

<b>Delegated Report</b>	<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>19/03/2024</b>
	N/A		<b>Consultation Expiry Date:</b>	<b>23/02/2024</b>
<b>Officer</b>		<b>Application Number(s)</b>		
Adam Greenhalgh		2025/0278/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
17 Flat A Arkwright Road London Camden NW3 6AA		See decision notice		
<b>Proposal(s)</b>				
Retention of conservatory style extension (retrospective)				
<b>Recommendation(s):</b>	Refuse planning permission and warning of enforcement action to be taken			
<b>Application Type:</b>	Full planning permission			
<b>Conditions or Reasons for Refusal:</b>	Refer to Decision Notice			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>
<b>Summary of consultation responses:</b>	Site notice: displayed 29/01/2025, expiry 22/02/2025 Press notice: published 30/01/2025, expiry 23/02/2025			
<b>Neighbouring occupiers</b>	<p>Three letters of objection received. Objections raised relate to:</p> <ul style="list-style-type: none"> <li>- Inappropriate materials</li> <li>- Harm to appearance of site and streetscene</li> <li>- Light pollution</li> <li>- Harm to biodiversity</li> <li>- Loss of garden</li> <li>- Fire risk</li> <li>- Freeholder consent not granted</li> <li>- Loss of privacy</li> <li>- Loss of outlook</li> </ul> <p>Note: Fire risk is not a planning matter for an application of this size. Freeholder consent is not a planning matter.</p> <p>The Redington Frogna! Neighbourhood Forum has raised the following objections:</p>			

**Redington Frogna  
Neighbourhood  
Forum**

- Inappropriate materials
- Harm to appearance of site and streetscene
- Harm to spacing and appearance of built/natural environment
- Light pollution
- Loss of garden
- Use of artificial grass inappropriate

**Site Description**

17 Arkwright Road is a detached 4 storey 'Arts and Crafts' building situated on the south side of Arkwright Road in the Redington Frogna Conservation Area. It is noted as being a 'positive contributor' in the Redington Frogna Conservation Area Character Appraisal and Management Plan 2022. It is of red brick with a red tiled roof and decorated white windows and doors. No significant extensions have previously been undertaken.

**Relevant History**

2023/0910/P - Replacement of two existing windows with larger size windows on the rear elevation and insertion of a window on the side elevation – granted 24/04/2023

**Relevant policies**

**National Planning Policy Framework 2024**

**The London Plan 2021**

**Camden Local Plan 2017**

Policy A1 Managing the impact of development  
Policy D1 Design  
Policy D2 Heritage

**Redington Frogna Neighbourhood Plan 2021**

Policy SD 2 Redington Frogna Conservation Area  
Policy SD 4 Redington Frogna Character  
Policy SD 5 Dwellings – Extensions and Gardens Development  
Policy BGI1 Gardens and Ecology  
Policy BGI2 Tree Planting and Preservation

**Camden Planning Guidance (CPG)**

CPG Home Improvements (2021) : Extensions – Ground extensions – Rear (page 38)  
CPG Amenity (2021)  
CPG Design (2021) : S.3 Heritage

