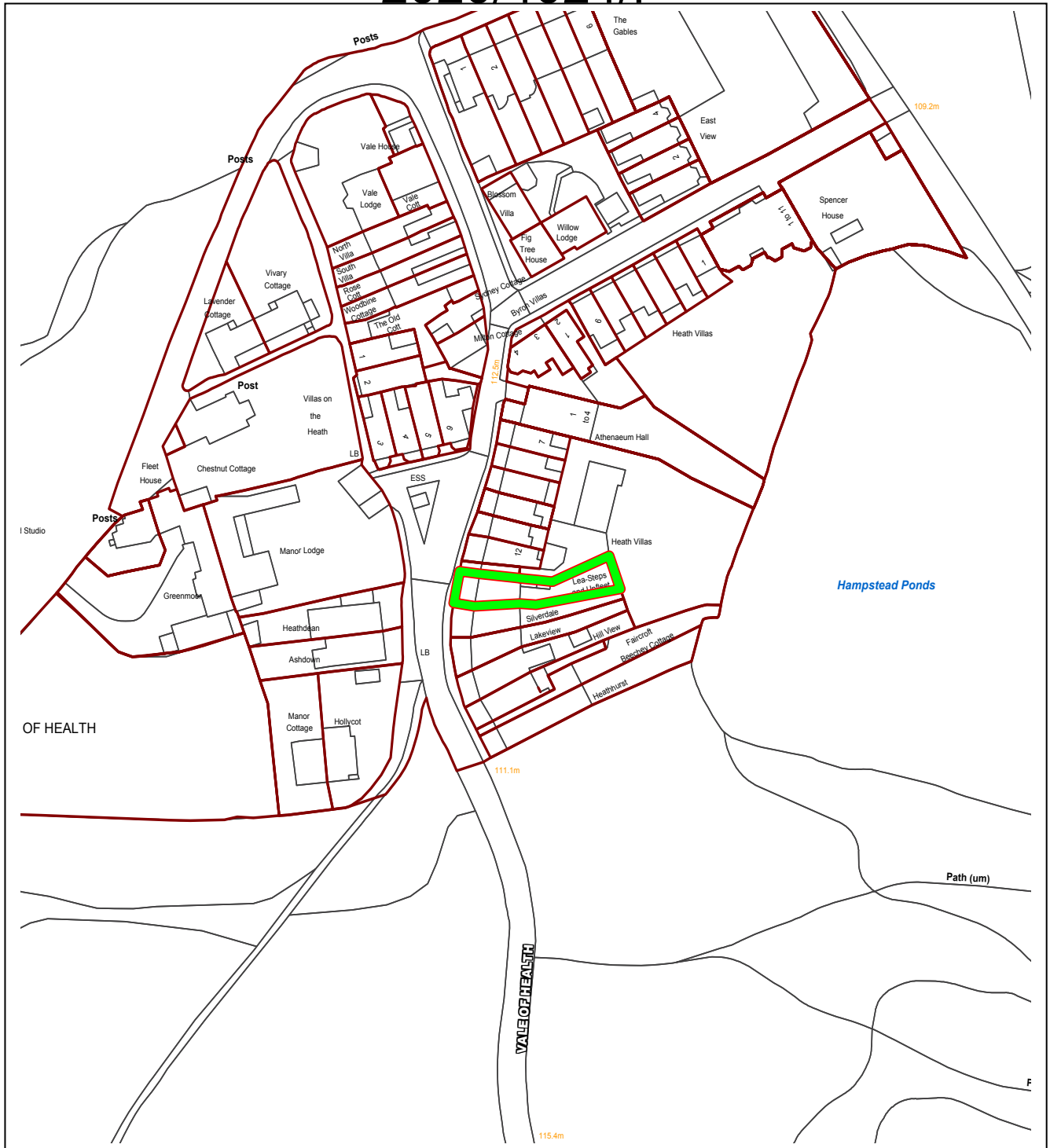


Upfleet, Vale of Health, NW3 1AN ref. 2020/4024/P



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1. Aerial view



2. Rear elevation



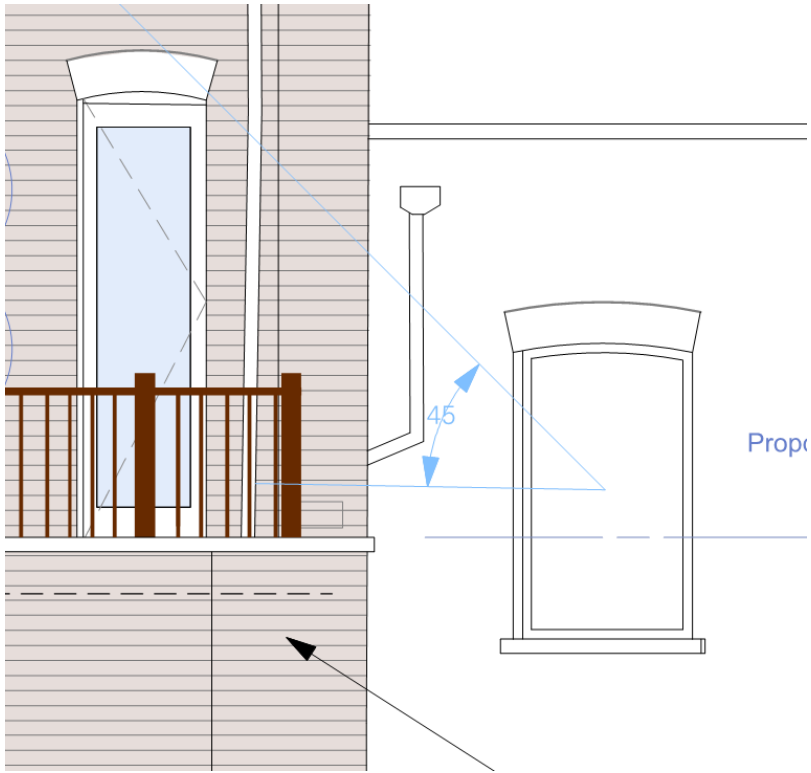
3. View from south



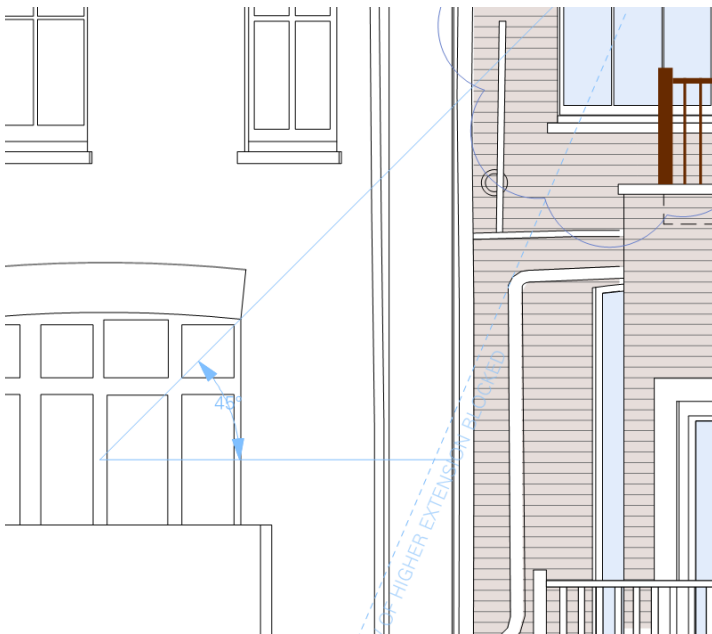
4. Existing rear elevation



5. Proposed rear elevation



6. Compliance with 45 degree test in elevation



7. Compliance with 45 degree test in elevation

Delegated Report (Members Briefing)			Expiry Date:	30/10/2020
		N/A	Consultation Expiry Date:	25/10/2020
Officer			Application Number(s)	
Josh Lawlor			2020/4024/P	
Application Address			Drawing Numbers	
Upfleet Vale Of Health London NW3 1AN			See decision notice weird	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Raising height of existing rear extension. Formation of window from Juliet balcony at first floor				
Recommendation(s):	Grant Conditional Planning Permission			
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	0	No. of objections	0
Summary of consultation responses:	<p>One site notice was displayed outside the site on 01/10/2020 (expiring 25/10/2020)</p> <p>The application was also publicised in the local press from the 01/20/2020 (expiring 25/10/2020)</p> <p>Three objections were received from three separate addresses, (with 2 x from Hillview, 1 x Vale of Health and 1 x 12 Heath Villas)</p> <p><u>Silverdale</u> <u>Vale of Health</u></p> <p>1. We are in support of the small balcony 1m from our own being removed and are pleased about that. We are however, concerned about the loss of daylight from Silverdale. The proposed changes to the balcony increase the height of the brickwork by 900mm which has an impact on the view from our window and the light entering it. We suggest that the balcony is not raised as much as proposed. Also the owners have agreed to consider enclosing the balcony with a glass parapet instead of the wooden balustrade currently proposed. We also believe that there may be light spillage from the room at night. We are worried about our loss of privacy as we can be seen in our bedroom from the balcony and can hear all activity on the balcony.</p> <p><i>Officer response to points 1 above:</i></p> <p>1. see amenity section of this report</p> <p><u>12 Heath Villas</u> <u>Vale of Health</u></p> <p>1. We are immediately adjacent to Upfleet. The proposed extension would have a significant impact on the light and outlook in one of our frequently used rooms. This room currently has daylight and uplifting sunlight that only comes in from the South, over the current extension to Upfleet. Raising this extension as proposed would reduce the light in the room considerably. We will have to look out onto a brick wall rather than having the open aspect, which will no doubt be oppressive and changes our outlook to an unacceptable level. It would also require more frequent use of artificial light and seems an intrusion into our home that is not appropriate.</p> <p><i>Officer response to points 1 above:</i></p> <p>2. see amenity section of this report</p>					

