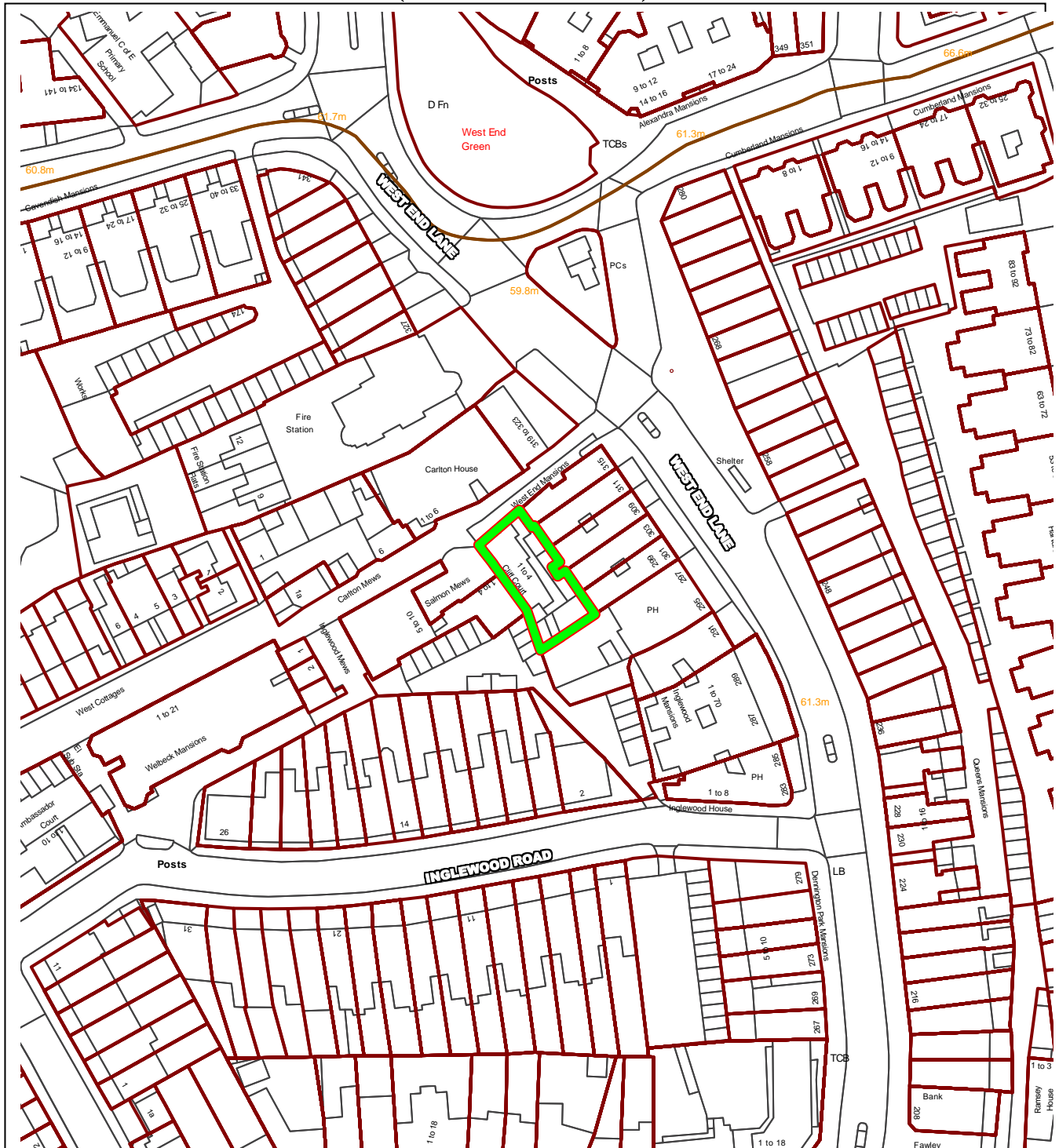


Flat 4 At 14 West Cottages, NW6 1RJ (2021/4336/P)



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1. Aerial view of the rear elevation of the site showing the relationship to 309 West End Lane



