

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	09/08/2012
		N/A		Consultation Expiry Date:	08/08/2012
Officer			Application Number(s)		
Ben Le Mare			2012/0577/P		
Application Address			Drawing Numbers		
1, The Village North End Way London NW3 7HA			Refer to decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Retention of alterations to rear dormer window at fourth floor level.					
Recommendations:		1. Grant conditional planning permission. 2. Not expedient to take any further action on the front dormer windows and the fenestration on the front and rear elevations. Close the current enforcement investigation (ref: EN11/0885).			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	05	No. of responses	01	No. of objections	01
			No. Electronic	01		
Summary of consultation responses:	<p>A site notice was displayed along North End Way from 06/07/2012 (expiring 27/07/2012). At the request of a neighbouring resident two further site notices were displayed along Heath Passage and North End Way from 18/07/2012 (expiring 08/08/2012). The occupiers of neighbouring properties were notified by letter.</p> <p>1 letter of objection has been received from the occupiers of No.2 North End Way which raises the following concerns:</p> <ul style="list-style-type: none">- Loss of privacy to a third floor second bedroom and balcony.- The windows on the dormer extension are not obscurely glazed and non-opening or top vent opening, as required by condition 3 of 2007/5594/P, and are therefore in breach of planning control.- The design of the dormer does not preserve the character and appearance of the conservation area by reason of the use of materials. <p><u>Officer's comment:</u> <i>The concerns raised above are addressed in the assessment section of this report.</i></p> <p>On 08/08/2012 a second letter of objection was submitted by the occupiers of No.2 North End stating the following additional concerns:</p> <ul style="list-style-type: none">- Officers have not assessed the level of overlooking from the offending dormer window. <p><u>Officer's comment</u> – <i>In the consideration of this application officers have been unable to access the subject property to look out of the offending window. However, a site visit on the 17/07/2012 enable the case officer to make a thorough and comprehensive assessment of the development.</i></p> <ul style="list-style-type: none">- 2 velux type windows were put into the roof (at the front and rear) on 16/09/2011 and then removed after a site visit by officers 06/10/2011. <p><u>Officer's comment</u> – <i>Not a consideration of this application.</i></p>					
CAAC/Local groups comments:	No comments have been received to date.					

Site Description

The application site is a 3 storey and pitched roof building with shop on ground floor and residential apartments on the upper floor.

The detached building sits adjacent to a narrow access (Heath Passage). A row of Mews properties are located on the opposite side of the alleyway, these properties front Heath Passage. The property on the other side of the alley way is no. 2 North End Road. This property has a balcony facing onto the application site. The adjacent area to the north west is an area of public open space.

The site does *not* lie in a designated conservation area. However, it is located on the boundary of the Hampstead Conservation Area.

Relevant History

EN11/0885 – Rear dormer is larger than approved and window not obscurely glazed and non-opening, design of the front dormer windows and fenestration differ to those shown on the approved plans for applications 2007/5594/P & 2099/5115/P. Currently under investigation

2009/5115/P – Amendments (relating to the rearranged internal layout of the flats, relocation of a refuse store and repositioning of rear dormer window) to planning permission granted 08/04/2008 (2007/5594/P) for change of use and works of conversion of upper floors from office use (Class B1) to residential use (Class C3) to create an additional 3 x 1 bed self contained flats, including the erection of a new third floor and mansard roof extension. Planning permission granted 04/01/2010.

2007/5594/P – Change of use and works of conversion of upper floors from office use (Class B1) to residential use (Class C3) to create an additional 3 x 1 bed self contained flats, including the erection of a new third floor and mansard roof extension. Planning permission granted 08/04/2008.

Relevant policies

Local Development Framework (2010):

Core Strategy

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies

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):

CPG 1 (Design)

CPG 6 (Amenity)

The London Plan (2011)

National Planning Policy Framework (2012)

Assessment

Background

As identified in the planning history section above, consent was granted in 2008 for a change of use and works of conversion of upper floors from office use (Class B1) to residential use (Class C3) to create an additional 3 x 1 bed self contained flats, including the erection of a new third floor and mansard roof extension. This proposal was subsequently amended in 2010, with the works relating to the rearranged internal layout of the flats, relocation of a refuse store and repositioning of rear dormer windows.

In September 2011 the following authorised works were reported to the Council's enforcement team for further investigation (ref. EN11/0885):

- The left hand side rear dormer window as been omitted from the proposed development.
- The right hand side rear dormer window is larger than approved and is not obscurely glazed or non-openable (required by Condition 3 of 2007/5594/P)
- The design/size of windows on the rear elevation (at first and second floor level) are slightly different than those approved.
- The front dormer windows and proposed glazing are of a different design to those approved.

Through ongoing negotiations with the owner of the property the application being considered was submitted and proposed the retention of the rear dormer window in order to regularise the breach in planning control. The application forms make no reference to the other discrepancies identified above.

