

Delegated Report	Analysis sheet		Expiry Date:		28/02/2020	
	N/A / attached		Consultation Expiry Date:		08/12/2019	
Officer			Application Number(s)			
Obote Hope			2019/5088/P			
Application Address			Drawing Numbers			
13 Woodchurch Road London NW6 3PL			See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature			
Proposal(s)						
Erection of a single storey ground floor rear extension as an amendment to planning permission ref: 2019/2851/P dated 19.09.2019.						
Recommendation(s):		Refused				
Application Type:		Full Planning Permission				
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice				
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:		A site notice was displayed between 30/10/2019 to 23/11/2019. A press notice was published in a local newspaper on 14/11/2019 to 23/11/2019 No responses received				
CAAC/Local groups* comments: *Please Specify		No responses received				

Site Description

The host building is a large detached, 2-storey plus attic property in use as a private infants/junior school run on Montessori principles. It has several single storey rear extensions and an existing linkway extension at upper and ground floor levels that adjoins to number. 11 Woodchurch Road which is also part of the pre-school.

The site is located in South Hampstead Conservation Area (CA) and is noted in the CA statement as making a positive contribution to the area. The majority of the gardens to the rear on the north side are undeveloped and retain their open character with the exception of the two neighbouring properties no's 11 and 15 Woodchurch Road that have outbuildings.

Relevant History

2019/2851/P - Planning permission was granted for the erection of a single storey ground floor rear extension, the reconstruction of existing lean-to conservatory and installation of a rear ground floor terrace. Including new storage facility to the front elevation infilling of the lightwell, installation of rooflights to the existing building structure and installation of 2 x air condenser units to the rear of the building all association with the increase of the capacity of the nursery to from 80 to 100 pupils. Granted on 19/09/2019.

2003/0898/P: Planning permission was granted for the erection of a replacement ground and first floor side link extension dated 19/03/2004.

CWX0102115: Granted conservation area consent for the demolition of storage shed in rear yard dated 05/03/2002.

PWX0102114: Granted planning permission for the erection of new classroom at rear of building in place of existing sheds dated 05/03/2002

11 Woodchurch Road

2011/2108/P - Erection of single-storey outbuilding in the rear garden of an existing nursery (Class D1) (following demolition of existing outbuilding). Granted subject to a S106 legal agreement on 23/12/2011

Relevant policies

National Planning Policy Framework 2019 London Plan March 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development
Policy A2 Open Space
Policy A3 Biodiversity
Policy A4 Noise and Vibration
Policy C2 Community facilities
Policy D1 Design
Policy D2 Heritage
Policy E1 Economic Development
Policy T1 Prioritising walking, cycling and public transport
Policy T2 Parking and car-free development

Camden Planning Guidance

CPG|Design (2019) Chapters 2.12-2.13 and Chapter 5.

CPG Amenity (March 2018)

South Hampstead Conservation Area Character Appraisal and Management Strategy 2011 sections

Assessment

1. Proposed Development

1.1 Background

1.2 Planning permission was granted in 2019 (2019/2851/P) for the demolition of the rear conservatory and erection of a single storey rear extension at ground floor level, a new raised decking with timber screen was proposed that adjoins the new rear addition along the east elevation. Also proposed was a new infill extension with timber canopy along the side extension to the flank elevation and new roof lights on the existing building structures.

1.3 As part of the previously approved scheme, it was also proposed to install air condenser units to the rear of the extension. At the front of the building, planning permission was granted for the erection of bin, pram and cycle storage enclosures including the installation of timber screening to the front of the existing infill structure between the ground and first floors all associated with the increase of the nursery capacity from 80 to 100 child spaces. The aforementioned above planning permission remains unimplemented.

1.4 Planning permission is now sought for the erection of a single storey rear extension measuring approximately 7.9m wide, 4.3m in depth and 3.9m in height and a new roof lantern is proposed measuring approximately 0.6m in height. The site has been extensively redeveloped over the years, namely between 2003 to 2006 with developments that consist of ground and upper floor extensions resulting in a substantially developed site including the significant reduction in the rear amenity space due to the construction of numerous ground floor extensions to the nursery.

