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|--|----------------------------|----------------------------|-------------------------------------|----------------------------------|------------|
| <b>Delegated Report</b>  |                            | <b>Analysis sheet</b>      |                                     | <b>Expiry Date:</b>              | 31/05/2021 |
|  |                            | N/A / attached             |                                     | <b>Consultation Expiry Date:</b> | 17/06/2021 |
| <b>Officer</b>   |                            |                            | <b>Application Number(s)</b>        |                                  |            |
| Elaine Quigley   |                            |                            | 2021/1610/P                         |                                  |            |
| <b>Application Address</b>   |                            |                            | <b>Drawing Numbers</b>              |                                  |            |
| 2 Byron Mews<br>London<br>NW3 2NQ                                    |                            |                            | See 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 two storey side extension to single family dwellinghouse |                            |                            |                                     |                                  |            |
| <b>Recommendation(s):</b>  |                            | Refuse planning permission |                                     |                                  |            |
| <b>Application Type:</b>   |                            | Householder Application    |                                     |                                  |            |

|   |  |  |                  |    |                   |    |
|---|--|--|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal:                  | Refer to Decision Notice   |  |                  |    |                   |    |
| Informatives:                                       |  |  |                  |    |                   |    |
| Consultations                                       |  |  |                  |    |                   |    |
| Adjoining Occupiers:                                |  |  | No. of responses | 06 | No. of objections | 01 |
| Summary of consultation responses:                  | <p>Site notices were displayed outside Byron Mews and Fleet Road to the rear of the site from 16/06/2021 to 10/07/2021. A press notice was advertised from 17/06/2021 to 11/07/2021.</p> <p><b>LETTERS OBJECTING</b></p> <p>1 letter of objection was received from neighbouring occupier at 138 Fleet Road raising the following concerns and comments:</p> <p><b>NOISE</b></p> <ul style="list-style-type: none"><li>• Application should be refused just like all other developments that fall within the conservation area</li><li>• Property at 138 Fleet Road shared a 7m wall with the application property and will incur serious noise pollution in an already noise polluted area. Working from home this will cause serious disruptions to my day</li></ul> <p><b>LETTERS SUPPORTING</b></p> <p>5 letters of support were received from neighbouring occupiers at 1 Byron Mews; 3 Byron mews; 14 Bryon Mews; 17 Byron Mews; 21 Byron Mews raising the following concerns:</p> <p><b>DESIGN</b></p> <ul style="list-style-type: none"><li>• Design and scale is in keeping with the primarily modern surrounding structures</li><li>• The extension would make better use of this space as it would be used as living space rather than a shed (as existing)</li><li>• It will add character to the mews as not all the houses will be the same</li><li>• Use of matching materials will enhance all the properties in the mews</li></ul> <p><b>AMENITY</b></p> <ul style="list-style-type: none"><li>• No impact on amenity of neighbours</li></ul> |  |                  |    |                   |    |
| Hampstead CAAC<br>Hampstead and Neighbourhood Forum | Hampstead CAAC and Hampstead Neighbourhood Forum were consulted about the application. No responses were received following the statutory consultation period.   |  |                  |    |                   |    |

## Site Description

The property is a two-storey (with accommodation in the roof) end-of-terrace house on the northern side of Byron Mews, a modern gated development that is accessed from Fleet Road. The site is located on the former Cressy Road Depot industrial site. Byron Mews is curved in form and is situated in a basin below the level of Fleet Road. The site is enclosed by the original 10m high buttressed wall that surrounds the entire mews and is the only surviving feature of one of the historic tram sheds which historically enclosed the site.

The site lies within the Hampstead Neighbourhood Plan Area. Bryon Mews is located within character area 3: 19th century expansion.

The site is also located within the Mansfield Conservation Area in sub area 1: Fleet Road from west to east. The property is not listed nor is it identified as a positive contributor or detractor in the Mansfield Conservation Area Appraisal and Management Strategy (CAAMS).

The property is one of 61 properties within the mews that was developed as housing of between 2 and 3 storeys in height in early 1995. The building is brick built, with a modern design and mansard roof on the second storey set behind a parapet wall.

