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| Delegated Report | | Analysis sheet | | Expiry Date: | | 22/11/2024 | | | |
| | | N/A | | Consultation Expiry Date: | | 26/10/2024 | | | |
| Officer | | | | Application Number(s) | | | | | |
| Matthew Kitchener | | | | 2024/4207/P | | | | | |
| Application Address | | | | Drawing Numbers | | | | | |
| 48 Flat 2nd Floor Mazenod Avenue London NW6 4LR | | | | See draft decision notice | | | | | |
| PO 3/4 | | Area Team Signature | | C&UD | | Authorised Officer Signature | | | |
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| Proposal(s) | | | | | | | | | |
| Addition of two dormer windows and a roof terrace to the rear. | | | | | | | | | |
| Recommendation(s): | | Refuse planning permission | | | | | | | |
| Application Type: | | Full Planning Application | | | | | | | |
| Informatives: | | | | | | | | | |
| Consultations | | | | | | | | | |
| Adjoining Occupiers: | | No. of responses | | 01 | | No. of objections | | 01 | |
| Summary of consultation responses: <i>Officer's response in italics</i> | | A site notice was displayed 02/10/2024 which expired 26/10/2024. One letter received from neighbours objecting due to concerns over loss of light, inappropriate in scale, unsympathetic to the location, out of keeping and dominating. <i>This is addressed in Sections 2 & 3 of the report below.</i> | | | | | | | |
| Kilburn Neighbourhood Forum | | The Kilburn Neighbourhood Forum were invited for comment; however no response was received. | | | | | | | |

Site Description

The application site comprises a three-storey terraced property located on the western side of Mazenod Avenue. This application relates to a flat comprising the top floor of the building.

The site is not within a conservation area, and no listed buildings are affected.

The site is within the Kilburn Neighbourhood Plan Area.

Relevant History

Relevant planning records at the application site:

2024/1046/P - One rear dormer on the main roof slope a dormer and terrace on the rear outrigger roof slope – **Refused 26/06/2024. This application was refused due to bulk, mass, scale, and design resulting in the development failing to preserve the character and appearance of the host property and surrounding area as well as overlooking and privacy concerns.**

Neighbouring sites:

2006/4980/P (34 Mazenod Avenue): Erection of dormer window and rooflight in rear roofslope, 3 rooflights in front roofslope and creation of terrace at rear second floor level to provide additional residential accommodation to existing second floor flat (Class C3). **Granted, 21/12/2006.**

2013/8240/P (32 Mazenod Avenue): Erection of a rear dormer and a roof extension over back-addition and installation of 3x rooflights to front roofslope. **Granted, 02/04/2014.**

2011/6134/P (28 Mazenod Avenue): Installation of two rooflights to the front roofslope, and a dormer extension with juliet balcony to the rear roofslope of top floor flat (Class C3). **Granted, 29/02/2012.**

2004/0986/P (50 Mazenod Avenue): The creation of roof terrace at rear third floor level (on top of the existing rear extension) including the provision of a new doorway and the erection of perimeter railings. **Granted, 08/04/2004.**

Relevant policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

D1 - Design

A1 – Managing the Impact of Development

Camden Planning Guidance

CPG Design (2021)

CPG Home Improvements (2021)

CPG Amenity (2021)

Draft Camden Local Plan (2024)

The council has published a new Draft Camden Local Plan (DCLP) (incorporating Site Allocations) for which consultation has now ended. The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1.0. Proposal

1.1 Planning permission is sought for the addition of two dormer windows and a roof terrace to the rear:

- Rear dormer on the main roof slope approximately 2.3m in height and 3.8m long.
- Dormer with skylight and terrace on the rear second floor outrigger roof. The dormer would occupy the portion of the roof slope closest to the main roof slope, with dimensions of approximately 2.7m (height), 2.8m (width) and 3.8m (depth). The proposed terrace measures approximately 2.9m deep and is set back 1.7m from the end of the outrigger roof slope.

The proposed materials include reclaimed London stock brick and grey standing seam zinc cladding for the walls, and grey single ply membrane flat roof and black aluminum framed double glazed doors and windows. The terrace includes glass balustrades.

1.2 A recent application for a rear dormer on the main roof slope and a dormer and terrace on the rear outrigger roof slope was refused due to failing to preserve the character and appearance of the host property and surrounding area and concerns over impacts on neighbour's amenity due to overlooking. This application has reduced the size of the rear dormer and roof terrace.

1.3 The main planning considerations for the proposal are:

- Design
- Amenity

2.0 Design

2.1 Local Plan Policy D1 requires development to be of the highest architectural and urban design quality which improves the function, appearance, and character of the area.

2.2 The CPG (Home improvements) states the following with respect to dormers:

- *Dormers should be subordinate in size to the roof slope being extended.*
- *The position of the dormer would maintain even distance to the roof margins (ridge, eaves, side parapet walls).*
- *Design of dormer would consider the hierarchy of window openings in terms of size and proportion.*
- *The type, design and alignment of windows would relate to the ones below.*
- *Dormer materials should complement the main building and wider townscape.*

2.3 The proposed development includes a dormer on the main roof slope which, although set in each side by 0.5m from the boundary, would still cover the majority of the rear roof slope, and a dormer and a roof terrace on the second floor outrigger roof. The roof terrace is set in 1.7m from the end of the outrigger roof. The dormer on the outrigger would be above the eaves height of the existing dwelling. The proposal would not be subordinate to the existing roof slope or in proportion to the existing building, and would not integrate with the existing scale, form and proportions of the host property. The proposal would represent an overbearing, dominant and incongruous additions that would detract from the character of the building.

