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| Delegated Report | | Analysis sheet | Expiry Date: | 14/09/2023 |
| | | N/A / attached | Consultation Expiry Date: | 18/06/2023 |
| Officer | | | Application Number(s) | |
| Sam FitzPatrick | | | 2023/1372/P | |
| Application Address | | | Drawing Numbers | |
| 14B Elizabeth Mews London NW3 4TL | | | Please refer to decision notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
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| Proposal(s) | | | | |
| Erection of additional storey and new roof to dwellinghouse to match existing roof design. | | | | |
| Recommendation(s): | Refuse planning permission | | | |
| Application Type: | Householder Application | | | |

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|------------------------------------|--|-----------|-------------------|-----------|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | |
| Informatives: | | | | |
| Consultations | | | | |
| Adjoining Occupiers: | No. of responses | 03 | No. of objections | 03 |
| Summary of consultation: | <p>Site notices were displayed from 17/05/2023 to 10/06/2023, and then re-posted from 23/05/2023 to 16/06/2023 due to an issue with the boundary line on the site notices.</p> <p>A press notice was published on 18/05/2023 and re-published on 25/05/2023 for the aforementioned reason.</p> <p>Two objections were received from local residents, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • Proposed extension would harm the character of the mews and local area as the property would no longer read as part of the mews; • Proposed extension would result in amenity impacts – in particular, overlooking, loss of privacy, and impact on daylight and sunlight; • Disruption from construction would be significant and harm the amenity of neighbours. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • <i>Please see section 3 of this report for concerns relating to design and conservation;</i> • <i>Please see section 4 of this report for concerns relating to amenity impacts.</i> | | | |
| Belsize CAAC | <p>The CAAC originally objected on the grounds that the site notice showed the incorrect address. This was corrected, and the CAAC subsequently lodged a separate objection, which can be summarised as follows:</p> <ul style="list-style-type: none"> • Terrace has a unified design and retains original height, which would be disrupted by an additional storey; • Proposed additional storey would harm the form and appearance of the building and the mews, and would have a negative impact on the character of this part of the conservation area; • The application site is part of Elizabeth Mews and does not have a clear relationship with Primrose Gardens, unlike the implication that the two are related in the Design and Access Statement. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • <i>Please see section 3 of this report for concerns relating to design and conservation.</i> | | | |

Site Description

The application site is a three-storey end of terrace house on the north side of Elizabeth Mews, at the junction with Primrose Gardens. The property forms part of a row (consisting of nos. 12, 13, 14, and 14a) that was constructed in the 1970s and intended to serve as a response to the neighbours at the other ends of the mews, using similar materials and being of a similar scale and design. The

scale and external appearance of the buildings has changed little from the time of construction and they clearly read as part of the mews and separate from adjacent streets. The property is within the Belsize Conservation Area but is not noted as a positive contributor and is not listed.

Relevant History

Application site

2018/5686/P – Extension of existing roof terrace with associated alterations to balustrade. **Granted 12/03/2019.**

2009/0848/P – Erection of a metal balustrade to a first floor terrace and stairs, lowering of part of boundary wall by 3 brick courses and the retention of a timber fence along part of the boundary wall to Primrose Gardens. **Granted 31/03/2009.**

2005/0773/P – Erection of a single storey side infill extension with enlarged roof terrace at first floor level and associated railings and staircase, and minor alterations to the fenestration. **Granted 15/04/2005.**

2004/4898/P – Erection of a 1st floor rear extension over the existing terrace area, formation of a new terrace area to the rear at 1st floor level with steel/glass balustrading and associated alterations to fenestration. **Refused 21/01/2005.**

Reason for refusal:

- 1) The extension would be harmful to the residential amenity of neighbours in terms of loss of daylight, outlooks, and sunlight.

Nearby sites

Units 8-9, Pratts Mews

2023/0446/P – Erection of an additional storey to 2 mews buildings. **Refused 28/04/2023.**

Reasons for refusal:

- 1) The proposed development would harm the character and appearance of the host building and mews terrace it is part of, causing harm to the significance of the conservation area;
- 2) Increased enclosure of properties to the rear would have a detrimental impact on neighbouring light levels, outlook, privacy, and sense of enclosure, which would cause harm to the amenity of nearby properties.