**Redington / Frogna Conservation Area Character Appraisal & Management Plan 2022**

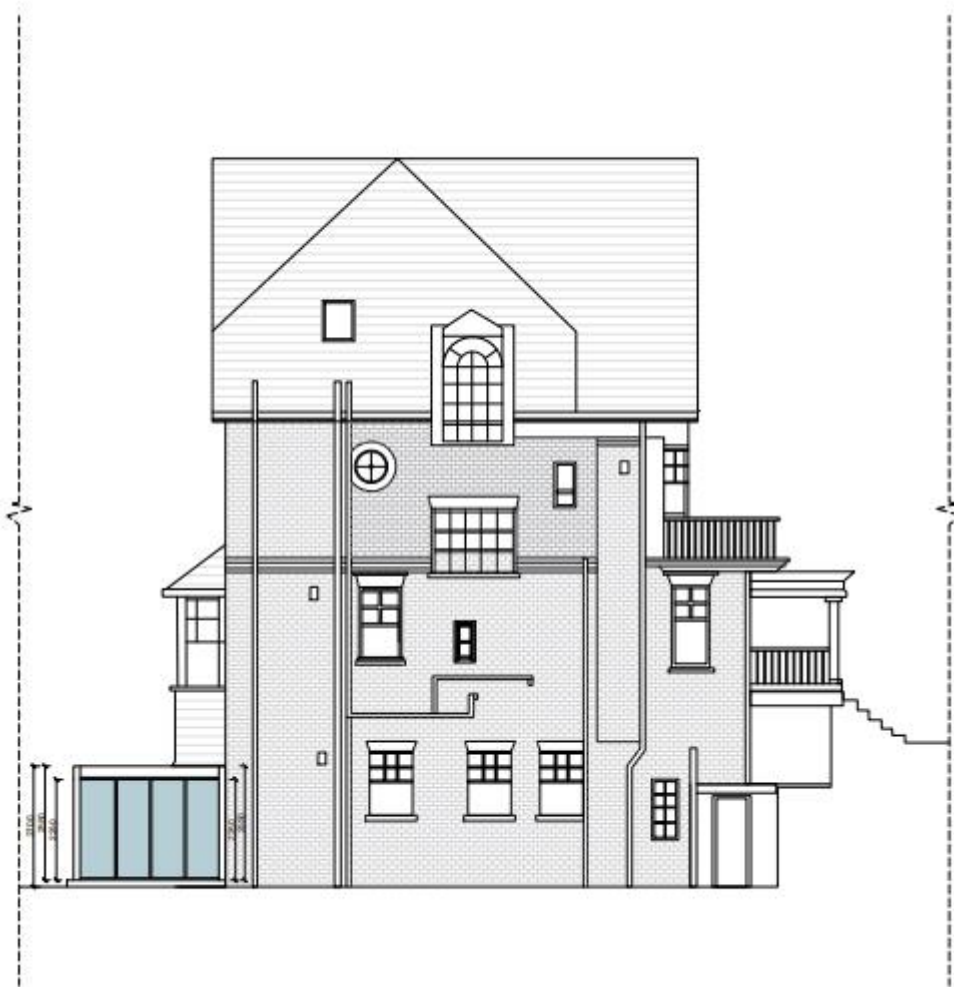
**Assessment**

## 1.0 DEVELOPMENT FOR WHICH PLANNING PERMISSION IS SOUGHT

1.1.1 The application seeks planning permission for the retention of a conservatory/glazed type extension which has been added to the rear elevation of the building. 3.88m deep and 3.4m wide the 'conservatory' extension has been added to the eastern side of the rear elevation. It extends across the rear of the passage at the side of the house to the boundary with the adjoining site (15 Arkwright Road). It is flat roofed, 2.7m above ground level and 450mm above the boundary fence onto 15 Arkwright Road. The materials are timber, UPVC and glass. The roof is openable.



*Rear elevation*



*Side (east) elevation, facing 15 Arkwright Road*

## **2.1 ASSESSMENT**

The material considerations for this application are summarised as follows:

- Design and effects on character and appearance of conservation area
- Amenity of neighbouring residential occupants
- Biodiversity

### **Design and effects on character and appearance of conservation area**

2.3.1 In the exercise of various functions under the Planning Acts (with specific reference to Section 72(1) of the Listed Buildings Act 1990) in relation to land in conservation areas (including determination of planning applications) the Council is required to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

2.3.2 Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy heritage assets and their settings, including conservation areas and listed buildings.

2.3.3 Within the Heritage section of the Design CPG it is noted that development within Conservation Areas should preserve and where possible enhance the character and appearance of the area.

2.3.4 The 'Extensions' section of CPG 'Home Improvements' includes design guidance for extensions, including ground floor rear extensions. The CPG reiterates the need for rear extensions to 'be built from materials that are sympathetic to the existing building wherever possible' and 'respect and preserve the original design and proportions of the building, including its architectural period and style'.