## Relevant History

Planning permission was **granted** on 15/07/1994 (ref PL/9400136/R2 and associated HB/9460036/R2) for redevelopment of the site by the erection of 61 residential units comprising 25 x 1 bedroom units 20 x 2 bedroom units and 16 x 3 bedroom units and change of use of existing buildings to B1 office and or workshop accommodation.

Planning permission was **refused** on 09/07/2019 (ref 2018/5446/P) for erection of a three storey side extension to existing mews house following demolition of the existing single storey side extension (C3 use class). The decision was appealed and the Inspector **dismissed** the appeal (see background paragraphs for further details) on 05/12/2019 ref. APP/X5210/D/19/3235244. The appeal decision is appended to this report.

## Relevant policies

### National Planning Policy Framework (2021)

### London Plan (2021)

### Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

T3 Transport infrastructure

T4 Promoting the sustainable movement of goods and materials

### Hampstead Neighbourhood Plan (2018)

Policy DH1 (Design)

Policy DH2 (Conservation areas and listed buildings)

### Camden Planning Guidance

CPG Altering and extending your home (2019)

CPG Amenity (2018)

CPG Transport (2019)

### Mansfield Conservation Area Appraisal and Management Strategy (CAAMS) 2008

## Assessment

### 1.0 BACKGROUND

- 1.1 Planning permission was refused for a three-storey side extension to the existing dwellinghouse following demolition of the existing single storey side structure. The extension measured 2.23m to 2.58m in width by 10.6m in depth by 7.6m in height (to the eaves) and 8.3m in height (to the ridge). The ground floor was proposed to be rendered with exposed brick work at first and second floor. The proposed roof was hipped with slate incorporating a lead clad dormer at the roof level.
- 1.2 The height of the extension (3 storeys), its width, and scale was not considered to be subordinate to the original building. It was considered to upset the rhythm of the properties along this section of the mews that has similar consistent design features. The extension screened an historic buttressed wall that is a positive feature (to the conservation area) reflecting the historic context of the original tram shed that was on the site prior to the construction of the mews development. The width and height of the proposed extension resulted in the loss of the breathing space between the built form of the original mews development and the historic wall. Overall, the proposal neither preserved nor enhanced the character or appearance of the conservation area.
- 1.3 The application was **refused** on 09/07/2019 for the following reason:  
*The proposed three storey side extension, by reason of its scale, height, and location, would not be subordinate to the host building and would result in the loss of an important townscape gap and unbalance the rhythm of the terrace, which would harm the character and appearance of the host building and the Mansfield Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policy DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.*
- 1.4 The applicant appealed the decision on 02/10/2019 (ref APP/X5210/D/19/3235244). The Planning Inspector agreed with the Council that the dwellings within the mews all achieve a consistent architectural style and form which achieve a cohesive character and appearance, despite some variations in dwelling height, width and design. He acknowledged the appeal property's symmetry stating that "the appeal property *specifically achieves a balanced design and appearance with the neighbouring dwelling attached.*" The Inspector considered the original tram shed wall to be a positive feature which acknowledged the historical context of the site and the surrounding area.
- 1.5 Firstly the Inspector found that the extension would close the gap, obscuring the majority of the view of the historic tram wall from the mews and harming the character and appearance of the surrounding area. Secondly he noted that the design choice increased the vertical mass of the proposed extension at the first and second floor levels which would appear overbearing next to the host dwelling, despite its width, and interrupt the rhythm and pattern along this section of the terrace row. He concluded that "*the proposed side extension would fail to achieve a subordinate appearance in relation to the host dwelling, subsequently harming the character and appearance of the host dwelling.*" The appeal was **dismissed** on 05/12/2019.

