

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	06/12/2012
		N/A		Consultation Expiry Date:	22/11/2012
Officer			Application Number(s)		
Seonaid Carr			2012/5328/P		
Application Address			Drawing Numbers		
House 1 Holyrood Court 3-5 Gloucester Avenue London NW1 7AE			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of roof extension in connection with existing dwelling (Class C3).					
Recommendation(s):		Grant condition permission			
Application Type:		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	16	No. of responses	02	No. of objections	03
			No. Electronic	01		
Summary of consultation responses:	<p>A press notice was erected on 01 November 2012 (expired 22 November 2012) and a site notice was published on 26 October 2012 (expired 16 November 2012).</p> <p>Two local residents have objected to the proposal, these are from 11 Regal Lane and 2 Prince Albert Road, the objections raise the following concerns:</p> <ul style="list-style-type: none">The apartments should never have been allowed to be built, so close to my property, it has caused my building to subside, block light and makes repairs to the rear of my property difficult;This application will cause further problems and restrict light into my property.The proposed extension would significant cut off light from the terrace and small conservatory of No.11 Regal Lane.The application site was subject of a previous application (Ref:PEX0200968) which replaced a previous convent, the original footprint of the existing houses restricts morning light to the upper terrace where my study is. Application Ref: PEX0200968 recognised the infringement onto my property and amendments were made in recognition of this restriction of light;Restrictions were detailed in 6.24 and 6.28 of the planning consent; and these stipulated that this flat roof area should not be developed, nor have access, this is what the present application is proposing to do, overriding and rescinding the original caveats/conditions of the previous consent, I see no justifiable change in the previous situation. <p>Officer comments:</p> <ul style="list-style-type: none">This application is in relation to an extension to an existing building, the issue of the planning permission previously being approved is not the subject of this application, the proposed extension would not worsen the situation of making repairs to a neighbour property given its siting to an upper level.The location of the proposed extension is some 18m to the north of No.2 Prince Albert Road and given the scale of the proposal it would not impact on the levels of light received into this resident.In respect of the impact on No.11 please see the amenity assessment section below.With regard to the history of the site what is being proposed within this application is a reduction to what was previously deferred from Committee but larger than what was original approved and built, it is materially different and is being considered within this application against the current Local Development Framework.In respect of points 6.24 and 6.28 of the planning consent, there are no such points on the original planning permission relating to application Ref: PEX0200968 which prevent the development of the flat roof, condition 5 of the original consent removed the permitted development rights for the properties but this is not to say full planning permission couldn't be granted for alterations or extensions to the dwellings, as is being applied for here.					
CAAC comments:	<p>The Primrose Hill CAAC have objected to the proposal on the following grounds:</p> <ul style="list-style-type: none">When the original planning application for these houses was submitted in November 2002 (PEX0200968 + CEX0200969) we criticised the scale and bulk of the group, particularly in respect of their damaging effect on the natural light of existing habitable rooms in the adjoining houses in Regal Lane. Officers successfully, and with the support of Councillors, secured revisions which achieved a set back and reduction in height which addressed our concerns;The application would reverse that important revision and again harm the natural light of existing habitable rooms in the adjoining houses in Regal Lane;There has been no significant change which would permit or justify this harm, and we advise that the Council should be robust in maintaining its original decision.It is also noted that we also objected on the grounds that the height and bulk of the					

new terrace would dominate the important group of existing houses, designed by John Winter: the revision agreed in 2002-03 also moderated this harm to the character and appearance of the conservation area. Again, the present proposal would reverse that helpful modification

Officer Comments:

- The current application differs to what was originally proposed within application Ref: PEX0200968, what is being proposed now, would be an increase in height of the side aspect of the property but not depth, the proposed extension would still retain the 1.3m set back which was agreed within the original planning permission, which is a significant change to warrant this proposal acceptable.
- What is being considered within this application would not cause harm to the levels of daylight and sunlight received into the neighboring properties on Regal Lane, as detailed within the amenity section below.
- In relation to the impact on the Listed Buildings to the south of the application site along Prince Albert Way, when considering the proposed development in the context of the parent building and these neighboring properties, it is considered that given the scale of the extension it would not cause harm to the setting of the listed buildings over and above that which the existing development already does.

Site Description

The application site relates to a single dwelling house located to the end of a terrace of five dwellings which all form part of a recently constructed residential development known as Hollyrood Court, which is located to the southern side of Gloucester Avenue. The application site is within the rear block of five residential dwellings.

The site is located within the Primrose Hill Conservation Area. Whilst the site itself does not contain any listed buildings to the south of the site are a series of 15 detached and semi-detached villas which are Grade II listed.

Relevant History

2012/4209/P - Erection of roof extension in connection with existing dwelling (Class C3). Application withdrawn.

PEX0200968 & CEX0200969 - Demolition of existing buildings on site and replacement with two residential terraces. The front terrace fronting Gloucester Avenue will comprise of 5 storeys and basement accommodating 3 houses (2 x 5 bed, 1 x 6 bed) the rear terrace comprises 4 storeys and basement accommodating 5 houses (1 x 3 bed, 4 x 4 bed) and associated underground car parking and landscaping. Planning permission granted September 2003.

The above application originally went to Development Control Committee in May 2003 and was deferred due to concerns regarding the impact on the adjoining neighbour at 11 Regal Lane. The application was then amended to reduce the height of the development by 0.6m at the point it adjoins 11 Regal Lane and set back the rear wall of the building at third storey by 1.7m. Following these amendments the application was approved at Development Control Committee.

