

<b>Delegated Report</b>	<b>Analysis sheet</b>		<b>Expiry Date:</b>	22/12/2020
	N/A / attached		<b>Consultation Expiry Date:</b>	21/12/2020
<b>Officer</b>		<b>Application Number(s)</b>		
Adam Greenhalgh		2020/4971/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
3 Hillfield Road & 5 Hillfield Road NW6 1QD		See 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 single storey rear and side extensions to both ground floor flat at 5 Hillfield Road and house at 3 Hillfield Road.				
<b>Recommendation(s):</b>	Refuse planning permission			
<b>Application Type:</b>	Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>			No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed on 27/11/2020. The consultation period expired on 21/12/2020.</p> <p>7 letters of objection received (6 from addresses in Hillfield Road and 1 unknown). Objections raised relate to:</p> <ul style="list-style-type: none"> <li>• Loss of light/outlook and overlooking</li> <li>• Overdevelopment/loss of garden space/harm to visual amenity</li> <li>• Air pollution</li> <li>• Increased congestion</li> <li>• Disruption to neighbouring residents – unfinished works at other sites</li> <li>• Possibility of development being undertaken at one property and not the other.</li> </ul> <p><i>Officer comments:</i></p> <p>- <i>Loss of light/outlook and overlooking - See 'Impact on amenity' below.</i></p> <p>- <i>Overdevelopment/loss of garden space/harm to visual amenity - See 'Design and character' below.</i></p> <p>- <i>Air pollution – The proposal is not considered likely to result in a significant deterioration in air quality.</i></p> <p>- <i>Increased congestion – No significant increase in occupier/visitor numbers should arise and the proposal would not result in any significant loss of highway safety.</i></p> <p>- <i>Disruption to neighbouring residents/unfinished works at other sites – These are matters for planning enforcement or other legislation (i.e. Highways Regulations, Environmental Health). Nuisance and disruption during the course of development and unfinished works at other sites are not issues upon which planning applications can be decided.</i></p> <p>- <i>Possibility of development being undertaken at one property only- see 'Other matters' below.</i></p> <p><u>Fortune Green and West Hampstead Neighbourhood Forum</u>  Object on grounds of depth, height, bulk, mass and design and effects on character and appearance of host property and surrounding area</p> <p><i>Officer comments: See 'Design &amp; character' below.</i></p>					

## Site Description

3 and 5 Hillfield Road are 2 storey (plus basement and roof accommodation) red brick terrace buildings. No. 3 is in use as a house and no. 5 is in use as flats. Both buildings have 2/3 storey rear outriggers. That at no.3 has been extended at ground floor level by way of a 6m deep single storey extension (application 2015/5336/P in the Planning History). It also has a 3m deep single storey rear/side infill extension (application 2015/4981/P in the Planning History).

The site is located on the northern side of Hillfield Road which is characterised by terraced properties with similarly 2/3 storey rear outriggers and one or two further single storey rear extensions. No. 13 appears to have a small single storey side return infill extension.

The property is not located in a conservation area and is not listed.

The application relates to the ground floor of the house at no. 3 Hillfield Road and the two bedroom flat on the ground floor of no. 5.

## Relevant History

### 3 Hillfield Road:

**2014/1573/P** - Single storey ground floor rear extension (2.9 metres maximum height and 7 metres from rear wall of original dwellinghouse by 4.1 metres width) – **Refused Prior Approval** 08/04/2014.

Reasons for refusal:

*(1) The proposed extension, by reason of its scale and bulk would result in a dominant addition which would have an unacceptable impact on the amenity of the adjoining neighbour at No. 1 Hillfield Road. The proposal therefore fails to comply with Class A of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.*

**2014/3319/P** - The erection of a rear dormer roof extension with Juliet balcony and the installation of 1 x rooflight to the front and 2 x rooflights to the rear roof slopes of single dwelling house – **Granted** 11/06/2014.

**2014/3320/P** - Erection of single storey rear extension – **Granted** 03/06/2014.

**2015/2075/P** - The erection of a single storey rear infill and rear extension ground floor level – **Withdrawn** 26/08/2015.

**2015/4977/P** - Erection of single storey rear extension – **Refused** 09/12/2015.

**2015/4978/P** - Certificate of Proposed Lawful Development erection of single-storey rear extension to single dwellinghouse – **Withdrawn** 18/09/2015.

**2015/4981/P** – Single storey side/rear extension – **Granted** 26/10/2015.

**2015/5336/P** – Erection of single storey rear extension (6m deep x 3.5m wide x 1.6m to eaves and 3.2m to highest point of roof) – **Appeal Allowed** 14/03/2016.

**2015/5702/P** - Erection of single storey rear extension (6m deep x 3.5m wide x 1.6m to eaves and 3.2m to highest point of roof) – **Withdrawn** 27/10/2015.