2.0 Planning Assessment

The key considerations in the assessment of this application are the impact of the development on the host building and the Conservation Area, and the impact on the amenity of neighbouring properties, summarised as follows:

- Principle and Land use
- Design (the impact of the proposal on the character of the host property as well as that of the wider conservation area);
- Impact on Amenity
- Trees and Landscaping
- Transport

3.0 Principle and Land use

3.1 The host building is used as a children's nursery (Use Class D1) which is linked to the neighbouring building at no. 11 Woodchurch Road which is occupied by the Bright Horizons Day Nursery & Pre-School. The building is connected to the neighbouring building (no. 11) by a link extension at ground floor, a floating first floor and steel walkway at second floor. The property consists of two and a half storeys that occupies a rectangular plot and the front yard area contains a bicycle/bin storage.

3.2 Policy C2 of the Camden Local Plan reaffirms the importance of assessing new development in regards to the scale and intensity of use, in this instance the nursery use (Class D1) if not carefully assessed, can lead to adverse impacts on residential amenity. One of the principle concerns is the movement of large numbers of people at certain times of day, impacts such as noise and air pollution

and the pressure on the transport system. Therefore, the Council will ensure that schemes satisfactorily address the impacts of changes to the balance and mix of uses in the area.

3.3 The proposal as submitted in 2019 (2019/2851/P) resulted in the scheme being revised to omit the rear extension that is now being assessed as part of this application. Moreover, the original proposal sought to increase the capacity from 80 to 115 pupils and due to the transport implications with the addition of 35 additional pupils, the applicant was advised that the proposal would be unacceptable. The Transport planners were concerned that if we were to assume a worst-case scenario of the extra traffic movements occurring at peak time would amount to 6 additional cars per hour. Consequently, the number of pupils were revised to accommodate a maximum of 100 pupils, which was considered acceptable and this was secured by a condition on the 2019 approval. If this additional extension was considered acceptable then the same condition would be added.

4.0 Design and impact on the Conservation Area

4.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. The Local Plan 2017 (paragraph 7.2) aims to ensure the all developments, including alterations and extensions, respect the character, setting, form and scale of the neighbouring properties as well as the character and proportions of the existing building where alterations are made. The proposal would be a departure from these design principles due to the combined bulk, scale and setting of rear extensions that would be harmful to the open character of the gardens to the rear.

4.2 The remaining rear garden of the building contains tarmac play spaces, enclosed by a wall. The erection of the proposed single storey rear extension in addition to those already approved would fail to respond positively and sensitively to the openness of the rear gardens. This would be apparent as both of the neighbouring properties have outbuildings (rather than rear extension) measuring approximately 7.3 in depth at no. 15 Woodchurch Road and 7.8m in depth in regards to the outbuilding at no. 11 Woodchurch Road. Both of the neighbouring properties gardens retain their open character and the outbuildings on both sites are appropriately setback by 7.4m (no.15) and 8.0m (no.11) from the main buildings. Therefore, if the proposal were to be approved the extension would have a cumulative impact on the built to unbuilt ratio of the rear elevation that would no longer be subservient to the host building. Notwithstanding the above, the continuation of the building by virtue of the rear extension would also fail to integrate well with the existing character of a place, building and its surroundings.

4.3 The proposed extension would be constructed using brick with vertical timber cladding and Bifold sliding doors measuring 3.7m in width. The proposed doors would open onto the covered canopy area. Approximately 159 sqm of the garden space would consist of rear additions along the east elevation with just 116sqm of garden space retained. The proposal would not have a significant impact on the functional aspect of the garden area given the location of the proposed extension to the rear end of the 17.9m deep rear extension. If implemented the proposed extension would set an unwelcomed precedent for future development and the proposed rear extension would result in irreversible loss to the open character that would be visually harmful to the gardens and the setting of the host buildings. The South Hampstead Conservation Area Appraisal reaffirms that 'the open green spaces of the private rear gardens and the communal gardens between terraces of houses remains undeveloped and these private and open spaces are a very important amenity for local residents – both for those who look onto the spaces and those who have access to them'. Thus, the proposal would be contrary to the South Hampstead Conservation Area Statement.

4.4 The NPPF 2019 is explicit in the way Local Planning Authorities (LPA) should consider applications in the designated conservation areas. The NPPF requires LPA to ensure that any harm to, or loss of, the significance of a designated heritage asset should not result in alteration to, or destruction of, the form of development within its setting without clear and convincing justification. In this instance, the justification provided by the applicant/agent is not convincing enough to overcome the impact of the rear extension. Moreover, it should be noted that the proposal would not result in the

increased of the capacity of the nursery any more than the previously approved scheme in 2019 (2019/2851/P).