2.3.5 Section 6.4 (Alterations, Extensions and Infill) of the Redington Frogal Conservation Area Appraisal and Management Strategy (2022) states 'In all cases, existing/original architectural features and detailing characteristics of the Conservation Area should be retained and kept in good repair, and only be replaced when there is no alternative'. Also, 'Extensions should complement and be unobtrusive to the existing landscape and townscape character of the Area'.

2.3.6 Policy SD 2 of the Redington Frogal Neighbourhood Plan (2021) requires new developments to preserve or enhance the green garden suburb character and appearance of the Conservation Area. Policy SD 4 requires 'Development to complement the distinctive character of the Redington Frogal area and the immediate site context'.

2.3.7 Policy SD 5 of the Redington Frogal Neighbourhood Plan (2021) is particularly relevant. This states: 'Extensions to existing buildings, including outbuildings and swimming pools, should be designed to complement the character of the original building and context. This includes the consideration of all of the following, as appropriate: i. Use either matching materials and roof-form of the existing building, including use of authentic traditional materials, or using contrasting materials, forms and construction, where this would help to maintain the original composition of the building.

2.3.8. The existing building is largely unaltered and it retains features which are noted in the Conservation Area Appraisal and which contribute to its designation as a 'positive contributor', viz - red brick 'Arts and Crafts' architecture, red pitched roof with pitched gable/dormer, decorated white painted timber windows. The rear elevation is largely unaltered and its distinctive Arts and Crafts style contributes to the architectural and historic character and appearance of the rear building line on this side of Arkwright Road. The separation to the boundary with 15 Arkwright Road is also of importance as this provides an element of openness, it contributes to the spacing of the built environment and it enhances the townscape value and identity of the building.

2.3.9 It should be noted that it is not considered that the development is unacceptable in principle. Appropriately scaled, sited and designed single storey rear extensions can ordinarily be appropriate on residential buildings. Single storey rear extensions to residential buildings (of an appropriate siting, scale and design) are not unacceptable in principle. However, in this case, in which the siting, design and materials are inappropriate (as set out in 2.3.11 and 2.3.12 below) it is not the principle but the physical characteristics of the development which are unacceptable

2.3.10 The 'conservatory' extension, by way of its siting, form, materials and design, is an incongruous and unsympathetic addition to the building which detracts from the architectural and historic character and its significance in the Conservation Area.

2.3.11 In terms of siting, the extension beyond the side elevation of the building, filling the space between the building and the boundary with no. 15, is harmful to the spacing of the building/site. The development partially erodes the distinctive gap which contributes to the significant spacing of the built environment and provides an element of openness and aspect within the townscape. In failing to respect the established building lines of the building the development detracts from the form, composition and townscape merits of the positive contributor to the Conservation Area.

2.3.12 The development is in the realm of occupiers within neighbouring buildings, particularly within the other flats at the application site. In addition to its inappropriate siting, its incongruous design/appearance and materials (including flat UVPC roof and abundant glazing and UVPC panels)

do not preserve or enhance the architectural or historic merits of the Arts and Crafts building and it consequently results in (less than substantial) harm to the character and appearance of the Conservation Area. The roof is of a low design quality. The Council often requires flat roofs on extensions to be 'green' roofs as green roofs are appropriate within garden settings, they uphold the appearance of sites and they have biodiversity benefits. The openable roof of the development increases the potential for light spill which is not in keeping with the character of the residential area and harmful to the appearance of the site.

2.3.13 The NPPF 2024 advises (para. 215) that, where development results in less than substantial harm to a heritage asset, it is appropriate to take into consideration any public benefits accruing from the development. The assumption can be that if the public benefits outweigh the harm to the heritage assets then planning permission should not be refused on heritage grounds. In this case, there are no public benefits associated with the development which off-set the less than substantial harm which is caused to the Conservation area.

