

DISCLAIMER

Decision route to be decided by nominated members on Monday 30th November 2009. For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	30/11/2009
		N/A	Consultation Expiry Date:	09/11/2009
Officer			Application Number(s)	
Jennifer Walsh			2009/4437/P	
Application Address			Drawing Numbers	
Ground Floor Flat, 6 Wedderburn Road, NW3 5QE			Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a single story glazed conservatory following removal of existing conservatory on the rear elevation at ground floor level and alterations to the fenestration of the existing bay window to the rear of the residential unit (Class C3).				
Recommendation(s):		Grant Planning Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:						
Informatives:	Refer to Draft Decision Notice					
Consultations						
Adjoining Occupiers:	No. notified	10	No. of responses No. Electronic	05 00	No. of objections	05
Summary of consultation responses:	<p>8 Wedderburn Road objects to the scheme on the following grounds: It extends approx 1-1.5m beyond the previous glazed extension in what is a Conservation Area. <i>(Please refer to paragraph 1.3)</i> - It extends approx 1.5-2m beyond our own glazed extension which adhered to strict planning regulations when originally built. <i>(Please refer to paragraph 1.3)</i> -It is larger than any other glazed extension of neighbouring houses. <i>(Please refer to paragraph 2.2)</i> - Its westerly elevation is within 1m of the shared garden fence and side alley making it both imposing and invasive. <i>(Please refer to paragraph 2.2 and 2.3)</i> - Its solid roof blocks light and ALL previous views to the east from their ground floor dining area, back doors and rear decking. <i>(Please refer to paragraph 2.3)</i> -From their rear 1st floor bedrooms it presents an invasive profile. <i>(Please refer to paragraph 2.2)</i> -The works were carried out illegally without Planning Approval. <i>(Please refer to paragraph 1.2)</i> - The works involved regular loud noise, steelwork, welding and vibration after 6pm on weekdays and after 1pm on Saturdays. <i>(Please refer to paragraph 2.3)</i> - No neighbourly contact was made to warn them of impending works.</p> <p>10B Wedderburn Road objects to the scheme on the following grounds: - The works are illegal since, they have not be given planning permission. <i>(Please refer to paragraph 1.2)</i> - They are a considerate neighbourhood and respect each others rights, but to undertake this work without either LB Camden’s permission or even bothering to advise neighbours that it would take place, is totally unacceptable and should be remedied. <i>(Please refer to paragraph 1.2)</i> - They are personally very sympathetic to the negative impacts which this has on No 8 and No 4. - As a close neighbour, the works have been both very noisy and carried out at unsociable hours. <i>(Please refer to paragraph 2.3)</i></p> <p>No 4 Wedderburn Road objects to the scheme on the following grounds: - This illegal work is continuing. <i>(Please refer to paragraph 1.2)</i> - Work has been carried out at unsociable hours. It is extraordinarily noisy and disruptive and has had a significant adverse effect on their quality of life for the last month. <i>(Please refer to paragraph 1. and 2.3)</i> - The extension is much larger than anything else that has been allowed on</p>					

	<p>this street, which is in a conservation areas. It extends at least 11/2 metres beyond the original extension which was built by the previous owners, and well beyond that of neighbouring extensions. <i>(Please refer to paragraph 1.3 and 2.2)</i></p> <ul style="list-style-type: none"> - The structure is hopelessly out of keeping with the Victorian houses and is extremely obtrusive visually as part of the back garden landscape. <i>(Please refer to paragraph 2.2)</i> - It is very distressing for local residents that individuals seem so often to breach planning guidelines with impunity and they very much hope that LB Camden require that the owners to dismantle their structure and revert to a more acceptable one. <i>(Please refer to paragraph 1.2)</i> <p>12A Wedderburn Road objects to the scheme on the following grounds:</p> <ul style="list-style-type: none"> - He concurs with the objection listed from 8 Wedderburn Road - They are particularly aggravated by the fact that the new owners have gone ahead with the project WITHOUT planning permission <i>(Please refer to paragraph 1.2)</i> - They would not like this building work to set a precedent for others in the road to do the same in the future <i>(Please refer to paragraph 2.2 and 2.3)</i>. - Their beautiful gardens and their views should not be further restricted. <i>(Please refer to paragraph 2.3)</i> <p>Cllr Kirsty Roberts objects to the scheme on the following grounds:</p> <ul style="list-style-type: none"> - She called for a stop notice to be served to stop any further works taking place until such time as the application has been heard. <i>(Please refer to paragraph 1.2)</i>
CAAC/Local groups comments:	<p>Fitzjohns and Netherhall CAAC responded with No Objection</p> <p>Wedderburn Road Residents Association objected to the scheme on the following grounds:</p> <ul style="list-style-type: none"> - The works should not be carried out without Planning Approval. As this has not, we look to Camden to take immediate action to halt illegal works and ensure re-instatement of whatever may have been illegally performed. They are shocked that no 'Stop' action has been taken, and urge this to happen with immediate effect. <i>(Please refer to paragraph 1.2)</i>

Site Description

The application site is a large three storey, semi detached property, located on the north side of Wedderburn Road. The site is split into three flats, and this application relates to the ground floor unit. The site is not a listed building, but it is located within the Fitzjohns and Netherhall Conservation Area.

