



Planning Statement

5 Back Lane

Hampstead

London

NW3 1HL

8th May 2017

1 The Site

- 1.1 The site is located to the northern side of Back Lane near to the junction with Heath Street and comprises a four-storey end of terrace house. The application property forms a small terrace of three properties but is partially adjoined to a terrace formed of two-storey buildings to the south east. This terrace is lower in height and composed of a different architectural style and character. Historic mapping confirms that the two terraces existed separately with the adjoining terrace constructed later, in the Eighteenth Century.
- 1.2 To the rear of the application property outdoor amenity space is offered in the form of an established garden. This garden is divided into two separate parts, intersected by an existing single storey rear addition and enclosed in part by a large boundary wall.
- 1.3 The site is located in the Hampstead Conservation Area.

2 The Proposal

- 2.1 This proposal seeks planning permission for the erection of a single storey rear extension to meet the needs of the applicant and his young family.
- 2.2 The proposed ground floor single storey rear extension would create approximately 7m² of additional residential floorspace, reconfiguring and extending an existing single storey rear addition (see 2008/3229/P under Planning History sub-heading below).
- 2.3 This proposal also seeks to increase the width of the first floor extension approved by London Borough of Camden reference '2016/6563/P' by approximately 0.33metres.
- 2.4 The recently approved extension London Borough of Camden reference '2016/6563/P' was revised during its determination period. A request was made at the time to remove a materially similar proposed ground floor single storey rear extension. This proposal has sought to overcome the concerns raised previously. As described in more detailed below this proposal significantly reduces its massing along the shared boundary with No.3 Back Lane to safeguard the amenity of the occupants of this property.

3 Planning History

Planning History

- 3.1 2016/6563/P - First floor rear extension and alterations to the rear garden of residential dwelling (Class C3). Approved January 2017.
- 3.2 2008/3229/P - Erection of new conservatory within the lower courtyard garden and creation of new window to west elevation at upper floor level. Approved November 2008.
- 3.3 9501548R2 - Erection of a rear roof extension at third floor level as shown on plan numbers 13/ga/110, 111, 112 and 113 as revised by letters of 28/11/95 and 5/2/96. Approved February 1996.
- 3.4 9560181R2 - Erection of a rear roof extension at third floor level as shown on plan numbers 13/ga/110, 111, 112 and 113 as revised by letters dated 28/11/95 and 5/2/96. Conservation Area Consent Approved February 1996.
- 3.5 9005727 - Erection of a two storey rear extension as shown on drawing nos.363, 101, 102 121 and 122. Refused May 1991.

Pre-Application

- 3.6 2016/4921/PRE - Demolition of the existing conservatory to the rear elevation and erection of a two storey rear extension between the ground and first floors and new landscaping arrangement for outdoor seating area to the rear ground floor all associated with additional residential floorspace. Advice issued October 2016.
- 3.7 Prior to submission of application '2016/6563/P' and the subsequent request to omit the proposed ground floor rear extension the advice issued fully supported the principle of development. It is acknowledged that this was issued as a non-binding opinion from the planning authority, it does however form a material consideration for future decisions.
- 3.8 During the course of the application '2016/6563/P' the Case Officer raised concerns relating to the impact upon the residential amenity of No.3 Back Lane. The concern related to an undue sense of enclosure and loss of outlook.
- 3.9 A further concern relating to design and impact upon the Hampstead Conservation Area was also raised. It was considered that the ground floor extension would, together with the pre-existing single storey rear addition, would form a full-width extension which would not preserve the 'uniformed' appearance of the terrace to the rear.
- 3.10 The pre-application advice did not raise either of these aspects as concerns. Nonetheless the proposals have been amended to overcome and further address these matters.

4 Planning Context

Relevant Planning Policy

London Borough of Camden Development Plan Policies

4.1 The Development Plan for Camden comprises the Camden Core Strategy (2010), Development Policies (2010) and the Camden Planning Guidance SPDs. Of particular relevance are Policies:

Camden Core Strategy 2010-2025:

- CS1 (Distribution of growth)
- CS5 (Managing the impact of growth and development)
- CS14 (Promoting high quality places and conserving our heritage)

Camden Development Policies 2010-2025:

- DP22 (Promoting sustainable design and construction)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)

Camden Planning Guidance

- CPG1 (Design)
- CPG6 (Amenity)
- Hampstead Conservation Area Statement (2001)

National Planning Policy Framework (2012)

4.2 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and sets out the Government's planning policies for England. The approach of various key sections of the NPPF is summarised below where it may relate to the appraisal proposal. Looking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings is a core principle of the planning system.

4.1 Paragraph 56 of the NPPF states that "Good design is a key aspect of sustainable development".

4.2 Paragraph 58 of the NPPF specifies in more detail the provisions of good design, stating planning decisions should aim to ensure development will function well and add to the overall quality of the area, responding to local character, local history and reflect the identity of local surroundings and materials whilst not preventing or discouraging appropriate innovation. Policies and decisions should promote development that is visually attractive as a result of good architecture and appropriate landscaping.

