

Delegated Report		Analysis sheet	Expiry Date:	28/12/2018
		N/A / attached	Consultation Expiry Date:	09/12/2018
Officer			Application Number(s)	
Thomas Sild			2018/4369/P	
Application Address			Drawing Numbers	
Flat C 26 Nassington Road London NW3 2UD			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of first floor rear extension				
Recommendations:	Refuse planning permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Press advert: 15/11/2018 - 09/12/2018 Site notices x 2: 09/11/2018 – 03/12/2018</p> <p><u>2B Tanza Road</u></p> <ul style="list-style-type: none"> • Submitted drawings are inaccurate and do not show 2B Tanza Road • The proposal would block light and overlook the garden <p><u>2 Tanza Road</u></p> <ul style="list-style-type: none"> • Drawings are not accurate and 2B Tanza Road not shown • The development would enable the flat roof to be used as a roof terrace • The extension would be prominent to those passing along Tanza Road and to neighbouring properties and would project more than other rear additions • There is no statement of agreement by the other owners within no. 26 <p><u>28 Nassington Road</u></p> <ul style="list-style-type: none"> • Submitted drawings are inaccurate and do not show 2B Tanza Road • Various non- planning matters 			
CAAC comments:	<p><u>Hampstead CAAC – Objection</u></p> <ul style="list-style-type: none"> • Full contextual information is missing • Increased overshadowing of the neighbouring ground floor flat • A reasonable building line should be maintained 			

Site Description

26 Nassington Road is a three-storey Victorian building, originally a semi-detached house, but subsequently extended to the side and subdivided into six apartments. This application relates to flat C, which is sited at first and second floor levels to the rear of the house. No. 26 is noted as being a positive contributor to the surrounding South Hill Park Conservation Area and sits within the Hampstead Neighbourhood Area.

Relevant History

Flat C

24 June 1992 – 9200611 refused permission for the erection of a conservatory at rear first floor level to the existing flat. The reason for refusal being the proposal would have an adverse effect on the appearance of the surrounding area by reason of its bulk and location, and would therefore neither preserve nor enhance the character and appearance of the conservation area.

Flat A

30 September 2013 - 2013/3357/P granted permission for erection of a single storey conservatory to rear elevation at ground floor level of residential flat (Class C3).

Flat B

22 September 2017 – 2017/4308/P granted permission for erection of a single storey side to rear extension plus associated alterations to patio area

Relevant policies

National Planning Policy Framework 2018

London Plan 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance

CPG1 Design (2018)

CPG6 Amenity (September 2011 updated March 2018)

South Hill Park Conservation Area Statement (2001)

Hampstead Neighbourhood Plan

Policy DH1 Design

Policy DH2 Conservation areas and listed buildings

Assessment

1 The proposal

- 1.1 Planning permission is sought for the erection of a single storey rear extension at first floor level. The development would extend 3.9m to the rear beyond the existing closet wing footprint and above an existing ground floor extension.

The main considerations with this application are:

- Design and heritage impact
- Impact on neighbour amenity

2 Design and heritage impact

- 2.1 Through Local Plan policy D1 the Council will seek to secure high quality design in development that respects local context and character and preserves the historic environment and heritage assets in accordance with policy D2 Heritage. The Council will expect developments to consider the character, setting, context and the form and scale of both the host building and neighbouring buildings, as well as the prevailing pattern, density and scale of surrounding development. Development should consider the impact on existing rhythms, symmetries and uniformities in the townscape.
- 2.2 Camden's Local Plan Document is supported by Supplementary Planning Guidance CPG1 (Design). Good design should ensure buildings do not significantly overshadow existing outdoor spaces or amenity areas, and consider the degree of openness of an area.
- 2.3 The South Hill Park Conservation Area Statement notes that extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within a group of buildings.
- 2.4 Policy DH1 (Design) of the Hampstead Neighbourhood Plan notes that development proposals should demonstrate how they respect and enhance the character and local context by ensuring that design is sympathetic to established building lines and by responding positively and sympathetically to the existing rhythm, proportion, height, scale, massing, materials and storey heights of surrounding buildings. Under policy DH2 (Conservation areas and listed buildings) development proposals must seek to protect and/or enhance buildings (or other elements) which make a positive contribution to the Conservation area.
- 2.5 The prevailing development pattern along the rear elevation of adjoining properties on Nassington Road is for the principal buildings with two storey closet wings forming a consistent building line at first floor level.
- 2.6 An existing 3m high, 4m deep timber screen has been installed along the rear roof terrace of Flat C, alongside 2B Tanza Road, which appears to have been installed without planning permission. The screen appears overbearing and is considered to make a negative contribution to the host building and surroundings. Its presence is not considered to justify the addition of an extension or a similar level of height/bulk in this location. The proposed extension would create an intrusive bulk and mass at a prominent level, 4m beyond the established first floor building line seen on both adjacent neighbours, nos. 24 and 28 Nassington Road/2B Tanza Road and beyond along the north side / rear elevations of Nassington Road. The extension would be clearly visible to the rear at close range in views from the public realm along Tanza Road, appearing at odds with the prevailing pattern of the neighbouring buildings.
- 2.7 The extension would appear overbearing, and compound the sense of enclosure within the rear gardens of the ground floor flats in no. 26. Further consideration of this impact will be covered under the impact on neighbour amenity section.

2.8 Overall the proposal fails to consider the character, context, scale and form of the surrounding development, causing harm to the character and appearance of the building and this part of the conservation area, contrary to policy D1 and D2 of the Camden Local Plan and policies DH1 and DH2 of the Hampstead Neighbourhood Plan.

3 Impact on neighbour amenity

3.1 Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Factors to consider, and which are particularly relevant in this case, include sunlight, daylight, outlook, visual privacy and overlooking. Camden Planning Guidance on Amenity states that development should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers.

3.2 The proposed extension would replace a roof terrace area above an existing ground floor rear extension. The existence of the 3m high 4m deep timber screen alongside the 2B Tanza Road boundary is duly noted, and given this structure's size, the proposed 2.7m high side flank of the extension would not result in additional impact on no. 2B Tanza Road through loss of outlook or daylight. Notwithstanding this, the structure was erected without the benefit of planning permission and may well be removed in the future. If this were the case, the potential impact of the solid flank wall of the proposed extension on the amenity of neighbouring residents by way of loss of outlook would be of concern.

3.3 No side facing windows are proposed and as such no significant change to overlooking to the garden beyond that enabled by the existing rear facing roof terrace would occur.

3.4 The cumulative effect of the proposed extension's 3.9m depth and additional 2.7m height across the existing roof terrace would however result in an overbearing effect to the rear aspect of the ground floor levels of flats A and B within 26 Nassington Road causing harm to their outlook. The extension's mass would overshadow the outdoor spaces for both flats and be detrimental to the amenity of these neighbours. As such the proposal is contrary to policy A1 of the Camden Local Plan.

4 Conclusion

4.1 The proposed extension, by reason of its location, height, and bulk would appear as an overbearing and visually intrusive addition, which would fail to preserve or enhance the character and appearance of the host building, the wider terrace, or this part of the South Hill Park Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan (2018).

4.2 The proposed extension, by reason of its location, height, and bulk, would cause unacceptable harm to the amenity of the neighbouring residential occupiers by way of loss of outlook and increased enclosure, contrary to policy A1 of the London Borough of Camden Local Plan 2017 and policy DH1 of the Hampstead Neighbourhood Plan (2018).