**2019/4621/P** - Erection of a single storey side/rear extension – **Refused** 17/10/2019. Reasons for refusal:

- 1. The proposed single storey rear and side extension, by reason of its depth, height, bulk, mass and design would be overly large and disproportionate in size to the original building and would be detrimental to the character and appearance of the host property and the surrounding area contrary to Policy D1 (Design) of the Camden Local Plan 2017 and Policy 2 (Design and Character) of the*

*Fortune Green and West Hampstead Neighbourhood Plan 2015.*

- 2. The proposed single storey rear and side extension, by reason of its depth, height, bulk and mass would cause harm to the residential amenity of the neighbouring property above by way of sense of enclosure, loss of outlook, and loss of daylight/sunlight, contrary to Policy A1 of the Camden Local Plan 2017.*

**2019/4710/P** – Erection of a single storey side/rear extension – **Refused** 18/10/2019. Reasons for refusal:

- 1. The proposed single storey rear/side extension, by reason of its depth, height, bulk, mass and design would be overly large and disproportionate in size to the original building and would be detrimental to the character and appearance of the host property and the surrounding area contrary to Policy D1 (Design) of the Camden Local Plan 2017 and Policy 2 (Design and Character) of the Fortune Green and West Hampstead Neighbourhood Plan 2015.*
- 2. The proposed single storey rear/side extension, by reason of its depth, height, bulk, and mass would cause harm to the residential amenity of the neighbouring property above by way of sense of enclosure, loss of outlook, and loss of daylight/sunlight, contrary to Policy A1 of the Camden Local Plan 2017.*

**2020/3034/P** – Erection of a single storey ground floor side/rear extension – **Refused** 27/11/2020. Reasons for refusal:

- 1. The proposed single storey rear/side extension, by reason of its depth, height, bulk, mass and design would be overly large and disproportionate in size to the original building and would be detrimental to the character and appearance of the host property and the surrounding area contrary to Policy D1 (Design) of the Camden Local Plan 2017 and Policy 2 (Design and Character) of the Fortune Green and West Hampstead Neighbourhood Plan 2015.*
- 2. The proposed single storey rear/side extension, by reason of its depth, height, bulk, and mass would cause harm to the residential amenity of the neighbouring property above by way of sense of enclosure, loss of outlook, and loss of daylight/sunlight, contrary to Policy A1 of the Camden Local Plan 2017.*

**2020/4603/P** – Erection of a single storey side/rear extension linking in to existing rear outrigger and single storey rear extension – not yet decided

#### **5 Hillfield Road:**

**CTP/F3/7/32/31954** – Change of use including works of conversion of two maisonettes into three self-contained flats, one maisonette and small rear extension – granted 27/08/1982

## Relevant policies

### National Planning Policy Framework 2019

#### The London Plan 2016, consolidated with alterations since 2011

Intend to Publish London Plan 2019

#### The Camden Local Plan 2017

Policy A1 (Managing the impact of development)

Policy D1 (Design)

#### Camden Planning Guidance

CPG Design (2019) - S.2 Design Excellence

CPG Amenity (2018) – S.2 Overlooking, privacy and outlook; S.3 – Daylight and sunlight

CPG Altering and extending your home (2019) – S.3 – Extensions: rear and side

#### Fortune Green and West Hampstead Neighbourhood Plan 2015

Policy 2 Design and Character

## Assessment

### 1.0 Proposal

1.1 Planning permission is sought for the erection of a single storey rear/side extension (with a lightwell) to the ground floor flat at no. 5 and a single storey side/rear extension at no.3.

1.2 At no. 5 the extension would be 5.5m in depth next to 7 Hillfield Road (on the existing 2 storey outrigger). It would be 11.75m on the other side – on the main building – but this would feature a 3.75m deep lightwell off the main building (within the existing courtyard) to serve the existing bedroom at the rear of the main building and a new bedroom in the proposed extension. The extension would be 3m in height.

1.3 At no. 3 the proposal would project 8.5m from the rear elevation of the existing side extension (11.5m from the original side rear elevation). It would measure 2.4 in width and infill the space between the boundary shared with no. 5 Hillfield and the existing rear outrigger and the single storey rear extension which has been added thereto. The proposal represents an extension to the existing 3m deep single storey side/rear extension built under planning permission 2015/4981/P. The proposal would be flat roofed, with a height of 3m. It would feature a 1.5m x 1.5m rooflight. The site of the proposal includes a raised garden area. This would be cut to facilitate the extension.

1.4 The extension would be constructed from bricks to match the existing building and feature a pair of full height glazed windows/doors at the rear.

1.5 A single storey rear extension of a similar depth to that currently proposed here at 3 Hillfield Road was refused under application 2019/4710/P on 18/10/2019. The proposal differs from the catalogue of proposals at 3 Hillfield Road (noted in 'Relevant History' above) because it is for conjoined single storey rear/side extensions at both nos. 3 and 5 Hillfield Road. The most similar of the previous applications to the current proposal (for no. 3) is application 2019/4710/P which was refused on 18/10/2019. This proposed a 7.6m deep extension at no. 3 and the current proposal would be 8.5m deep (at no. 3).

### 2.0 Assessment

2.1 The main considerations associated with the application are:

- Design and character
- Impact on amenity.

