

# 2020/1769/P 62 Pilgrim's Lane



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.

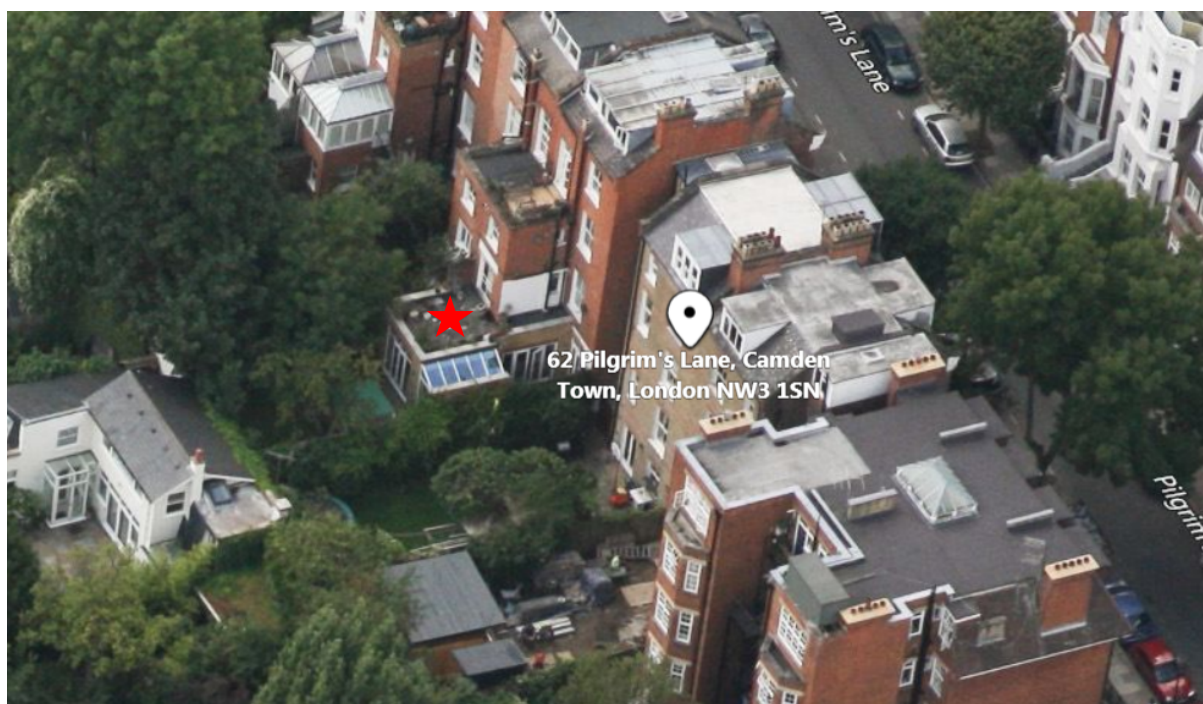


Image 1. Aerial view of the rear (existing terrace marked by the star)

