

Delegated Report

(Refusal)

Expiry Date:

19/08/2024

Consultation

Expiry Date:

27/07/2024

Officer

Leela Muthoora

Application Number(s)

2024/2397/P

Application Address

7 Burghley Road
London
NW5 1UD

Proposal

Erection of roof extension with Juliet balcony to rear and installation of rooflights to front and rear roof slopes, erection of two-storey part width rear extension at lower and upper ground floor, installation of French doors and balcony at rear upper ground floor with external access steps to lower ground floor.

Recommendation:

Refuse planning permission

Application Type:

Householder Application

Consultations

Residents/ Neighbours:	No. of responses	01	No. of objections	01
<p>Summary of consultation responses:</p>	<p>Two site notices were displayed near to the site on the 03/07/2024 (consultation end date 27/07/2023).</p> <p>A letter of objection was received from a neighbouring occupier. Their objections can be summarised as follows:</p> <ol style="list-style-type: none"> 1. Design: Character of the Area: The proposed extension is out of character with the Victorian terrace houses, resulting in an incongruous building that harms the street's overall character. The proposed dormer will create an imbalance to the roofscape uniformity and undermine the character of the terrace. 2. Design: Visual Impact: The design and scale of the proposals will be disproportionate in size and create a visually overwhelming structure compared to its neighbours. 3. Amenity: Privacy and overlooking: The rear extension will overlook the neighbouring garden, compromising privacy, reducing the openness, and creating a sense of enclosure. 4. Amenity: Overshadowing: The two-storey extension is incompatible with the terrace's character and may overshadow 7A. 5. Amenity: Noise and Disturbance: The proposed balcony will generate additional noise and disturbance, particularly during warmer months. There is existing access to the garden from both the lower-ground and upper-ground floors, making the balcony unnecessary. 6. Noise and disruption from construction: Construction of the development will cause significant noise and disruption affecting residents' quality of life. 7. Noise from existing: Previous internal alterations have increased noise levels. <p><i>Officer's response: Please see the 'Design' and 'Amenity' sections of the report, which are found in sections 4 and 5, respectively. It is noted that internal alterations within a non-listed building do not require planning permission, and as such any impact from this is not assessed.</i></p>			
<p>CAAC/Local groups comments:</p>	<p>The Kentish Town Neighbourhood Forum was consulted but no response received.</p>			

Site Description

The site is a three-storey mid-terrace house located on the north-western side of Burghley Road, near the junction with Evangelist Road. It forms part of a Victorian terrace of five buildings with modest dormer windows to the front and rear roofs. Access at the front entrance is via steps to the upper ground floor and another set of steps to the lower ground floor.

The building is not designated as a heritage asset; however, the terrace is uniform in size, design, and materials which makes a strong contribution to the streetscape. It is within the Kentish Town Neighbourhood Plan Area. There are no trees protected by Tree Preservation Orders within the application site.

Relevant History

The planning history for the application site can be summarised as follows:

2024/1804/P: 'Erection of a dormer and two rooflights to the rear roof slope.' **Certificate of Lawfulness (Proposed) granted 12/07/2024.**

Relevant policies

National Planning Policy Framework (2024)

London Plan (2021)

Camden Local Plan (2017)

- A1 - Managing the impact of development
- A4 – Noise and vibration
- D1 - Design

Kentish Town Neighbourhood Plan (2016):

- Policy D3 – Design Principles

Camden Planning Guidance:

- Amenity CPG (January 2021)
- Design CPG (January 2021)
- Home improvements (January 2021)

Assessment

1. Proposal

Planning permission is sought for the:

- Erection of a roof extension with Juliet balcony to rear roof slope, measuring approximately 2.3m wide by 2.2m in height and 2.6m deep. The extension features aluminium sliding doors and a glazed balustrade.
- Installation of additional rooflights to the front and rear roof slope.
- Erection of two-storey part width rear extension at lower and upper ground floor levels, 6m in height overall. The upper ground floor extension would measure approximately 2.5m wide and 1.5m deep and the lower ground floor level 2.5m wide and 2.5m deep.
- Installation of external metal deck at upper ground floor and external steps to rear garden at lower ground level.
- Alterations to fenestration at the rear including dropped cill to the upper floor window to create new French doors for access to the decking platform, and new bi-fold or sliding doors to lower ground floor.

