

DESIGN & ACCESS STATEMENT

APPLICATION SITE: 45 LANCASTER GROVE, LONDON, NW3 4HB
LOCAL AUTHORITY: LONDON BOROUGH OF CAMDEN

CONTENTS

- A. INTRODUCTION & SITE DESCRIPTION
- B. PROPOSAL
- C. RELEVANT PLANNING HISTORY
- D. THE REQUIREMENTS OF THE ENFORCEMENT
- E. DEVELOPMENT PLAN POLICIES
- F. OTHER MATERIAL CONSIDERATIONS
- G. PLANNING MERITS OF THE PROPOSAL
 - Detailed description of the proposed development
 - Material considerations
 - The rear elevation bay
 - The ground floor rear extension
 - Impact of the extension on no.47
 - Impact of the extension on no.43a
 - Contemporary elements of the design
 - The existing (previously demolished) extension as a material consideration
 - Comparison of the existing ground floor extension with that of the proposal
 - Policy context
 - Principle of the Development

A. INTRODUCTION & SITE DESCRIPTION

1. Located on the northern side of Lancaster Grove and in close proximity to the junction with Lancaster Drive, the application site comprises the ground floor flat of a two storey detached property which contains 3 self-contained flats in total.
2. The property is not listed, it is however located within the Belsize Park conservation area (sub area 3: Eton Avenue).
3. The application site has also recently received planning permission for the retention of an existing rear basement development and the erection of a ground floor rear extension under application ref: 2015/2534/P, which remains extant.

B. PROPOSAL

4. The reinstatement of the former ground floor rear bay and the erection of a new single storey ground floor rear extension with split level pitched roof. The applicant also proposes to plant mature ever-green trees full length of the proposed extension along the border with 47 Lancaster Grove. The trees will be contiguous and will provide effective screening on the boundary with number 47.

C. RELEVANT PLANNING HISTORY

5. The application site has a chequered planning history which culminated in the serving of a planning enforcement notice and a subsequent planning inquiry both of which are discussed further below.

The relevant planning history is as follows;

6. On 14th October 2005, planning permission was granted in respect of the appeal site under planning reference **2005/3563/P** for: "Demolition of existing single storey rear extension and erection of a new single storey rear extension for the ground floor flat.
7. On 21st August 2007, planning permission was granted under planning reference **2007/2133/P** for: "Demolition of existing single storey rear extension and erection of a new two storey extension at basement and ground floor level for the existing flat.
8. On 15th January 2008, planning permission was granted under planning reference: 2007/4905/P for: "Excavation of basement level with front light well enclosed by railings and with bridge over to the front entrance door all in connection with additional accommodation for the ground floor level flat: as a revision to planning permission granted 21/08/2007

(2007/4905/P) which allowed for demolition of existing single storey rear elevation and erection of a new two storey rear extension at basement and ground floor level for the existing flat.”

9. On 30th May 2012 an application for retrospective planning permission was refused under application reference **2012/1510/P**, for: “excavation of basement extension to rear and erection of rear ground floor level extension above all in connection with existing flat (Class C3) (Retrospective).”
10. The council issued an enforcement notice, reference **EN12/0064**, dated 6th August 2012 against an alleged breach of planning control; being: “ excavation of basement extension to rear and erection of rear ground floor level extension above all in connection with existing flat.”
11. On 03rd March 2014 an appeal was dismissed by a decision of the Secretary of State in respect of the refusal of application ref: **2012/1510/P** and enforcement notice ref: EN12/0064 was upheld by the same decision.
12. On 14th June 2017 planning permission was granted under application ref: **2012/1510/P**, for: ‘Excavation of basement extension to the rear (retrospective) and erection of ground floor rear extension above all in connection with existing flat (Class C3)’.

D. THE REQUIREMENTS OF ENFORCEMENT NOTICE REF: EN12/0064

1. The enforcement notice as upheld by the Secretary of State required the following;

‘the complete removal of the rear ground and basement floor level extension and return the building to the condition as shown on the existing plans (drawing no LG.10.01A; LG.10.02A; LG.10.03A; LG.10.04A; LG.10.13; LG.10.14) accompanying application 2012/1510/P.’

(It should be noted that the above-mentioned enforcement notice forms a material consideration for the purposes of the present application. As such, the drawings mentioned above are attached here as application documents).