### 2.0 PROPOSAL

- 2.1 Planning permission is sought for the erection of 2 storey side extension to a single family dwelling. The proposal would include a 2 storey side extension filling in the gap between the existing side elevation of the property and original tram shed wall. The first floor of the extension would be setback approx. 2.9m from the front elevation. In comparison to the previously refused proposal, the 2<sup>nd</sup> floor extension has been removed from this proposal. The rear projection beyond the main rear building line would remain the same as the refused scheme and the detailed design would match the existing.
- 2.2 Officers consider that the concerns of the previous proposal have not been met, and whilst the proposal has been reduced would still cause harm. A full assessment of the proposal is below.

### 3.0 ASSESSMENT

3.1 The main considerations as part of the proposal are:

- Housing
- Design and conservation
- Amenity
- Transport

#### Housing

3.2 The existing self-contained property includes 5 bedrooms with family room and kitchen on the ground floor, 3 bedrooms and a bathroom on the first floor and 2 bedrooms and a bathroom on the second floor. The existing single storey side element is used as a study/shed that infills the gap between the main side elevation of the property and the buttresses of the original tram wall. The overall floor area of the property measures approximately 108 sqm. The existing living space is considered to be well proportioned, and it is noted that it was originally constructed as a two bedroom house.

3.3 The Design and Access Statement advises that the existing house is small and ill-suited for a growing family of 4. The current requirements of the existing occupier to expand for their own personal benefit is not considered to be a material planning consideration in this instance.

#### Design and conservation

3.4 The property is an end of terrace three storey mews building. In his decision, the Planning Inspector acknowledged that the existing side extension is different in style and design but is subordinate in terms of its appearance within the terrace stating in para 5:

*“the existing side extension to the appeal property does not appear incongruous with the character and appearance of the terrace dwellings. It achieves a subordinate appearance within the street scene and has a comparable appearance to a fence or gate enclosing the rear garden of the property.”*

3.5 The main building measures 4.71m wide and 9.49m in depth. The proposed side extension would be 2.23m to 2.58m in width and would extend the full length of the property at ground floor level projecting beyond the rear elevation by 1.2m. At first floor level the extension would be set back from the front elevation of the building by approximately 2.9m.

3.6 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 requires extensions to consider the character, setting, context and the form and scale of neighbouring buildings; and the character and proportions of the existing building. Policy D2 additionally states that the Council will only permit development within conservation areas that preserves or enhances the character and appearance of the area.

3.7 Policy DH1 of the Hampstead Neighbourhood Plan (NP) seeks to ensure development responds respect and enhance the character and local context of the relevant character area. Policy DH2 seeks to ensure that development protects and / or enhances building (or other elements) which make a positive contribution to the conservation area.

3.8 Camden's design policies are supported by Camden Planning Guidance Design. CPG Design states that 'good design should respond appropriately to the existing context by:

- ensuring the scale of the proposal overall integrates well with the surrounding area
- carefully responding to the scale, massing and height of adjoining buildings, the general pattern of heights in the surrounding area
- positively integrating with and enhancing the character, history, archaeology and nature of existing buildings on the site and other buildings immediately adjacent and in the surrounding

area, and any strategic or local views, vistas and landmarks. This is particularly important in conservation areas.'

3.7 CPG Altering and extending your home, paragraph 3.3 states that 'Extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions, will be strongly discouraged. This is because such extensions no longer appear subordinate to the building.'

3.8 It further states that side extensions should be:

- located adjacent to the side and rear elevations of the building;
- subordinate to the original building in height and scale;
- no taller than the porch; and
- set back from the main building

3.9 The proposed extension would be half the width of the existing property. Consequently the extension would not be considered to be subordinate to the original building in terms of its height or scale. This would fail to comply with policy D1 of the Camden Local Plan and DH1 of the Hampstead neighbourhood Plan 2018.

3.10 In terms of the detailed design the proposed extension would have a flat roof and sit below the main parapet of the dwelling. The proposals would include an additional row of windows. The first floor window would be smaller than those at the same level of the main dwelling and this part of the extension would be set in from the front elevation. At ground floor level the extension would be flush with the existing façade and carry a similar treatment and fenestration. This would alter the original form of the house as well as the scale and proportions of the house which would be considered harmful to its character and appearance. This would fail to comply with policy D1 of the Camden Local Plan and DH1 of the Hampstead Neighbourhood Plan 2018.

