

<b>Delegated Report</b> (Members Briefing)		<b>Analysis sheet</b>		<b>Expiry Date:</b>	08/11/2012
		N/A		<b>Consultation Expiry Date:</b>	25/10/2012
<b>Officer</b>			<b>Application Number(s)</b>		
Angela Ryan			2012/4597/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
67A Chetwynd Road London NW5 1BX			Refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Erection of an infill extension at first floor level and a partial infill mansard roof extension at second floor level, and alterations to the York Rise elevation in connection with existing use as a self-contained maisonette (Class C3)					
<b>Recommendation:</b>		Grant Planning Permission			
<b>Application Type:</b>		Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>9</b>	No. of responses	<b>1</b>	No. of objections	<b>1</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed between 27/09/2012 and 18/10/2012 and a notice published in the local press on 04/10/2012 expiring on the 25/10/2012. Three letters of objection has been received from the occupier of Bellgate Studios located in Bellgate Mews, and a joint letter from two local residents. A summary of the objections are as follows:</p> <p><u>Design/impact on character and appearance of the conservation area:</u>  - The development changes the landscape and view in the conservation area (<b>Officer's response:</b> See section 2 of this report)</p> <p><u>Amenity:</u>  - Loss of light (<b>Officer's response:</b> See section 3 of this report)  - Loss of outlook (<b>Officer's response:</b> See section 3 of this report)</p>					
<b>CAAC/Local groups* comments:</b> *Please Specify	<p><b>Dartmouth Park CAAC:</b> Raised objections on the following grounds:</p> <p><u>Design/impact on character and appearance of the conservation area:</u>  - The Inspector's report of 10/05/12 on application 2012/1513/P say that the principle of infilling above first floor was acceptable but points out that the proposed second floor element does not respect the architectural composition of the host and adjoining buildings. This comment was made when the building was recessed behind the front edge of the building and behind a railing. The new application has no recess and no railing and is therefore even more aggressively prominent and unacceptable (<b>Officer's response:</b> The report was an Officer delegated report and not an Inspector's report. See paragraph 2.5 in this report)  - Bulk and prominence failing to enhance the conservation area (<b>Officer's response:</b> See section 2 of this report)  - Inappropriate materials (tiles used to clad the walls on the York Rise elevation and proposed UPVC windows) (<b>Officer's response:</b> see paragraph 1.4 and section 2 of this report)  - Design of door needs to correspond with adjacent building (<b>Officer's response:</b> See section 2 of this report)</p> <p><u>Amenity:</u>  Long views between the houses on Dartmouth Park Road would be obscured (<b>Officer's response:</b> see section 3 of this report)</p> <p><u>Other:</u>  - The plan of the proposed flat is so similar to the previous scheme submitted (<b>Officer's response:</b> This is not a material planning consideration)</p> <p><b>Chetwynd and Twisden Roads Residents' Association:</b> Object on the following grounds:</p> <p><u>Design/Impact on character and appearance of the conservation area:</u></p> <ul style="list-style-type: none"> <li>- Proposal would fail to preserve and enhance the character or appearance of the conservation area (<b>Officer's response:</b> See section 2 of this report)</li> <li>- Design is inferior, object to the second floor window and mansard dormer, design of proposed sash windows, alterations to the ground floor shopfront-York Rise elevation(<b>Officer's response:</b> See paragraph1.4 in this report)</li> <li>- Bulk and mass (<b>Officer's response:</b> See section 2 of this report)</li> </ul> <p><u>Amenity:</u></p> <ul style="list-style-type: none"> <li>- Flat does not comply with Lifetime Home Statement (<b>Officer's response:</b> A statement is nor normally required for applications of this nature as residential use exist at the site and the application is for infill extensions)</li> <li>- Loss of light (<b>Officer's response:</b> See section 3 of this report)</li> </ul>					

- Loss of outlook (**Officer's Response:** See section 3 of this report)

Other matters:

- Description of development does not give full description (**Officer's response:** The description of development was corrected to take into account all the works proposed)
- Unit described as a flat/maisonette but should be described as a single family dwelling house (**Officer's response:** The application site comprises a self-contained maisonette)
- The proposed second floor occupies what is currently an area belonging to no 67 and 67 should be included in the description (**Officer's response:** The area of the application site is totally in the demise of no. 67a Chetwynd Road)
- Dormer window not shown on second floor plan/elevation (**Officer's response:** The proposed dormer window has since been omitted from the scheme)
- Plan shows a solid line enclosure between application site and no. 65 Chetwynd Road (**Officer's response:** The side boundary within the remit of the application site would comprise a solid wall as a result of the proposals)
- Sections do not label the terraces (**Officer's response:** The terraced areas are identified on the existing and proposed floor layouts)
- There is no Agent registered but certificate B is signed by a representative of TBD Architects (**Officer's response:** This issue does not affect the Council's consideration of the application)
- If the first floor bathroom layout is altered then the extension could be reduced and result in giving the tenants a larger external space (**Officer's response:** This is not a planning consideration as it does not form part of the application proposals)

A further objection was received from the Residents' Association. A summary of the objections are as follows:

Design:

- The revised design by seeking a modern solution (but unresolved with no details - see our comments under Design below) not only does not harmonize with the adjacent buildings but by combining "decorative headers" to the first floor windows is inconsistent. It does not preserve or enhance the character and appearance of the conservation area as the applicant claims (**Officer's response:** The first floor windows do not have decorative headers. See section 2 of this report)
- The proposed design is entirely unsympathetic to the roofscape/profile of its neighbours Nos 67 Chetwynd and 33 York Rise (both have hipped roofs), or the wider streetscape (**Officer's response:** A hipped roofed extension at this particular site would result in a much more bulkier extension and would sit awkwardly on this part of the building, hence the revision sought by the Council's design officer. See section 2 of this report).
- The revised windows are slightly narrower though deeper than the original application but are still oversized in relation to the scale of the two storey building itself. The two first floor windows if similar in size to the one existing window would in principle be acceptable.
- However there is a total lack of design detail, they are shown as blank spaces; there is no indication whether the frames are wood or metal or how the windows open. In an application which is now proposing a 'contemporary' style, quality of detailing is critical. This lack of information is not acceptable for an application in a conservation area (**Officer's response:** see paragraph 2.2 in this report).
- The excessively large roof light in the sloping roof of the proposed second floor extension is unacceptable. It would be clearly visible from the rising eastern part of Chetwynd Road (**Officer's response:** See paragraph 2.5 in this report)
- The roof light of the bathroom extension should have a conservation flush rooflight and be obscure glazing for privacy (**Officer's response:** See paragraph 3.2 in this report).

Amenity:

- Queried the size of the living room and whether it met Council standards (**Officer's response:** The Council does not have standard sizes for living rooms. The space is a combined kitchen/dining and living area and the space has not been delineated for any of the specific uses, therefore the size of the living room cannot be assumed).-
- We disagree about the loss of daylight and outlook for the residents of the maisonettes in Nos 65 and 67. The bulk introduced on both first and second floors will clearly affect the neighbours' amenities (**Officer's response:** see paragraph 1.4 and 3.3 in this report)
- In our view, the amenity of residents of No 67 and No 65 will be as much affected by reduced loss of light as outlook. The small first floor terrace at No 65 sits at significantly lower level to No 67. Residents will lose daylight, some sky, reduced outlook by way of bulk, a rising flank wall to just under the eaves of No 33 York Rise. (**Officer's response:** See section 3.3 and 3.4 of this report)

*Other matters:*

The terrace at No 65 is shown as a 'yard' on Ground and First Floor Drwg Scheme 1\_11. This is **not a yard** but a terrace at first floor level used by residents of the maisonette at No 65. Sections do not label this terrace, they should as it would facilitate understanding the impact of the proposed bulk at first and second floors to the neighbours at No 65. **(Officer's response:** The terrace and its use at no. 65 Chetwynd Road will be unaffected by the proposals)

-The applicant's initial Design and Access statement claimed consent was granted for a roof terrace at second floor (2004/1959/P) and partially started with the implementation of balustrading. With the revised set back extension at second floor it is not clear where the terrace of the maisonette at no.67 will end or whether in future the intention is to divide the terrace. This should be clarified. **(Officer's response:** As a result of the development the terrace at no. 67 Chetwynd Road would be slightly enlarged and would the wall of the proposed first floor addition would provide the enclosure. The terrace at no 67a Chetwynd Road would be lost as a result of the proposals)

## Site Description

The site comprises a two-storey building located on the west side of York Rise, and adjoins two corner properties on each side to the north and south. The application site is used as a self-contained maisonette. The building is located within a group of buildings where there is a parade of commercial uses located on the ground floor with residential/office uses situated on the upper floors.