E. DEVELOPMENT PLAN POLICIES

2. The relevant development plan policy document in respect of the present proposal comprises the ‘Camden Local Plan 2017’ which in July 2017 superseded the ‘Camden Development Policies 2010’ and ‘Camden Core Strategy 2010 – 2025’. Additional relevant planning documents include; ‘Camden Planning Guidance 2011’, ‘Belsize Conservation Area Statement’, ‘The London Plan 2016’ and the ‘National Planning Policy Framework’,

F. OTHER MATERIAL CONSIDERATIONS

3. Pursuant to section 38 of the '*Planning and Compulsory Purchase Act 2004*', the following are to be considered as other material considerations in the determination of the application;
 - Appeal Decision Letter 03 March 2014;
 - Officer's Delegated Report ref: 2012/1510/P;
 - The previous extension that was in place prior to the unauthorised works.

G. PLANNING MERITS OF THE PROPOSAL

Detailed Description of the Proposed Development

4. The applicant proposes the reinstatement and restoration of the original ground floor rear elevation bay and the erection of a ground floor ground floor rear extension with split level pitched roof.
5. The ground floor rear extension will feature external brick walls of bricks and pointing to match that of the host building. Larger areas of brickwork to flank walls that are uninterrupted by windows or doors have been punctuated with recessed imprints to provide interest and character to the building. The ground floor structure comprises a high percentage of glazed fabric, resulting in a softening of the ground floor structure to reduce any impact from size, bulk or scale.

The applicant has given careful consideration to the design of the roof of the extension in relation to its location and that of neighbouring properties. The roof to the ground floor development is designed as a tiled, pitched gable end roof. The split level nature of the extension allows for a step down in height immediately at the end of the building and commencement of the garden area at number 47. The nature of the pitched roof to the extension means that it will graduate away from the boundary adjacent to number 47. The height of the extension will therefore read as the eaves height of 2.75m. Furthermore, the hip-ended nature of the roof provides for a gradual receding of the roof at the end of the extension thus reducing the visual length of the development.

The materials have been carefully selected to match that of the host building so as to compliment the character and the vernacular of the host building itself and buildings within the wider area. Those materials consist of a traditional red tiled roof covering to match that of the main roof of the building and the high level rear dormers, red brick external walls to match that of the host property and large areas of glazing to soften any impact from scale and bulk.

The new bay would represent the reinstatement of the previously removed bay with a white painted float rendered finish to match that of the original. The bay will take pride of place in its

former location where it is given space to breath on either side and will therefore form a focal point in terms of views from the rear garden.

The applicant has applied care to ensure that by its traditional design and structure and by the choice of materials for the proposed extension, whilst remaining clearly subordinate to the host property, it will add positively to the host building and the wider conservation area in terms of size, bulk and visual amenity.

Material Considerations

6. Inspector's Decision Letter

- By a decision of the secretary of state on 03 March 2014 an enforcement notice in respect of a previous unauthorised development was upheld and a deemed application for the retention of the unauthorised development was dismissed. In determining the appeal, the Inspector considered the planning merits of the development. The Inspector's decision letter (DL) therefore forms a material consideration in respect of the present application and the applicant now identifies relevant extracts as follows.

The Rear Elevation Bay

- The Inspector discusses the rear elevation bay at **para. 19 of the DL**. In so doing, the Inspector confirms that the building makes a positive contribution to the significance of the conservation area and as to the bay, the Inspector states as follows;

'To my mind, the detailing and scale of this bay means it would have further enhanced the property's contribution to the significance of the historic surroundings'.

- The applicant has responded to the above comments by allowing for the complete reinstatement and restoration of the rear elevation bay to match that of the original as part of the present application.

The Ground Floor Rear Extension

- The Inspector makes various references to the unauthorised extension and in so doing, provides indication as to what is and what is not acceptable in planning terms. The applicant now identifies relevant extracts as follows;

- At **para 23** of the DL the Inspector discusses the scale, height and form of the unauthorised extension with particular reference to the Western elevation (adjacent to number 47). The Inspector states as follows;

'The extension would be of significant scale and mass and would sever the original house from its garden'. 'Its gable would be ... a striking and relatively tall feature that rose up to a similar height to the top of the bay window. Moreover, given the height of this gable and the limited openings there would be extensive areas of render apparent, especially when seen from the side. Therefore taking these factors together with its form, it would not be a subservient addition..'

- The applicant has responded to the above comments by now proposing an extension that is considerably reduced in both width and height in relation to the unauthorised extension that the Inspector referred to.

The unauthorised extension stood at 4.6m at its highest point. The height to the eaves of the presently proposed extension is 2.75m, a considerable 2m lower than the extension the Inspector referred to.