63 Camden Mews

2020/5119/P - Erection of a mansard roof extension to provide additional accommodation for 1st floor flat, including attached roof enclosure on rear wing for a 2nd floor roof terrace; and installation of timber fence on the rear ground floor flat roof to create a 1st floor roof terrace. **Refused 26/01/2021.**

Reasons for refusal:

- 1) The proposed extension would be detrimental to the character and appearance of the host building, terrace of adjoining buildings, streetscene, and conservation area.
- 2) In the absence of a legal agreement securing a Construction Management Plan and associated support fees, the development would likely be detrimental to the amenities of the area generally.

19 Elizabeth Mews

2011/0189/P – Roof level extension to create additional second floor including roof terrace and alterations to fenestration at ground floor level to existing dwelling house (Class C3). **Refused 08/03/2011.**

Reasons for refusal:

- 1) The proposed extension would be detrimental to the character and appearance of the host property and conservation area.
- 2) The proposed extension would reduce outlook and create an increased sense of enclosure to the detriment of the amenity of neighbouring occupiers.

Relevant policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage
- **DM1** Delivery and Monitoring

Camden Planning Guidance

- CPG Amenity (Jan 2021)
- CPG Design (Jan 2021)
- CPG Home Improvements (Jan 2021)
- CPG Developer Contributions (March 2019)

Belsize Conservation Area appraisal and management strategy (2003)

Assessment

1. The Proposal

- 1.1. Planning permission is sought for the erection of an additional storey and new roof to the dwellinghouse, which would match the existing roof design. The extension would provide space for two new bedrooms and an additional bathroom. The proposal would match the existing building in terms of design and materials, with identical fenestration and dormers so that the building would have a visually very similar appearance to the adjacent properties, but with an additional storey. The new storey would increase the height of the building by approximately 2.5m, from the highest point being approximately 9.4m to 11.9m.

2. Assessment

- 2.1. The principal considerations in the determination of this application are:
- Design and conservation
 - Amenity

3. Design and conservation

- 3.1. Local Plan Policy D1 (Design) states that the Council will aim to achieve the highest standard of design in all developments and requires development to be of the highest architectural and urban design quality, which improves the function, appearance, and character of the area. The supporting text to this policy states that development should consider the form and scale of neighbouring buildings, the character and proportions of the existing building, the scale of surrounding development, and the impact on existing rhythms, symmetries and uniformities in the townscape.

- 3.2. Local Plan Policy D2 (Heritage) states that the Council will seek to preserve and, where possible, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. The supporting text to this policy also states that the character of conservation areas derives from factors including scale and pattern of development.

- 3.3. In support of this, the Council's 'CPG Design' makes clear that "*the Council will only*

permit development within Conservation Areas that preserves and where possible enhances the character and appearance of the area". Additionally, 'CPG Home Improvements' states that roof extensions should consider the existing roof form, the pattern of development of neighbouring buildings, and crucially: *"the roof visibility and prominence in relation to gardens, streetscene and wider area"*.

