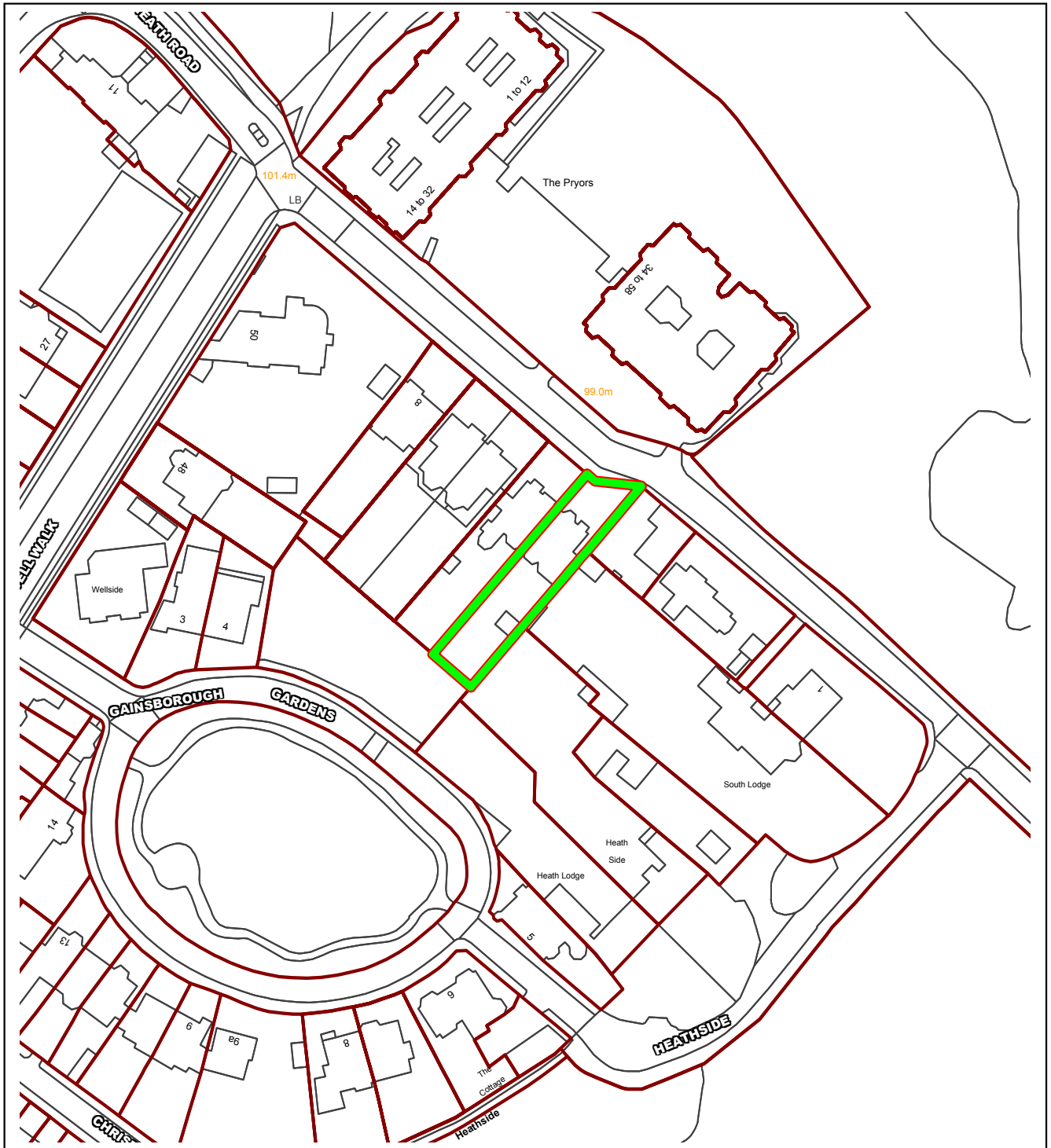


# Lower Ground Floor Flat, 4 East Heath Road, NW3



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

# Photographs – Lower Ground Floor, 4 East Heath Road



Rear elevation



1980s covered terrace addition



Aerial view

<b>Delegated Report</b> <b>(Members Briefing)</b>	<b>Analysis sheet</b>		<b>Expiry Date:</b>	29/08/2018
	N/A		<b>Consultation Expiry Date:</b>	25/11/2018
<b>Officer</b>		<b>Application Number(s)</b>		
Thomas Sild		2018/3142/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
Lower Ground Floor Flat 4 East Heath Road London NW3 1BN		See draft decision notice		
<b>Proposal(s)</b>				
Erection of single storey lower ground floor rear extension				
<b>Recommendation(s):</b>	Grant conditional planning permission			
<b>Application Types:</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. of responses	1	No. of objections	1 (CAAC)
<b>Summary of consultation responses:</b>	Initial Site notice: 31/08/2018 – 24/09/2018 Re-consultation site notice: 31/10/2018 – 24/11/2018 Press notice: 31/08/2018 – 24/09/2018 Republished press notice: 01/11/2018 – 25/11/2018  No public responses			