4.5 Policy A3 of the Local Plan recognises the importance of preserving garden space that stipulates that development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area. Thus, *'the Council will protect such spaces in accordance with paragraph 74 of the National Planning Policy Framework. Gardens help shape their local area, provide a setting for buildings, provide visual interest and may support natural habit'*.

4.6 In order for a new extension to be subordinate to the original building, its height and depth should respect the existing common pattern of rear extensions at neighbouring sites. If permitted the combined depth of the rear extension would be approximately 20 metres compared with 10m at no 15 and 14.5m at no. 11 Woodchurch Road. Thus, the proposed rear extension would be disproportionately larger than those at the neighbouring properties, contrary to policy D1 of the Local Plan.

4.7 The South Hampstead CAAMS states that 'Mature street trees and the large, private open spaces contribute significantly to the attractive and leafy area. *'Development which results in the loss of private open spaces is unlikely to be acceptable due to the positive contribution of these spaces to the character and appearance of the conservation area. Any development of rear garden spaces should not detract from the general feeling of openness, and should ensure that most of the existing garden space is retained'*. The proposal would reduce the extent of openness of the rear garden that is considered to contribute significantly to the attractiveness of the gardens. This is a characteristic feature of the conservation area. The proposed addition to the rear elevation and the additional bulk would be discordant and have detrimental impact on the original design and proportions of the host building.

4.8 The proposed changes to the front elevation for the erection of the bin, pram and cycle storage enclosures are same as approved in 2019 (2019/2851/P).

4.9 It is proposed to install a freestanding air conditioning unit, which would be located behind the building structures to the rear of the site. It would be located a sufficient distance away from the host building. The proposed air condenser unit would be shielded by the rear boundary wall and would have negligible visual impact on the character and appearance of the wider area.

4.10 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. For the combination of the reasons as set out above the proposed development would fail to preserve or enhance the character and appearance of the host building, adjoining terrace and wider South Hampstead Conservation Area.

4.11 In summary, the proposed extension would not be subordinate to the host property, respect nor preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space. The extension would also be out of character when looked at in context with the neighbouring buildings that retain their open character to the rear. Thus, the proposed extension would result in harm to the character of the host building, the character and appearance of the South Hampstead Conservation Area contrary to policies D1 Design and D2 Heritage of the Camden Local Plan 2017.

5.0 Trees and Landscaping

5.1 An Arboricultural report was submitted with the application and 2 x tree (T4) False Acacia and (T11) Holly Tree have been identified as hazardous or in poor condition and are recommended for removal based on poor structural form and nursery playground location. To the front elevation, a mature Lime tree (T1) sited off site on the front northern boundary with the public highway should be

preserve and protected. Had the development been acceptable in all other respects, the tree officer's recommends tree protection measures are carried out during development works.

5.2 The hard and soft landscaping submitted is acceptable in principle; the proposal includes a varied and appropriate range of planting types. Thus, the proposed planting and landscaping arrangement would ensure that the development is of high quality in terms of visual amenity that will improve the biodiversity value of the site.

6.0 Transport

6.1 The number of nursery spaces was reduced from the original 115 child spaces to 100 child spaces increasing the nursery capacity from its previous capacity of 80 spaces. Following re-consultation with our transport planners, the reduction of the amount of pupils by 15 was considered acceptable. The technical note dated 27th August 2019 states that the arrivals and departures for a nursery are less intensive in the AM and PM peaks than for a school. As stated above a condition would be added that ensured that no more than 100 children were accommodated at the nursery.

7.0 Impact on Amenity

7.1 Policy A1 of the Camden Local Plan states that extensions and alterations to commercial properties should not have a detrimental impact upon the amenity of neighbouring residents by way of noise disturbance, privacy, loss of sunlight/daylight and outlook.

7.2 There is no fenestration to the side elevation of number 11 Woodchurch Road. Therefore, the rear extension is not considered harmful to the amenity of adjoining occupiers in terms of loss of daylight/sunlight nor would the proposal have an impact with sense of enclosure given its setting. The proposed sliding doors would look out onto the existing garden and would not exacerbate levels of overlooking. As such, the proposal is not considered harmful to the amenity of adjoining occupiers and would comply with policy A1 of the Local Plan 2017.

7.3 The air condenser units have been previously assessed prior to the omission of the rear extension. The Council's Noise Officer has reviewed the submitted acoustic report and has confirmed that the proposal would comply with Camden's minimum plant noise criterion. Had the development been acceptable in all other respects the air condenser unit would be subject to planning conditions.

9.0 Recommendation

10.0 Refuse planning permission