- 3.4. The application site is located within the Belsize conservation area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area. The property itself is identified as being within Sub Area 6 (England's Lane) of the Belsize Conservation Area statement, and this part of Elizabeth Mews is described as retaining its original mews character. In particular, the scale and character of the mews are commented on; even the re-built portion of the mews that this property is part of has been constructed with *"appropriate scale and materials and retains the height of the original buildings"*.
- 3.5. The Belsize Conservation Area statement also sets out guidelines for developing, stating in 'BE19' that it should respect existing features, and noting building lines and roof lines among these. Similarly, 'BE20' makes clear that new development *"will not be resisted provided it respects the layout, height and scale of existing development"*. Guideline 'BE26' refers to extensions at roof level and clearly say that they are unlikely to be acceptable where they are detrimental to the form of the existing building, the property forms part of a group or terrace which remains largely, but not completely unimpaired, or where the roof is prominent.
- 3.6. The site occupies a prominent location at the junction of Elizabeth Mews and Primrose Gardens, and as a result is clearly visible from the public realm and in views within the conservation area. Despite being at the junction of the two streets, the property is clearly read as part of the established row in Elizabeth Mews; and not in the context of the houses in Primrose Gardens given the differing ages, architectural styles and form of these properties compared to Elizabeth Mews. It is clear that the most relevant context is that of the mews, which are characterised by two storey buildings with mansard roofs.
- 3.7. Although the buildings at both ends of the mews vary in age and detail, the unifying feature is their scale, which is mainly derived from plot-width and height. In the north part of the mews, where the application site is located, this is particularly notable in the consistent parapet line of the façade and the ridge line of the roofscape. Although a more recent addition, this group of mews houses constitute a sympathetic and contextual response to their historic neighbours elsewhere within the mews. They are largely consistent in their appearance with regards to height, scale and form.
- 3.8. The existing roof of the property clearly aligns with the established roof pattern of neighbouring properties, and as such the upwards extension is considered to be an inappropriate addition. The increase in height would fail to preserve the existing character of the site and fail to respond to the scale of neighbouring buildings, including the terrace of which it forms a part. It is clear that the scale of the subject site and the mews more generally have always been subservient to that of Primrose Gardens, and it is this difference in scale which gives the character of being a mews. The proposed increase in height would fundamentally change this dynamic and result in an unsuitable increase of scale that alters the character and appearance of the building and the mews more generally.
- 3.9. The proposed increase in height would also fail to preserve or enhance the character and appearance of the conservation area. The scale relationship of the mews to the surrounding streets forms the special character of the location in which the application site is located. Therefore, the development would undermine this relationship, as well as fail to respond to or respect the scale of its immediate neighbours. The alteration would fail to take into consideration the fact that the mews and property are of legibly lower height and lesser scale than surrounding buildings, which is the fundamental element that gives

the mews houses their distinctive character.

- 3.10. The existing mews is read as a single unified composition of terraced houses, so any upwards extension would fail to preserve the coherence of scale and roofline, therefore failing to abide by Camden's policies and planning guidance, as well as the guidelines set out in the Belsize Conservation Area statement. As previously mentioned, this part of the mews is noted to be of appropriate scale and materials and retains the height of the original mews buildings located elsewhere along Elizabeth Mews. Although the proposed works would be of appropriate materials, the scale would be completely unacceptable, and the height of the original buildings would be disrupted. This would result in development which fails to preserve the unity of scale existing between the two halves of the mews, which at present gives them legible historic character relating to their historic function as subservient service spaces to the surrounding streets.
- 3.11. As previously stated, there is no objection to the material proposed, as this would match the existing building. However, the increased mass and height of the mews building would be inappropriate and would not be sympathetic to the scale of the mews.
- 3.12. It should also be noted that there have been a number of applications to alter the height of mews properties across the borough that have been refused for reasons relating to the harm caused to the host building and relevant conservation area. Some of these cases are outlined in the 'relevant history' section of this report.
- 3.13. Given the above, it is considered that the proposal would have a harmful impact on the appearance and character of the building and wider area, contrary to Policies D1 and D2 of the London Borough of Camden Local Plan.
- 3.14. Local Plan Policy D2, consistent with the National Planning Policy Framework, seeks to preserve and enhance heritage assets, stating that the Council will not permit development that results in harm that is 'less than substantial' to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.
- 3.15. The proposed development would result in less than substantial harm to the character and appearance of the Belsize Conservation Area. It is considered that there are only very limited public benefits that would not outweigh this harm. Paragraph 202 of the NPPF states that 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 benefit of the proposal. The Council is unable to identify any significant public benefits other than a small number of construction jobs, so this would not outweigh the less than substantial harm caused. As such, the application is therefore recommended for refusal on this basis.