2. Rear elevation of the building



3. View from flat roof looking towards the year of the properties at West End Lane



4. View from flat roof looking to the rear showing existing trees

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	09/03/2022
		N/A / attached	Consultation Expiry Date:	13/02/2022
Officer			Application Number(s)	
Sofie Fieldsend			2021/4336/P	
Application Address			Drawing Numbers	
Flat 4 At 14 West Cottages London NW6 1RJ			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of single storey rear extension and terrace at 2 nd floor				
Recommendation:		Grant conditional planning permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	3	No. of objections	3
			No. electronic	00	No. of comments	00
Summary of consultation responses:	<p>A site notice was displayed on the 17/01/2022 and the consultation period expired on the 10/02/2022. A press notice was advertised on 20/01/2022 and expired on 13/02/2022.</p> <p>3 objections were received from neighbouring properties: 24 Ingham Road, 309a West End Lane and Flat B, 309 West End Lane. Their objections are summarised as follows:</p> <p><u>Amenity:</u></p> <p>1. Loss of light, privacy and sense of enclosure to 24 Ingham Road, 309a West End Lane and Flat B, 309 West End Lane</p> <p><u>Other:</u></p> <p>2. Comments about previous retrospective planning application being three stories and that previously the site was only a small two storey office</p> <p>Officer response:</p> <p>1) See sections 4.3- 4.10</p> <p>2) See site history and section 3.5.</p>					
CAAC and other community groups	West End Green CAAC and Fortune Green Neighbourhood Forum were consulted and no responses were received.					

Site Description

The site comprises a part 2-storey/part 3-storey building with a basement. The building was approved in 07/03/2011 under application ref.no. 2010/3114/P for the erection of a part 2-storey part 3-storey residential building to provide 3 x 2 bedroom and 1 x 3 bedroom flats.

The site is located in the West End Green Conservation Area and the building is not a listed building. It is located in the Fortune Green and West Hampstead Neighbourhood Plan Area.

Relevant History

Application site

2010/3114/P – Erection of a part 2-storey and part 3-storey residential building comprising basement, ground, first, second and third floor levels to provide four flats (Class C3). **-Granted 7/3/11**

2009/4171/P: Erection of a part 2-storey and part 3-storey residential building plus basement floor to provide 4 x 2-bedroom and 1 x 1-bedroom flats (Class C3). **Withdrawn.**

2009/4163/P: Erection of a part 2-storey and part 3-storey residential building comprising basement, ground, first, second and third floor levels to provide 3 x 2-bedroom and 1 x 3-bedroom flats (Class C3). **Withdrawn.**

2008/0978/P and 2008/0978/C: Erection of a building comprising basement, ground, first and (part) second floor level to provide 1 x 1-bedroom, 1 x 2-bedroom and 1 x 3-bedroom flat (Class C3). **Granted 31/03/2009.**

2007/3987/P and 2007/4830/C: Demolition of existing two-storey office building (Use Class B1a) and re-development by the erection of a part two-storey and part-three storey residential building providing for 2 x 3-bedroom flats and 1 x 1-bedroom flat with off-street parking (Use Class C3). **Withdrawn.**

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden's Local Plan (2017)

A1 – Managing the impact of development

D1 – Design

D2 – Heritage

Fortune Green and West Hampstead Neighbourhood Plan (2015)

- Policy 2 Design and character
- Policy 3 Safeguarding & enhancing Conservation areas and heritage assets
- Policy 17 Green/Open Space

Supplementary Guidance (2021)

- CPG Home Improvements
- CPG Design
- CPG Amenity

West End Green Conservation Area Appraisal and Management Strategy (2011)

Assessment

1.0 Proposal

1.1 Planning permission is sought for the following:

- The proposal is to erect a 2.8m deep, 5.1m wide rear extension to existing flat at 2nd floor with associated rear terrace (1.7m wide, 1.1m deep) with a glass balustrade. The external walls would be timber clad to match existing. A green planter trough will be installed at 2nd floor and the existing green roof will be extended under the proposed extension.

1.2 During the course of the application the following revisions were received:

- Removal of air conditioning unit
- Removal of door onto side lightwell
- Redesign of rear fenestration

2.0 Assessment

2.1 The main considerations in relation to this proposal are:

- The visual impact upon the character and appearance of the host property, streetscene and West End Green conservation area (Design and Character)
- Impact on the amenity of adjoining occupiers

3.0 Design and Appearance

Policy/background

3.1 Policy D1 of Camden's Local Plan outlines that the Council will require all developments 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 and the character and proportion of the existing building. In addition it should integrate well with the surrounding streets and contribute positively to the street frontage. Policy D2 states that Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area.

3.2 Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan requires 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. Policy 3 seeks to support development that enhances or preserves Conservations Areas and heritage assets in the Area – as well as their distinct character, appearance, and setting.

3.3 CPG Home improvements states that 'a successful roof extension would consider the overall roof form of the existing building, adjoining buildings and impact in key views (when relevant) and be proportionate to the roof slope being extended.'

3.4 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

3.5 The effect of this section of the 1990 Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Area. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to such harm and in what circumstances such harm might be justified (paras 193-202). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

3.6 It is noted that the case officer on the previous application ref. 2010/3114/P when discussing the 2nd floor element stated that 'Given the much larger height and bulk of the buildings which immediately flank this proposal, it is not considered that the additional floor area at the rear is harmful to the conservation area. From the information submitted as part of the original application the building does not appear to have been designed as a set piece. This second floor element was added to the building following construction that have been fully assessed and was approved.

