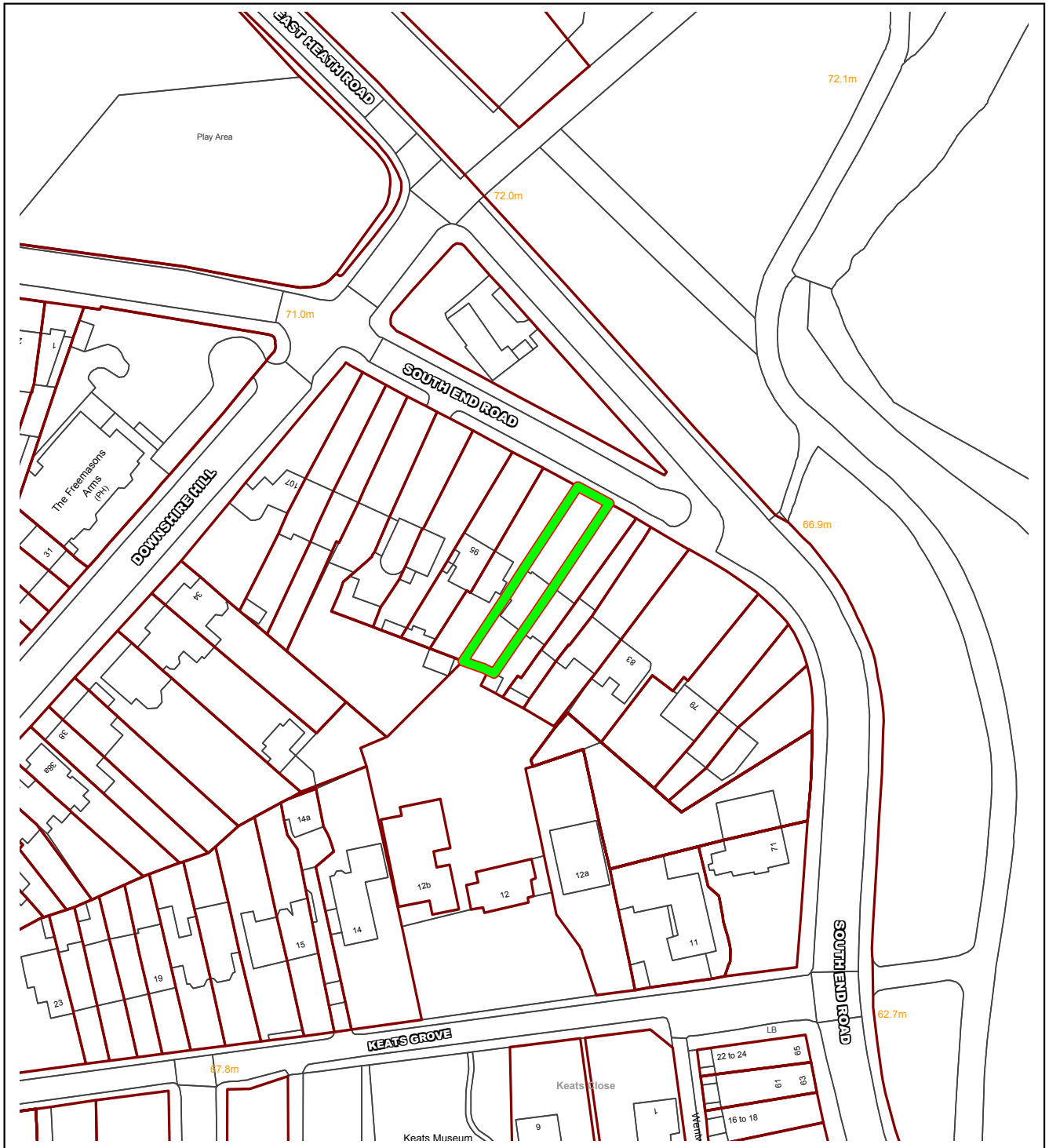


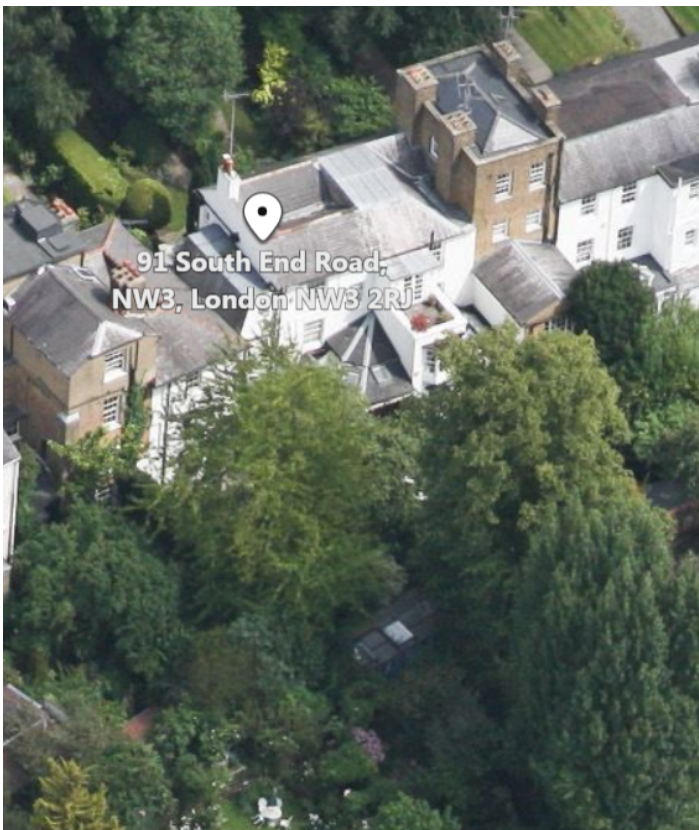
2018/5405/P – 91 South End Road



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1) Rear garden with existing conservatory, second floor neighbouring roof terrace



2) Existing rear extension alongside second floor neighbouring terrace

Delegated Report		Analysis sheet		Expiry Date:	15/02/2019
(Members Briefing)		N/A		Consultation Expiry Date:	27/01/2019
Officer			Application Number(s)		
Ben Farrant			2018/5405/P		
Application Address			Drawing Numbers		
91 South End Road London NW3 2RJ			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of single storey rear extension with roof terrace above following removal of existing conservatory; landscaping works to front curtilage					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Full planning application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	0	No. of objections	0
Summary of consultation responses:	<p>A site notice was displayed on 28/12/2018 (consultation end date 21/01/2019), and a press notice was displayed on 03/01/2019 (consultation end date 27/01/2019).</p> <p>No objections were received following public consultation on the scheme.</p>					
Heath and Hampstead Society	<p>The Heath and Hampstead Society objected to the original scheme on the basis of:</p> <ol style="list-style-type: none"> 1. The extremely large balcony would generate an unacceptable level of noise to neighbours, some of whom have gardens and windows in close proximity to the balcony 2. Overlooking and loss of privacy <p>The plans were subsequently amended, to reduce the depth of the balcony; the Heath and Hampstead Society were re-consulted and continued to object on the following grounds:</p> <ol style="list-style-type: none"> 1. The balcony remains large enough to host a party or a dinner party in the summer when sounds reverberate in an urban area and cause nuisance. Therefore the objection stands. <p><i>Officer Response:</i></p> <ol style="list-style-type: none"> 1. <i>The terrace is of a scale (9.8sq. m) which is considered to be acceptable, particularly considering the scale of this single family dwellinghouse and garden, and context of terraces in the area. See section 4 of the report for full details.</i> 					