2. Revisions

During the application, officers advised a reduction to the scale of the roof extension to sit within the roof form, set back the addition from the eaves, and amend the balustrade from glazed to metal. Whilst the applicant did make these revisions, they chose to revert to the original proposals prior to determination. For the avoidance of doubt, this assessment concerns the original proposals, as shown on relevant drawing numbers: (2733) 001, 002 Rev A, 003 Rev A, 004 Rev A, 005 Rev A, 050 Rev A, 051 Rev B, 052 Rev B, 053 Rev C, 054.

3. Assessment

The principal considerations material to the determination of this application are as follows:

- Design: Impact on the character and appearance of the host property and local area.
- Residential Amenity: Impact on the living conditions of neighbouring occupiers.

4. Design

4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 (Design) are relevant to the application: development should respect local context and character; development should comprise details and materials that are of high quality and complement the local character; and development should look to preserve gardens where possible.

Roof extension

4.2. While the roof extension has been described as a flat roof dormer, a dormer would typically form a window within the roof margins (ridge, eaves, and side parapet walls), which this proposal does not. The proposed roof extension would measure approximately 2.4m wide by 2.2m in height, 2.6m deep from the roof slope, 1.6 m down from the roof ridge, and extend beneath the eaves by 0.7m. The sliding doors would be aluminium framed with a glazed balustrade to form a Juliet balcony. The roof extension would fail to comply with the CPG

guidance as it dominates the rear roof and is not set within the roof margins. Its position beneath the eaves appears incongruous to the roof slope. The proportion of glazing would be too great with sliding aluminium framed doors at almost 2m in height and width. This results in a top-heavy opening that does not respect the glazing hierarchy of the rear elevation. It would not align with or relate in design, size, or proportion to the traditional sash windows at lower levels, disrupting the composition of the elevation. The materials and glazed balustrade would be inappropriate for a traditional building and would both add visual clutter at high level and be out of character with neighbouring roof additions.

4.3. The principle of front and rear dormers is well established along the terrace, but the prevailing scale of roof additions are modest dormer windows resulting a uniformity to the terrace. There is sufficient internal height within the roof space to allow for a modest dormer window that would maintain the existing roof form. However, the proposal introduces a large roof element that does not retain the integrity of the existing roof form and is disproportionate to neighbouring dormers. The gap between properties on Evangelist Road and Burghley Road would also mean that the proposed rear extension would be highly visible from the former street. Due to its siting, size, and materials, the roof extension would be visually incongruous compared to its neighbours and interrupt the uniformity of the Victorian terrace, which is visible from surrounding gardens and streets, in particular from Evangelist Road.

Rooflights

4.4. There are no objections in principle to a rooflights on the front and rear roof slope because there are already modest skylights on the buildings in the terrace and a clear established pattern of development. As they would be visible from public spaces, it would be appropriate if they form a consistent rhythm with neighbouring rooflights and fitted flush with the roof surface.

Rear extension

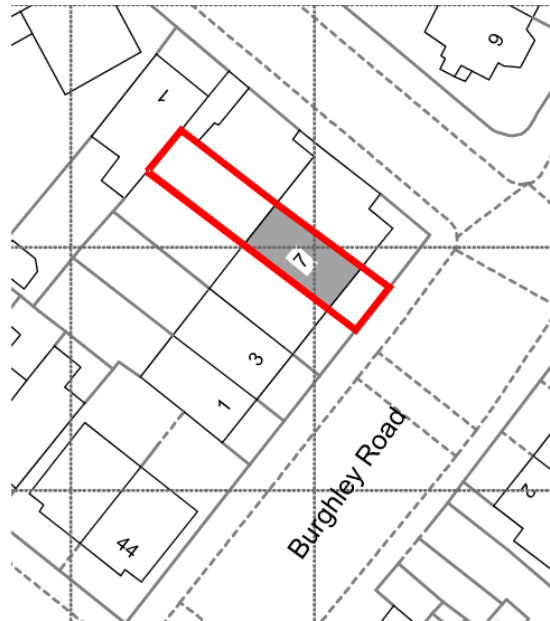
4.5. The proposed rear extension would comprise of a two-storey half width extension to a height of 6m overall at the boundary with number 7A Burghley Road. It would be formed of two elements: a lower ground floor extension measuring approximately 2.5m wide and 2.5m deep; and an upper ground floor level extension approximately 2.5m wide and 1.5m deep. The upper ground floor extension would feature a large oriel window to the rear elevation and glazing to the side and roof, both levels would have full height glazing to the side elevation facing towards no.5, and a clerestory window to the rear lower ground floor level. The cill would be lowered to the rear upper ground floor window to form French doors, and a bi-fold or sliding door would replace the window at lower ground floor level.

