

Delegated Report		Analysis sheet		Expiry Date:	21/05/2014
		N/A		Consultation Expiry Date:	24/04/2014
Officer			Application Number(s)		
Obote Hope			2014/1552/P		
Application Address			Drawing Numbers		
66 Malden Road London NW5 4DA			Refer to decision		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of a mansard roof extension with terrace to the rear elevation, for the provision of a new maisonette to create a 1 x 2 Bedroom self-contained unit.					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	03	No. of objections	03
			No. Electronic	03		
Summary of consultation responses:	<p>A press notice was placed in the Ham & High newspaper from 03/04/2014 to 21/05/2014.</p> <p>A site notice was displayed from 03/04/2014 to 24/04/2014.</p> <p>The letters of consolation are as follows:</p> <p><u>Occupier of no. 62 Malden Road</u></p> <ul style="list-style-type: none"> • Objects to the application on the grounds that loss of privacy due to looking into the bedroom window and overlooking of the garden as the property faces number 66. <p><u>Occupier of number 66A Malden Road</u></p> <ul style="list-style-type: none"> • Concerned about any issues with overlooking our back garden • The proposed works would lead to noise and disturbance <p><u>Occupier of number 19 Bassett Street</u></p> <ul style="list-style-type: none"> • The inaccuracy of the rendering of the chimney stack and pots in the architects section as the drawing falsifies the impression of scale. 					
CAAC/Local groups comments:	<p>The West Kentish Town CAAC was consulted on the application on 28/03/2014.</p> <p>No comments have been received.</p>					

Site Description

The application site is a three storey (plus basement) terrace house (Class C3) located on the north-east aspect of Malden Road between the junctions of Rhyl Street and Queens Crescent. It is finished in a London Stock brick with stucco door and window surrounds. The roof of the front is hidden by a flat topped stucco parapet to the front elevation. However, the rear elevation has a butterfly roof. Windows are timber framed sash.

The property is not listed but is located within the West Kentish Town Conservation Area. The property is sited in the southern section of the terrace (Nos.64-106), one of 23 buildings constituting a long terrace of similar houses, each three storeys plus basement and two windows wide. Stucco architraves and parapets can be found and unusually, each party wall is defined by a slight rise in the parapet line. However the existing property consists of a butterfly roof.

Relevant History

2010/0781/P – Erection of a full width single storey extension to the rear of lower ground flat (use class C3). Granted **12/04/2010**.

2013/2078/P – The erection of an outbuilding in the rear garden of existing lower ground floor flat (Class C3). Granted 30/05/2013.

2013/7209/PRE - Erection of a mansard roof extension with roof terrace at rear.

CTP/G10/4/7/12081/R - The conversions of 66 Malden Road N.W.5. Into 3 self-contained dwelling units together with the erection of a rear extension to provide bathrooms. **Granted** 01/12/1971

Other relevant Sites

48 Malden Road

2011/0317/P - Conversion of dwelling house to 5 x self-contained flats (Class C3), (1 x 3 bed, 1 x 2 bed, 1 x 1 bed and 2 x studios) including erection of a mansard roof extension, two storey rear extension, installation of lightwell to front elevation and alterations to fenestration. **Granted** 21/03/2011.

68 Malden Road:

2012/5890/P - Subdivision of existing vacant dwellinghouse (Class C3) into 2 x 1 bedroom flats and 2 x 2 bedroom flats and associated alterations comprising extensions to the roof, rear lower ground, ground and first floor levels and covered bicycle and waste storage area in front lightwell. **Granted** 11/01/2013.

74 Malden Road:

2013/4601/P- Erection of a third floor mansard roof extension with front glazing and rear rooflights with associated parapet alterations (Class C3). Refused 31/10/2013 and **allowed** on appeal on **19/02/2014**. This decision is addressed within the body of the report. The conclusions reached are material to the assessment of the current application.