3.11 The applicant's design and access statement suggests that the proposed extension would form a book-end which is a feature of the rest of the estate but is a missing element here of the terrace composition. The original plans also show that the width and height of the application property has been built as it was originally designed with the flank wall reading as the bookend of the northern side of the mews. The suggestion that a further bookend to the terrace is required in the form of a three storey side extension is therefore not considered to be justified.

3.12 The Mansfield CAMMS identifies what is important in the conservation area in page 25:

*"It is clear from the conservation area appraisal that a key element of the distinctive character and appearance of the Mansfield Conservation Area is the area's high quality and unified architectural style and form". It goes on to confirm that "High quality design, appropriate scale, form and materials and high quality execution will be required of all new development. This would include... extensions which can harm the character and appearance of the area to an extent belied by their individual scale."*

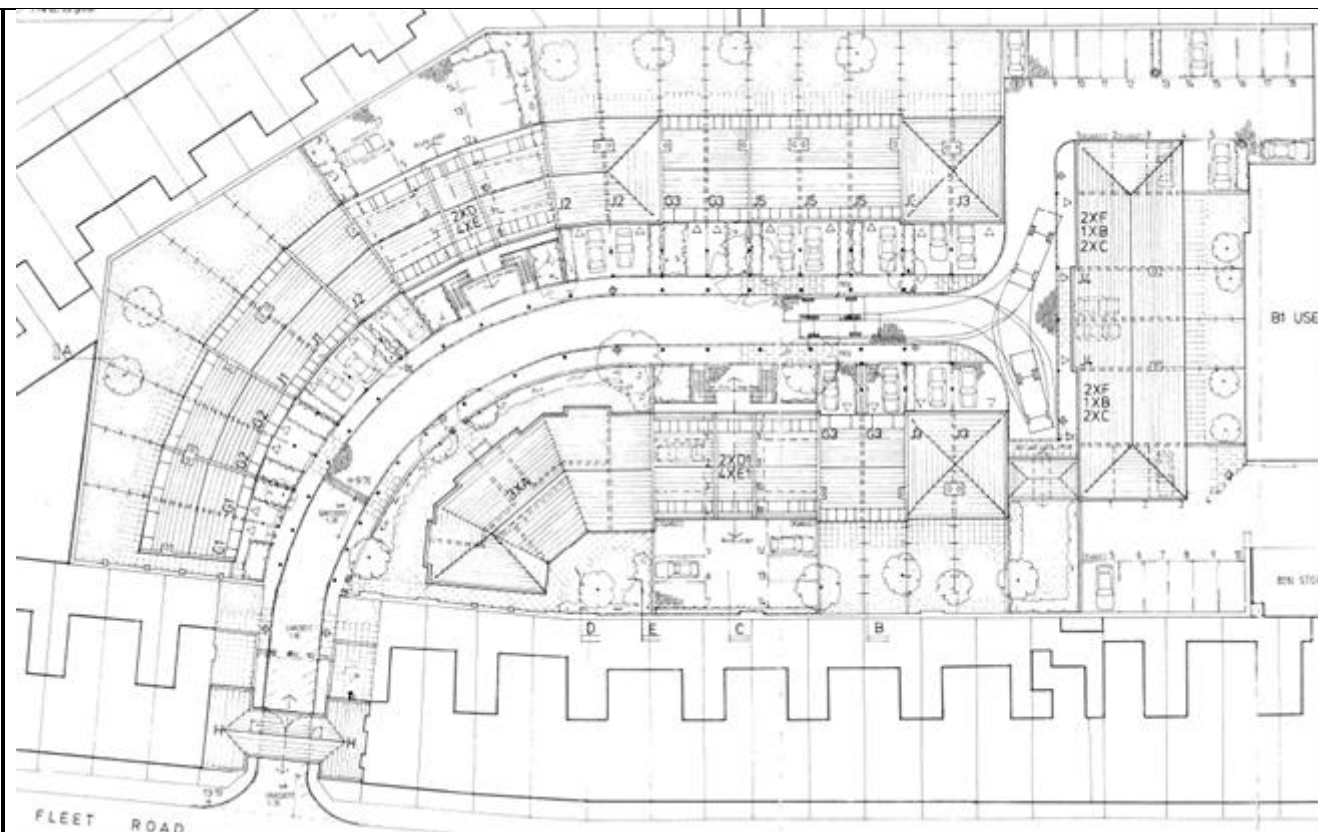
3.13 The mews includes design variations on the front facades to reflect the type of accommodation included within the development with the narrower two storey buildings comprising the 2 bed self-contained houses, the wider two storey buildings comprising the 3 bed self-contained houses and the larger wider blocks forming the three storey buildings comprising the self-contained flats. This includes stepped front building lines to follow the curve of the internal street. The first four houses (nos. 2 to 5) within the northwest part of the mews are similar in terms of their width, height and detailed design (including fenestration number and pattern) and this is replicated at the eastern section of the northern block.