Site Description

The application site comprises a three storey end of terrace single family dwellinghouse. The property is within the Hampstead Conservation Area and is noted as a positive contributor within the Hampstead Conservation Area Statement. It is not a listed building and there are no listed buildings within the vicinity.

Relevant Planning History

91 South End Road (Application Site)

None directly applicable.

Relevant policies

National Planning Policy Framework (2019)

London Plan (2016)

Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance

CPG1 Design (2018)

CPG Amenity (2018)

Hampstead Conservation Area Statement (2001)

Hampstead Neighbourhood Plan (2018)

DH1 Design

DH2 Conservation areas and listed buildings

Assessment

1. The proposal

1.1. This application seeks planning permission for the following works:

- Single storey rear extension to replace an existing conservatory. It would have a width and depth of 4.3m, with a further roof overhang of 0.5m. It would have a height of 2.5m to the flat roof, and would be finished in timber, lead standing seam, and would have two sets of bi-folding doors.
- A roof terrace would cover part of the flat roof above, with a depth of 2.4m and width of 4.1m (9.8sq. m), this would be accessed from a newly installed set of French doors (following removal of existing first floor rear window), and would have a half height glass balustrade.
- Minor land regrading is proposed to the front garden to allow further light to the lower ground floor level.

2. Revisions

2.1. The plans were amended since the original submission to reduce the depth of the proposed roof terrace from 4.1m (17.6sq. m) to 2.4m – a reduction of approximately 56% on the overall

footprint.