Hillview
Vale of Health

1. The additional mass and increase in volume of the extension will detract from the aesthetics of the conservation area and negatively impact the view of the Heath and houses from across the pond in Hampstead Heath.
2. The increased height of approximately 1 meter to the proposed structure will cause significant loss of amenity to neighbouring properties by overlooking when people are using the large, intrusive and out of character for the neighbourhood terrace on the rear extension. Users will have an extended view into the rear gardens and rear windows of all neighbouring properties.
3. Lea Steps and the one bedroom flat have access to a garden (following the amalgamation of the ground and lower ground floors), which means Upfleet will now also have access to a garden. As such, it is no longer necessary for Upfleet to maintain such a large, intrusive terrace on the rear extension which is out of character for the neighbourhood.

Officer response to points 1-3 above:

3. *see design/heritage of this report*
4. *see amenity section of this report*
5. *The need for the terrace is not assessed under this application.*

Hillview
Vale of Health

1. The increase in height on the terrace of almost 1m will cause a loss of amenity due to overlooking.
2. The massing of the proposed structure will detract from the aesthetics of the rear of the parade and views from Hampstead Heath. The project should aim to create uniformity with neighbouring homes on the rear of the property as it forms part of the landscape of Hampstead Heath. The out of character, large terrace should be removed or replaced with something of a similar area to neighbouring properties.

Officer response to points 1-2 above:

6. *see amenity section of this report*
7. *see design/heritage of this report*

Amenity Groups

1. Letters were sent to the Hampstead CAAC and the Hampstead Neighbourhood Forum

No response was received

Site Description

The application site comprises a mid-terrace three-storey and lower ground floor level building located on the east side of Vale of Health. This part of Vale of Health is characterised by a curved terrace of residential properties that date from the late 19th century. At lower ground floor and ground floor level is a maisonette, known as Leasteps. At first and second floor level is further residential accommodation known as Upfleet. To the rear there is an existing two storey extension at lower ground and ground floor with a terrace above. There is a long garden, up to the boundary with the amenity space of The Garden House, which leads to Hampstead Ponds. The rear garden of Leasteps is identified as Metropolitan Open Land (MOL). The Hampstead conservation area statement notes "It comprises the gardens of properties bordering the Vale of Health pond that make an important visual contribution to views from the Heath and act as a buffer between that and the built environment".

As alluded to above, the site is located within the Hampstead Conservation Area. Although the building is not listed, it is denoted in the conservation area statement as making a positive contributor to the special character and appearance of the area. The site is also located within the Hampstead Neighbourhood Plan area.

Relevant History

Upfleet

2020/0788/P Amalgamation of 2 bed flat over lower ground and ground floor with 1 bed flat over first floor to create a 3 bed residential unit (Class C3). Granted 30/04/2020

8702782 erection of a side extension at second floor level incorporating terraces at rear second floor and front roof level Granted 17/09/1987

Leasteps

2008/4236/P Erection of a single-storey rear extension at lower ground floor level and a rear wooden staircase. Granted 11/11/2008

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

Draft New London Plan Intend to Publish Version 2019

Camden Local Plan (2017)

A1 Managing the Impact of Development

A2 Open Space

D1 Design

D2 Heritage

Hampstead Neighbourhood Plan 2018 (NDP)

Policy DH1 Design

Policy DH2 Conservation areas and listed buildings

Policy NE1 Local green spaces

Camden Planning Guidance (CPG):

CPG Altering and extending your home (March 2019)

CPG Amenity (March 2018)

Hampstead Conservation Area Statement 2001

Assessment

1. The proposal

1.1. The proposal is to raise the roof of the existing two storey extensions at lower and ground floor by 920mm or 12 brick courses. The existing roof is currently used as a terrace with a timber stair providing access from first floor. The timber stair would be removed and the timber railings reinstated around the perimeter of the roof. The railings would project 800mm above the brick parapet. The raising of the parapet walls would be in red stock brick to match the existing.

