

2024/4687/P – 5 Erskine Mews



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5 Erskine Mews

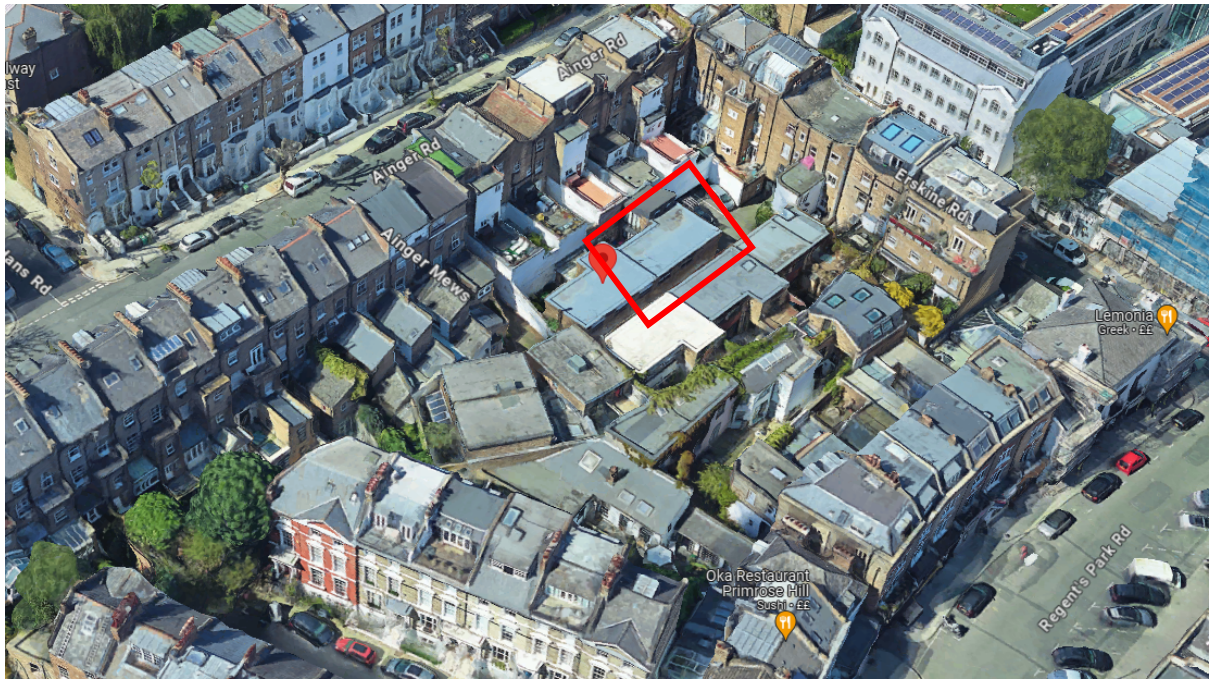
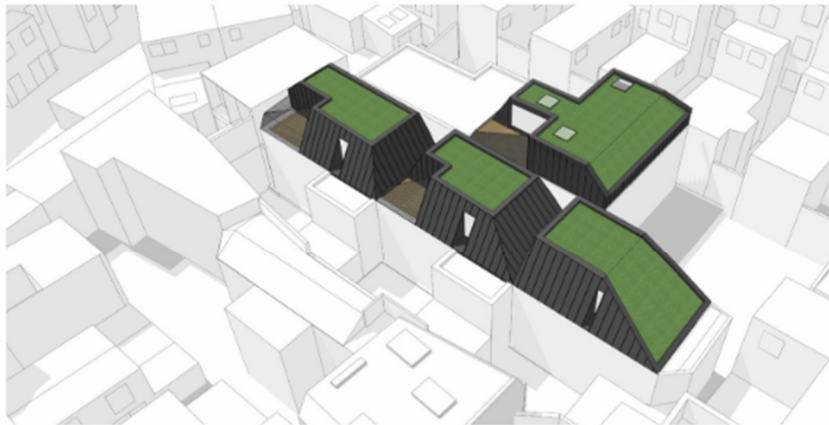