86 Malden Road:

(CTP/G10/4/C/18536) - Granted planning permission **22/08/1974** - Change of use to ten self-contained units, including works of conversion, and the erection of roof and rear extensions

88c Malden Road

2012/1894/P - Erection of 2 storey rear extension at 1st and 2nd floor levels, and erection of 3rd floor roof extension with associated front roof terrace, in connection with the creation of an additional self-contained residential unit (Class C3). Refused

94 Malden Road:

(8500747) – Granted planning permission **20/11/1985** - The erection of a roof extension at third floor level

Relevant policies

Local Development Framework (2010)

LDF Core Strategy

- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS11 (Promoting sustainable and efficient travel)
- CS14 (Promoting high quality places and conserving our heritage).

LDF Development Policies

- DP2 (Making full use of Camden's capacity for housing)
- DP6 (Lifetime homes and wheelchair homes)
- DP16 (The transport implications of development)
- DP18 (Parking standards and limiting the availability of car parking)
- 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

- CPG1 (Design) 2013 Chapter 1-5
- CPG6 (Amenity) 2013 Chapter 4 & 5
- CPG2 (Housing) 2013 Chapter 6-8
- CPG7 (Transport) – (Chapters 5 & 9)

West Kentish Town Conservation Area Statement

- CB21-23
- CB27

The London Plan (2011)

The NPPF (2012)

Assessment

1. Background

- 1.1 Within the last 4 years planning permission was granted and also refused for mansard roof extensions within the row of terraces along the south side of Malden Road. However, majority of the application that have been approved are different in design to the mansard roof being proposed. The main difference is the visual impact of the roof extension due to the existing butterfly roof. Recently planning permission was refused and allowed on appeal the application reference number is APP/X5210/D/14/2211852 (2013/4601/P).
- 1.2 The assessment made by the planning inspectorate identified the main planning consideration as the impact of the proposed development upon the host building and the conservation area. The planning inspector felt that the panoramic views from the roof of Kentish Town Evangelic Church, the rear of number 74, the views from street level on Malden Road and possibly from the large 20th century block of flats opposite the site on the north elevation, he also considered the views from the properties along the row of terraces at street contributed to his decision and was a material considerations when determining the appeal decision. The Planning Inspectorate felt that the roof extension would be largely hidden by the parapet wall to the rear elevation and as such the views from the front and rear would be limited due to the high parapet wall. The inspector also stipulated that the row of terraces have been substantially altered over time and as such does not represent a group of uniformed buildings. Furthermore, he concluded that the use of matching materials will preserve the character and appearance of the host building and the wider conservation area.
- 1.3 Planning permission was also granted for a mansard roof extension for number 68 Malden Road (2012/5890/P) the officer assessment is as follows;

- At roof level, the existing valley roof would be removed and a new part flat, part sloped roof form with a terrace (measuring 3.5sqm in area) would be erected behind the existing roof parapets. The purpose of this alteration is to create sufficient headroom in what is the existing loft, to accommodate living space for a split level, 2 bed flat over the second and third floors. Adopted planning guidance CPG1 (Design) resists roof level alterations where there is unbroken run of valley roofs (para 5.8) and this is the case in this terrace row. However, the proposals have been designed to slope down behind the existing front parapet so as to be imperceptible from the street. To the rear, the existing parapet would be raised 0.55m (to match the height of that at no. 70 Malden Road) hiding any view of the roof level alterations from the rear. As the proposed roof form would not be visible from the street or in private views from the rear, they are considered to have a negligible impact on the appearance of the building and would preserve the character of the CA. This is considered acceptable.”

2. Proposals

1.1 Planning permission is sought for the erection of a mansard roof extension with terrace to the rear elevation associated with the provision of a 1 x 2 bedroom maisonette on the 2nd and 3rd floor level.

1.2 The key planning considerations associated with the proposals are:

2 *Design;*

3 *Residential accommodation;*

- *principle of sub-division;*
- *standard of accommodation;*
- *Lifetime Homes;*

4 *Transport;*

car-parking;

5 *Amenity*

2. Analysis

Design

2.1 The principle alterations being proposed is at roof level of the proposed site, namely, the front and rear façade of the building for the erection of mansard roof extension. The mansard roof extension would not be visible from the public domain at street level. However, the extension would be visible from limited views of the properties to the rear of Bassett Street, the private views of the apartment blocks on the north side of Malden Road and the rear of some of the properties along Malden Road due to the existing butterfly roof design. The agent suggest that the mansard roof extension being set back from rear and the combination of the mature trees currently in the rear garden, along with the high level buildings on Bassett Street, restrict the proposed view from the public domain at street level.