Relevant policies

LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development
CS14 Promoting high quality places and conserving our heritage
DP22 Promoting sustainable design and construction
DP24 Securing high quality design
DP25 Conserving Camden's heritage
DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011 and Conservation Area Statements

CPG1 Design
CPG6 Amenity
Primrose Hill Conservation Area Statement

National Planning Policy Framework (April 2012)

Assessment

Assessment

Planning permission is sought for the erection of roof extension in connection with existing dwelling. The proposed extension would sit to the flat roof of the existing four storey element of the building and would measure 3.4m wide, 6.2m deep the extension would have a curved roof to mimic the roof at the third floor level and would project up to 3.7m above the existing flat roof. To the front elevation it is proposed to have a set of double doors with balustrade, to the rear aspect of the extension each corner of the extension would comprise of four windows, two to the rear elevation and two to the side. The proposed extension would accommodate a new bedroom and continued stair. The extension would be constructed in materials to match the existing development.

Design

Policies CS14 and DP24 seek to ensure all development is of the highest quality design and considers the character, setting, context and form of neighbouring buildings. Furthermore Policy DP25 seeks to preserve and enhance the character and appearance of Conservation Areas and the boroughs Listed Buildings.

The proposed extension is considered to achieve a sense of subordination by virtue of it being designed to be in keeping with the parent building. The proposed extension is well considered in the context of the host building and would likely appear as if it were built at the same time as the original development given the use of similar materials.

Given the new build nature of the host building, the proposed extension would be well integrated with the parent building by mimicking the style in terms of window detailing and roof form together with materials and as such is considered an appropriate development to the application property.

The advice of CPG1 in respect of side extensions, although this relates to more traditional buildings the guidance is worth considering. The proposed extension would be set back from the main building line of the property thereby respecting the scale of the parent building.

In terms of the impact on the setting of the Listed Buildings along Prince Albert Road, when considering the proposed development in the context of the parent building and these neighboring properties, it is considered that given the scale of the extension it would not cause harm to the setting of the listed buildings over and above that which the existing development already does.

In light of the above, it is considered that the proposed extension would be an appropriate form of development to this relatively new build structure and would accord with the objectives of Policies CS14, DP24 and DP25 and no objection is raised on design grounds.

Amenity

Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight.

With regard to privacy and overlooking to the rear of the proposed extension the windows would be obscure glazed and service a stair. Given the glazing would be obscure there would be no opportunity to overlook any of the neighbouring residents to the rear of the application site. To the front elevation would be a set of double doors, given there are existing double doors to this level in the existing terrace it is considered the proposed extension would not increase the opportunity to overlook neighbouring residents.

With regard to sunlight and daylight, the only residential property that would be impacted by the proposed works would be No.11 Regal Lane. As existing, the application property has a three storey element of the terrace with a split level section to the rear which accommodates the stair and is sited 1.9m below the roof of the main three storey projecting 1.7m beyond its rear elevation. This section of the property is directly adjacent to No.11 Regal Lane. The proposed extension would sit a top the main three storey section terminating in line with the original rear elevation of No.11 Regal Lane. Since the planning permission was originally granted for the development in 2002, the situation at No.11 has now changed. Previously there was an open terrace, this has since been enclosed to create a conservatory style addition to the second floor level of the property. Given the proposed development would not encroach onto the building lines of the second floor conservatory to the neighbouring property the proposed development would not lead to perceivable loss of daylight into this room which is currently in use as a study. As such it is considered that No.11 Regal Lane would continue to receive a sufficient level of daylight.

In respect of sunlight, as per the BRE guidelines, obstruction to sunlight may become an issue if some part of a new development is situated within 90degrees due south of a main window wall of an existing building. Given the proposed extension would be in line with the original rear wall of the neighbouring property it would not be within 90 degrees due south of the original rear wall of the neighbouring property or the existing conservatory and as such the development would

not result in loss of the levels of sunlight received into this residential neighbour.

The history of the application site is noted, however what is being proposed within this application is a reduction from what was originally proposed, although this is now greater than what was approved it is not considered to cause harm to the amenity of the neighbouring residents and as such would not warrant a refusal of planning permission on amenity grounds. Further to this it is worth noting that within the Committee report for application Ref: PEX0200968 it was stated that the neighbouring property (11 Regal Lane) has a roof terrace that was to be directly abutted by the development potentially impacting upon light and sense of enclosure. These potential impacts have now been removed as the development will be in the same building line and thus not able to be viewed from the roof terrace of No. 11 and will not be of such a bulk or position to impact upon light. The situation would be the same with this current proposal as the extension would be set in line with main rear building line and would not protrude into the area of the existing conservatory at No.11 and as such would not lead to a significant loss of sunlight or daylight to this neighbour.

As such it is considered that the proposed development would not lead to a significant impact on the amenity enjoyed by neighbouring residential properties and would accord with the objectives of Policies CS5 and DP26.

Community Infrastructure Levy (CIL)

Given the proposed extension would be less than 100sq m it would not be liable to pay CIL.

Conclusion

It is concluded that the proposed development would be an acceptable form of development that would accord with the relevant policies of the Local Development Framework and in this regard no objection is raised.

Recommendation: Grant condition permission

DISCLAIMER

Decision route to be decided by nominated members on Monday 3rd December 2012.
For further information please click [here](#).