Extensions and terraces

3.6 The rear extension would be set back 0.4m from the rear elevation of its adjoining neighbour (1 to 4 Salmon Mews) and set off the other side elevation of the floor below between 1.1-1.4m that faces onto the rear of the properties at 303-315 West End Lane. The extension would be subordinate in relation to the host property with matching materials and extending the existing green roof which are acceptable. The rear and side elevation of the top floor will be clad in timber and given its location this would not harm its character subject to high quality materials being used. A sample of the proposed cladding is secured by condition.

3.7 The proposed rear balcony would have a modest footprint of 1.87sqm with a 1.1m glass balustrade and obscured glass 1.7m high privacy screen facing the rear of the properties along West End Lane and this would not appear as a dominant addition. Although glass balustrades are not normally supported in conservation areas, the building is a modern building with no public views from the street. The balustrade would be sited to the rear and would be modest size so the use of glass in this instance is acceptable. It is noted that this would also tie in with the glass balustrade at 1st floor below. Details of the balustrade and screen and their installation will be secured by condition.

3.8 Views of the extension and balcony would be restricted to private views from the rear windows of the properties along West End Lane.

3.9 The rear fenestration originally proposed subsumed the rear elevation and did not follow a window hierarchy resulting in an incongruous appearance which formed a poor relationship with the host property. This was revised to break this down to two smaller timber sash windows and a single glazed timber door on the rear. The revised fenestration appears proportionate and forms a better relationship with the host property.

3.10 The installation of a green planter trough at 2nd floor and the extension of the existing green roof over the proposed extension is welcomed. Details of the planting species, substrate levels and maintenance have been provided and found satisfactory by the Council's Tree officer. Their installation in accordance with these details will be secured by condition.

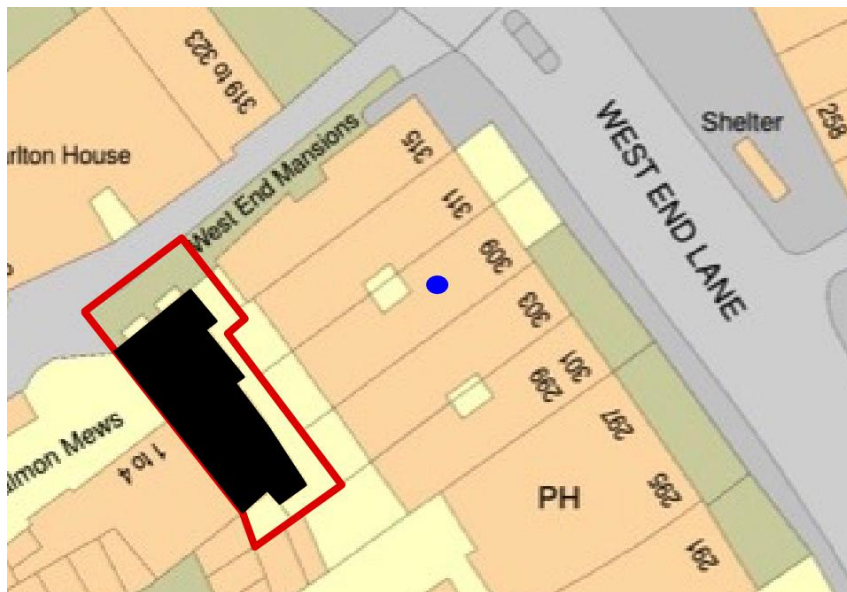
3.11 The revised proposal would not harm the character and appearance of the host property, mews nor wider West End Green Conservation area or neighbourhood plan area.

4.0 Amenity impact on neighbouring properties

4.1 Local Plan Policy A1 seeks to ensure that the amenity of neighbours is protected including visual privacy, outlook, sunlight, daylight and overshadowing.

4.2 CPG Amenity states that development should be designed in order to ensure that “the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers” and that where development is considered to have a detrimental impact upon levels of daylight, sunlight or overshadowing into neighbouring properties, the submission of further evidence of this impact may be required.

4.3. 24 Ingham Road, 309a West End Lane and Flat B, 309 West End Lane raised concerns about loss of light, a sense of enclosure and overlooking. It is noted that 24 Ingham Road is located a significant distance away from the application and site and would not be impacted by the scheme. The rear elevations of 309a West End Lane and Flat B, 309 West End Lane face onto the side of the site (shown by the blue dot on the map below). The extension/balcony would not extend beyond the existing building line of 1-4 Salmon Mews and therefore it is unlikely that these properties would ~~to~~ be impacted by the development.