**CAAC/Local groups\* comments:**

Hampstead CAAC

- The existing rear composition of building mass is attractive as underlining the CA's character
- The proposal's flat roof is a negative element, compromising the recognition of the main building as a positive contributor to the CA
- The south east elevation looks out of kilter with the other elevation

*Officer response:*

- *The existing rear composition of the building comprises of the original rear face with three-storey bay window and the 1980s two-storey covered terrace structure. The existing 1980s terrace addition is non-original and displays architectural detailing that is somewhat inconsistent with the original building, consisting of a partly untreated timber beam structure, a partly glazed roof and Gothic style fenestration detail, not seen on the remainder of the house. As such it does not present a strong enough case for preservation in it's entirety. The roof would have no direct visibility from the street, other public areas of the Conservation Area nor Hampstead Heath. The flat roof of the extension would not interfere with the remainder of the 1980s addition and its depth and mass are comparable to the extension on the adjoining semi no. 5. The overall mass and proportionality of the extension is considered subordinate and being part width at lower ground level would not compete directly with the host building's style and appearance nor compromise it as a positive contributor to the conservation area.*

**Site Description**

The application site relates to the lower ground floor flat within no. 4, a converted four-storey Victorian semi-detached house situated on the west side of East Heath Road in Hampstead Conservation Area. No. 4 is noted as a positive contributor to the conservation area.

The lower ground floor lies entirely at natural ground level to the rear of the house and no excavation is proposed.

**Relevant History**

- 1981 - 32108 granted permission for change of use and works of conversion to create 3 self-contained flats and the construction of a binstore.
- 1983 – 36949 granted permission for enlargement of existing covered balcony at the rear including the formation of an external staircase.

**Relevant policies**

**National Planning Policy Framework 2018**

**London Plan 2016**

**Camden Plan 2017**

A1 Managing the impact of development

D1 Design

D2 Heritage

## **Other Planning Policies / Guidance**

Camden Planning Guidance (CPG) 2015 – CPG 1 (Design)

Camden Planning Guidance (CPG) 2011 – CPG 6 (Amenity)

## **Hampstead Neighbourhood Plan**

DH1: Design

DH2: Conservation areas and listed buildings

NE2: Trees

## **Assessment**

### **1. Proposal**

1.1. Planning permission is sought for the addition of a part width (4.8m), single storey (height 3m)) rear extension (additional depth 4m) at lower ground floor level. The extension would replace part of, and be attached to the remaining parts of a 1980s two-storey rear addition giving a total depth of 6m beyond the principal rear face of the host building.

### **2.1. Revisions**

2.2. Plans were revised to reduce the proposed depth of the extension to no greater than 50% of the depth of the host building in order to ensure a more proportionate and subordinate addition.

2.3. The width of the extension was increased to better harmonise its relationship to the form of the existing rear addition to which it would be attached.

2.4. The extent of glazing to the extension's rear elevation was increased to enable a more lightweight 'orangery' type appearance, and preserve some of the character of the existing 1980s addition's rear elevation.

### **3. Assessment**

#### **3.1. Design and heritage**

3.2. Local Plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Policy D2 seeks to preserve and, where appropriate, enhance Camden's heritage assets and their settings, including conservation areas and listed buildings.

3.3. Hampstead Neighbourhood Plan policy DH2 states development proposals must seek to protect and/or enhance buildings (or other elements) which make a positive contribution to the Conservation area as identified in the relevant Conservation Area Appraisals and Management Strategies.

3.4. No. 4 East Heath Road is a large semi-detached house, with a front to back depth of 12m measured between principal front and rear elevations.

3.5. The proposed extension would replace a 0.9m glazed box-like addition, extending an additional 4m to the rear beyond the remaining canted shape 1980s structure. The 6m combined depth of the proposal with the existing addition would not exceed 50% of the front to back depth of the host building. As such it would remain proportionate and subordinate in scale to the host building.