2.2 Paragraph 5.8 of CPG1 stipulates that roof additions are considered to be unacceptable when complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions, even if a proposal involves adding to the whole terrace or group as a coordinated design. Furthermore, paragraph 5.7 stipulates that additional storeys are to be acceptable where there is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape.

2.3 The existing butterfly roof measures approximately between 7.7m (depth) x 5.1m (width), to the rear elevation. This would be set back due to the formation of a roof terrace that measures 1.5m (depth) x 3.4m (width). The mansard roof is designed to Code 4 lead flashing black slates and double doors that lead-out to the proposed roof terrace. Aspect of the existing butterfly roof would be retained that forms part of the design of the proposed terrace.

- 2.4 The mansard roof would be erected behind the existing low butterfly roof, the rear section of the mansard extension would be approximately 1.7m in height, 0.5m lower than the existing parapet wall. However, the butterfly roof is approximately 2.8m lower than the rear parapet wall. Therefore, the mansard roof would be highly visible due to the existing parapet wall being less than a storey in height if the distance is calculated from the centre of the butterfly roof. Therefore, the proposed mansard roof would be visible from private views to the rear elevation of the neighbouring properties and some of the properties along Bassett Street. Whilst, planning application (2013/4601/P) for 74 Malden Road was approved following an appeal on the grounds that the extension would be largely hidden by the parapet wall. This is not the case with the proposed mansard roof extension.
- 2.5 The proposed front elevation would not be visible from the public domain at street level. However, the extension would be highly visible from the private views from the apartments along the northern section of Malden Road and the private views along some properties to the rear of Bassett Street. The existing parapet wall varies in height from 1.7 to 2.8m in height and the proposed extension would be set back by approximately 2.5m. The Mansard roof extension would measure 9.4m in depth x 10.5m width. Notwithstanding, there are a total of twenty three terrace properties, of which the application site forms part of, this is quite long, stretching from nos. 60 to 108 Malden Road. There have been alterations to the rear, including four storey extensions at nos. 78, 84 and 102. These are considered to be harmful to the appearance of the terrace and conservation area.
- 2.6 Planning records indicate that majority of extensions to the rear and at roof level were granted between 1976 and 1992, prior to current LDF policy and CPG guidance and indeed prior to previous UDP policy of 2000 and SPG guidance of 1993; they were also approved before the conservation area was designated in 2005. The proposed mansard roof extension would sit within a group, which has an established roof, form one which terminates consistently at parapet level. Whilst, it is acknowledged that two properties (Nos.86 and 94) in the terrace have roof extensions which rise above the parapet, these additions were permitted in 1974 and 1985 respectively, prior to the adoption of the West Kentish Town Conservation Area Statement, Camden Planning Guidance and LDF Policies. The neighbouring property No.68 was permitted in accordance with the conservation area statement, Camden Planning Guidance and LDF Policies, conservation area statement suggest roof extension should terminating at parapet height so the roof form would not be visible from the street or in private views from the rear. Therefore, there is no precedent set in this regards, due to the visual impact of the proposed scheme on the rear elevation.
- 2.7 Furthermore, In the case of absence the view from street level does not prevent the rear of the terrace from being part of the fabric of the Conservation Area. The previous application for no 74 was allowed on appeal as the planning inspectorate believed the roofs have been altered throughout the years, the view of the extension would be hidden from the high parapet wall to the front and rear along the existing row of terrace properties. However, besides number 68 and 74, the planning history indicate that planning approval that were achieved throughout the years were permitted due to the properties not being in a conservation area, the adaptation of UDP/ LDF documents are material consideration on how the council would determine these planning permission. Notwithstanding, the previous planning decisions that were granted as these decisions would not be a true reflection of what this application is hoping to achieve at roof level when taken in context with the existing butterfly roof and its visual harm to the conservation area and the existing host building.
- 2.8 I am of the opinion that, in this instance, the proposed roof is worth protecting as it remains in an unaltered form within the row of terraces. Arguably, there have been roof developments through the years. However, a substantial amount of the roofs within the existing row of terraces remains unaltered approximately seventy percent. Another example of a mansard room extension that was granted planning consent relates to the neighbouring property that was allowed on 11/01/2013 at 68 Malden Road (ref: 2012/5890/P) the proposal is not directly comparable in its design and impact on the conservation area. Therefore, it is not considered that the reason to grant consent in this regard for the above should not be used as precedent for the proposed mansard roof extension at the subject property 66 Malden Road as new development should not only enhance the host building in terms of the material use during the construction stage but preserve the character and appearance of the conservation area. Therefore, it's considered that the proposed mansard roof extension would have an adverse impact on the host building and row of terrace to the detriment of the conservation area. Therefore, the proposed mansard roof extension would be contrary to LDF Policies CS14, DP24 and DP25, which requires development to preserve and take opportunities to enhance the character and appearance of Conservation Areas.

