

Delegated Report		Analysis sheet		Expiry Date:		22/03/2021	
		N/A		Consultation Expiry Date:		27/03/2021	
Officer				Application Number(s)			
Jaspreet Chana				2021/0315/P			
Application Address				Drawing Numbers			
4 Oakford Road London NW5 1AH				<i>See draft decision notice</i>			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of single storey rear infill extension and conversion of loft space to habitable room with rear dormer window extension (Retrospective)							
Recommendation(s):		Refuse and Enforcement Action to be taken					
Application Type:		Householder Application					
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:		A site notice was displayed between 03/03/2021 and 27/03/2021 No responses were received.					

Site Description

The subject site comprises a two storey mid-terrace dwellinghouse with two storey stepped outrigger to the rear, situated on the western side of Oakford Road. The surrounding area is predominantly residential consisting of similar terrace properties.

The property is not a Listed Building and the site does not fall within a conservation area. During the course of the application the proposed works have been carried out and therefore this application is now for retrospective permission.

Relevant History

4 Oakford Road –

No planning history

16 Oakford Road –

2020/4831/P – Erection of a rear roof dormer and 2no rooflights to the front roof plane of the dwellinghouse (Use Class C3) – Granted certificate of lawfulness – 12/11/2020.

17 Oakford Road –

2020/1764/P - Demolition of existing rear dormer window and erection of rear dormer to window to dwelling house (C3) – Granted certificate of lawfulness – 02/06/2020.

1 Oakford Road –

2008/3658/P - Erection of a single storey rear extension at ground floor level, installation of a rear facing window at ground floor level, erection of a rear dormer extension and installation of one roof light on the rear roof slope and two roof lights on the front roof slope - Granted certificate of lawfulness – 16/09/2008.

Relevant policies

National Planning Policy Framework 2021

The London Plan March 2021

The Camden Local Plan 2017

A1 - Managing the impact of development

D1 - Design

Camden Planning Guidance 2021

CPG - Design

CPG – Amenity

CPG – Home Improvements

Kentish Town Neighbourhood Plan 2016

Policy D3: (Design Principles)

Assessment

1.0 Proposal:

1.1 The applicant seeks retrospective planning permission for:

- Single storey ground floor side infill extension
- Full width rear dormer window extension which extends from the eaves to ridge, 2.5m in height, 3.5m in depth and 5.1m wide.

1.2 It is to be noted that during the course of the application, the proposed works stated above were constructed without formal planning permission being issued and therefore will be assessed as retrospective alterations. Furthermore this also means that the existing plans are now not in line with what is existing on site. Accordingly an enforcement investigation has been opened ref: EN23/0266.

1.3 It has also become clear that additional works not included on the development description or shown on the approved plans have taken place without planning permission, comprising the alteration and extension to rear existing two storey outrigger lean to roof to create new flat roof. For the sake of completeness, whilst not included on the development description or application form by the applicant the Council has assessed its impact for the purpose of the enforcement investigation.

2.0 Assessment:

- Design and appearance
- Amenity

3.0 Design and appearance

3.1 Policy D3: (Design Principles) of the Kentish Town Neighbourhood Plan insists development must respect the historic appearance of Kentish town in order to reinforce rather than detract from its local distinctiveness.

3.2 Policy D1 (Design) of Camden Borough Council's Local Plan states that development should respect local context and character.

3.3 CPG (Design) advises that roof alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form. It also states roof alterations will be acceptable where there is an established form of roof additions or alteration to a group of similar building's and where the continuing the pattern of development would be a positive design solution.

3.4 This application seeks retrospective permission for the proposed works. As the works are not completed in accordance with the criteria for permitted development, this does not form a 'fall-

back' position, the rear dormer window is unlawful, and the entire proposal will be assessed on the Camden local plan planning policies.