Design and character

2.2 Policy D1 (Design) of the Camden Local Plan 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 The above guidance is echoed within policy 2 (Design & Character) of the Fortune Green & West Hampstead Neighbourhood Plan, which states that 'all development shall be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead.' In particular, paragraph vii. states that extensions and infill development should be 'in character and proportion with its context and setting, including the relationship to any adjoining properties.'

2.4 There are side infill and rear extensions to neighbouring properties on this side of Hillfield Road (more so at the other end of the road). However these extensions are much more modest in overall size, are subordinate to the host dwelling and are appropriate in their context. It is acknowledged that development has been granted and implemented through permitted development rights at 3 Hillfield Road (i.e. 3m deep single storey side/rear extension ref 2015/4981/P (granted 26/10/2015) and 6m deep single storey rear extension (ref 2015/5336/P, appeal allowed 14/03/2016). It is necessary to consider the cumulative impact of development. Additionally, development which has been undertaken as permitted development for which planning permission is not needed cannot be used as a justification for granting consent for development which requires planning permission.

2.5 The proposal in itself for 2 extensions constitutes an excessive and over-dominant addition to both application properties which detracts from the form, character and visual amenity of the existing buildings and their gardens. The proposals would detract from the aesthetic quality of the buildings and the spacing and character of the area. They would therefore be contrary to policy D1 (Design) of the Local Plan.

2.6 The proposal for 2 extensions is also cumulatively harmful in conjunction with the permitted extensions. The harm to the character of the area would be even more so in this case because of the combined nature of the development. Taken together, the proposals would be excessive in size and they would fail to respect the prevailing pattern and grain of development to the rear of Hillfield Road.

2.7 Moreover, the proposals erode the character of the gardens at the rear of the properties on this terrace. The extensions would harm the openness at the rear of the terrace and harm the outlook from neighbouring properties. For this reason the current proposal cannot be supported.

### Amenity

2.8 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.

2.9 The main property that is likely to be affected by the proposal is 7 Hillfield Road. As the proposal would sit behind and no higher than the extension that has been undertaken on the side with no. 1, it would effectively be 'screened' from the garden of this property and the proposal would have no

significant impact on the amenity of the rooms at this site. Similarly, owing to the deep gardens along Hillfield Road, it is not considered that the occupants to the rear of the site (South Mansions) would be impacted by the proposal.

2.10 The single storey extensions at the two properties of nos 3 and 5 would effectively sit alongside each other and each extension would not be unduly affected by the other extension in terms of light, privacy or outlook. This is unlike the previous scheme for no.3 alone which was refused on account of its serious amenity impact on no.5. Now the extension at no. 3 would have a solid wall abutting alongside the extension at no. 5 and thus there would be no impact upon the light, outlook or privacy of the accommodation at no. 3. The light and outlook which would be provided to bedrooms 2 and 3 within the ground floor flat at no. 5 would be rather limited as they would be served by a 3.75m deep lightwell with 3m + walls on each side. Elevational drawings would be needed to ensure that the windows were sufficiently sized to allow for light and outlook.

2.10 There should be no undue loss of privacy at 7 Hillfield Road. No windows are proposed in the side elevation of the extension at no. 5. A solid wall would be formed on the boundary with no. 7 and no overlooking would result.

2.11 The proposal would not result in undue overshadowing of the garden or loss of light from any rooms at 7 Hillfield Road. The 5.5m extension beyond the rear outrigger at no. 7 would largely sit below the boundary fence. Ground levels rise to the north and the proposal would have the same ground floor level as the existing building and so it would be below the boundary fence. Therefore, as the extension would not exceed the height of the fence on the boundary with no. 7, it would not affect the light received at this site.

2.12 The wider effects on the townscape and visual amenity of the area are discussed in 'Design and character' above. In terms of immediate outlook of neighbouring properties the proposals should not have significant effects. As stated above, the proposed extension would sit below the boundary fence with no. 7 Hillfield Road and consequently it would not have any significant impact on the outlook from the garden or ground floor windows at this site. The upper floor windows would also maintain an outlook to the rear and above the extensions. There would be no undue obscuring or loss of aspect from any windows or unacceptable sense of enclosure.

2.13 The proposals would not result in a significant increase in occupation levels or levels of activity. Consequently, the proposal would not result in unreasonable noise and disturbance to neighbouring properties. The letters of objection mention the prospect of the flat on the ground floor of no. 5 being rented to three occupiers. This occupation would not be excessive.

#### Other matters

2.14 There is a possibility, if planning permission was granted, that the development could be partly undertaken, for example, at one of the properties but not the other. This is mentioned in one of the letters of objection which has been received. If this was to arise, then it would give rise to further planning considerations, most notably a significant loss of amenity such as daylight and outlook to the shared neighbour. Consequently, if planning permission is to be granted then it should be subject to a condition or legal agreement that the development should be undertaken in its entirety as per the application drawings.

### **3.0 Recommendation**

#### **3.1 Refuse planning permission**