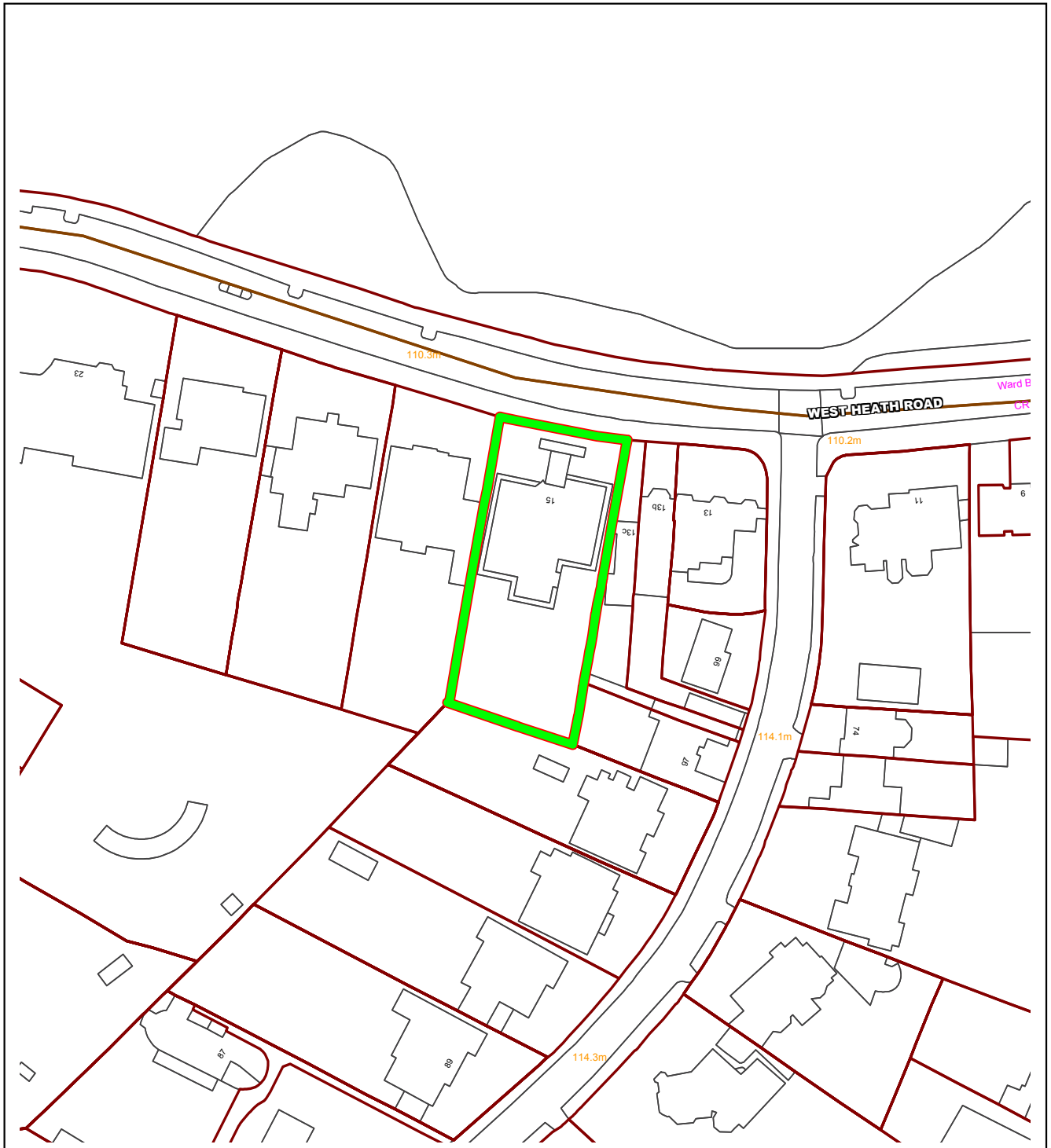


# 2017/5365/P - Flat B 15 West Heath Road



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**Site photographs**



Image 1. Proposed rear elevation.

Image 2, Proposed flank elevation



with Flat C.



Image 3, Flat A privacy screen.