It should be noted that the use of the premises as two separate units was undertaken without the benefit of planning permission, but evidence shows that they have been in existence as two separate dwellings for more than four years and therefore the use is deemed lawful.

The site is not listed but lies within the Dartmouth Park Conservation Area. The corner buildings to which the application site is attached (nos.67 Chetwynd Road and 33 York Rise) are identified as making a positive contribution to the character and appearance of the conservation area.

## Relevant History

**25/05/83** permission **granted** for the erection of a rear extension at 1st floor level to provide an additional habitable room together with alterations to the side elevation at ground floor level. (Ref:36064)

**14/06/98** permission **refused** for construction of a 2nd floor rear extension facing York Rise to provide additional bedroom and bathroom for the existing flat as shown on drawing no.8/77OA as revised on 7th May 1988. (Ref:8701338)

**10/04/00** planning permission **granted** for the change of use of ground floor from workshop/showroom to residential to form a new entrance to flat above shop, and associated external alterations to York Rise frontage.(Ref: PE9900475)

**11/03/04** permission **refused** for formation of new sliding doors, new access steps and a timber ballustrade at second floor level to create a roof terrace on an existing flat roof at 67 Chetwynd Road (Ref: 2004/0153/P)

**13/07/04** planning permission **granted** for Formation of a roof terrace at 2nd floor level including new door at 67 Chetwynd Road. (Ref:2004/1959/P)

**23/12/08** planning permission **refused** for erection of a shed on roof terrace at 2nd floor level to the upper floor flat at 67 Chetwynd Road (Class C3). (Ref: 2008/4682/P)

**30/06/11** Planning permission **refused** for the erection of an infill extension at second floor level, installation of new windows at first floor level and new entrance door at ground floor level to York Rise elevation of no.67a, and installation of new window at front and enlargement of existing window at rear at no. 67, in association with change of use from retail unit and studio flat and creation of a new 2 bedroom maisonette (Class C3) (Class C3) (2011/1482/P). The Council's decision was subsequently upheld on appeal (Ref: APP/X5210/A/11/2157087)

**25/05/12-** Planning permission **refused** for the erection of an infill extensions at first and second floor levels including the installation of 3 x velux roof lights to be located on the sloping roofs of the extension, the installation of sash windows at ground and first floor levels on the York Rise elevation and installation of a new entrance door at ground floor level on the York Rise elevation at no 67a Chetwynd Road and increased terraced area at the rear of no. 67 Chetwynd Road in connection with existing use as residential units (Class C3). (Ref:2012/1513/P)

## Relevant policies

### LDF Core Strategy and Development Policies 2010

#### Core Strategy:

**CS5** (Managing the impact of growth and development)

**CS14** (Promoting high quality places and conserving our heritage)

#### Development Policies:

**DP24** (Securing high quality design)

**DP25** (Conserving Camden's Heritage)

**DP26** (Managing the impact of development on occupiers and neighbours)

#### **Camden Planning Guidance 2011:**

CPG1: Chapters, 1, 2 & 4

CPG2: Chapter 4

CPG6: Chapter 6 & 7

#### **Dartmouth Park Conservation Area Appraisal and Management Statement 2009**

**London Plan 2011**

**National Planning Policy Framework 2012**

## Assessment

### 1. Proposal

1.1 The applicant proposes infill extensions on the side elevation of the application site at first and second floor levels. The single storey extension at first floor level is to be used for a bathroom/wc and the second floor element is to be used as a Kitchen and dining area.

1.2 It is also proposed to install new windows on all levels of the application site and install a new door at ground floor level on the York Rise elevation of the application site. In respect to the proposed infill extensions, two velux style rooflights are proposed on the roofslope of the proposed first floor element and a proposed velux rooflight and glass roof/skylight on the roof slope of the second storey element. The parapet wall on the York Rise elevation will be raised in height which would result in the removal of the existing railings in the location.

1.3 An application for an infill extension was previously refused in 2011 (2011/1482/P -see relevant planning history) and was subsequently upheld on appeal by the Planning Inspectorate by virtue of its bulk and massing, proposed alterations to the front elevation, overbearing sense of enclosure, and the loss of light and outlook. It should be noted that the Inspector considered that in townscape terms the principle of infilling would be acceptable. A subsequent application for infill extensions at first and second floor levels was also refused in 2012 (Ref: 2012/1513/P See relevant planning history) as it did not overcome the previous reasons for refusal.