The width of the extension that the Inspector referred to was 11.5m and spanned across the full width of the host property. The external surfaces of the extension was finished with vast expanses of plain white render.

- In contrast, the present application proposes an extension almost half the width of the unauthorised ground floor extension that the Inspector referred to.

Impact of the Extension on no.47

- The Inspector discusses the impact of the previous unauthorised development on no.47 at **paras. 43 – 45** of the DL. The Inspector states as follows;

'The .. scheme would project some 6m beyond the rear wall of no.47, given the height of its gable and taking into account the existing extension, this proposal would unduly dominate the rear room and garden of that neighbouring flat, creating an unacceptable sense of enclosure'

'However, as the extension would be to the West and as trees already shade the garden of no. 47, the effect of the scheme on sunlight and daylight would be limited and would not be unacceptable'

'..even if it (the previously approved extension in 2008 under ref: 2007/4905/P) rose to 4m, the topmost section would be glazing and so when seen from no.47 it would not

have been as dominant as the solid walling now proposed. ‘...its effect on that property would not have been as great as the development now before me’.

- The applicant has responded decisively to the above comments. The unauthorised extension exceeded 4m in height along the Eastern elevation facing no.47. The extension approved under ref: **2007/4905/P** was approx. 4m in height along that same elevation with a glazed uppermost section as discussed above by the Inspector.

The present application proposes an extension that will be only 2.75m high along the length of its Eastern elevation adjacent to the rear garden of no.47. This takes the height of the extension to below the line already being discussed as more acceptable by the Inspector above.

Impact of the Extension on no.43a

- The Inspector discusses the impact of the unauthorised development on no.43a at **paras. 47 – 52** of the DL. The Inspector states as follows;

‘The entire 10m long side elevation would be apparent from the rear of no.43a and its height plus the difference in land levels means it would have an unduly dominant effect on the rear garden of that neighbouring property. While I appreciate it would be set some 3m back from the boundary, in my opinion this would not be sufficient to overcome this concern sufficiently. However, given the window arrangement at no.43a, when inside that property I am not satisfied that the impact in this regard would be unacceptable’.

‘Accordingly I conclude that the scheme would have an unduly dominant and overbearing effect on the rear garden of no.43a...’

- The applicant has again fully addressed the Inspector’s comments above. Instead of the 3m separation that the Inspector refers to between the unauthorised development and the boundary with no.43a the present proposal would be set back a considerable 6.7m from the boundary with no.43a and as such would have no adverse impact of any kind on no.43a.
- Furthermore, any potential for harm in respect no.43a is further diminished by the shallow height of the presently proposed scheme.
- In terms of visual amenity, views from no.43a will benefit from the reinstatement of the original bay, the change in material to red brick to match the host building, the large areas

of glazing that soften the visual impact of the elevation and the interesting feature provided by the central brick imprint.

- All of the Inspector's observations in respect of no.43a have therefore been addressed by the presently proposed scheme.

7. The Original (since demolished) Extension As a Material Consideration

- Prior to the erection of the unauthorised ground floor extension, there was an existing ground floor rear extension in place which was demolished in connection with the unauthorised works.
- The steps required by the enforcement notice included the reinstatement of the demolished extension.
- In upholding the enforcement notice, the Inspector considered the requirement for reinstatement of the extension at para. 72 of the DL. In so doing, the Inspector determined that no variation to the enforcement notice omitting this requirement was necessary.
- The result is that the applicant remains free to reinstate the existing ground floor rear extension and the extension must accordingly form a material consideration in the determination of the present application.

Comparison of the Existing Ground Floor Extension with that of the Proposed

- Plan views of the existing (previously demolished) ground floor rear extension is illustrated on drawing refs: 'LG-A-EX1-FP002-A' and 'LG-A-EX1-FP001-A'. Elevations are also illustrated on other 'As Existing' drawings.
- The existing extension projected approx. 10.2m from the host property into the rear garden. In comparison, the extension now proposed will project 8m, thus reducing the projection by 2.2m in comparison to that of the projection of the existing.
- The existing extension was 4.9m in width at its widest point. The now proposed extension represents a conservative increase in width of only 1.1m to a total width of 6m at its widest point.
- The existing extension stood at 3.8m at its highest point, only dropping to 2.5m after a projection of 4m from the host property. This means that the 4m height continued to project and overlook the rear garden of no.47 for a distance of 1.7m prior to dropping to the 2.5m height. The now proposed extension addresses this matter by commencing at 3.7m high at its highest point. However, the 3.7m height drops to 3m after only a 2.7m projection. The extension deliberately reduces in height at that point because it is at 2.7m from the host building that the flank wall of no.47 stops and the rear garden at no.47 begins.