2.9 The proposed harm to the character and integrity of the building is in conflict with Policies CS14 and DP24 and criteria within CPG1. It is acknowledged that the rear alterations would not be seen from the streetscene. However, none of the relevant policies suggest that alterations which would result in the adverse effects described above should necessarily be approved because of the absence of such viewpoints nor to grant planning permission if the uniformity of the group of terrace properties are in question.

3.0 Residential accommodation

- Principle of sub-division

3.1 Policy DP5 (Homes of Different Sizes) seeks to provide a range of unit sizes in new residential developments in order to meet demand across the borough. '2 bed market units' are identified as being of the highest priority and 40% of new residential units are sought to be 2 beds. The mansard roof extension is required to create an additional 1 x 2bed maisonette. Complying with the Council's aims in respect of residential mix and would contribute towards meeting the borough's overall housing need, particularly in respect of highly sought after 2 bed units.

- Standard of accommodation

3.2 Adopted planning guidance CPG2 (Housing) sets out the minimum standards for new residential accommodation. The proposals meet with these standards in all habitable rooms include openable windows that would provide ventilation and sufficient levels of daylight and sunlight. Taken as a whole, the proposals provide a good standard of accommodation and are in general conformity with CPG2.

- Lifetime Homes

3.3 Policy DP6 requires all residential proposals to be Lifetime Homes compliant. No Lifetime Home Statement was submitted with the application and as such, the sixteen points associated with the statement could not be fully accessed. The details would be required to ascertain if the proposal would be acceptable in this regard.

4.0 Transport

- Car parking

4.1 Policy DP18 seeks to limit the availability of car-parking throughout the Borough and expects development to be car-free in areas with good access to public transport. As the site has a PTAL rate of 4 ("good") the new residential units would be car-free.

4.2 Cycle storage

4.3 Camden's Parking Standards for cycles states that one storage or parking space is required per residential unit. The proposal is for one additional units therefore 1 cycle storage/parking spaces would normally be required. However, given the constrained nature of the site and the location of the residential units on the upper floors it is considered that the requirement for cycle storage can be waived in this instance.

5.0 Amenity

5.1 Policies CS5 and DP26 seek to protect the amenity of the Borough's residents from the harmful aspects of new development. The occupier of no. 62 Malden Road has raised concerns over potential loss of privacy and overshadowing into their garden. However, the proposed mansard roof extension would not have any impact as the extension would not project from the existing roof.

5.2 Number 66A raised concerns in regards to overlooking into the rear garden from the construction of the proposed roof terrace. However, there are elements of overlooking due to the high level windows to the rear elevation and the impact would not be exacerbated due to the proposed terrace.

5.3 The proposals are not considered to give rise to any noise, disturbance, and loss of daylight/sunlight or cause any undue sense of enclosure. Therefore, the scheme complies with policies CS5 and DP26.

6. Recommendation:

Refuse planning