4.6. While the terrace is not designated as a heritage asset, the terrace retains much of its original design. There are no existing extensions to the rear of the terrace (and no such extensions that have been granted permission, built or otherwise), apart from a small glazed extension at no. 7A Burghley Road which appears to be historic. This is located at its boundary to Evangelist Road, has little visibility, and no impact on neighbours.

4.7. The proposed rear extension is disproportionate in size to the existing building and would dominate the rear elevation due to its height. The upper element of the extension would appear unsympathetic and detract from the form, proportions, and character of the original house. The non-traditional full height glazing and oriel window at upper floor level would emphasise the contemporary design, placing it at odds with traditional fenestration. While the

proposed green roof would soften the appearance of the flat roofs, together they form less than 1sqm of the roof area, with the roofs predominately glazed.

4.8. The proposed two-storey extension would interrupt the terrace, which is characterised by the uniformity of its rear building line. As there are no direct comparable examples within the terrace, the proposal is not in keeping with the neighbouring established pattern of development, including the ratio of built to unbuilt space. The site location plan shows the largely unimpaired rear building line (see below).



4.9. There is an architectural integrity and a harmonious composition to the terrace that visually contributes to the streetscape, with the exception of the historic glazed extension at 7A. As can be seen from the photo below (taken from Evangelist Road), the proposal would be publicly visible from the surrounding area due to its elevation above the ground level. The scale and design of the proposal would interrupt the terrace's elevation, be in a prominent position, and appear modern and bulky. Its contemporary design would disrupt the uniform appearance of the terrace, resulting in a visually incongruous addition to the building and terrace causing harm to the streetscape.



4.10. Any subsequent application should minimise the scale and visibility by reducing the height of the rear extension. There may be scope for a lower ground floor extension, subject to detailed design, that sits beneath boundary walls and allows connection to the rear garden.

Balcony/platform

4.11. Access to the garden from the rear upper floor is established along the terrace. The connection from upper ground floor is generally via external brick steps with metal railings and small landings to the rear door access. A similar sized replacement may be acceptable subject to detailed design.



4.12. Overall, the proposed roof and rear extensions would appear as incongruous and visually intrusive additions, would fail to relate to the proportions of the original house, and would cause harm to the building's character, unbalancing the uniformity of the terrace and character of the surrounding area. The proposals are contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017 and policy 3 (Design principles) of the Kentish Town Neighbourhood Plan 2016.

5. Residential Amenity

5.1. Policy A1 (Managing the impact of development) 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 to natural light, artificial light spill, as well as impacts caused from the construction phase of development. Policy A4 (Noise and vibration) seeks to ensure that residents are not adversely impacted upon by virtue of noise or vibrations.

5.2. The nearest residential properties that would be affected by the proposal are within the terrace at 7A Burghley Road to the north-east and 5 Burghley Road to the south-west.

Loss of privacy and overlooking

5.3. Concern has been raised regarding potential overlooking of adjoining gardens and windows. The rear garden abuts the flank wall of number 1 Evangelist Road, which features one small window at third floor level. Planning records indicate this window serves a bathroom and obscured glazed. Therefore, the proposals would not cause undue overlooking to this window. While there may be some potential for overlooking neighbouring gardens from the new windows, this would be unlikely to result in any greater harm than from the existing fenestration and could be mitigated by non-opening or obscured glazing. Due to its size and location the decking is unlikely to result in a loss of privacy from overlooking into neighbouring properties, if mitigated by privacy screening.