- 3.6. The extension would be part-width only, allowing the remaining original and unaltered face area of rear elevation including the bay window formation to remain intact.
- 3.7. No. 5, the adjoining semi of the pair has been extended to similar proportions, part width at lower ground level and the footprint of this proposal would restore some balance between the two houses.
- 3.8. The proposal would make use of timber framed glazing only, in keeping with the character of the host building. The significant proportion of decorative timber glazing to the rear elevation would recreate some of the character of the existing 1980s rear addition that will be lost.
- 3.9. The use of a flat roof enables the extension to project from the 1980s addition without interference with the covered terrace and balustrades above whilst remaining subordinate in scale, mass and bulk to the host building.
- 3.10. Whilst the extension is not visible to the street or public realm, regard has been given to the appearance and character of the building as a whole. The existing 1980s terrace addition is non-original and displays architectural detailing that is somewhat inconsistent with the original building, consisting of a partly untreated timber beam structure, a partly glazed roof and Gothic style fenestration detail, not seen on the remainder of the house. As such it does not present a strong enough case for preservation in it's entirety.
- 3.11. The proposed extension would allow the 1980s addition, with covered terrace and roof structure to remain unaltered at upper ground level and above, only altering the rear elevation at lower ground level.
- 3.12. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 3.13. The proposals have been assessed by the Council's conservation officer.
- 3.14. The Hampstead Conservation Area Statement notes no. 4 as being a positive contributor to the conservation area, however its front garden parking is noted as detracting from the area's character. No mention is made in the statement in relation to the 1980s rear addition nor its importance to the host building as being a positive contributor or otherwise.
- 3.15. The siting of the extension would not allow for direct views from either the street or Hampstead Heath.
- 3.16. The Hampstead Neighbourhood plan defines harm to a designated or non-designated heritage asset to include development that through its height, mass, profile or quality, obstructs or degrades that asset or its setting.
- 3.17. Overall, it is considered that the proposed rear extension, given its scale, siting, low profile and its nature extending onto the 1980s addition, would not be considered to significantly harm the character or appearance of the host building nor its contribution as a positive contributor to the surrounding conservation area.
- 3.18. Neighbour amenity
- 3.19. 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, outlook, daylight and sunlight.

- 3.20. The proposed extension would extend close by but inside the 1.6m high boundary wall with no. 3 for a distance of 6m and the 3m height of the extension would result in an additional height of 1.5m above the boundary wall.
- 3.21. No. 3 is sited to the south east of no.4 and the property enjoys a glazed conservatory type extension to a depth approximately 6m behind the current depth of additions at no. 4.
- 3.22. Given this set back of 6m, the additional height of 1.5m above the boundary wall for 6m would not result in unacceptable impact to outlook or daylight.
- 3.23. No. 4 enjoys an existing side facing window at lower ground floor level, overlooking the garden of no. 3. The proposed additional side facing glazing within the extension would be set at a minimum height of 1.7m above the internal floor level and given its position at least 4m distant from the rear of no. 2, it would not result in additional direct overlooking into no. 3. A planning condition would be attached to ensure these windows remain fixed shut so as to mitigate potential noise impact.
- 3.24. In order to prevent additional overlooking and impact on privacy to no. 3, a further planning condition would be attached restricting access to the new flat roofed area to be for that of maintenance purposes only.
- 3.25. Trees
- 3.26. Local Plan policy A3 expects replacement trees or vegetation to be provided where the loss of significant trees or vegetation or harm to the wellbeing of these trees and vegetation has been justified in the context of the proposed development.
- 3.27. The proposals would result in the removal of a short yew hedge maximum height 3.5m, consisting of two specimens. A supporting arboricultural report has been assessed by the Councils' Tree and Landscape officer and found to be acceptable subject to a tree replacement condition.
- 3.28. The condition would require the replacement of the two yew trees with the same or other suitable species to be approved by the local planning authority.
- 4. Recommendation**
- 4.1. Grant conditional planning permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 17<sup>th</sup> December 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'.***

Application ref: 2018/3142/P  
Contact: Thomas Sild  
Tel: 020 7974 3686  
Date: 12 December 2018

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

DVM Architects Ltd  
4A Murray Street  
London  
NW1 9RE

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:

**Lower Ground Floor Flat**  
**4 East Heath Road**  
**London**  
**NW3 1BN**

# DECISION

Proposal:

Erection of single storey lower ground floor rear extension

Drawing Nos: Arboricultural Retention Removal Impact Assessment with Recommendations (8 October 2018), 1976-01, 1976-02 Rev A, 1976-03 Rev A, 1976-04 Rev A, 1976-05 Rev A, 1976-06 Rev B, 1976-07 Rev F, 1976-08 Rev D, 1976-09 Rev C, 1976-10 Rev C

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 1976-01, 1976-02 Rev A, 1976-03 Rev A, 1976-04 Rev A, 1976-05 Rev A, 1976-06 Rev B, 1976-07 Rev F, 1976-08 Rev D, 1976-09 Rev C, 1976-10 Rev C

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

- 3 Before the relevant part of the work is begun, manufacturer's specification details of all facing materials shall be submitted to the Local Planning Authority for approval in writing, and samples of those materials shall be provided on site.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 4 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

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

- 5 The proposed side facing window facing no. 2 shall not be installed below a height of 1.7m above the internal floor height of the extension and must remain fixed shut at all times.

Reason: In order to prevent direct overlooking, noise and general disturbance of neighbouring premises in accordance with the requirements of policies G1, A1 and A4 of the Camden Local Plan 2017.

- 6 The flat roofed area of the extension shall not be used as a roof terrace, and any access out onto this area shall be for maintenance purposes only.

Reason: In order to prevent overlooking into the adjoining properties in accordance with policy A1 of the 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 paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:  
<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

**DRAFT**

Yours faithfully

Director of Regeneration and Planning

**DECISION**