

Delegated Report		Analysis sheet		Expiry Date:		28/05/2014	
		N/A / attached		Consultation Expiry Date:		28/04/2014	
Officer				Application Number(s)			
Obote Hope				2014/1994/P			
Application Address				Drawing Numbers			
7 Modbury Gardens London NW5 3QE				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of a single storey rear extension following the increased in size of the rears parapet wall at first floor level for the provision of an additional bedroom for the existing 1 x 3bedroom self-contained flat (Class C3)							
Recommendation(s):		Refuse Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	07	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		No press or site notices were required for this application. However, the properties that adjoin the boundary of the site were consulted and no objection was received.					
CAAC/Local groups* comments: *Please Specify		N/A					

Site Description

The site is occupied by a three storey end of terrace property sited to the south side of Modbury Gardens. The property has been subdivided into two flats; one at lower ground level and a maisonette at ground and first floor levels with both units having their own private access. The rear garden is 7 metres deep and bound by a 1 metre high brick wall on both sides with the rear boundary abutting the blank two storey flank wall of 5 Maitland Park Road.

The south side of Modbury Gardens, a short cul-de-sac of Victorian houses. On its western, exposed flank it adjoins an area of grass and mature trees that separates it from Maitland Park Road, from which fairly open views of the side and rear of the terrace may be gained. The building has 4 floors

The site is not within any conservation area.

Relevant History

2007/0319/P - Erection of a mansard roof extension, demolition of existing two storey rear extension and rebuilding with a full width two storey rear extension including a ground floor conservatory and incorporating roof terraces at ground and first floor levels to lower ground flat and maisonette on upper floors (Class C3) – **Granted - 19/03/2007.**

2013/0355/P - Erection of a single storey rear extension with rooflight at first floor level of x3 bedroom flat (Class C3). **Refused 12/04/2014 and appeal dismissed 13/11/2013.**

Relevant policies

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)
CS14 (Promoting high quality places and conserving our heritage)

DP24 – Securing high quality design
DP26 – Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

CPG1 (Design) (para 4.12 -4.13, p27).
CPG6 (Amenity) (para 6 and 7, pages 31-39)

NPPF 2012

Assessment

Background

1.0 Planning permission was refused for cedar clad extension to the rear of the first floor level, the proposed extension made of a timber stud construction with untreated clad, vertical cedar (softwood) cladding to add one more bedroom to the existing 3 bedroom flat that occupies the upper ground floor, the first floor and second floor of this dwelling. The proposed extension would measure 5.95m long, 2.5m wide and 2.7m in height. The reason for refusal are as follows:

- *The rear second floor extension, by reason of its height, bulk, and mass, would result in an over dominant addition which would be out of proportion with the existing building and general height of existing rear extensions elsewhere along the adjoining terrace and would therefore be detrimental to the character and appearance of the building and terrace as a whole. This is considered contrary to policy CS14 (promoting high quality places and conserving our heritage) of the London Borough of Camden Core Strategy and policy DP24 (Securing high quality design) of the Camden Local Development Framework Development Policies.*

1.1 The applicant appealed the refusal of the application reference APP/X5210/A/13/2200706 that was dismissed by the Planning Inspectorate on the 13 December 2013 a summary of some of the key analysis that the planning inspector addressed in his report are as follows:

- *Though less than a metre higher than the existing glazed privacy screens, the proposed development cannot realistically be regarded as comparable in terms of scale, mass or visual impact. The screens, while clearly being modern in appearance, are lightweight & translucent*

features having negligible mass, in contrast to the considerable bulk of what is proposed. I recognise the considerable emphasis placed on these screens by the appellant, but their presence provides little support for the proposal.

- I am aware that the appellant has offered to reduce the height and length of the extension, and to set it in behind the existing parapet in order to limit its impact. He is prepared to accept conditions to cover these matters. But the changes suggested would not overcome the fundamental objections to the development on design grounds.*
- The objective to improve the quality of the area, in line with Policy DP24 and the National Planning Policy Framework (NPPF) remains, irrespective of whether the area is uniform or homogenous. Design should respond creatively to its site and context; and the NPPF states that planning policies should not stifle innovation, originality or initiative. I agree that, in some circumstances, the introduction of contrast can add interest and vitality to a building and its setting. But the present proposal would not do so. For the reasons I have given, I am in little doubt that the proposed extension would not represent high quality contemporary design. The contrast with the present house would not lead to an enhancement. Rather it would detract from it and from its surroundings.*
- I do not believe that the proposed extension would give rise to any significant loss of privacy. However I take the view that, by reason of the increased height and bulk of the rear projection, it would be perceived as oppressive and visually dominant when seen from the rear of No 6 and its garden. Though not directly adjoining the boundary, it would add to the sense of enclosure experienced by the occupier, contrary to the guidance of the SPD and the objectives of Policy DP26 to protect the quality of life of neighbours.*

Proposal

2.0 Planning permission is now sought for the erection of a single storey extension to the rear of the first floor level. The proposed extension would be located on the existing roof terrace, the dimension of the proposed extension would be approximately 6.0m depth with a mixture of matching bricks 2.9m and frameless glazing 3.1m to the west elevation. However, the proposed extension would be fully glazed to the east elevation, 2.5m wide and 2.1m in height. The extension proposes 1x window to the east elevation. Therefore, the application fails to address the scale and bulk of the reason for refusal. Moreover, whilst comparing the refused and proposed scheme the proposed elevation, sections and floor plans are annotated to show an increased in depth and the reduced in height.

