

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>22/04/2020</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>10/05/2020</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Alyce Jeffery			2020/0986/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
18 Frognal Way London NW3 6XE			See decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
		Nick Baxter		
<b>Proposal(s)</b>				
Erection of two rear ground floor (third floor to the rear elevation) extensions.				
<b>Recommendation(s):</b>		Refuse Planning Permission		
<b>Application Type:</b>		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
<b>Consultations</b>				
Adjoining Occupiers:	No. of responses	<b>00</b>	No. of objections	<b>02</b>
Summary of consultation responses:	<p>A press advert was published on 16/04/2020 that expired on 10/05/2020. A site notice was displayed on 15/04/2020 that expired on 09/05/2020.</p> <p><b>Two objections</b> were received in response to the public consultation period from the occupants/owners of no. 14 Frogmal Way and no. 4 Ellerdale Road and are summarised below;</p> <ul style="list-style-type: none"> <li>The proposal would significantly alter the profile of the building as a result of the filling in up to the eaves of the existing side parapet walls of the terraces. This would give the building a much more massive and overwhelming look as viewed from the sides, including from Ellerdale Close and especially from my house at 4 Ellerdale Close. Moreover, going down Ellerdale Close westwards towards my house, a significant amount of sky/light would be lost as a result of the filling in of the parapet walls. The proposal is essentially to create two conservatories despite being located two floors above the ground level, in breach of planning guidelines. The argument that the planned extensions are on the ground floor because of the topography of the site, clearly does not hold as the extensions will have no connection, physical or functional, with the ground. The proposal should therefore be rejected. <i>Officer comment: See section 2.2 for Design and Conservation assessment.</i></li> <li>The original or 'host' building was designed in the early twentieth century by C H B Quennell, an architect who built a number of houses in the area, some of which are listed. In the early 2000s the house was bought by a family who were in business as property developers and a large number of planning applications were submitted for extensions at the rear and side. This is a matter of record and is not dealt with in detail here. Most of these applications were refused by the council or at appeal, or were withdrawn. From the dialogue between the council and the applicants emerged the principle that the proposed rear and side extensions should be subordinate to the host building which should be preserved as the dominant form. This led to planning permission being granted for a rear balcony extension starting below the side eaves and curving down to a lower level, preserving the form of the host building. The current application breaches this principle by proposing to build up the side walls of the extension to eaves level so that the extension is no longer visually subordinate to the host building and the legibility of its original form is lost. <i>Officer comment: See section 2.2 for Design and Conservation assessment.</i></li> <li>The applicant has indicated that because the proposal is at the rear of</li> </ul>			

	<p>the house it does not affect the conservation area. This is not the case since the rear of the house is plainly visible from properties in Frogmal Way, Ellerdale Close and Ellerdale Road; and I have myself viewed the property from all of these locations. I also see that another objector has – quite independently – expressed the same views regarding the proposed extensions.  <i>Officer comment: See section 2.2 for Design and Conservation assessment.</i></p> <ul style="list-style-type: none"> <li>It is also asserted that these are ground floor extensions ie. at the same level as the front entrance from Frogmal Way. In fact because of the difference in ground level between front and rear – increased by excavation and landscaping works in the garden – they are in fact upper floor extensions. It is considered that the property has already absorbed as much extension and alteration as it can without further detriment to the host building, and in consequence harm to the character and appearance of the conservation area. For the above reasons, we request that the council REFUSE this application in line with its own pre-application advice.  <i>Officer comment: See section 2.2 for Design and Conservation assessment.</i></li> </ul>
<p><b>CAAC/Local groups* comments:</b>  *Hampstead Neighbourhood Forum</p>	<p><b>Hampstead Neighbourhood Forum</b> has objected on the following grounds;</p> <ul style="list-style-type: none"> <li>The Hampstead Neighbourhood Plan objects to this proposal as it is contrary to DH2 of the Hampstead Neighbourhood Plan (HNP). We note that both the Design and Access Statement and the Planning and Heritage Statement fail to consider this policy. HNP Policy DH2 states that “development proposals must seek to protect and/or enhance buildings (or other elements that make a positive contribution to the Conservation area.” In other words, the proposal must “protect and/or enhance” the building itself, not just the conservation area.  <i>Officer comment: See section 2.2 for Design and Conservation assessment.</i></li> <li>The proposed extensions may be small compared to the mass of the entire dwelling but compared to the mass of the ground floor, they are significant: they are nearly 50% the depth of the street-level floor and more than 50% of the current width. The extensions would significantly distort existing proportions, increasing the mass of the top floor compared to the broad terraces below. The house has been extended substantially in recent years in detriment to its original form and this proposal would neither protect nor enhance.  <i>Officer comment: See section 2.2 for Design and Conservation assessment.</i></li> </ul>

## Site Description

The application site is located on the southern side of Frognal Way, a cul-de-sac within the Hampstead Conservation Area. The site is bound by no. 14 Frognal Way to the west, no. 4 Ellerdale Road to the east, University College School grounds to the south.

The site does not contain a listed building, however does lie in close proximity to Grade II\* Listed Buildings at no. 9 Sun House, Frognal Way and no. 66 Frognal, and a Grade II Listed Building at no. 5 Shepherds Well, Frognal Way.

The application site is noted to make a positive contribution to the Hampstead Conservation Area.