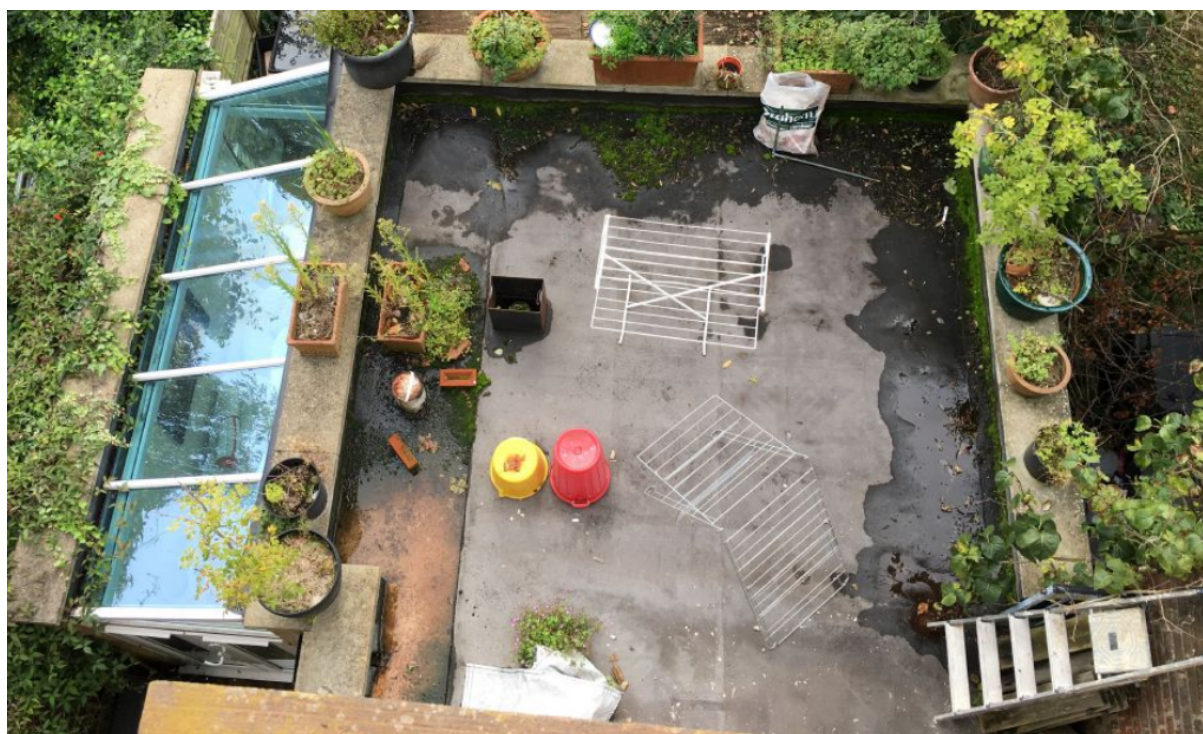


Image 2. Aerial view of the existing roof terrace on the roof of the existing lower ground floor extension





Image 3. View from the flat roof at upper ground floor level.



Image 4. Showing the boundary with no.60

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>16/06/2020</b>
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>	<b>28/06/2010</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Obote Hope			2020/1769/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
62 Pilgrim's Lane London NW3 1SN			Please refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Erection of a rear upper ground floor extension to provide additional accommodation and installation of railings on the roof of the lower ground floor rear extension to enclose the existing roof terrace (Use Class C3).					
<b>Recommendation(s):</b>		Grant conditional planning permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>Press notice: published on 04/06/2020 to 28/06/2020 Site notice: displayed from 29/05/2020 to 22/06/2020</p> <p>1 email objection was received from the owner/occupier of 62a Pilgrims on the following grounds:</p> <ol style="list-style-type: none"><li>1. The lease holder was not consulted and the application should not valid;</li><li>2. The proposal is for an additional extension rather than repairs and we would raise specific concerns regarding the impact on the local area and its amenity;</li><li>3. Noise from terrace and impact on daylight/sunlight;</li><li>4. The proposed extension will reduce the sunlight in the garden at number 60 and;</li><li>5. Construction works.</li></ol> <p><i>Officer response:</i></p> <ol style="list-style-type: none"><li>1. <i>The applicant was later served notice on 30<sup>th</sup> June 2020. This has met Planning legislation that requires the relevant leaseholders with more than 7 years left on their leases as required by Article 12 of The Town &amp; Country Planning Act 1990 and the Town and Country Planning (Development Management Procedure) (England) Order 2015, which specifies that the owner (and/ or agricultural tenant) of any part of the application should be given formal notice 21 days before the date of this application served on the 30<sup>th</sup> June 2020.</i></li><li>2. <i>The impact of the proposal on the conservation area in terms of its design is assessed in the design section in paragraphs 3.1 to 3.4 below.</i></li><li>3. <i>In regards to the amenity concerns raised in terms of noise and light impact these elements are assessed in amenity section. Please refer to the amenity section from paragraph 4.4 below.</i></li><li>4. <i>Please refer to the amenity section paragraph 4.5 below.</i></li><li>5. <i>The noise from any construction is legislated under the Building Control Regulation and an informative is attached reminding the applicant/agent of the Control of Pollution Act 1974.</i></li></ol>					
CAAC/Local groups comments:	<p>The Hampstead Neighbourhood Forum raised the following objections which are summarised below:</p> <ul style="list-style-type: none"><li>• The Planning Statement fails to consider possible loss of light, overlooking or loss of amenity to the neighbouring properties or the flat below.</li><li>• Nor does it address relevant policies in the Camden Local Plan, the Hampstead Neighbourhood Plan, the conservation area statement or Camden planning guidance on amenity.</li></ul>					