- 4.3 Paragraph 63 outlines that when determining applications great weight should be given to outstanding or innovative designs which help to raise the standard of design.
- 4.4 Paragraph 135 of the NPPF states that the effect of proposals on non-designated heritage assets should be taken into account, however a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 4.5 NPPF paragraph 131 sets out the criteria that would dictate the determination of planning applications which might affect heritage assets, taking account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.6 NPPF paragraph 132 specifies that, when considering the impact of a proposed development on the significance of a designated heritage asset (including Conservation Areas), the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

5 Assessment

Design and Impact upon the Hampstead Conservation Area

5.1 During the course of the application (2016/6563/P) the Planning Officer stated that the ground floor rear extension would see the creation of a full width extension which would fail to maintain the uniformed stepped built characteristic to the rear of the terrace.

5.2 Planning policy DP24 'Securing High Quality Design' states that all developments, including alterations and extensions to existing buildings, should be of the highest standard of design. Of particular note is criterion 'a' of policy DP24 which requires developments to consider character, setting, context and form of neighbouring buildings, and criterion 'b' which requires development to respond to the character and proportions of the existing building, where alterations and extensions are proposed. The accompanying text to Policy DP24 states:

"Where townscape is particularly uniform attention should be paid to responding closely to the prevailing scale, form and proportions and materials"

5.3 Policy DP25 'Conserving Camden's Heritage' specifies that only development which preserves and enhances the character and appearance of the area will be permitted. Criterion 'e' specifies that trees and garden spaces which contribute to the character of a Conservation Area will be preserved.

5.4 Adopted Supplementary Planning Advice Document 'Camden Planning Guidance 1 – Design (2015)' provides further guidance on rear extensions. Of particular note are paragraphs 4.14 and 4.15. They read respectively:

"The width of rear extensions should be designed so that they are not visible from the street and should respect the rhythm of existing rear extensions."

"In addition, the rear of some buildings may be architecturally distinguished, either forming a harmonious composition, or visually contributing to the townscape. The Council will seek to preserve these where appropriate. Some of the Borough's important rear elevations are identified in Conservation Area Statements, appraisals and management plans."

5.5 It is clear that planning policy for Camden seeks to preserve built form which contributes to townscape and that this consideration is applied when considering applications which alter the rear of properties. The relevant policies and adopted supplementary guidance identify that where a uniformed configuration to rear elevations contributes to the character of the immediate townscape then development must preserve this.



Figure 1. Front and rear context diagrams showing host terrace (1-5 Back Lane) and adjoining terrace and presence of full width single storey extensions

- 5.6 It is confirmed that the immediate terrace to which the application is part of (No's. 1, 3 & 5) currently has an unbroken non-stepped rear elevation to the first and second levels. However, the 'as approved' position following the application under LB Camden Reference 2016/6563/P will introduce a first-floor addition in-line the existing projection provided by No. 7 Back Lane. The lack of visibility from the streetscene and characteristics of the rear elevations of the adjoining terraces provide material considerations to support the approved changes. Such an arrangement indicates that alterations to the ground and first floor levels can be achieved that remain subordinate to the host dwelling and do not harm its significance. The proposed increase in width to the approved first floor extension would be visually inconsequential beyond the 'as approved' situation, representing only a minor increase of width by 0.33metres.
- 5.7 The rear ground floor elevation is already varied, with numerous single storey and full-width modern extensions of varying scale and design. The pre-application response issued by Camden corroborates this stating:
- "There is a distinct separation between the groups of terraces on account of the differing heights. Nevertheless, the street is read in the context as a terrace providing some scope for development at ground and first levels as long as it does not compromise the principal elevation... The rear lacks cohesion and symmetry due to the formation of the plot of land which No' 1 and 3 are comparable in size to the rear of 2 Lakis Close"*
- 5.8 The Hampstead Conservation Area Statement (2001) offers no immediate reference to the rear of the application site or host terrace. A review of historic mapping shows that the immediate terrace (No's. 1, 3 & 5) was constructed prior to the adjoining terrace to the southeast. This terrace has a different appearance and defined character to the immediate terrace. Arguably this terrace does have a stepped configuration to the rear. Consequently, these two terraces play a very different role within the context of the immediate townscape and the prevailing character of the Hampstead Conservation Area.
- 5.9 The presence of full width ground floor extensions present at No.1 Back Lane alongside the considerations above, including the formal pre-application opinion issued by Camden demonstrate that the uniformity of the immediate terrace (No's 1-3 Back Lane) and wider built form is not consistent or characterised by a uniformed stepped configuration to the ground floor level.