- 2.4 The rear roof slope of properties along this area and side of Mazenod Avenue are free from dormers and other roof extensions. The exception to this is properties further to the south of the application site (Nos 26, 28, 30, 32 and 34) which have alterations at roof level. These either were granted some time ago, prior to current policies or guidance or have no planning history and are therefore not considered as precedent. The fact that some of these extensions have no planning history indicates that they were likely established some time ago, before the requirement for planning permission, or when the relevant policies and guidance were different. It is also noted that these existing extensions do not appear to be in accordance with current guidance. Further, the only existing alterations present within the immediately surrounding environment on the second story outrigger roof is the roof terrace at No. 50.
- 2.5 The proposed dormer on the outrigger will contain a living area and be used to gain access to the roof terrace beyond. The dormer will be constructed of grey zinc cladding with a plain flank wall where it faces the neighbouring property at No. 50. The height of the dormer will be above the eaves height of the main roof of the existing dwelling by approximately 0.6m. The rear dormer and terrace extension, when combined with the dormer on the rear roofslope appears as an incongruous addition to the rear roof slope. Its scale and position within the roof slope is overly dominant and does not appear subservient to the host dwelling, detracting from its architectural integrity and the character and symmetry of the wider terrace.
- 2.6 With respect to materials, it is considered that the grey zinc cladding proposed for the walls of the two dormers, especially in relation to the blank flank wall of the dormer on the outrigger would detract from the aesthetics of the host building, and do not complement the local character, noting that the proposed development would be visible from Smyrna Road. Whilst the colour would be similar in appearance to the existing slate tiles, the material when used for the two dormers combined would look out of place due to the design of the two dormer structures appearing bulky, overbearing and dominant structures in relation to the existing roof. The different material used on the dormers compared to the original roof would highlight the large bulk of the proposal. The windows at the property are currently white timber sash windows and it is proposed to replace these with black aluminium framed double glazed windows.
- 2.7 Overall, the proposed design fails to be subordinate to the host property, is not sensitive to the existing roof slope or surrounding context, would not integrate with the existing scale, form and proportions of the host property, does not comprise materials when combined with the design that complement the local character, and is not in accordance with relevant guidance, thereby detracting from the character and appearance of the host property and surrounding area, contrary to policy D1 of the Camden Local Plan 2017.

3. Amenity

- 3.1 Policy A1 of the Camden Local Plan seeks to ensure that the amenity of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of overlooking, loss of daylight, sunlight, outlook and privacy.
- 3.2 Given the scale of the dormers and there windows, it is considered that it could result in potential overlooking effects into the roof terrace of No 50.
- 3.3 The proposed terrace includes 1.8m high balustrades. The height and glazed nature of the balustrade reduces concerns surrounding potential overlooking. Although due to the height of the

privacy screen overlooking would not likely be direct there would be a sense of indirect overlooking caused by the location and use of the terrace and therefore privacy related impacts on windows along the southern façade of 50 Mazenod Avenue.

- 3.4 A sunlight assessment has been provided but no daylight assessment was provided for adjoining properties, therefore it is unclear the impact that the roof extension would have on the lower level flats or surrounding properties with respect to levels of daylight in habitable rooms.
- 3.5 The proposed development, due to its location, scale and relationship to neighbouring properties would result in harm to neighbouring amenity by way of overlooking and privacy effects, contrary to policy A1 of the Camden Local Plan 2017.

4. Biodiversity Net Gain

- 4.1 Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. Every grant of planning permission is deemed to have been granted subject to a general biodiversity gain condition to secure the biodiversity gain objective. This objective is to deliver at least a 10% increase in relation to the pre-development biodiversity value of the development granted permission. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits. The 10% in biodiversity value is secured through a pre-commencement condition which is already applied through legislation, which requires the submission of a Biodiversity Net Gain Plan before development can commence.
- 4.2 The Biodiversity Gain Requirements (Exemptions) Regulations 2024 sets out a list of application types that are exempt or temporarily exempt from needing to create a biodiversity net gain. In this case whilst the application is a small site for which the legislation applied to from 2nd April 2024, but is exempt from biodiversity net gain because it is de minimis (does not meet the threshold). As such this application is exempt from the requirement of a 10% uplift in Biodiversity Net Gain on site.

5. Recommendation: Refuse Planning Permission for the following reasons:

- The proposed development, by virtue of its bulk, mass, scale, and design, would result in an addition that fails to preserve the character and appearance of the host property and surrounding area, contrary to policy D1 of the Camden Local Plan 2017.
- The proposed development, due to its location, scale and relationship to neighbouring properties would result in harm to neighbouring amenity by way of overlooking and privacy effects, contrary to policy A1 of the Camden Local Plan 2017.