**Figure 1:** Original approved plan showing the front elevation of the application site and part of the northern section of the mews (ref PL/9400136/R2)

3.14 The proposal would increase the width of the property at ground and first floor level, increase the height of the front parapet and introduce an additional window. It is appreciated that the first floor would be set back from the front façade; however, the proposal would upset the rhythm of the properties along this section of the mews, which has similar consistent design features despite the modest design variations on the front façade. The proposal would therefore be considered harmful to the character and appearance of the mews and would be harmful to the character and appearance of the Mansfield Conservation Area (by neither preserving nor enhancing it).

3.15 As stated in the application site details above, the property is enclosed by the original 10m high buttressed wall that surrounds the entire mews and is the only surviving feature of one of the historic tram sheds which historically enclosed the site. Having reviewed the original plans of the development it clearly shows that gaps were retained between the application site and the original buttressed tram shed wall on the northern side of the mews and a similar gap was mirrored (and is still retained) on the southern side of the mews between nos. 46 to 60 (evens) Byron Mews and the boundary wall (see figure 2 below). Although there is no written documentation to explain the reason for the gap it does provide a meaningful breathing space between the mews properties and the original buttressed tram shed wall (see figure 3 below). This was also acknowledged by the Planning Inspector in his decision. It also allows the wall to be read as an independent structure with its historic reference maintained. This appears to be a feature of the development of the mews where the original development has been set away from the tramshed wall either by retaining gaps between the built form and the wall or locating car parking next to parts of the wall. None of the development extends up to or screens this historic feature.



**Figure 2:** Original approved site layout plan (ref PL/9400136/R2) with the application site outlined in red.



**Figure 3:** Historic picture of the Cressy Road with the 10m high buttressed wall that surrounds the entire mews and is the only surviving feature of one of the historic tram sheds still in place.

3.16 The proposed extension would project up to the buttressed wall and partially screen views of it from the surrounding area and properties within the mews. It is acknowledged that the wall is not listed and therefore does not have the protection of a listed building or structure. However the proposed two storey extension would result in the loss of the breathing space between the built form of the development and the historic wall and would neither preserve nor enhance the character and appearance of the conservation area and would be considered contrary to policy D2 of the Camden Local Plan and DH2 of the Hampstead Neighbourhood Plan 2018.

3.17 Due to the location of the proposal it is considered that the two storey side extension would not materially affect the neighbouring amenity of any nearby properties in terms of light, outlook or privacy.

#### Transport

3.18 The proposed development is unlikely to generate significant volumes of construction traffic on a day to day basis. Therefore a construction management plan is not considered necessary from a transport point of view (if the development were to be considered acceptable).

### **4.0 RECOMMENDATION**

4.1 The proposed two storey side extension, by reason of its scale, height, and location, would not be subordinate to the host building, and would result in the loss of an important gap and unbalance the rhythm of the terrace which would harm the character and appearance of the host building and the Mansfield Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policy DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

**APPENDIX 1: Appeal Decision dated 05/12/2019 ref. APP/X5210/D/19/3235244**