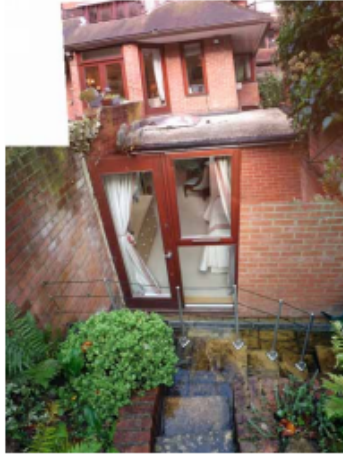
Image 4. Aerial view



Image 5. Contextual aerial view



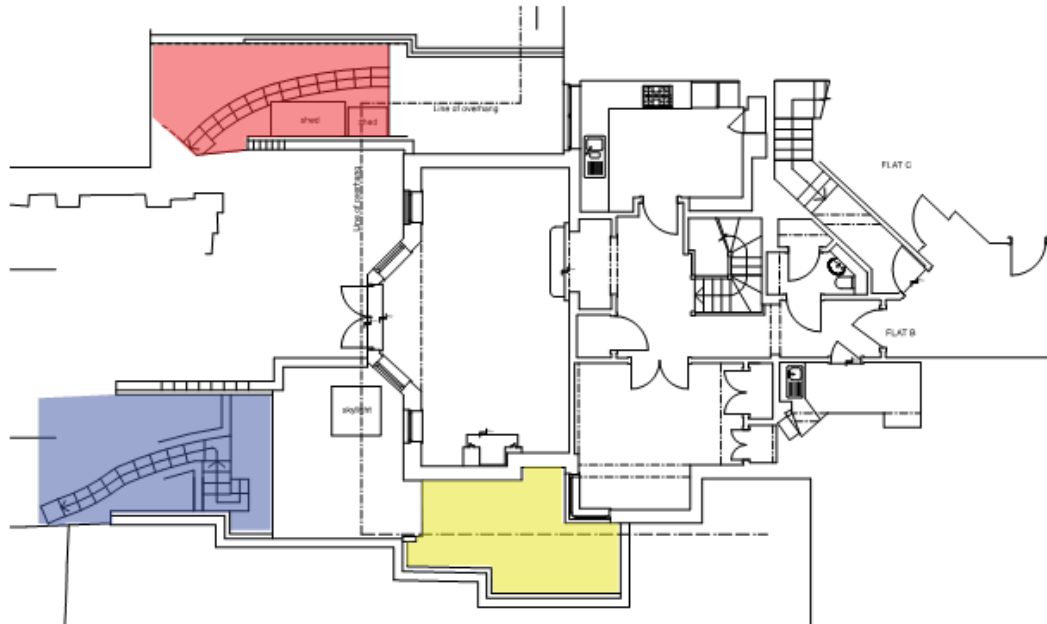
Access to lower ground floor from garden area.



Access to lower ground floor from garden area.



Court yard accessed from lower ground.



Ground floor plan of 15b West Heath Road.

Image6 looking from lower-ground floor level.

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		19/12/2017	
<b>(Member's Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>		20/11/2017	
<b>Officer</b>				<b>Application Number(s)</b>			
Obote Hope				2017/5365/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Flat B 15 West Heath Road London NW3 7UU				See draft decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
External alterations including erection of single storey rear extension at ground floor level and erection of rear infill extensions to the east and west at lower ground floor level with associated terraces at ground floor level.							
<b>Recommendation(s):</b>		Grant conditional planning permission					
<b>Application Type:</b>		Full planning permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses No. electronic	<b>09</b> <b>09</b>	No. of objections	<b>09</b>
<b>Summary of consultation responses:</b>		<p>Site Notice: 01/11/2017 – 22/11/2017. Press Notice: 01/11/2017 – 22/11/2018.</p> <p>The application was re-advertised from 26/04/2018 to 17/05/2018.</p> <p>Objection from owner/occupier of Flat G 15 West Heath Road:</p> <ol style="list-style-type: none"> <li>1. The application would be harmful to the character and appearance of the building, adversely impacting on the character of the conservation area and would contribute to visual harm to the host building;</li> <li>2. The proposed first floor terrace would impact on the loss of privacy and increase noise disturbance;</li> <li>3. The extension would have a harmful impact and result in the loss of the original roof profile;</li> </ol> <p>Objection from Henry Planning Consultancy &amp; Development on behalf of residents:</p>					

1. Harmful impact the proposal would have on the character and appearance of the building overall and harmful impact the proposal would have on the character and appearance of the Redington/Froggnal Conservation Area;
2. The harmful increase in the sense of enclosure and loss of outlook from the neighbouring properties at flats A, C & E;
3. The resultant level of overlooking and consequential loss of privacy to neighbouring residential occupier;
4. The increase in the size of the terraced area at first floor level, would allow for an increase in activity on the terraced area, with consequential noise and disturbance to neighbouring residential occupiers, in particular to the occupiers of flat H, at second floor level.