Image 1 – Google aerial image showing the property within the mews



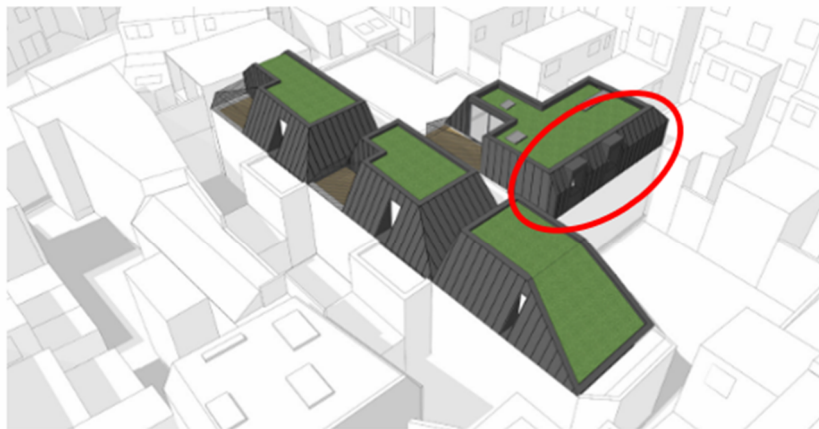
Image 2 – Google aerial image showing the property

As approved 3-D view



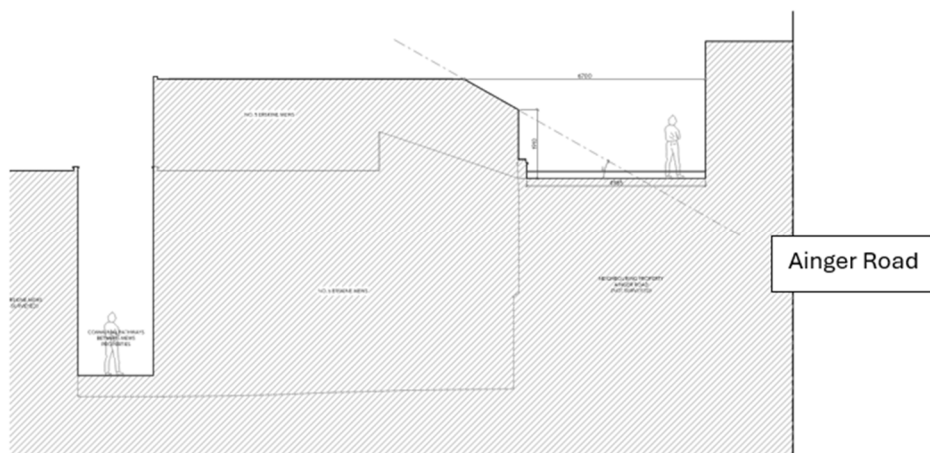
Visual 3 from No.5 Erskine Mews Amended Scheme -
2024/1102/P - Approved in July 2024

As Proposed 3-D view with amendments highlighted



Visual 4 - Proposed Roof Amendment to Application 2024/1102/P

As proposed section showing proximity to Ainger Road



Delegated Report (Members Briefing)		Analysis sheet N/A / attached		Expiry Date: 25/12/2024		Consultation Expiry Date: N/A	
Officer				Application Number(s)			
John Nicholls				2024/4687/P			
Application Address				Drawing Numbers			
5 Erskine Mews London NW3 3AP				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Variation of Condition 2 (approved plans) to planning permission 2024/1102/P dated 02/10/2024 for the 'Erection of a roof extension with roof terrace and extension into courtyard space', by way of adding two side dormers with windows (with fritted glass) to the northern roof slope and substituting the green roof on the sloped roof sides with zinc cladding to match the rest of the roof and regularising plan numbers.							
Recommendation:		Grant conditional planning permission					
Application Type:		Variation of Condition					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	A site notice was displayed on 01/11/2024 (expiring 25/11/2024).			
Adjoining Occupiers:	No. of responses	02	No. of objections	01
Summary of consultation responses:	<p>One comment in support was received, in addition to one neutral comment from neighbours/residents at No. 8 Ainger Road. The comment can be summarised as follows:</p> <ul style="list-style-type: none">I am concerned by the access to light that these works have on my property. A sunlight / daylight study has been undertaken on 1-7 Ainger Road, but I believe my property will be far more greatly impacted but has not been taken into consideration. <p><u>Officer's response:</u> <i>This scheme has already been approved, and the principle of development already agreed. Therefore, these concerns raised have previously been assessed or are not considered to be harmful. The changes across the roof are minimal and change the angle of the slope all around including that facing Ainger Road to the west. The proposed new dormers face north and do not impact the amenity of the properties on Ainger Road.</i></p>			
Primrose Hill CAAC:	<p>A letter of objection was received on behalf of the Primrose Hill CAAC. Their objection comments can be summarised as follows:</p> <ul style="list-style-type: none">Concerned by the impact of the proposed changes on the amenity of neighbours in Ainger Road, especially daylight and sunlight.The proposed changes to the roof profile to the north and north-east elevations, should be supported by a new sunlight and daylight study showing what differences the changed profile and massing would make. <p><u>Officer's response:</u> <i>This scheme has already been approved, and the principle of development already agreed. Therefore, these concerns raised have previously been assessed or are not considered to be harmful. The changes across the roof are minimal and change the angle of the slope all around including that facing Ainger Road to the west. The proposed new dormers face north and do not impact the amenity of the properties on Ainger Road.</i></p>			
Site Description				