- 3.5 There are other examples of large full-width dormer windows on this side of Oakford Road, however majority of these dormers have been implemented under permitted development rights and not by a planning application. The proposed full width dormer window represents a large, bulky and incongruous addition to the roofline, which is exacerbated by the two built up side parapet walls which are out of keeping with the original architectural features of the host building and disrupts the pattern and form of the rear building line of the terrace.
- 3.6 The proposal by reason of its siting, scale and design serves to significantly detract from the character and appearance of the host building and its surroundings and is considered to be out of accordance with the aforementioned policies and guidance.
- 3.7 Furthermore, the three storey rear outrigger has been altered and extended to remove the sloping roof and create a flat roof. It is estimated that as the bricks of the construction match those of the parapet walls of the rear dormer window constructed these works were also undertaken at the same time without permission. This can be seen below:



F.g.1 – As proposed/as-existing on site

- 3.8 Flat roofed three storey rear outriggers are not features characterised to the rear of this terrace. There are three examples where the rear outriggers have been built up to create terraces. No.12a and No.34 do not have any planning history, No. 36 had planning permission in 1978. These examples are not considered to be relevant or valid examples. Therefore this alteration is not considered to be in keeping with the existing building or the surrounding terrace. By reason of its design, scale, bulk, siting and materials represents an incongruous addition, harming the character and appearance of the host building contrary to Policy D1 (Design). Whilst not included in the development description and shown on the existing and proposed plan, it has been assessed given the cumulative impact on the host building from the unauthorised additions.
- 3.9 The proposed single storey rear ground floor infill extension enlarges the existing kitchen to be full width. The extension would come in line with the neighbours (No.2 Oakford) rear extension and would be set back from the existing two storey rear outrigger. The infill would have a flat roof with a rooflight, its rear wall would be made of cladding panels and have large glazed crittal windows. Given the modest size, form, location and height of the extension it is not considered

it would have a detrimental impact on the character and appearance of the subject building or the surrounding area.

4.0 Amenity

4.1 Policy A1 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, and implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacted upon by virtue of noise or vibrations.

4.2 It is considered that the proposal would not result in undue harm to the residential amenities of neighbouring occupiers in regards to loss of light, overbearing, overlooking or privacy impacts.

4.3 The development is thus considered to be in accordance with planning policies A1 and A4, however still fail in accordance with policy D1.

4.4 Whilst not part of this application, a condition would have been recommended for the flat roof of the second floor extension, if considered appropriate to prevent this space from being used as a roof terrace.

5.0 Conclusion

5.1 Given the above assessment, the proposed roof extension by reason of its design, scale, bulk, siting and materials represents an overwhelming and incongruous addition, harming the original roof form and the character and appearance of the host building contrary to Policy D1 (Design) of the London Borough of Camden Local Plan 2017 and Policy D3 (Design Principles) of the Kentish Town Neighbourhood Plan 2016.

6.0 Recommendation

6.1 Refuse planning permission

7.0 Issue an enforcement notice

Authorise enforcement action in relation to the rear dormer and works to the rear closet wing.

That the Head of Legal Services issue an Enforcement Notice under section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under section 179 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

Without planning permission:

1. Erection of ground floor rear extension;
2. Alterations and extensions to roof of the rear closet wing replacing the sloped roof with a flat roof; and
3. Erection of a rear dormer with flank masonry walls.

The Notice shall require that, within a period of 6 months of the Notice taking effect:

1. Restore the roof of the rear closet wing to its former condition reinstating a sloped roof;
2. Remove the rear dormer extension and the associated masonry flank walls;
3. Restore the rear roof slope to its former condition before the breach occurred as detailed in the plans referenced "EXISTING FLOOR PLANS" drawing number "011"; and
4. Remove from the site all constituent materials resulting from the works detailed above.

Reasons for Issuing the Notice:

- It appears to the Council that the above breach of planning control has occurred within the last 4 years
- The rear dormer window extension with flank masonry walls, by reason of its design, scale, bulk, siting and materials represents an overwhelming and incongruous addition, harming the original roof form and the character and appearance of the host building contrary to Policy D1 (Design) of the London Borough of Camden Local Plan 2017 and Policy D3 (Design Principles) of the Kentish Town Neighbourhood Plan 2016.
- The loss of the second floor sloped roof and raised height of the closet wing, by reason of its design, scale, bulk, siting and materials represents an incongruous addition, harming the character and appearance of the host building contrary to Policy D1 (Design) of the London Borough of Camden Local Plan 2017 and Policy D3 (Design Principles) of the Kentish Town Neighbourhood Plan 2016.