4.4 A sunlight/daylight study for the rear windows of 301-309 West End Lane has been submitted in support of the application. In terms of the vertical sky component (VSC) test for daylight, all figures for these applicable windows will largely remain unaltered with a reduction of 0-1.23 which is well within an acceptable range. The figures shown for Annual probable sunlight hours also show marginal decreases of between 0-2.01. All windows would therefore still comply with BRE guidance therefore the development would not result in a detrimental loss of light to neighbouring properties that would warrant a reason for refusal.

4.5 No.'s 309a West End Lane and Flat B, 309 West End Lane raised concerns about loss of privacy and a sense of enclosure from the proposed rear extension and terrace/privacy screen. A 1.7m high side privacy screen would be required in this location to protect the privacy of these properties along West End Lane. A screen height of 1.7m from floor level is considered sufficient to prevent overlooking to neighbouring properties. Officers have conditioned details and its installation to ensure privacy. Given its modest depth of 1.1 along one side, low height of 1.7m and separation distance from these properties, although the obscure glass would have a more solid appearance, it is not considered to have a detrimental impact on their amenity. No new side windows will be introduced on this side elevation.

4.6 A condition will also be attached ensuring that the flat roof to the side of the proposed terrace is not used as a larger terrace.

4.7 The extension is set 7.2m away from the rear elevations of West End Lane and while it does project and additional 2.8m to the rear it does not come closer to the boundary than the existing 2nd floor and it is still set away from the edge of the floor below. It is considered that there may be a marginal impact on outlook but given its separation distance and modest depth this would not have a detrimental impact on these properties to an extent that would warrant a reason for refusal.

4.8 Given the separate distance and location of the mature trees in neighbouring properties to the rear of the site the new rear fenestration is unlikely to have a material impact on privacy to the properties to the rear of the site.

4.9 Given the footprint of the terrace at 1.87 sq. m it is not able to accommodate large groups of people and therefore it is not considered to create harmful noise levels from its use.

4.10 It is noted that a lightwell will be created around the existing small bathroom window on the side elevation of 1-4 Salmon Mews. Given that this is a non-habitable room and sufficient space remains for the window still to be used for ventilation and no fenestration is proposed onto this lightwell it would not be considered to harm this property in terms of loss light, privacy or outlook.

6.0 Conclusion

6.1 The revised development is considered to preserve the character and appearance of the host property, mews and wider West End Green Conservation Area. Subject to the attached conditions the proposal will not harm the amenity of neighbouring residential properties to an extent that would warrant a reason for refusal.

7.0 Recommendation

7.1 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 21st March 2022, 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: 2021/4336/P
Contact: Sofie Fieldsend
Tel: 020 7974 4607
Email: Sofie.Fieldsend@camden.gov.uk
Date: 17 March 2022

Development Management
Regeneration and Planning
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dkdesign
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West Hampstead
London
NW6 1DB
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 4 At 14 West Cottages

**West End Lane
London
NW6 1RJ**

DECISION

Proposal:

Erection of single storey rear extension and terrace at 2nd floor

Drawing Nos: Ma.01.100; Ma.01.101; Ma.01.102; Ma.01.201 Rev.B; Ma.01.203 Rev.B; Ma.01.401; Daylight and Sunlight Assessment by T16 design dated August 2021; general maintenance by Bauder; Bauder XF301 Sedum System datasheet by Bauder and Lightweight sedum blanket system by Bauder.

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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Ma.01.100; Ma.01.101; Ma.01.102; Ma.01.201 Rev.B; Ma.01.203 Rev.B; Ma.01.401; Daylight and Sunlight Assessment by T16 design dated August 2021; general maintenance by Bauder; Bauder XF301 Sedum System datasheet by Bauder and Lightweight sedum blanket system by Bauder.

Reason:

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

- 3 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 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 4 Prior to commencement a sample of the proposed timber cladding shall be submitted to and approved in writing by the local planning authority. Sample to be provided at a suitable size.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 2 and 3 of the Fortune Green Neighbourhood Plan Area 2015.

- 5 Prior to the commencement of the development, details of a 1.7 metre high screen on the side elevation facing the rear elevations of West End Lane and 1.1m high rear balustrade of the 2nd rear terrace hereby approved shall be submitted to and approved by the Local Planning Authority, in writing. The details approved under this condition shall be provided and permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

- 6 The living roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017 and policies 2, 3 and 17 of the Fortune Green and West Hampstead

Neighbourhood Plan (2015). .

- 7 The existing flat roof excluding the area shown on the approved plans enclosed by a balustrade shall not be used at any time as an amenity space, and any access onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017

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, 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 (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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 2021.

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