3. Conservation and design

- 3.1. Local Plan Policy D1 states that the Council will seek to secure high quality design in development. The Council will require that development: a. respects local context and character; b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).
- 3.2. Local Plan Policy D2 states that the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.
- 3.3. Paragraph 4.10 of CPG1 (2018) states that rear extensions should be designed to: be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing; respect and preserve the original design and proportions of the building, including its architectural period and style; and respect and preserve existing architectural features.
- 3.4. DH1 of the Hampstead Neighbourhood Plan requires applications to respect and enhance the character and local context of the relevant character area, whilst DH2 requires applications to consider relevant Conservation Area Appraisal(s) and Management Strategies and the NPPF.
- 3.5. The application site is located within the Hampstead Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.
- 3.6. The property is within Sub Area Three (Willoughby Road/Devonshire Hill) of the Hampstead Conservation Area Statement, with these properties along South End Road contributing to the significance of the conservation area primarily through their long front gardens.
- 3.7. The proposed addition would be of a modern design and material finish which is a clear departure from the host property. It would, however, be of a simple form with a flat roof and appropriate high quality finish. It is considered that by reason of the siting, scale, design and material finish of the proposed addition, it would remain subordinate to the host property and would not serve to cause harm to its character or appearance. Given the rear siting of the proposed addition at lower ground floor level, it would not be immediately visible in public views.
- 3.8. The roof terrace would be set in from the side and rear elevations of the proposed rear extension reducing its prominence and giving it an appropriate scale. It is acknowledged that roof terraces exist within the area (including at the host property and at the adjoining no.89). Whilst the modern glass balustrade is not a typically desirable material finish on a property such as this, given the set back of the balustrade, coupled with the modern finish of the rear extension, this is considered to be acceptable on balance. The replacement of the existing window to form French access doors is similarly considered to be acceptable.
- 3.9. Given the above assessment, it is considered that by reason of the siting, scale, design and material finish the proposal would not result in harm to the character, appearance or historic interest of the conservation area and is on this basis deemed to be acceptable.
- 3.10. The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of 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.

4. Impact on Neighbour Amenity

- 4.1. Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.
- 4.2. Given the siting, scale and design of the proposed rear extension (largely within a recessed area as a result of the rear addition to no.89, and separation distance to no.93) it is considered not to result in undue harm to the residential amenities of neighbouring properties in terms of daylight, sunlight, or outlook.
- 4.3. The scale of the proposed roof terrace (9.8sq. m) and residential nature of the property are such that it is unlikely to result in large gatherings of people (and resultant noise concerns). It is noted that the property has a large garden area, and the terrace would not form the only amenity space to the property, and would therefore not be relied upon in the same way as if the property only had this amenity area to use. It is further noted that roof terraces exist within the vicinity, including at the adjoining no.89. Given these factors, the proposal is unlikely to result in large gatherings of people and resultant noise concerns.
- 4.4. Given the recessed nature of the terrace to the extension of no.89, it is unlikely to result in harmful levels of overlooking to this neighbour. The separation distance to no.93, and stepped nature of these properties, are such that the proposal would not result in unduly harmful levels of overlooking to no.93, and so a privacy screen is not required in this instance.
- 4.5. Given the above, the proposal is considered not to result in undue harm to neighbouring amenity in compliance with policy A1 of the Local Plan.

5. Trees

- 5.1. A tree report was submitted with the application; this has been assessed as acceptable by the Trees Officer, subject to the attached conditions.

Recommendation: 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 11th March 2019, 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 and search for 'Members Briefing'.

Application ref: 2018/5405/P
Contact: Ben Farrant
Tel: 020 7974 6253
Date: 5 March 2019

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

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www.camden.gov.uk

Lathams
Latham Architects
12 St. Marys Gate
Derby
DE1 3JR

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
91 South End Road
London
NW3 2RJ

DECISION

Proposal:

Erection of single storey rear extension with roof terrace above following removal of existing conservatory; landscaping works to front curtilage

Drawing Nos: 7304 (08) 00, 7304 (08) 01 Rev.A, 7304 (08) 02, 7304 (08) 03, 7304 (08) 04 Rev.A, 7304 (08) 05 Rev.D, 7304 (08) 06 Rev.B, & Preliminary Arboricultural Assessment and Impact Assessment Ref: RT-MME-129955-01 by Middlemarch Environmental dated December 2018.

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: 7304 (08) 00, 7304 (08) 01 Rev.A, 7304 (08) 02, 7304 (08) 03, 7304 (08) 04 Rev.A, 7304 (08) 05 Rev.D, 7304 (08) 06 Rev.B, & Preliminary Arboricultural Assessment and Impact Assessment Ref: RT-MME-129955-01 by Middlemarch Environmental dated December 2018.

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

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

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with details approved under condition 4. The protection shall then remain in place for the duration of works on site, unless otherwise agreed in writing by the local authority.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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>

Yours faithfully

Director of Regeneration and Planning