*Officer's response:*

- The amenity impact of the proposal is considered from paragraph 4.1 in the amenity section below;
- The Design and Access Statement was updated and whilst not providing specific policy reference, the supporting document focus on the design and appearance of the proposal that would remain *'subordinate to the host property in its detail, providing a subtle, contemporary addition that references the materials and fenestration of the lower and upper floors of this period property. The contemporary detailing to the extension is carried out in a subtle and sympathetic manner'*.

The Heath and Hampstead Society raised the following objections which are summarised below:

- The terrace is very large and the and will generate noise nuisance;
- The terrace would allow overlooking to the gardens below and the adjacent, close-by windows of bedrooms and living rooms in the rear of the neighbouring dwellings.

*Officer response:*

- *Please refer to the amenity section paragraphs 4.1 below:*

## Site Description

The application site is a mid terraced property on the south eastern side of Pilgrims Lane. The residential property has been divided into flats. This application relates to the upper ground floor flat. The property is not a listed building, but it is located within the Hampstead Conservation Area and falls within the Hampstead Neighbourhood Area.

## Relevant History

**2010/0147/P:** Erection of a rear, upper ground floor extension to provide additional accommodation to upper ground floor flat (Use Class C3). **Granted 02/03/2010**

**2008/2285/P:** Erection of side extensions to increase the width of the existing rear extensions at garden level to basement flat. **Granted 07/07/2008**

**2009/0275/P:** Erection of a rear upper ground floor extension to provide additional accommodation to upper ground floor flat. **Refused 31/03/2009**

## Relevant policies

### National Planning Policy Framework (2019)

**The London Plan March 2016**, consolidated with alterations since 2011  
**Intend to Publish London Plan 2019**

### Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

### Hampstead Neighbourhood Plan (2018-2033)

Policy DH1 Design

Policy DH2 Conservation areas and listed buildings

### Camden Planning Guidance

Design (adopted March 2019)

Altering and extending your home (2019)

Amenity (adopted March 2018)

### Hampstead Conservation Area Statement 2001

## Assessment

### 1.0 Proposal

1.1 Planning permission is sought for the erection of an upper ground floor rear extension above an existing rear extension, to create additional living accommodation for the upper ground floor flat. The proposed extension would have a flat roof, brick walls and French doors opening out onto a roof terrace. The proposed extension would measure approximately 2.7 metres in height, 1.8 metres in depth and 2.5 metres in width. A new metal railing would be installed to enclose an existing roof terrace on the roof of the lower ground floor rear extension. This application follows a previously approved application in 2010 ref: 2010/0147/P which proposed a similar extension although it was to be 1.8m deep and 2.6m in height.

### 1.2 Revisions

- The depth of the rear extension was revised from 2.0m to 1.8m as approved in 2010 and;
- The proposed drawings were revised to reflect the correct design of the lower ground floor side extension with the mono-pitched roof.

## 2.0 ASSESSMENT

2.1 The main issues to be considered as part of the assessment of the proposal include:

- Design (Section 3)
- Amenity (Section 4)

### 3.0 Design

3.1 Policy D1 (Design) states that the Council will seek to secure high quality design in all cases. This policy states that in order to demonstrate high quality, developments should meet several criteria including: respecting local context and character; be sustainable and durable and comprise details and materials that are of high quality and complement the local character. It continues to state that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area.

3.2 Policy D2 (Heritage) states that within Conservation Areas, the Council will require that development preserves or, where possible, enhances the character or appearance of the area. Policy DH1 of the Hampstead Neighbourhood Plan requires new development to demonstrate how they respect and enhance the character and local context of the relevant character area. Whilst Policy DH2 reaffirms that 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.