Objection received from Flat C West Heath Road:

1. The proposal is out of keeping with the property;
2. The new proposal is of much bulkier design and intrudes on my privacy, and overlooks the main living area;
3. The proposal is including area of the building that are not in the applicants ownership and is not buildable;
4. The increase in the size of the terraced area at first floor level, would allow for an increase in activity on the terrace area, with consequential noise and disturbance to neighbouring residential occupiers, in particular to the occupiers of flat H, at second floor level;
5. The proposed height of the extension together with the brick balustrade surrounding the proposed extension and the existing back addition would add considerable bulk and mass which would not be sympathetic to the character and appearance of the building or the area generally, resulting in visual harm overall;
6. This property is located within the Redington/Froggnal Conservation Area. As such, any proposal needs to either preserve or enhance the character and appearance of the conservation area. It cannot be said that the proposed loss of the pitched roof, which is an important feature of the building overall, and;
7. Should be considered unacceptable. Any potential solution to introduce obscured glazing screens on the boundaries would only add considerable bulk and lead to a significant loss of outlook and increased sense of enclosure.
8. Any increase in dividing wall would restrict our light and is not allowed under Lease and Freeholder.
9. The area below the terrace is not currently a room as off another room and only a covered conservatory with ceiling that could not be lowered.

Objection from 15 West Heath Road:

1. The ground floor extension would be overly bulky in terms of its scale and mass, the extension would be more than the 2.7m that was approved in 2014 and would not respect and preserve the original design and proportions of the building;
2. The loss of the roof profile and the proposed terrace would be unacceptable in design and appearance and;
3. The current metal balustrade railing set into the balcony would be lost; this currently allows views to the communal garden whilst seated

on the balcony and should be regarded as a tangible loss of an existing amenity;

Objection from Flat D 15 West Heath Road:

1. Proposed extension of the existing ground floor Reception Room is hugely out of proportion with the rear of the existing building's footprint;
2. The application does not mention how the extension and lower ground floor in-fill alterations will impinge on drainage, and;
3. It must also be noted that whilst in general the area is not subject to flooding, the immediate topography of No: 15 West Heath Road, being sited at the bottom of a hill with higher land to 3 sides is unique to the road;

Objection from Flat H 15 West Heath Road:

1. The proposed works remove a pitched roof from the existing building, which is crucial to the aesthetic look of the property. The removal would compromise the profile and integrity of the block;
2. The increase in the size of the terrace below could increase the level of activity and have an adverse effect on our enjoyment of our terrace;
3. The raised roof level of the proposed extension will significantly alter the outlook that we enjoy from our terrace which currently overlooks the communal gardens;

Objection from Flat A 15 West Heath Road:

1. A previous application by the applicant on the site, where the officer was clear on the requirements to comply with Camden and the conversation area, and has now lapsed without being implemented. The proposal Harmful impact the proposal would have on the character and appearance of the building overall and harmful impact the proposal would have on the character and appearance of the Redington/Frognaal Conservation Area;
2. The harmful increase in the sense of enclosure and loss of outlook from the neighbouring properties at flats A, C & E;
3. The resultant level of overlooking and consequential loss of privacy to neighbouring residential occupiers, and;
4. The increase in the size of the terraced area at first floor level, would allow for an increase in activity on the terraced area, with consequential noise and disturbance to neighbouring residential occupiers, in particular to the occupiers of flat H, at second floor level.

Objection from Flat F 15 West Heath Road are as follows;

1. Harmful impact the proposal would have on the character and appearance of the building and the consequential loss of privacy to my residence, and;
2. It appears this proposal of works has known concern for what we hold dear and the reason we are living in a conversation area.

Objection received from Flat J 15 West Heath Road are as follows;

1. The proposal would alter how the lovely shape of the block which remains unaltered since the block was built;



2. There would be a big extension that would be seen when looking from the window that would not be the nicest to look.

Officer comments:

1. *The proposed works are not considered harmful given their limited visibility from private views to the rear of the host building. The design, size, scale and bulk has been revised following officer's concern and the proposal is considered to be a subservient addition;*
2. *The proposed first floor terrace has been omitted from the proposed scheme;*
3. *Any dispute in terms of party wall agreements would be a civil matter under the Party Wall Act 1996;*
4. *The proposed terrace is narrow and the use would be ancillary to the main dwelling as a two-bedroom maisonette. Therefore, it is not considered that the use of the terrace would have a detrimental impact with noise and disturbance that would warrant a refusal;*
5. *The proposed infill extension would not have a significant impact on the neighbouring properties Flat A and C, the proposed rear extension have been reduced in bulk and scale. The reduce height and depth of the rear extension would not have a detrimental impact on the neighbouring properties.*
6. *The proposed first floor terrace was omitted from the proposed scheme;*
7. *There are existing glass balustrades that have been recently renewed Flat C consist of a predominantly glazed extension. As such the introduction of obscured glass screen to the flank elevation would not detrimental impact given it's setting along the flank elevations;*
8. *The proposal is for ancillary residential floor space and the property would be retained as a maisonette;*
9. *The proposed glass balustrade, given its design would not have an impact with loss of daylight/sunlight.*
10. *The lease and free holder dispute is not a material planning consideration in the determination of this application;*
11. *The host building has already been altered at ground floor level by virtue of planning permission that was granted for Flat C, the extension is considered as subordinate to the main dwelling;*

**Redington/frogna  
CAAC:**

No comments received.

## Site Description

The site is a four-storey building located on the southwest side of West Heath Road, the host property is divided into 9 Flats and shares the boundary with Flat A and C forming a maisonette between ground and lower and ground floor level.

The application site is not listed and is not considered as a positive contributor to the character and appearance of the Redington/Frognaal Conservation Area.

## Relevant History

**2014/4765/P** - Planning permission was granted on 22.08.2014 for erection of a ground floor rear extension and infill of existing lower ground floor courtyard, reinstatement of former lower ground floor courtyard and other associated hard landscaping works at ground floor level to include new terrace to eastern side.

### Neighbouring sites:

Flat C, West Heath Road

**2015/0562/P** – Planning permission was granted on 17.03.2015 for: Erection of new single storey extension.

**2015/3541/P** – Planning permission granted 26.08.2015 for: Variation of condition 3 (approved plans) of planning permission 2015/0562/P dated 31/03/2015 for (the erection of single storey rear extension) namely, revision to the detailed design of the proposed extension along the boundary of flat B, changes to the proposed roof and the erection of an external canopy.

## Relevant policies

### National Planning Policy Framework 2012

### London Plan 2016

### The Camden Local Plan 2017

A1 Managing the impact of development

A3 Biodiversity

A5 Basements

CC1 Climate change

CC2 Adopting to climate change

D1 Design

D2 Heritage

### Camden Planning Guidance (2015 to 2018)

CPG Design

CPG Sustainability

CPG Basements

CPG Amenity

CPG Planning Obligations

### Redington and Frognaal conservation area statement 2003

## Assessment

### 1. Proposal

1.1 Planning permission is sought for the erection of a single storey ground floor extension with green roof. Permission is also sought for new infill extensions to the west and east elevations at lower-ground floor level, with decked terrace areas at ground floor level. At garden level it is proposed to undertake a series of hard landscaping works, the existing external staircase would be demolished and new paved area with spiral staircase proposed to the west elevation to access the new courtyard between the lower and ground floor.

#### 1.11 Revisions

1.12 It should be noted that during the course of the assessment revisions to the proposed scheme were requested by officers to address concerns over the size, scale and design of the proposal. The revisions made to the proposed scheme can be summarised as follows:

- The proposed lower-ground and ground floor extensions have been revised and this application proposes to infill the existing light wells (no excavation works are proposed);
- The height, bulk and scale of the rear ground floor extension was reduced;
- The ground floor roof of the original rear addition has been retained and;
- The first floor terrace proposed was omitted from the scheme:

1.3 The key considerations material to the determination of this application are summarised as follows:

- Design and appearance and impact on the Redington/Frogna Conservation Area
- Potential impact on residential amenity

### 2.0 Design and appearance

2.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to this application, the policy states that development should respect local area in context and character; new development should comprise details and materials that are of high quality and complement the local area's character; and respond to natural features. Also of importance is Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.

2.2 CPG1 states that single storey rear extensions should be secondary to the building being extended. The extension should also respect and preserve the original design and proportions of the building. The garden has an area of approximately 83sqm most of which consist of hard and soft landscaping with private amenity space for the lower-ground floor maisonettes and shared access to the larger communal garden area to the back of the site.

2.3 The host building has a lower-ground floor level consisting of light wells to the east and west elevations. The west elevation consists of glass a conservatory and two sheds and it is proposed to demolish these and erect a single storey infill extension with a new internal courtyard (2.2m wide x 2.2m wide). The proposed extension would measure approximately 4.8m in depth, 3.8m in width and 3.0m height. To the east elevation it is proposed to infill the existing light well, to create a new bedroom with en-suite bathroom. The proposed extensions to the east and west elevations would retain the proportions of the existing structures with a similar footprint at lower-ground floor level.