The application site is accessed from the south side of Erskine Road and comprises a series of two-storey mews dwellings. The site is gated and cannot be seen from the public realm.

The dwelling is not statutorily listed and is not located within a conservation area but is located adjacent to the Primrose Hill Conservation Area to the north and east of the site and a locally listed terrace (1-29 Ainger Road) is located to the west of the site.

Relevant History

1-5 Erskine Mews

2021/2411/P: Erection of single storey roof extension to five dwellings at 1-5 Erskine Mews to provide additional living accommodation – **Granted subject to a S106 legal agreement - now withdrawn**

H9/7/B/4640: Erection of five dwelling houses at Erskine Mews, Camden and the provision of five car parking spaces. **Granted 28/03/1968**

1, 2, 3 and 5 Erskine Mews

2022/2230/P: Erection of single storey roof extension across 1, 2, 3 and 5 Erskine Mews to provide additional living accommodation. **Granted 28/06/2023**

1, 2 and 3 Erskine Mews

2024/0768/P - Non-material amendments to the roof extension approved under 2022/2230/P at 1, 2, 3 and 5 Erskine Mews, by way of amending positions of existing and approved rooflights across no.'s 1, 2 and 3; introducing green roof to two areas of existing flat roof on no.'s 2 and 3; amend ground floor plan of no. 1 within the existing courtyard area; introduce a new window to the ground floor of no. 1's northern elevation; amending the internal layout of no. 1, change the front door and amending an existing window on no. 1's western elevation at 1st floor level – **current application**

1 Erskine Mews

2011/4781/P: Erection of a first floor side extension with roof terrace to existing dwelling house (Class C3). **Granted 17/11/201**

3 Erskine Road

2024/1639/P: Variation of condition to amend the design of the roof extension approved under 2022/2230/P at 1, 2, 3 and 5 Erskine Mews, by way of adding an additional window to the rear elevation of the roof of No. 3 Erskine Mews – **Granted subject to a S106 legal agreement (ongoing)**

5 Erskine Mews

2024/2782/P – Certificate of lawfulness for the installation of new and replacement windows and doors – **Granted 19/07/2024**

2024/1102/P: Erection of a roof extension with roof terrace and extension into courtyard space – **Granted subject to a S106 legal agreement**

2023/3068/P: Erection of a roof extension with roof terrace and extension into courtyard space – **Granted subject to a S106 legal agreement (ongoing) – Now withdrawn**

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development

- D1 Design
- D2 Heritage

Draft Camden Local Plan

The Council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). 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).

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Home Improvements (2021)

Assessment

1.0 The Proposal

- 1.1 The proposal seeks to vary the approved roof extensions granted on 02/10/2024 Ref: 2024/1102/P at 5 Erskine Mews by way of adding two side dormers with windows (with fritted glass) to the northern roof slope and substituting the green roof on the sloped roof sides with zinc cladding to match the rest of the roof and regularising plan numbers. See below.
- 1.2 Additionally, there were some errors and inconsistencies in the numbering of the plans on the decision notice of the original planning permission. Therefore, this application also seeks to regularise those to ensure that the scheme as approved is accurate and consistent.

2.0 Design and Conservation

- 2.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 2.2 The properties are not located within but abut the Primrose Hill Conservation Area. A previous scheme approved roof extensions to four of the five properties (1, 2, 3 & 5) located within the mews (2022/2230/P) and all of the properties have had amendments submitted and approved in the last few months. A new application was then submitted by owners of No. 5 most recently under planning ref: 2024/1102/P and it is this application that the current application seeks to amend. The current proposal is considered to be a fairly minor change to the previously approved schemes at No. 5.
- 2.3 The proposed new dormers would measure approximately 1.2m in width and are proposed to be made from the zinc material to match the materials of the approved roof extension. Neither dormer would project beyond the external walls of the host property below. The additional dormer windows will match the dimensions of other approved roof windows at approximately 1m in width. The windows would be made from slim powder coated aluminium frames and would be fitted with fritted glass to match those already approved on this property.