5.4. Any subsequent application should minimise potential overlooking of neighbours' windows and gardens by

- using opaque or obscured glazing on side elevations,
- consider adequate screening on balconies/terraces; however, this should also consider impact on light to neighbouring windows, and
- consider appropriate materials of balconies, decking, and external steps.

Light spill and daylight/sunlight impacts

5.5. The glazing to the extension roof, side elevation, and projecting oriel window would result in light spill to the adjacent windows of neighbouring houses. While this may not be so excessive to warrant a reason for refusal, any subsequent application should consider the extent of glazing and the use of use opaque or obscured glazing to minimise potential light spill as well as potential overlooking, as set out previously.

5.6. Daylight is natural light, and overshadowing is the loss of sunlight caused by development blocking direct sunshine. The 45-degree tests in the BRE guidance should be used to screen for whether a daylight and sunlight report is required. The nearest neighbouring windows at number 7A Burghley Road are not shown in full on the plans and elevations. However, from the information provided, neither of the two relevant neighbouring windows would fail the 45-degree test in both elevation and plan, so it is unlikely there would be significant harmful impact to daylight. It is noted that impact on sunlight is not an issue owing to the elevation's north-west orientation.

Loss of outlook / sense of enclosure

5.7. The extension at the upper ground floor would project in close proximity to the nearest neighbour's window at 7A Burghley Road. The existing low boundary wall between this window and the external steps is less than 1m and retains an open character to the rear elevations. The two-storey extension would be adjacent to this window at less than 1m and to a depth of nearly 1.5m, and would increase the sense of enclosure due to its depth and height. While it would be approximately 2.5m above the boundary wall, it would be 6m in height from the ground level. Due to its location, size, and height, the extension would result in an overbearing effect on adjoining occupiers.

5.8. Photo showing proximity to neighbours at 7a (left) and 5 (right)



5.9. Any subsequent application should minimise the overbearing effect and sense of enclosure by reducing the height of the rear extension, as stated in the previous design section.

Noise and disturbance

5.10. Concerns regarding construction noise were raised by the objection. While it is likely there would be some disruption during the construction period, a proposal of this scale would not warrant a refusal for this reason. Any noise disturbance from construction would be controlled through separate Environmental Pollution regulations, which the applicant would be reminded of by way an informative were the application to be recommended for approval.

5.11. In summary, the proposed extensions would appear as an overbearing and visually intrusive addition, increasing a sense of enclosure, particularly to the neighbouring occupants at 7A Burghley Road, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

6. Natural environment

6.1. Based on the information available, this permission would not require the approval of a Biodiversity Gain Plan before development is begun were it to be approved, because it is a Householder application.

6.2. It is noted that living roofs are proposed to the two-storey extension. However, they would result in less than 1sqm of coverage. It was observed during a site visit that the majority of the garden area had been replaced with artificial grass, therefore opportunities for biodiversity are limited. Were the applicant to resubmit an application, replacement of the hardstanding with soft landscaping and a living roof to any proposed extension would be welcomed, in accordance with CPG Home Improvements and CPG Biodiversity.

7. Conclusion

- 7.1. The proposed roof extension would appear as an incongruous and visually intrusive addition, which would cause harm to the character of the original house, unbalancing the uniformity of the terrace and character of the surrounding area.
- 7.2. The proposed rear extension would fail to relate to the proportions of the original building causing a detrimental impact on the host building and uniformity of the terrace.
- 7.3. The proposed extension would appear as an overbearing and visually intrusive addition, increasing a sense of enclosure to the neighbouring occupants at 7A Burghley Road.
- 7.4. Overall, the proposals are contrary to the aims of policies D1 (Design) and A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017, the objectives of policy 3 (Design principles) of the Kentish Town Neighbourhood Plan 2016, CPG Design, CPG Home Improvements, CPG Amenity, and the NPPF 2024.
- 7.5. The report has set out where revisions would be acceptable in the event of a subsequent application or appeal.

8. Recommendation

- 8.1. Refuse planning permission.