- 5.10 Further to this the proposed ground floor extension would not be visible from the wider or immediate Conservation Area - albeit with limited visibility from No.3 Back Lane - whilst a large proportion of garden would be retained to the eastern section of the site. The proposed glazed roof would provide sufficient contrast with the main part of the existing house and although highly obscured would read as a subordinate, modern, addition that does not interrupt the unity of the terrace above ground floor level.
- 5.11 The proposed use of materials, including glazing, aluminium framed windows and pre-weathered zinc standing seam cladding would contribute to a high quality design, echoing the 'as approved' position under 2016/6563/P and provide distinction from the original features of the host property.
- 5.12 It is therefore considered that the proposals would not have a detrimental impact upon the defined character and appearance of the Hampstead Conservation Area given the positive aspects of design and the lack of any coherence to the ground floor elevations of the host terrace at No.1-5 Back Lane. The development proposals would accord with policies DP24, DP25 of the Camden Development Plan Document and the adopted supplementary guidance 'Camden Planning Guidance 1 – Design (2015)'.

Amenity

- 5.13 During the course of the previous application (2016/6563/P) the Planning Officer raised concerns that the ground floor extension would harm the amenity of the occupants of the adjoining property of No.3 Back Lane. The Planning Officer cited that the single storey extension would serve to harmfully restrict outlook given the proximity of the proposed extension. The depth of the now approved first floor rear extension was also reduced to align with the rear elevation of No.7 Back Lane.
- 5.14 Policies CS5 and DP26 along with adopted supplementary guidance seek to ensure that development does not harmfully impact upon the residential amenity of the occupiers of any adjoining properties. Policy DP26 includes outlook as an aspect which will be assessed when determining the potential impacts of development.
- 5.15 Camden Planning Guidance 6 – Amenity (2011) provides further guidance on how Camden interpret outlook. Paragraph 7.9 states:
- "When designing your development you should also ensure the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers."*

- 5.16 Arguably the outlook from the nearest ground floor window present to the rear elevation of No.3 is already highly restricted given the presence of the large existing brick wall directly in front of this window. The party boundary serves to enclose outlook. The largely north-easterly orientation of the garden and presence of existing development along the terrace from No.7 Back Lane (including the existing parapet wall) is also a material consideration. The orientation combined with pre-existing features means that the rear garden of No.3 Back Lane receives limited direct sunlight. No harmful increase in overshadowing was identified in establishing the 'as approved' position under LB Camden Ref 2016/6563/P and there would be no additional effects as a result of these application proposals for ground floor alterations.
- 5.17 The previous application would have increased development along the shared boundary, increasing massing above the shared brick boundary wall, for the full extent of this wall. The development proposals have been amended to overcome this.
- 5.18 A minimal pitched increase closest to the rear elevation of No.3 is proposed to accommodate a change in internal floor levels. Beyond this the height of the boundary wall would be unchanged. When viewed from the nearest ground floor window at No.3 this increase will not be visible.
- 5.19 This has been achieved by lowering the proposed internal ground floor of the extension. The proposals therefore sufficiently limit any increases in massing, ensuring that development does not compromise or materially worsen outlook for the occupants of No.3 Back Lane.
- 5.20 It should be noted that the party wall is below two metres in height. As a consequence, regardless of this application the shared boundary could be increased to 2 metres in height along this shared boundary under rights afforded by the General Permitted Development Order 2015 (as amended).
- 5.21 The proposed increase in width to the first floor would not worsen the potential impact upon amenity beyond those previously considered and deemed acceptable by reference 2016/6563/P. As the plans demonstrate with the indicative 45degree lines the nearest first floor window would not be affected. Given the forward position of the nearest ground floor window present at No.3 Back Lane this window would also be unaffected by the proposed marginal increase in width of the approved first floor projection.

6 Other Considerations

Basement Impact Assessment and Archaeology

- 6.1 The site is located within an area identified to be particularly sensitive to subterranean development where proposals for subterranean development are required to assess potential impacts on land instability or localised surface water flooding. The site is also located within an Archaeological Priority Zone, where remains of important archaeological deposits are likely to be present in the ground.
- 6.2 Given the depth and size of the proposed internal floor levels little excavation would be required, with the proposed finished floor level remaining above that of the lowest point to the rear garden. It is considered that coupled with the size of the proposed extension the need to provide a Basement Impact Assessment or desk-top archaeological survey would be negated.

Protection of Trees and Arboriculture

- 6.3 The proposed design revisions would not cause additional impacts on existing vegetation beyond those assessed by the Tree Survey and considered by the Council when determining the previous application. The removal of vegetation in the area between the existing rear extension and rear boundary wall separating the two areas of garden was not previously objected to with the removal of the tree in this location approved.

7 Conclusion

- 7.1 It is considered that the proposals have overcome the previous concerns raised during the course of application '2016/6563/P' by the London Borough of Camden in relation to amenity. In particular, the revised scheme has been prepared to ensure that there would be no materially harmful impact upon the outlook for the occupants of No.3 Back Lane.
- 7.2 In-depth information has been provided to demonstrate that the character and appearance of the Hampstead Conservation Area would remain unharmed given the existing varied character of the terrace and the highly enclosed rear garden, illustrating that the previous concerns raised by the Local Planning Authority were in this instance unjust.



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