4. Amenity

- 4.1. Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight, and sunlight. The Council's guidance contained within 'CPG Amenity' provides specific guidance with regards to these aspects.
- 4.2. Due to the positioning of the application site and the surrounding buildings, it is not considered that the proposed roof extension would result in any unacceptable impact with regards to outlook or privacy. The nature of the mews buildings means that there is already an existing tight relationship between properties, and the design of the proposal in repeating the existing roof with matching fenestration and no additional opportunities for overlooking compared to what already exists would not be considered to result in any

unacceptable amenity impacts in terms of privacy and outlook.

- 4.3. The close proximity of the mews houses and existing uniform building line would mean that any increase in height would be likely to impact on levels of light available to surrounding properties. The large increase in massing at the application site would exacerbate the sense of enclosure that results from the tight relationship of the mews, and the building's position directly to the west of a number of properties on the opposite side of the mews (nos.1a, 1b, 2a, 2b, 3, and 4) would reduce the amount of daylight and sunlight available to neighbouring residents. The proposed extension would result in an additional 2.5m of height (approximately), and the front elevations of the buildings opposite are less than 10m away. At least some of the windows to the front elevations are likely to be habitable windows, which would result in a loss of daylight and sunlight availability to habitable space. In the absence of a daylight and sunlight assessment that assesses any potential light impacts at neighbouring properties, the applicant has not provided any evidence to indicate otherwise. Therefore, the proposed extension is considered to result in an unacceptable impact on daylight and sunlight and would cause harm to neighbouring amenity.
- 4.4. Due to the nature of the site and in particular the narrow and cobbled character of the mews and informal parking on both sides of the street, it is considered that a Construction Management Plan and associated support fees would be required. These fees would consist of an Implementation Support Contribution of £4,194 and Impact Bond of £8,000, which would be secured by means of a Section 106 legal agreement. The purpose of these and the Construction Management Plan would be to ensure that the proposed development would be carried out without unduly impacting neighbouring amenity or the safe and efficient operation of the local highway network, in accordance with Policy A1 of the Local Plan. Had the development been otherwise acceptable, details of a Construction Management Plan and the associated contributions would be secured by Section 106 legal agreement. Thus, the absence of a s106 agreement securing a CMP constitutes a reason for refusal.
- 4.5. Given the negative impacts on daylight and sunlight availability and the lack of a legal agreement securing a Construction Management Plan and associated support fees, the proposal would be considered to negatively impact the amenities of neighbouring occupiers and the area generally, contrary to Policy A1 of the London Borough of Camden Local Plan. The application is therefore recommended for refusal on this basis.

5. Conclusion

- 5.1. The proposed erection of an additional storey is considered to be an incongruous and inappropriate addition that is highly visible and fails to preserve the character and appearance of the host building and wider conservation area. It is considered that the proposal would fail to preserve the unity of scale and coherent roofline which contributes to the historic character of Elizabeth Mews, and as such would result in less than substantial harm to the character and appearance of Belsize Conservation Area. The development would therefore have a negative impact on design and conservation in terms of its size, bulk, and location and would harm the significance of the conservation area, contrary to Policies D1 and D2 of the London Borough of Camden Local Plan 2017.
- 5.2. In addition to this, the proposed additional storey would be considered to result in an unacceptable negative impact on light availability and would harm the amenity of neighbouring properties. The absence of a legal agreement securing a Construction Management Plan and associated support fees would give rise to conflicts with other road users and be detrimental to the amenities of the area generally. Therefore, the proposal is contrary to Policy A1 of the London Borough of Camden Local Plan 2017.

6. Recommendation

6.1. Refuse planning permission:

6.2. The proposed erection of an additional storey, by reason of its location, scale, and height would result in an incongruous and inappropriate addition that would be detrimental to the character and appearance of the host building, terrace of adjoining buildings, streetscene, and wider Belsize Conservation Area, contrary to Policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

6.3. The proposed erection of an additional storey, by reason of its location, scale, and height would have a detrimental impact on neighbouring light levels and would therefore cause harm to the amenity of nearby occupiers, contrary to Policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

6.4. In the absence of a legal agreement securing a Construction Management Plan and associated support fees, the proposed development would give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to Policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.