2.3.14 The letter from the Redington Froggnal Neighbourhood Forum mentions that the development has resulted in a loss of garden. The Neighbourhood Forum refer to Neighbourhood Plan policies BGI 1 (which requires open/unbuilt areas within development sites to be designed to enhance their ecological, wildlife and residential amenity values) and BGI 2 on trees and planting. The 'pre-existing plan' indicates that the development has been undertaken on 'hardstanding with artificial grass'. No trees or vegetation are affected. Furthermore, the development does not encroach unduly into the rear garden. As such, it is not considered that Neighbourhood Plan policies BGI 1 or BGI 2 are applicable.

2.3.15 The 'conservatory' extension, by way of its siting, design and materials is an incongruous and unsympathetic addition to the building which fails to preserve or enhance the character and appearance of the Conservation Area. The development is therefore contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017 and policies SD2, SD4 and SD5 of the Redington Froggnal Neighbourhood Plan 2021. It is also contrary to the London Plan 2021 and NPPF 2024.

## **2.4 Amenity of neighbouring residential occupiers**

2.4.1 Policy A1 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, overlooking, outlook and implications on daylight and sunlight. CPG - Amenity provides specific guidance with regards to privacy, overlooking and outlook.

2.4.2 Due to its size, siting and design, the development is not considered to result in any undue loss of amenity for any neighbouring occupiers. The adjacent bay on the rear elevation is part of the application property and so the 3.88m deep extension does not result in any harm to any neighbours within this room.

2.4.3 The extension does not project in front of or close to any neighbouring windows such that there is any undue loss of light or outlook and it does not result in any undue overlooking of any rooms or amenity spaces.

2.4.4 The Design and Access Statement notes that the roof is openable and objections have been raised on grounds of light pollution. While the openable roof and the potential light spill contributes to the inappropriate appearance of the development (see para 2.3.12 above), it is not considered that the light would be likely to enter the rooms of adjoining dwellings to such an extent that there would be an undue loss of residential amenity.

2.4.5 It is concluded that the development does not result in a loss of amenity for neighbouring occupiers, contrary to policy A1.

## 2.5 Biodiversity

2.5.1 The development does not appear to exceed the threshold for the provision of Biodiversity Net Gain.

2.5.2 Objections have been raised on grounds of loss of biodiversity and harm to wildlife. Situated on an area of hardstanding/artificial grass and use with residential (householder) levels of illumination, the development would not result in any significant loss of habitats or impacts on any protected species.

## 3.0 RECOMMENDATION

**Refuse Planning Permission and warning of enforcement action to be taken for the following reasons:**

### Reason for refusal:

The conservatory style extension, by way of its siting, design and materials is an incongruous and unsympathetic addition to the building which fails to preserve or enhance the character and appearance of the Conservation Area. The development is therefore contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017 and policies SD2, SD4 and SD5 of the Redington Froggnal Neighbourhood Plan 2021. It is also contrary to the London Plan 2021 and NPPF 2024.

### Issue an Enforcement Notice-

That the Borough Solicitor be instructed to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 as amended regarding the erection of the conservatory style extension to the rear of the property and that officers be authorised, in the event of non-compliance, to commence legal proceedings under Section 179 or other appropriate power and/or take direct action under Section 178 in order to secure the cessation of the breach of planning control.

### The notice shall allege the following breaches of planning control:

The erection of a conservatory style extension to the rear of the property.

### What are you required to do:

- 1) Completely remove the conservatory extension
- 2) Remove from the site all constituent materials associated with the development
- 3) Make good any resulting damage.

### Period of Compliance:

2 months

### Reasons why the Council consider it expedient to issue the notice:

The conservatory style extension, by way of its siting, design and materials is an incongruous and unsympathetic addition to the building fails to preserve or enhance the character and appearance of the host building and the wider Conservation Area. The development is therefore contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017 and policies SD2, SD4 and SD5 of the Redington Froggnal Neighbourhood Plan 2021. It is also contrary to the London Plan 2021 and NPPF 2024.