- The existing extension was white in colour over the whole of its external surface. Clearly there is some considerable contrast between a plain white external surface and that of the external surface of the host building. The council has previously expressed some discomfort with this contrast and the now proposed extension responds to that concern by allowing for an exposed brick external surface to match that of the host building.
- Thus, in conclusion; the applicant submits that any increase in size and scale of the now proposed ground floor extension and that of the existing is both measured and conservative in nature. It appears clear that by the applicant's careful consideration of both neighbouring amenities and design, the now proposed extension represents negligible impact over and above that of the existing extension and in a number of aspects, the now proposed extension provides more positive results over and above that of the existing ground floor rear extension.

Policy Context

8. Camden Local Plan 2017

Policy D1 Design

The policy requires that extensions to existing buildings should be of the highest standard of design.

Compliance

- The ground floor extension only marginally exceeds the mass and scale of the previously removed ground floor rear extension and accordingly remains subordinate to the host building. The materials match that of the host building and the rolled lead roof surface is reminiscent of the era of the host building.

The development therefore complements the building by way of character, context, form and scale. The extension respects the character and proportions of the existing building and the combination of glazed areas with brick imprint detailing on the external walls forms a visually interesting form of development.

Policy D2 Heritage

The policy requires that extensions to a listed building should not cause harm to the special interest of the building.

Compliance

- The application building is not a listed building. It is however located within the Belsize conservation area and it is mentioned within the conservation area guide as being within a group of buildings of interest.
- The reference within the conservation area statement is to the front façade of the buildings. The proposed extension is located at the less visible rear of the building and will not therefore be visible from the public realm.
- In terms of scale and massing, the proposed extension remains subordinate to the host building thus preserving visual amenity in respect of the characterful features at the rear. Pivotaly, the proposals include for the reinstatement and restoration of the previously removed bay which forms heritage focal point of the rear of the property.
- The use of materials including matching brickwork and large areas of glazing to ameliorate visual impact, allows the proposed extension to integrate sympathetically with the host building and provide a visually pleasing interaction of contemporary and traditional materials.

Belsize Conservation Area Statement

- The BCAS addresses rear elevation extensions at clauses BE21 – BE25. The general requirements are extensions should not disturb the harmony of a group of properties. Extensions should not disturb the architectural integrity of the host building or conservation area and should be in harmony with the host building.

Compliance

- The group of properties within which the application site sits do not have a uniform or distinctive character. The extension would accordingly have no impact in that respect. As discussed above the extension integrates well with and compliments the host property.

Other Policy Considerations

- The applicant submits that the present application accords with the policies and requirements of the London Plan 2015 and the NPPF both of which encourage development for improvement and residential use.

Principle of the Development

- The principle of the development of extensions of the nature of that being proposed is well established on Lancaster Grove. The council's policies support the extension of residential properties for the improvement of the living conditions of the occupants.

Extensions of the size and scale proposed in the present application are generally accepted by the council to be in proportion with the size and scale of the host property.

The applicant cites below only four of the total of similar extensions that have been approved on Lancaster Grove where the host properties are in keeping with the current application property;

Address: 65 Lancaster Grove
Application ref: 2016/6229/P
Proposal: Erection of single storey side/rear part infill extension at ground floor level.

Notes: The extension in the above application was approved at 3.8m high and 10m in length beyond the rear wall of the host property.

The officer report in the above application states as follows;

'The size and scale of the proposed single storey extension is considered to represent a proportionate addition that respects the architectural features and character of the host and neighbouring dwellings'.

Address: 59 Lancaster Grove
Application ref: 2011/3840/P
Proposal: Erection of single storey rear extension and glazed side exten....

Notes: The extension in the above application was approved at 2.6 – 3m high and 9m in length beyond the rear wall of the host property.

The officer report in the above application states as follows;

'The dimensions ensures that the extension remains subordinate to the host building'.

Address: 67 Lancaster Grove
Application ref: 8700620
Proposal: Erection of rear extension.

Notes: The extension in the above application was approved at approx. 2.8 – 3.5m high and 11m in length beyond the rear wall of the host property.

Address: 71 Lancaster Grove

Application ref: 2004/5298/P

Proposal: Demolition of existing single storey rear extension and erection of new enlarged extension.

Notes: The extension in the above application was approved at 2.8m high to the eaves and 3.5m high to the ridge and approx. 10.5m in length beyond the rear wall of the host property.

END