2. Revisions

2.1. The originally proposed clear glass window, replacing the French doors at first floor has been revised to a traditional three over three timber box sash window to match neighbouring buildings. The reinstatement of this traditional window is a heritage benefit.

3. Assessment

3.1. The principal considerations material to the determination of this application are as follows:

- The effects upon the character and appearance of the host property, and surrounding area (Design and Heritage)
- The effects on the residential amenities of neighbouring occupiers (Residential Amenity)

4. Design and Heritage

4.1. Policy D1 of the local plan and DH1 of the NDP requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Local Plan policy D2 and DNP policy DH2 requires proposals to preserve and enhance heritage assets and their settings, including conservation areas. The Council will not permit development that results in harm that is less than substantial to the significance of the heritage asset unless the public benefits of the proposal significantly outweigh that harm. The council will also require that development within conservation areas preserves or, where possible enhances the character or appearance of the area.

4.2. The raising of the existing extension by 920mm would not significantly alter the appearance of the existing rear projection; it would still be read as a subservient addition to the host building. The timber balustrading would be replaced with similar treatment which is acceptable. The raised parapet level would be of similar height to neighbouring extensions to the south. The visibility of the extension from across the ponds (Hampstead Heath) would not materially change due shielding via existing vegetation. There would be no impact to the nearby The Garden House Metropolitan Open Land (MOL) designation. Overall the raising of the extension by a modest height is considered acceptable in design and heritage terms.

4.3. The removal of the unsightly timber stair would rationalise the appearance of the elevation. The removal of the unoriginal French doors / Juliet balcony at first floor, and its replacement with a traditional sash window is considered an enhancement to the building and conservation area. This accords with NDP policy DH2 which states that 'new development should take advantage of opportunities to enhance the Conservation Areas by protecting and, where appropriate, restoring original architectural features, including walls, windows, doors, etc., that would make a positive contribution to the Conservation Areas.'

5. Residential Amenity

- 5.1. Policy A1 of the Camden Local Plan seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused from the construction phase of development.
- 5.2. The proposal would be a replacement of the existing lawful terrace granted under ref. 2008/4236/P. The terrace which would be raised by 920mm which would not create new opportunities for overlooking and would therefore not exacerbate existing levels of overlooking to neighbouring properties.
- 5.3. The extension would comply with the 45 degree test (basic sunlight/daylight test) on elevation, measured against the nearest neighbouring windows at lower ground and first floor. It is noted that the depth of the extension from the original rear elevation would not increase. The extension would therefore have little to no discernible impact on light to neighbouring properties at Silverdale or 12 Heath Villas. In accordance with CPG Amenity 2018, as the proposal complies with the 45 degree test there is no requirement for the submission of fully surveyed daylight and sunlight assessment. In addition, the extension would not reduce outlook nor lead to a sense of enclosure to neighbouring rear windows. The height of the extension would be raised by 920mm which would not block any views from neighbouring windows. There would not be a material increase to light spillage over the existing situation.

6. Conclusion

- 6.1. The proposed development is considered acceptable in terms of design and impact on neighbouring residential amenity. The development is deemed consistent with the objectives and policies identified above.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 21st December 2020, 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: 2020/4024/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Email: Josh.Lawlor@camden.gov.uk
Date: 16 December 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
www.camden.gov.uk

HEAT Architecture Limited
89 - 90 Paul Street
London
EC2A 4NE

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Upfleet
Vale Of Health
London
NW3 1AN**

DECISION

Proposal: Raising height of existing rear extension. Removal of balcony and formation of window with single pane from french doors at first floor

Drawing Nos: 195-015-A, 195-017, 195-106, 195-011, 195-014, 195-007, 195-005, 195-006, 195-000, 195-001, 195-004

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 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 195-015-A, 195-017, 195-106, 195-011, 195-014, 195-007, 195-005, 195-006, 195-000, 195-001, 195-004

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 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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully

Chief Planning Officer

DRAFT

DECISION