

Delegated Report (Non-determination)		Analysis sheet		Expiry Date:	11/10/2023
		N/A		Consultation Expiry Date:	15/10/2023
Officer			Application Number(s)		
Jennifer Dawson			2023/3379/P		
Application Address			Drawing Numbers		
95 Castlehaven Road London Camden NW1 8SJ			Please refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Infill of conservatory and alterations to rear elevation (ground floor); erection of first floor rear extension; extension of existing first floor rear terrace and erection of metal railings, installation of ground floor rooflight to rear.					
NB: Scheme revised on 14/9/23 to omit a proposed mansard roof extension and new UVPC windows					
Recommendation(s):		Had an appeal not been submitted against non-determination, planning permission would have been granted.			
Application Type:		Householder Planning Permission			
Conditions:		Refer to Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	00	No. of objections	00
Summary of consultation responses:		<p>Site notices displayed from 13th September 2023 7th October 2023. Press notice displayed from 21st September 2023 to 15th October 2023.</p> <p>No written representations received. Kentish Town Neighbourhood Forum were consulted on 11/09/2023 but did not respond.</p>			
Site Description					

The application site comprises a three storey mid-terraced single family dwellinghouse with valley roof. It is located on the eastern side of Castlehaven Road.

It is sited within the Kelly Street Conservation Area and is noted as a positive contributor; there are no nearby listed buildings. It is also situated in the Kentish Town Neighbourhood Plan Area.

Relevant History

Application site – no relevant history

Relevant Applications

89 Castlehaven Road

2018/3936/P (Granted 23-10-2018) - Erection of single storey rear extension with first floor roof terrace above and alterations to existing first floor rear extension.

105 Castlehaven Road

2013/1902/P (Refused 14-06-2013) Erection of mansard roof at third floor level, to include front and rear dormer windows and installation of 1 x rooflight to rear elevation of single dwelling house (Class C3).

107 & 109 Castlehaven Road

8802263 (granted 07/02/1989) - Erection of mansard roof extensions to provide additional bedrooms

111 Castlehaven Road

8802066 (granted 06/06/1988) - Erection of a roof extension to a residential property

93 Castlehaven Road

G11/25/4/19412 (granted 03-04-1975) - Change of use from multi-occupation to a single family house, including alterations and the erection of a first floor bathroom extension.

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

Camden Planning Guidance

- CPG Design 2021
- CPG Amenity 2018
- CPG Home Improvements 2021

Kentish Town Neighbourhood Plan 2016

- Policy D3: Design Principles

Kelly Street Conservation Area appraisal and management strategy 2011

Draft New Camden Local Plan 2024

Assessment

1 PROPOSAL

1.1 Planning permission is sought for a ground floor rear infill extension and 1st floor rear extension. The proposed two storey extension would first consist of a ground floor infill. The area to be infilled is currently a small conservatory. The proposed development would infill this small area (2.8m deep x 1.7m wide) and make the rear extension full width (6m deep x 4.8m wide). The development would not exceed the neighbouring extension at 93 Castlehaven Road. The 1st floor extension will be full width and will be 3m deep.

1.2 The proposal was revised, on 14/9/23 during the process of this application, to remove a proposed mansard and new UPVC windows from the scheme. The traditional wood sash windows will be refurbished instead. This report will assess the application with the revised scheme in mind.

2 ASSESSMENT

2.1 Material Considerations

2.1.1. The material considerations for this application are as follows:

- Design and Conservation;
- Neighbouring Amenity

2.2 Design and Heritage

2.2.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 (Design) states that the Council will require all developments to be of the highest standard of design and to respect the character, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 (Heritage) states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance.

2.2.2 The dwellinghouse is located within the Kelly Street Conservation Area; wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. As such, there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and 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.

2.2.3 The Kelly Street Conservation Area Statement identifies the distinct quality of the area as the properties on Castlehaven Road take the form of a typical three storey London terrace house with valley roofs concealed behind a parapet. Details such as the ironwork window guards at first floor level have been maintained. To the northeast of the street properties 107-113 have mansard roof extensions which are considered 'unsightly' and disrupt the continuous roofline of the terrace. It is for this reason that the application site is considered to make a positive contribution to the conservation area and is part of the significance of the designated heritage asset.

2.2.4 Section 2.1.1 of the Council's Supplementary Planning Guidance document *Home Improvements* states that rear extensions must:

- Be subordinate to the building being extended
- Respect and preserve the original design and proportions of the building
- Be carefully scaled in terms of height, width and depth
- Respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space

- Have a height, depth and width that respects the existing common pattern and rhythm of rear extensions at neighbouring sites, where they exist

2.2.5 Most of the properties in this terrace have been maintained as three storey properties with uniform butterfly roofscapes. However, four of the houses, nos 107-113, have mansard roof extensions which date back to the 1980s, Nos 93 and 91 have flat roofs (no planning permission was sought for this change).

Note regarding the (omitted) mansard

The last application for a mansard roof was for property 105 in 2013 and was refused. Due to the high value of the roofscape in the conservation area and sites history, it was determined that introducing a mansard to the middle of a row of uninterrupted terraces would be harmful to the character of the conservation area and the scheme was revised.