Relevant History

P9601368R1: The increase in height of the existing rear extension and the erection of a new conservatory at rear ground floor level, and the creation of a new window at rear first floor level.

Granted 06/09/1996

PW9605073: Erection of two small sheds in rear garden and erection of new boundary wall to front garden. **Granted 24/01/1997**

Relevant policies

Unitary Development Plan 2006

SD6 – Amenity for occupiers and neighbours

B1 – General design principles

B3 – Alterations and extensions

B7 – Conservation areas

Camden Planning Guidance

Fitzjohns and Netherhall Conservation Area Statement

Assessment

1.0 Proposal

1.1 This application seeks to remove the existing conservatory (which was granted permission in 1996) and replace it with a glass structure, with a solid canopy roof. The extension is proposed to extend 1.8 metres from the rear elevation (the same depth as the previous extension) and the canopy is to project a further 0.7 metres. The canopy is to be a depth of 0.3 metres beyond that, and the extension would have sliding glazed doors opening up onto the garden.

1.2 The proposal also includes changing the fenestration details of the exiting bay window from double pained timber doors, to single pained, double glazed aluminium doors and windows.

1.2 On conducting a site visit, it was noted that building work for the proposed extension was already underway. In notification of the comments received from neighbours, warning letters have been sent out to the Agents stating that they continue with the works at their own risk. However, it must be noted that by continuing on with the works, the applicant is not committing a criminal offence. Although they are continuing the work at their own risk, no 'illegal' work has been carried out. Illegal works only occurs if the applicant fails to comply with any enforcement notice.

1.3 Concern has been raised that the extension which is being built is bigger than the structure which was removed. The Council have looked at the records of the approved Conservatory (from 1996) and it is clear that the depth of this conservatory was 1.8metres. Other alterations to the existing conservatory are that this application seeks to develop a flat canopy roof, which will project 0.7 metres from the depth of the previous conservatory line.

2.0 Main Issues

2.1 The main issues in regard to this case are the impact of the proposed extension on the character and appearance of the host building and conservation area as well as the impact on the amenity of adjacent occupiers.

2.2 The impact of the proposed extension on the character and appearance of the host building and conservation area

- The proposed extension would be 0.7 metres larger as compared to what existed, and therefore it is considered subordinate to the main house, and although modern in design, it would be appropriate to the character of the building and preserve the appearance of the conservation area.
- The proposed extension is to the rear of the property and would not be visible from the public realm of Wedderburn Road. It would however, be visible from the rear elevations of surrounding buildings. Considering the extension would have a flat roof and glazing to the main of the rear elevation it would appear as lightweight structure. On this basis it is not considered that it would have detrimental impacts upon the character and appearance of the conservation area.
- It is accepted that the proposed/semi built extension is larger than the one which was there before and it is of modern design. However, it is not considered that this increase in the depth of the canopy roof and the introduction of a modern design would have an impact on the host building or the wider conservation area.
- In relation to the changes of the fenestration to the existing bay window, the proposed aluminium windows and doors are considered to relate to the proposed extension and create a 'joined' up design feature. Although they are untraditional in style, then do not cause harm to the existing building, or the wider conservation area.
- It is considered that the character and appearance of the host building and the conservation area would be maintained by the proposal.

2.3 The impact on the amenity of adjacent occupiers

- Although the proposed extension is 0.7 metres deeper than the existing, it is situated 0.8 metres off the boundary line, (2 metres from the neighbouring residential property) and therefore there is no perceived loss of amenity on the neighbouring properties.
- Due to the proposed extension being single storey, being constructed as a lightweight material and at ground floor level, it is considered that the works would not adversely impact on the amenity of the adjacent properties with regard to overlooking, visual bulk or sense of enclosure, and thus is considered to be consistent with Policy SD6 of the UDP.
- Although the canopy is to be a solid structure, it is not considered that the depth of this structure will reduce the amount of sunlight or daylight to the neighbouring property at number 8 Wedderburn Road.
- An informative will be applied to the permission stating the hours of construction on site are subject to control under the Control of Pollution Act 1974.

Recommendation: Grant Planning Permission

