/1; roof plan 384/6; sections B-B 384/5; Photos 384/13

Proposed: Rear elevation 384/9; side elevation 384/10, first floor plan 384/8; kitchen plan 384/7; roof plan 384/12; section B-B 384/11. Design and access statement and O/S Map

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.



LONDON BOROUGH OF CAMDEN

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Director of Culture & Environment
Rachel Stopard