1.4 During the course of the application the scheme has been revised as follows:-

- A reduction in size of the second floor, including the removal of the flat roof element previously proposed (the proposal is now proposes a pitched roof as originally proposed). The proposed second floor element has also been set back from the York Rise elevation;
- The design of the window has been altered on the proposed second floor extension to provide a larger opening;
- Existing openings on the York Rise elevation of the application site has been altered in terms of their design to provide single panes of glass instead of the two panes of glass originally proposed;
- Removal of the existing railings at first floor level on the York Rise elevation
- Increasing the height of the parapet wall on the York Rise elevation
- Addition of a rooflight in the proposed first floor element
- Removal of two roofs lights and replacement with a skylight on the proposed second storey element.

These revisions are considered to be minor and therefore do not significantly alter the scheme shown on the plans which were originally submitted with this application. The key planning issues to therefore consider are:

- The impact of the development on the appearance of the host building and conservation area; and
- The impact of the development on the amenity of adjoining/surrounding occupiers

### 2. Design: impact of the development on the appearance of the host building and conservation area

2.1 The conservation area statement describes nos. 61-67 (odd, north side) as a homogeneous group, in stock brick with polychromatic detail, of shops with living accommodation on two floors above. It stipulates that these buildings form an important distinctive part of the Neighbourhood Shopping Centre at the crossroads with York Rise, and that the uniformity of the three corner shops having canted corners, were ruined in the early 1990s, no 67 by over-painting and inappropriate alterations to the ground floor.

2.2 The ground floor of the application site currently has a shop window on the York Rise elevation that is part of the village pet premises at no. 67 Chetwynd Road. The other part of the premises which is subject to this application has the appearance of a small self contained retail unit, but upon inspection is being used as kitchen and workshop with a staircase leading up to the first floor bedroom and bathroom areas. The existing shopfront is considered to be of little architectural merit and is currently in a bad state of repair. Proposed alterations to the front elevation include newly designed and better proportioned windows on all levels and a new door at ground floor level on the York Rise elevation. These elements will be aluminium framed as is the existing window located at first floor level of the application site. The shopfront style ground floor facade is to be retained. The alterations proposed on the York Rise elevation are considered to be appropriate in the context of the surroundings providing for a more cohesive development overall. As such this element of the proposal is considered to represent an improvement to the York Rise elevation and therefore no design issues are raised. An appropriate condition seeking details of the jambs head and cill of all the new window openings and new facing materials will be added to the decision notice.

2.3 In respect of the infill extension the Inspector previously concluded that in townscape terms the principle of infilling the space above first floor level at the application site is acceptable.

#### First floor infill extension:

2.4 The proposed single storey aspect at first floor level will be approximately 3m high at ridge height sloping down to approximately 2.1m high at its lowest point (eaves level) and will be 1.6m deep and 3.1m wide. This element of the proposal is to have a rendered wall (painted white) and incorporate a pitched slate roof with 2x velux rooflights inserted on the roofslope. This element of the proposal would be largely obscured from the wider public realm given its height (rising marginally above the side boundary wall), and location (it being set back from the front edge of the building on York Rise and being obscured by the existing building at first floor level). It would be seen from the upper floor rear windows of some

of the buildings along Chetwynd Road.

#### Second floor infill extension:

2.5 The proposed second storey element would be approximately 4m high at ridge height sloping down to 2m at its lowest point (eaves level) and approximately 3.2m deep and 6m wide, measuring approximately 24m<sup>2</sup> in area. This element is proposal would be entirely clad in slate with a velux style rooflight and glazed skylight inserted on the roofslope. As the rooflight is of a lightweight material and would partially obscured from some vantage points at street level by virtue of the position of the surrounding buildings it is considered acceptable as the lightweight material would reduce its perception of bulk and therefore reduce its visibility from the street. A new window is to be installed on the York Rise elevation to the same proportions as those proposed on the lower floors, the raising of the parapet wall would result in this window appearing shorter thus ensuring that it represents a subordinate addition. It is proposed to be set back approximately 0.8m from the buildings edge on the York Rise elevation and would be visible from the upper floor windows of some properties within Chetwynd Road and Bellgate Mews as well as from the Street.

2.6 The proposed design concept has been to provide a contemporary extension which would remain subordinate to the host building and relate to the traditional architecture in the area. This has been achieved by setting the extensions back from the parapet wall on the York Rise elevation. The proposed cladding of the second storey element in slate will allow it to appear as a roof addition. The angled roof would deflect and reduce the perceived bulk and mass of the second storey element whilst providing good quality internal accommodation.

