

# CONSULTATION SUMMARY

## Case reference number(s)

2022/5663/P

## Case Officer:

Miriam Baptist

## Application Address:

29 Byron Mews  
London  
Camden  
NW3 2NQ

## Proposal(s)

Erection of a rear dormer roof extension, two skylights to front roofslope, and a single storey rear extension.

## Representations

<b>Consultations:</b>	No. notified	0	No. of responses	2	No. of objections	2
					No of comments	0
					No of support	0

## Summary of representations

### *(Officer response(s) in italics)*

Owner of 27 Byron Mews **objected** on the following grounds:

Under the covenants of a freehold agreement that applies to all 61 properties in Byron Mews, owners must obtain permission (via the managing agents) from the freehold company, Byron Mews Residents (Hampstead) Ltd, for any changes to the external appearance of their property. (I happen to also be a director of the freehold company.)

*Officer response: Details or procedures in relation to the freehold agreement are not a material planning consideration.*

I would make the following points:

1. This application includes a proposal for a loft extension. This property

is in a terraced block consisting of two houses (Numbers 29 and 30) sandwiched between two blocks of 5 flats at each end. The whole block is symmetrical, so that Number 29 is a mirror image of its immediate neighbour Number 30. Number 30 carried out a roof extension some years ago. I believe that the management company would require any changes to the external appearance at the front and the back to preserve the symmetry as far as possible and to mirror the corresponding features of Number 30.

*Officer response: The importance of the symmetry of the block is raised. The proposal is considered to increase the symmetry of the block, as at present the roof extension at no 30 is an anomaly and is not central on the terrace's roof. The new roof extension is considered to take reference from No 30's roof extension in terms of mass and positioning, and therefore will increase the symmetry of the block.*

2. I understand that the building regulations in force at the time Number 30's roof extension was done required the owner to reduce the ceiling of the existing top floor by a significant amount to provide the required head space. If these regulations are still in force, any building work carried out by the owners of Number 29 will need to take this into account.

*Officer response: Any development permitted will need to adhere to building regulations.*

3. This application also includes a proposal to build an extension at the back of the property. The freehold company has always held the view that owners should not be allowed to extend their properties into the garden areas at the rear, as we are in a conservation area and this would negatively impact the "town house with back garden" style of the houses in the Mews. I do not think permission would be given for this rear extension, as this would set a precedent that could lead to many of the other properties doing the same, resulting in the back gardens being built over and leaving those who wish to keep their gardens feeling "boxed in".

*Officer response: The freehold company may give or withhold permission as it sees fit/ has the power to do so, however this is not a material planning consideration. The proposal has been revised from extending 3m into the 6.6m long garden, to only extending 2.5m into the garden. The conservation area status has been given due attention, the rear extension and rear roof extension are not highly visible, if at all, from the public realm of the conservation area, nor the private streetscape of the mews and therefore the impact is considered limited.*

4. Extensions into the gardens could also have an impact on privacy, noise and light for neighbouring properties. In this case, Numbers 24 and 30 are immediate neighbours to this property and flat Numbers 25, 26, 27 and 28 overlook their garden.

*Officer response: The impact of this modest rear extension is not considered to have a material harmful impact on neighbours in terms of privacy, noise or light. There will be construction noise and disturbance for a limited time period, for which the applicant will have to adhere to Camden Minimum Requirements, as referenced in the Decision Notice informatives.*

Resident of the ground floor flat at 27 Byron Mews **objected** on the following grounds:

Concern regarding how the proposed extension will affect the natural light in living room and garden.

*Officer response: The proposal is considered fairly modest, it would be 2.5m in height, set back slightly from the property boundaries, and would project 2.5m into the garden. Considering the rear fenestration at no 24 (french doors and windows either side), and the BRE guidelines 45 degree angle rule, the proposal is considered to meet the test on plan and elevation.*

Neighbour who has the adjacent roof extension **commented**, making the following points:

No objection but it would be logical that the dimensions of the extension exactly match the neighbouring existing roof extension, both at the front and back. As they are drawn they exceed the neighbouring dormer by several meters, which would look very strange. Also, back in 2006, we were given these dimensions as the maximum allowable so I believe these should be applied to number 29.

As for the kitchen extension on the ground floor, the Mews Board has consistently denied permission, including for our plans several years back. The Board has objected on the grounds that it would disturb the neighbours and change the character of the Mews. We have all signed agreements to abide by rules of the Mews.

*Officer response: The proposal has the same relationship to the roof ridge as the existing roof extension next door, although it does extend further towards the edge of the eaves it maintains a similar distance to the roof edges which aligns with the council advice given in the CPG on Home*

*Improvements.*

*Noted, however the decision of the Mews Board is not a material planning consideration.*

**Recommendation:-**

**Grant planning permission**