

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		03/11/2006	
		N/A / attached		<b>Consultation Expiry Date:</b>		10/10/2006	
<b>Officer</b>				<b>Application Number(s)</b>			
Grant Leggett				2006/4143/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
10 Chalcot Road London NW1 8LH				Site Location Plan 002; Drawing No. 020 Rev C; 030 rev C; 743 PL 01 Rev P2; 001 Rev D; Design Statement			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		<b>Date:</b>		
<b>Proposal(s)</b>							
Retrospective application for erection of a first floor rear extension, with second floor roof terrace to the dwellinghouse (Class C3).							
<b>Recommendation(s):</b>		Refuse Planning Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	07	No. of responses	02	No. of objections	02
<b>Summary of consultation responses:</b>		<ul style="list-style-type: none"> <li>The extension and associated terrace harms daylight, sunlight and privacy to neighbouring property (no.9 Chalcot Road).</li> </ul>					
<b>CAAC/Local groups' comments:</b>		Primrose Hill CAAC. Objection. <ul style="list-style-type: none"> <li>Development would result in loss of light to enclosed rear gardens and cause overlooking.</li> </ul>					

## Site Description

The application relates to a three-storey plus basement, mid-terrace dwellinghouse (Class C3) on the north side of Chalcot Road.

The property is within the Primrose Hill Conservation Area.

There is an Article 4 direction in place on the property preventing the erection of any means of enclosure fronting the highway, or the painting of the exterior of the property (where visible from a highway) without planning permission.

## Relevant History

June 2004: Planning permission **granted** for change of use including works of conversion into a single family dwelling including erection of a mansard roof.

There are concurrent applications in process for a Certificate of Lawful Existing Use for the extensions and terrace (ref: 2006/4177/P), and for retention of the first floor extension without the terrace (ref: 2006/4475/P).

### 8 Chalcot Road

March 2006: Planning permission **refused** for erection of a rear extension at 1st floor level of dwellinghouse.

Reasons for refusal:

The proposed first floor rear extension by reason of its siting, design and size would be overbearing upon and introduce an oppressive sense of enclosure and visual intrusion to no.9 Chalcot Road, to the detriment of the amenities of the occupiers of this property.

The proposed first floor rear extension by reason of its siting and size would result in a significant loss of daylight and sunlight to no.9 Chalcot Road, to the detriment of the amenities of the occupiers of this property.

## Relevant Policies

London Borough of Camden Replacement Unitary Development Plan 2006

SD6 – Amenity for occupiers and neighbours

B1 – General design principles

B3 – Alterations and extensions

B7 – Conservation areas

Supplementary Planning Guidance 2002

2.7 – Alterations and extensions

2.8 – Roofs and terraces

Camden Planning Guidance Consultation Draft 2006

- Extensions, alterations and conservatories
- Overlooking and privacy

Primrose Hill CA Statement

## Assessment

Permission is sought retrospectively for retention of a first floor rear extension and a roof terrace at second floor level above.

The extension was built following the granting of planning permission in June 2004. The 2004 decision notice stated that permission was granted for:

*Change of use including works of conversion into a single family dwelling including erection of a mansard roof and a first floor rear extension, with second floor roof terrace.*

This was in error, as the officer had negotiated with the applicant's agent that the first floor extension and terrace be deleted from the scheme. The revisions were made and the approved drawings do not show the first floor extension or roof terrace.

## Urban design

There is a first floor roof extension with terrace above on the end-of-terrace no.13 Chalcot Road (p.p. granted Oct. 1987).

The proposed extension would be part width, occupying the same footprint as the existing back addition and be set down a full storey below eaves height. In this regard the extension would respect the scale, form and proportions of the existing building. The detailed design is acceptable.

The extension would not be visible in the public realm and the character and appearance of the conservation area would be preserved.

## Residential amenity

The extension has the potential to harm daylight and sunlight to neighbouring properties, in particular to no.11 Chalcot Road. The March 2006 decision at no.8 Chalcot Road is relevant.

Planning permission was refused for a first floor rear extension of dimensions similar to that proposed here, on the grounds that it would be overbearing upon, and unreasonably enhance the sense of enclosure at no.9 Chalcot Road, and also that it would cause an unacceptable loss of daylight and sunlight to that neighbour, to the detriment of their residential amenity.

It was also for these reasons that the officer requested that the first floor element of the 2004 application at no.10 Chalcot Road be deleted.

The applicant has submitted a report on the daylight and sunlight effects of the proposed extension that demonstrates that the effect on daylight and sunlight to no.11 would not be unreasonable. This report is considered to supersede the report done by the officer in considering the application at no.8. The applicant has therefore provided additional evidence to demonstrate that the development would not unduly harm residential amenity at neighbouring properties by causing any loss of daylight or sunlight.

However the matter of overbearing and sense of enclosure remains. This formed a separate reason for refusal in the application at no.8 and the effect is considered to be the same for the current application. The proposed extension would project two storeys above the adjoining side return which is occupied by a glazed roof conservatory and constitutes habitable space at no.11. Although No. 11 is in occupation as a single family dwellinghouse, the impact on the habitable rooms affected is considered to be harmful on account of the siting and size of the extension. No. 8 is also in occupation as a single family dwellinghouse. This proposed increase in height of the boundary wall would be significant in enhancing the sense of overbearing and oppressive enclosure in the habitable space. The application should therefore be refused on these grounds.

The proposed roof terrace would enable overlooking of habitable room windows within 10m, in particular at no.1 Egbert Street. SPG requires there to be at least 18m between terraces and potentially affected habitable windows. However the angle of overlooking to the habitable room windows is such that no significant loss of privacy would be expected. It would be unreasonable to refuse permission on these grounds. No overlooking will result to NO. 11 on account of the glazed privacy screen that has been erected.

## Enforcement

Consideration on possible enforcement action should be deferred until the other two outstanding applications

on the site have been determined.

### **Recommendation**

Planning permission should be **refused**.

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