3.3 The property already has an original 3 storey rear closet wing plus a later lower ground floor rear extension projecting 4.5m from the rear elevation. The Council's policies state that planning permission will be granted for development that is designed to respect its site and setting. Policy D1 states that the form, proportions and character of the building and its setting must be considered. The proposed extension is considered to be a subordinate addition to the original building and would not have a detrimental impact upon the host property or the wider Conservation Area. The materials are to match the existing building and the new patio doors would be white painted timber frames to match the existing. There are similarly sized extensions at upper ground floor level to the rear of nos. 56 and 58, and as such, the proposed development would not appear out of character in this context.

3.4 The proposed extension is considered to be subservient in scale and does not appear prominent in the context of the size and height of the building. Materials and general form and design are therefore considered in accordance with policy and are therefore acceptable.

3.5 The existing roof terrace on the roof of the lower ground floor rear extension has been in place since before 2008. This is evident from the planning history associated with permissions for extensions to the lower ground flat where previous officers have referred to the existing roof terrace. No objection is therefore raised to the existing roof terrace. The new metal railings would enclose the existing terrace. Their simple design would not result in additional visual clutter to the rear elevation of the building and would be considered acceptable. Similar railings can be seen to the rear of 56 Pilgrims Lane and as such, the proposed railings would be in keeping with the immediate site context that would help to preserve the character and appearance of the host building and the existing townscape. Moreover, the scale of the terrace has been reduced and the proposed



terrace would measure approximately 3.7m in depth and 2.6m in width and consist of metal balustrade measuring approximately 1.1m in height this is a reduction of 1.1m in width from previous approval in 2010 (2010/0147/P). Overall, the proposal is not considered harmful to the character or appearance of the host building, street scene or the Hampstead Conservation Area, in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

#### **4.0 Amenity**

4.1 The CPG states that the Council will seek to minimise the impact of development on the amenity of both existing and future occupiers in terms of the loss of daylight. Access to daylight and sunlight is an important consideration in all planning applications. The existing boundary wall measures 1.0m in depth and 1.5m in height and the proposed extension would be an addition 0.8m deeper and 1.2m higher. It is therefore considered that the proposed rear extension would not have any detrimental impacts upon neighbouring windows at no.60 at both upper and lower ground floor level in terms of loss of daylight and outlook.

4.2 The proposed extension would have doors opening onto the existing terrace area. Given that the existing flat roof has been used as a roof terrace since before 2008, the newly enclosed terrace would not have any further impact on the amenity of the neighbouring properties with regards to overlooking. The proposed doors opening onto this terrace would face out to rear garden of the lower ground floor unit and not onto neighbouring properties. In light of the above, it is not considered that the proposal would not create any further harmful impacts of overlooking compared to the existing situation.

4.3 The existing terrace itself would continue to be used in a domestic context. Therefore, it is not expected that its use would create excessive noise and disturbance to neighbouring occupiers. As such, the proposals would not cause undue harm to neighbouring amenity in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017 and policy DH1 of the Hampstead Neighbourhood Plan 2018.

#### **5.0 Recommendation:**

5.1 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 the 26<sup>th</sup> of October, 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: 2020/1769/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Email: [Obote.Hope@camden.gov.uk](mailto:Obote.Hope@camden.gov.uk)  
Date: 18 October 2020

**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)

William Tozer Associates  
42-44 New House  
67-68 Hatton Garden  
London  
EC1N 8JY  
United Kingdom

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Flat Ground Floor**  
**62 Pilgrim's Lane**  
**London**  
**NW3 1SN**

# DECISION

Proposal: Erection of a rear upper ground floor extension to provide additional accommodation and installation of railings on the roof of the lower ground floor rear extension to enclose the existing roof terrace (Use Class C3).

Drawing Nos: A/01/001; A/01/101 REVD; /01/102 REVC; A/01/103 REVC; A/02/101 REVI; A/02/102 REVJ; A/02/103 REVG; A/02/104 and Planning Statement commissioned by William Tozer Associates dated 13th October 2020.

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 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 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: A/01/101 REVD; /01/102 REVC; A/01/103 REVC; A/02/101 REVI; A/02/102 REVJ; A/02/103 REVG; A/02/104 and Planning Statement commissioned by William Tozer Associates dated 13th October 2020

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

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.
- 3 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.
- 4 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 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Economy, Regeneration and Investment

**DRAFT**

**DECISION**