2.7 The design approach is considered to be appropriate given the unusual part width nature of the extension which does not lend itself to reproducing a traditional roof/roof extension. The overall design is considered to be a high quality response to the site and is considered to respect the design of the host building and surrounding buildings. It also serves to preserve and enhance the character and appearance of the conservation area and is considered to comply with policies CS14, DP24 and DP25 of Camden's LDF.

### **3. Amenity**

3.1 An objection has been raised in respect of the loss of a view in the gap between the buildings. The existing gap at first floor level at the application site provides a sense of openness within the street scene. Such a gap adjacent to a corner plot is a common arrangement within the Conservation Area and paragraph 7.25 of the conservation area statement refers to the importance of gaps in York Rise which provide glimpses of trees and gardens over the back gardens from York Rise. Although the trees may be viewed from the upper floors of the buildings facing the site on the opposite side of the road it is not possible to see these views from the street by virtue of the existing parapet wall at first floor level of the application site. The Inspector concluded that the more significant gaps are those in the frontage nearby, at the access to Bellgate Mews and to accommodate the side garden of the corner property in Dartmouth Park Road, in addition to the side roads themselves. A gap will be maintained between the development site and the rear of buildings on Chetwynd Road and therefore views out to the north-west will be retained. Therefore on balance the partial loss of this view is not considered to be significant and would not constitute a sustainable reason for refusing the application.

3.2 Objections have been raised in respect of overlooking. It is considered that no overlooking at the rear will be created as a result of the development given the height of the extension at first floor level and the absence of fenestration on the south facing wall. The proposed combination of a rendered wall with no fenestration at second floor level and the glazed part of the extension at second floor level overlooking a staircase/hallway at no.67 Chetwynd Road would also result in no overlooking. It is considered that overlooking and the loss of privacy would be marginal to the properties on the opposite side of the road in York Rise. As previously stated the distance between the application site and the properties located on the opposite side of the road is approximately 5.4m, and is the status quo for the properties along this part of York Rise, and is something to be expected in a densely built up urban environment. In order to alleviate overlooking into the bathroom from the rear upper floor windows of buildings in Chetwynd Road it is recommended that an appropriate condition is attached to the decision notice.

3.3 In respect of the previous application that was dismissed on appeal (Ref: 2011/1482/P) the inspector was concerned about the loss of light to the occupiers of no. 67 Chetwynd Road. Light levels into the second floor bedroom located at the rear of no. 67 Chetwynd Road will not be compromised as a result of the proposal. Daylight into the existing kitchen area at first floor level is currently compromised by virtue of the existing building at no. 33 York Rise. The proposal would not exacerbate the existing situation as a result of the heights of the proposed extensions and their sloping pitched roofs. As such it is considered that there will be no loss of natural sunlight/daylight as a result of the development. Moreover, the gap maintained between application site and the existing buildings would still allow light through.

3.4 In respect of the application that was dismissed on appeal the Inspector raised concerns about the adverse living conditions to the occupiers of nos. 65 and 67 Chetwynd Road in terms of Outlook. Given the smaller scale of the proposed development, the sloping pitched roofs and the fact that the existing gap between the buildings has been partially retained, some outlook to the occupiers of nos. 65 & 67 Chetwynd Road would be maintained to the north-east, and therefore outlook will not be significantly affected. The area surrounding the application site is densely built up. In respect to adding to the sense of enclosure, it is acknowledged that the proposal may reduce outlook for nearby occupiers, however given the existing urban grain the proposal is on balance not considered to be of a level which warrants a refusal of the application on this basis.

3.5 The proposed bedroom at first floor level is approximately 23m<sup>2</sup> and complies with the Council's residential development standards in CGP2 chapter 4 para 4.16 which requires the bedroom to be at least 11m<sup>2</sup>. The combined kitchen/dining and living room measures approximately 12.04m<sup>2</sup> and the overall size of the unit at approximately 56.2m<sup>2</sup> which also complies with the Council's standards.

3.6 The proposals would result in the enlargement of the terraced area at the rear of no. 67 Chetwynd Road by 1.7m. It is considered that this aspect of the development would not cause any undue harm to existing amenity by virtue of the loss of natural light, overlooking, loss of outlook, loss of privacy and noise and therefore is appropriate.

**Recommendation: Grant Planning Permission**

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 19<sup>th</sup> November 2012.  
For further information please click [here](#).