Design

3.0 Modbury Gardens retains a strong character, namely how the terraces are formed which consists of properties that are mostly three storey (one lower ground and two upper) Victorian town houses with closet wing extensions and valley roofs with parapets. Part of the roof closest to the building forms a terrace, while there is also a large roof light serving the room below.

3.1 The existing property has already been extended and it's considered that the cumulative impact of the mansard roof extension, ground floor 2 storey full width extension, rear conservatory and the latest first floor extension would not be considered to be subservience if compared to the original building and the mansard roof extension approved in 2007 has been implemented. This has raised the original rear roof parapet by approximately 1.2m. A full width extension exists at lower and upper ground floors measuring 3.5m in depth with a closet wing projection off the building by a further 4.1m along the western boundary facing the open space on Maitland Park Road. The property is end of terrace and can be seen from wide views across Maitland Park Road to the west and south and longer views just north of the junction with Prince of Wales Road and Haverstock Hill. Moreover, the proposed extension still retains the same dimension of the scheme that was refused and dismissed on appeal.

3.2 Camden Design Guidance states that rear extensions should be secondary to the building being extended in terms of form, scale, proportions dimensions and detailing. It should also respect and preserve the original design and proportions of the building, including its architectural period and style and also respect and preserve the historic pattern and not cause harm to amenity of adjacent properties (paragraph 4.10, P27). Furthermore, in relation to heights of extensions it should be subordinate to the original building, and should respect the existing pattern of rear extensions, and that extensions that are higher than one full storey below eaves/parapet level , or that rise above the general height of neighbouring extensions, will

strongly be discouraged (para 4.12 -4.13, p27). The proposed extension fails on both accounts.

- 3.3 The general height lines of existing extensions within this locality are one or two storeys, i.e. lower and upper ground floors. Therefore, the addition of an additional storey to form a three storey rear extension to the rear elevation of the existing site due to design and setting would be contrary to planning guidance that stipulates that the general height of being a storey below the eaves and would therefore be contrary to this part of CPG 1. Furthermore, the height of the proposed extension would not fall within one floor level of both the original roof parapet. Therefore, the proposal also fails to follow this guidance, and is considered to add both height and bulk to the detriment of the host building.
- 3.4 The proposed extension would be erected in matching bricks, frameless glass panels to the west elevation and would be fully glazed to the east elevation with grey coated aluminium beams would form the main material for the roof, with metal doors leading to the existing roof terrace. The extension was designed to take into consideration in terms of the design of the previous scheme that was refused. However, the position of the proposed rear extension still remains awkward and it's considered that the glazed frameless doors and windows would still result in an uncharacteristic addition to the proposed rear at first floor level that would still fails in in terms of its form, dimensions and detailing. The proposed extension at first floor level would detract from the host building, the wider area and would fail to preserve and enhance the host building.
- 3.5 It is acknowledge that the blank side wall of the rearward projection 2-storeys high, which a first sight is of no architectural merit when view across the open landscaped area. However, the rear projection is built in brick that is becoming weathered that matches the gable if viewed in context. Furthermore, the use of mixture of bricks and frameless glazing would not integrate into the building as this would still have a visual impact in terms of the scale and mass, consequently the proposed extension would form an incongruous feature on top of an exiting two storey closet wing. Therefore, the first floor extension would be out of keeping with the general heights of rear extensions in the local area and would form an unwelcome precedent which would be contrary to Policy DP24 of Camden's LDF 2010.

Amenity

- 4.0 The existing two storey extension projects beyond the depth of neighbouring closet wings (at 3.5m), in particular No. 5 and No. 6 Modbury Garden's. The proposal would project beyond the depth of these two storey closet wings by a further 2.3m a floor level above these.
- 4.1 The property is an upper floor maisonette with a lower ground floor flat below. The lower ground floor flat has both rear and flank windows currently with one floor above. The proposal would add an additional floor level and would also project beyond the back of the existing full width rear extension at the property. The neighbouring property at No. 6 also has rear windows at lower ground floor level, however, the distance of the projection is not considered far enough to cause a materially harmful impact to amenity to either of these properties. However, the proposed first floor extension it would add to the sense of enclosure experienced by the occupier, contrary to the guidance of the SPD and the objectives of Policy DP26 to protect the quality of life of neighbours.

Conclusion

- 5.0 I am of the opinion that the proposed extension would give rise to some amenity issues. However, this would not be in-regards to any significant loss of privacy. However, I take the view that, by reason of the increased height and the proposed bulk of the rear projection and since 2007 the building has increase substantially and without a "shadow of a doubt" the erection of and additional extension at this prominent location would be overdevelopment and can't possibly be an subordinate addition, it would be perceived as oppressive and visually dominant addition. That if permitted would be to the detriment of the host building, streetscene and wider area.

Recommendation:

Refuse Planning Permission