Notes regarding the (omitted) windows

2.2.6 The proposed UPVC windows were removed from the application as UPVC has been identified as being harmful to the character of the Conservation Area and should be resisted. Consequently, the applicant revised the application to refurbish the existing timber sash windows. The refurbishment of the sash windows will have a very positive effect of the character of the building and conservation area.

The proposed extensions

2.2.6 The rear of the terrace has a variety of ground floor and 1st floor extensions. There are a variety of half or full-width ground floor extensions and small 1st floor extensions. The extensions have occurred over a long period of time. The neighbouring property (93) was extended in 1975 at 1st floor level. The most recent consent for ground floor extension and alterations to 1st floor extension was in 2018 (no. 89). There is a precedent for a variety of extensions at the rear of the properties.

2.2.6 The proposed two storey extension would first consist of a ground floor infill. The area to be infilled is currently a small conservatory. The proposed development would infill this small area (2.8m deep x 1.7m wide) and make the rear extension full width (6m deep x 4.8m wide). The development would not exceed the neighbouring extension at 93 Castlehaven Road.

2.2.7 The 1st floor extension will be full width and will be 3m deep. The extension will exceed the depth of the neighbouring property, but this will have a minimal effect on the neighbouring property. It will be a similar depth to the extension at no.89. This will be the first full width extension on the road, however, it is considered that the scale will not cause harm to the building and the character of the conservation area.

2.2.8 The materials used on the extension will match the existing and will be in harmony with the original building and the conservation area's heritage. The new windows and doors on the extensions will have timber frames which will be a positive addition to the development.

2.2.9 The property proposes a terrace at 1st floor level at the rear. This will be on top of the ground floor extension. There is currently a terrace at this level with timber fence around the boundary. The balustrade will be made out of iron, which is identical to the balustrade at 93 Castlehaven Road and is not considered materially harmful to the conservation area. A metal balustrade is seen as an improvement on the current timber fence as it is in keeping with the conservation area.

2.2.10. The revisions to the proposal supports the continued protection and enhancement of the conservation area as timber sash windows and valley roofs are a key characteristic of Castlehaven Road. The revised proposal does not cause any material harm and is therefore considered acceptable.

2.3 Amenity of neighbouring residential occupants

2.3.1 Policy A1 (Amenity) 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.

2.3.2 There will be no loss of amenity in terms of privacy or light spill caused by the extension and their windows, as the extension is unlikely to be seen from windows on either side.

2.3.3 The proposed ground floor infill extension would match the height and depth of the abutting one at no. 93 and thus would not result in any further impact on daylight or outlook to that property nor to no. 97 as the scale will not increase on that neighbouring side.

2.3.4 The first floor extension will exceed the development at 93 Castlehaven road, however this will be minimal and is not considered to have an impact on the amenity of the neighbouring occupier. As it will not cause considerable harm to levels of daylight/sunlight nor create incidences of overlooking. There will be some overshadowing of the neighbouring occupier at 97 Castlehaven Road but it is considered minimal and therefore, considered acceptable due to the orientation of the property.

2.3.5 The terrace may have an issue of overlooking the neighbouring property, as 93 also has a roof terrace at this level. The neighbouring properties did not object to the proposal. As there is already a terrace at 1st floor level this would only marginally increase overlooking and there will be no increase in the loss of privacy.

2.3.6. Currently 93 Castlehaven Road has a metal railing balustrade around the terrace. The proposal at 95 Castlehaven seeks to replicate this. It is a concern that tall fences will be erected after the fact to separate the 2 properties (95 and 93 Castlehaven Road) which would be unsightly and harmful to the conservation area and should be restricted. I have therefore proposed a condition that a fence higher than 1.1m cannot be installed on the terrace at 1st floor level.

2.3.7 It is considered that the proposal is in general accordance of Camden Local Plan 2017 policy A1 and should be approved.

2.4 Conclusion

2.4.1 Since the removal of the mansard and UPVC windows from the proposal, it is considered to be in keeping with other developments in the Conservation Area, which is a designated heritage asset. Therefore the proposal will not cause any material harm to the character of the conservation area.

2.4.2 The overall rear extension comprising both the ground and first floor, by reason of its combined size and scale, is considered appropriate in the context of the property and variety of extensions at neighbouring properties. It would cause no material harm to the character and appearance of the host building, the terrace in which it is set, and the wider Kelly Street Conservation Area. The proposal is thus considered to support policies A1 (Amenity), D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and D3 (Design) of the Kentish Town Neighbourhood Plan 2016.

2.5 Appeal against non-determination

2.5.1 The applicant has submitted an appeal against non-determination and therefore the Council cannot formally determine the application. However, the Council seeks to advise the Planning Inspectorate what the Council's decision would have been to grant the development if the application had been determined.

2.5.2 The submitted appeal statement raises no new issues and does not provide any additional evidence which would change the Council's stance on the proposals.

3 Recommendation

3.1 Planning permission would have been granted if an appeal had not been lodged.