## Relevant History

**2014/1743/P** - Amendments to planning permission 2009/0603/P dated 06/10/2009 for the excavation of basement level below existing dwellinghouse and approved extension to enlarge the basement for additional ancillary residential accommodation. Amendments include enlargement of basement floor at front; addition of plant rooms; installation of swimming pool; provision of decked garden terrace & alterations to rear garden levels; insertion of doors and windows at basement level; alterations to fenestration; railings & ironworks; and installation of services enclosure (part-retrospective) – **Approved 27/01/2015.**

## Relevant policies

### National Planning Policy Framework 2019

### The London Plan March 2016

### Camden Local Plan 2017

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

### Camden Planning Guidance 2018

CPG Altering and extending your home (2019)

CPG Design (2019)

CPG Amenity (2018)

### Hampstead Neighbourhood Plan 2018

DH1 – Design

DH2 – Conservation areas and listed building

### Hampstead Conservation Area Statement October 2001

## Assessment

### 1. Proposal

1.1 Planning permission is sought for the erection of two rear ground floor extensions. The extensions, although technically at ground floor level, owing to the ground level change and excavation of a basement level, the extensions would be read as third floor additions from the rear garden. The identical extensions would infill the existing two high-level terraces and be fully glazed. The extensions would measure 4.1m in depth, 3.5m in width and 2.7m in height where it meets the rear elevation of the host dwelling and reduce to 2.65m in height at the rear. The extensions would essentially fit flush below the eaves of the main roof, with a few millimetre gap visible on the drawings but not able to be measured.

### 2.0 Assessment

2.1 The main considerations associated with the application are:

- Design and Conservation
- Amenity

#### Design and character

2.2 Policy D1 (Design) of the Camden Local Plan 2017 states that the Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:

- character, setting, context and the form and scale of neighbouring buildings;
- the character and proportions of the existing building, where alterations and extensions are proposed;
- the prevailing pattern, density and scale of surrounding development;
- the impact on existing rhythms, symmetries and uniformities in the townscape;
- the composition of elevations;
- the suitability of the proposed design to its intended use;
- inclusive design and accessibility;
- its contribution to public realm and its impact on views and vistas; and
- the wider historic environment and buildings, spaces and features of local historic value.

2.3 Rear extensions should be subordinate to the host building and should not adversely affect the character of the host building or the surrounding conservation area. In most cases, such extensions should be no more than one storey in height. Furthermore, extensions should be moderate in scale and at ground floor level only to ensure it remains a subordinate addition. Camden's Altering and Extending your home CPG 2018, states that extensions that are higher than one full storey below roof eaves/parapet level, will be strongly discouraged as they would no longer appear subordinate to the building. Policy D2 (Heritage) of the Camden Local Plan 2017 clearly sets out that the Council will only grant planning permission for development in Camden's conservation areas that preserves or enhances the special character or appearance of the area.

2.4 The above guidance is echoed within policy DH1 (Design) of the Hampstead Neighbourhood Plan 2018 which states that development proposals should respond positively and sympathetically to the existing rhythm, proportion, height, scale, massing, materials and storey heights of surrounding buildings. In addition, policy DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan 2018 states that development proposals must seek to protect and/or enhance buildings (or other elements) which make a positive contribution to the conservation area.

2.5 Although the proposed extensions would technically be at ground floor level (given you would walk through the front door and walk out the rear door at the same level), due to the topography of the site, officers consider that it would be read as a third floor extension from the rear garden, which would be

contrary to the above guidance. They would also not be located one full storey below eaves and therefore, the proposal is contrary to the specific Camden guidance on Rear and Side extensions.

2.6 The proposed glazed extensions would alter the mass and proportions of the building, as they would infill the deliberate open space below the eaves. The building is characterised by symmetry and benefits from a balance of fills and voids, which would be affected by introducing two new partially solid, partially glazed structures on top of the existing extension, both in relation to the central section of the building and to the overall building.

2.7 Increasing the height of the existing solid walls to the east and west elevations would significantly alter the profile of the building, reducing the legibility of the original building from the side elevations. As existing, the brick boundary walls slope down to the rear of the site, which soften the transition of the building line and provide an open view.

2.8 The relationship of the proposed extensions with the existing eaves has not been resolved, creating an awkward transition from the pitched roof of the main building to the proposed glazed flat roof, resulting in harm to the integrity of the parent building and harm to the character and appearance of the conservation area, contrary to the above guidance and planning policy.

2.9 The building has been subject to significant refurbishment, extension and alterations in the past, and the below site photos are testament to how little of the existing built form, in its original state, at the rear remains visible. Officers note that a significant portion of the roof form remains visible from the rear garden, and will therefore seek to protect its views and character.



View of the rear elevation circa 2001.





View of the rear elevation late 2019.

2.10 The proposal to raise the existing rear elevation height would not only result in obscured views of the original roof, it would also introduce an inappropriate material at a high level, which would alter the character and appearance of the host dwelling contrary to planning policy.

2.11 In light of the above assessment, the proposed infill extensions are considered to result in harm the overall character and appearance of the host dwelling and the Hampstead Conservation Area contrary to policies D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

### **Amenity**

2.12 Policy A1 (Managing the impact of development) of the Camden Local Plan seeks to ensure that the existing residential amenities of neighbouring properties are protected, particularly with regard to visual privacy, outlook, sunlight, daylight and overshadowing, noise and vibration levels.

2.13 Given there is an existing roof terrace and due to the distance and space between the host property and the neighbouring properties, officers raise no objection to the proposal in terms of loss of privacy, sense of enclosure, loss of daylight/sunlight, light pollution or noise and disturbance. The proposal would comply with policy A1 of the Camden Local Plan 2017.

## **3.0 Recommendation**

3.1 Refuse planning permission