The Proposal

The application proposes the retention of an existing rear dormer window at roof level. Whilst the submitted plans appear to show a property which is marginally narrower than it appears on site, the application is retrospective and therefore the dormer window is as existing.

Planning Considerations

The main planning considerations relate to the impact of the proposal on the character and appearance of the adjoining Hampstead Conservation Area, residential amenity and enforcement issues. These are addressed below in the context of planning policy and other material considerations.

Design / Visual Impact

Policy DP24 seeks to promote a high level of design quality within the Borough. As the site directly adjoins the Hampstead Conservation Area the proposal needs ensure that it does not harm the setting of the conservation area, in accordance with Policy DP25. CPG1 (Design) states in paragraph 5.11 that alterations to, or the addition of, roof dormers should be sensitive changes which maintain the overall structure of the existing roof form. Proposals that achieve this will be generally considered acceptable, providing that the following circumstances are met:

- *The pitch of the existing roof is sufficient to allow adequate habitable space without the creation of disproportionately large dormers or raising the roof ridge.*
- *Dormers should not be introduced where they cut through the roof ridge or the sloped edge of a hipped roof. They should also be sufficiently below the ridge of the roof in order to avoid projecting into the roofline when viewed from a distance. Usually a 500mm gap is required between the dormer and the ridge or hip to maintain this separation.*
- *Dormers should not be introduced where they interrupt an unbroken roofscape.*
- *In number, form, scale and pane size, the dormer and window should relate to the façade below and the surface area of the roof. They should appear as separate small projections on the roof surface.*
- *Where buildings have a parapet the lower edge of the dormer should be located below the parapet line*

- Materials should complement the main building and the wider townscape and the use of traditional materials such as timber, lead and hanging tiles are preferred.

The dormer window measures approx. 2.7m wide and 1.7m in height above the parapet and projects outward by 0.5m. In detailed design terms the dormer has grey colour aluminium framed windows and a slate hanging tile surround. The roof of the dormer has a slight overhang.

The dormer extension is primarily visible from Heath Passage, a pedestrian footpath which links North End Way and Golders Hill Park, and from the upper floors and gardens of neighbouring properties to rear. Long views are possible from the turning area at the end of Sandy Lane.

The dormer is set in from either side of rear roof slope by more than 500mm and sits below the ridge line. This ensures it has regard to proportions of the host building and represents a subordinate addition. The roof slope of the building has a steep pitch of approximately 70 degrees and a 0.7m high parapet surround. The dormer window sits at the same height as parapet and projects out by a maximum of 0.5m (at the top) and therefore has full regard to the appearance of the property.

In terms of proportions, the dormer does have sizeable non-glazed areas on either side. However, the window frame sits in the middle of the dormer with proportionally acceptable areas of lead cladding on either side. Furthermore this is not considered to look out of place in the context of the host building which is of modern design and materials.

To conclude, the dormer extension by virtue of its siting, size and detailed design is considered to be acceptable by having regard to the appearance of the host building and the historic character and appearance of the adjoining Hampstead Conservation Area. The proposal is therefore in accordance with the design guidance of CPG 1 (Design) and Policies DP24 and DP25 of the LDF.

Residential Amenity

Policy DP26 of the LDF states that Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The occupiers of upper floors of 2 North End Way are the residents most directly affected by the dormer extension.

The previous planning approval for a dormer window on the rear elevation of the building (ref: 2007/5594/P) was subject to a planning condition (Condition 3) which required:

The dormer window to bedroom 1 at third floor level in the rear elevation of the development hereby permitted shall not at any time be glazed other than with purpose-made obscured glass and shall be non-opening or top vent opening only and be permanently so retained thereafter.

The new dormer window serves a staircase which provides access between a bedroom in the roof and the lower floors of the building. Concerns have been raised by the occupiers of No.2 North End Way that the windows in the dormer window result in a loss of privacy to a second bedroom at first floor level. Whilst the balcony doors (serving the bedroom at No.2) and the dormer window are at an acute angle there is an element of overlooking. It is therefore recommended that a condition is appended to the decision notice requiring for the windows to be obscurely glazed and have a limited opening of 20cm within 3 months of consent being granted.

The dormer window does not result in a loss of daylight/sunlight, outlook or an increased sense of enclosure. The proposal is considered to comply with the guidance set out in CPG 6 (Amenity) and Policy DP26 of the LDF.

Enforcement Issues

This application has been submitted for alterations to the rear dormer window and none of the other outstanding breaches; the design and size of the front dormer windows and the fenestration on the front and rear elevations. Whilst the dormers have wider surrounds and windows with no glazing bars, they have regard to the fenestration pattern on the lower floors and respect the architectural style of

the host building. The new windows which have been installed throughout the building are also of a high quality and considered to be acceptable in this instance.

Recommendations1. Grant planning permission for the proposed dormer window at forth floor level.

2. Close the current enforcement investigation (ref: EN11/0885) as it is considered not expedient to take any further action on the front dormer windows and the fenestration on the front and rear elevations.

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