2.4 In this instance, the proposed side infill extensions to the property have been informed by the architectural vernacular of the estate, replicating the materials palette, angled form and detailing of the host dwelling. The form of the proposed extensions has been designed to follow the profile of the main dwelling, with a stepped appearance to ensure that the extension appears subordinate to the host dwelling as well as to respond to the natural gradient of the site.

2.5 The proposed ground floor single storey rear extension has been revised during the course of this application. The bulk and scale has been reduced and the existing tiled roof slope has been retained, which is welcomed. The proposed rear extension is now considered to represent a subordinate addition to the host building and would allow for the retention of approximately 79 per cent of usable garden space for the occupiers of the dwelling. The proposed extension would be constructed using masonry and grey cladding with aluminium double glazed sliding doors and a green roof. Details of the green roof would be secured by condition.

2.6 Officers consider that the visual form and scale of the proposed extension would remain secondary and the proposed extension would respond appropriately to the design of the host dwelling. The Council's conservation and design officers have reviewed the revised scheme and are satisfied that the design of the revised rear extension would be sympathetic to the host building. Furthermore, the proposal is not considered to detract from the buildings overall character and proportions and its limited visibility from the public realm would ensure no harm is caused to the character of the surrounding conservation area. Given the above, the proposal is considered to be in accordance with policies D1 and D2 of the Local Plan 2017. The provision of a green roof would also ensure compliance with Local Plan policies CC1 and CC2.

2.7 The design and form of the proposed ground floor terrace areas are considered appropriate in terms of their impact on the character of the host building. By reason of their siting to the rear of the property, the additions would not be visible within the street scene and would serve to maintain the character, appearance, and historic interest of the property and surrounding conservation area. The use of glazed balustrades is also considered appropriate given the prevalence of glazed screens elsewhere in the vicinity.

2.8 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

#### **4.0 Amenity**

4.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.

4.2 Due to the siting and orientation of the application site, the dwellings most likely to be impacted upon as a result of the built extension would be Flat A and Flat C, 15 West Heath Road.

4.3 Given their location at lower ground floor level, the proposed infill extensions would not have a significant impact on the amenity of the adjoining properties at 15A and 15C in terms of loss of light and outlook. Similarly, the size, scale, height (2.9m) and location of the proposed ground floor rear extension would ensure no harm is caused to neighbouring amenity, particularly given its set in from the boundaries with 15A and 15C by 1m and 2.6 metres respectively.

4.5 There would be some impact in regards to loss of daylight/sunlight with Flat C. However, given the gap between both property and the reduction in the height, scale and bulk of the proposed rear ground floor extension, the impact would be less than detrimental. Moreover, the extension/conservatory of Flat C is constructed using glass walls. As such, the impact with loss of daylight/sunlight would be less than detrimental.

4.6 It is noted that concerns have been raised over the increased overlooking that would occur to the adjoining properties at 15A and 15C as a result of the amenity areas that would be located about the lower ground floor infill extensions. However, whilst the proposed plans indicate terrace areas to the east and west at ground floor level, these would be located at ground floor level and would be located at the same level as the existing garden area and proposed single storey rear extension. Therefore, the proposed development is not considered to exacerbate current levels of overlooking at the site, particular given the existing boundary treatments between adjoining properties to the east and west. A condition has been added requiring details of the 1.8m high screening to be submitted and approved prior to the use of the flat roof being used as a terrace area at ground floor level to alleviate concerns regarding loss of privacy.

4.7 Given the above, the proposal is not considered to harm the amenity of neighbouring residents, in accordance with Local Plan Policy A1.

## **5. Recommendation**

5.1 Grant conditional planning permission

### **DISCLAIMER**

**The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Tuesday 29th May 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.**

- 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans EX 000, EX 001, EX 002, EX 003 REVA, EX 101, EX 102, EX 103 REVA, EX104 REVA, EX 201 REVA, EX 202, EX 203, PA 001 REVA, PA 002 REVA, PA 003 REVB, PA 101 REVC, PA 102 REVB, PA 103 REVC, PA 104 REVC and PA 201 REVC.

Reason:

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

- 4 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. [Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels.] The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 A 1.8 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority and shall be erected on the east and west boundaries. The proposed glass balustrade along the entire length of the terrace with Flat C shall be measured from the threshold of the glazed door to the west elevation and installed prior to commencement of the use of the ground floor terraces and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements policies A1 and D1 of the London Borough of Camden Local Plan 2017

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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

David Joyce  
Director of Regeneration and Planning