2.4 Elements of the as approved green roof cannot be provided because the angle of the roof slope prevents the green roof from surviving. Therefore, some of the green roof is being replaced with the zinc standing seam roof that has previously been approved. In design terms, these changes are acceptable and in line with policy D2 of the Camden Local Plan 2017.

2.5 As such, the proposals would not have any detrimental impact on the character and appearance of the property and the adjacent Primrose Hill Conservation Area and comply with policies D1 and D2 of the Camden Local Plan 2017.

3 Residential Amenity

3.1 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, implications for natural light, artificial light spill, odour, and fumes, as well as impacts caused from the construction phase of development.

3.2 The Primrose Hill CAAC objection covers harm to amenity and therefore viability of the neighbouring conservation area. However, as stated above, the principle of development to extend these roofs has already been considered acceptable and the proposals merely seek to make small changes to the approved scheme.

3.3 The CAAC are concerned that the changes proposed will have a detrimental impact on the amenity, by way of sunlight and daylight, to the rear of the properties on Ainger Road which back directly onto the site. They considered that a sunlight / daylight study be provided to show that no harm is caused by the proposed amendments.

3.4 The proposal is for a minor change to the angle of the roof slope and location of the ridge, which remains set back behind the building line. This is not expected to cause a detrimental impact on the neighbouring amenity to the properties along Ainger Road, by impacting on their sunlight and daylight, given the minor scale of the change.

3.5 The new windows will have the same condition added that was on the previous approval (Condition 5), that these windows should be fitted with fritted glass to prevent overlooking.

3.6 The proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring resident. The development is therefore considered to be in accordance with planning policy A1.

4.0 Biodiversity

4.1 Policy A3 seeks to protect and enhance sites of nature conservation and biodiversity and assessing developments against their ability to realise benefits for biodiversity through their layout, design and materials used in the built structure and landscaping elements.

4.2 The previously approved sloped section of green roof cannot now be provided, as the angle of the slope is too steep to use for green roof. The result is a loss of approximately 3.75sqm of green roof. It is unfortunate that some of the originally proposed green roof is now not deliverable, however, it is better this is established now rather than at time of construction. The development still provides at least 46sqm of green roof on this property alone which benefits the local area.

4.3 The development is therefore considered to be in accordance with planning policy A3.

5.0 Transport

5.1 The original permission was subject to a Section 106 Agreement to secure a Construction Management Plan and Impact Bond, due to the constrained nature of the site. A Deed of Variation will be required to secure this Section 106 Agreement to the new permission.

6.0 Recommendation

6.1 Grant conditional Planning Permission subject to conditions.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 9th December 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2024/4687/P
Contact: John Nicholls
Tel: 020 7974 2843
Date: 4 December 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam,

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION

Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**5 Erskine Mews
London
NW3 3AP**

Proposal: Variation of Condition 2 (approved plans) to planning permission 2024/1102/P dated 02/10/2024 for the 'Erection of a roof extension with roof terrace and extension into courtyard space', by way of adding two side dormers with windows (with fritted glass) to the northern roof slope and substituting the green roof on the sloped roof sides with zinc cladding to match the rest of the roof and regularising plan numbers.

Drawing Nos: 106/001; 100; 101; 103; 104; 105; 106; 107; 108; 200; 201; 202A; 203A; 204A; 205A; 206A; 207A; 208A; 701A & Daylight and Sunlight Report (dated 17/04/2024) by Right of Light Consulting

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission Ref: 2024/1102/P dated 02/10/2024.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 For the purposes of this decision, Condition 2 of planning permission 2024/1102/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans:

106/001; 106/001; 100; 101; 103; 104; 105; 106; 107; 108; 200; 201; 202A; 203A; 204A; 205A; 206A; 207A; 208A; 701A & Daylight and Sunlight Report (dated 17/04/2024) by Right of Light Consulting

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 4 The metal screen hereby approved shall be erected prior to commencement of use of the terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 of all green roofs showing substrate depth.
- iii. a broad range of plants to maximise biodiversity enhancement.

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 6 The new north facing dormer windows on No. 5 shall be fitted with fritted glazing prior to occupation and shall be permanently maintained as such.

Reason: To safeguard the residential amenity of neighbouring occupiers and prevent overlooking in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully,

Supporting Communities Directorate