

Delegated Report		Analysis sheet		Expiry Date:		17/07/2014	
		N/A		Consultation Expiry Date:		20/06/2014	
Officer				Application Number(s)			
Emily Marriott-Brittan				2014/3187/P			
Application Address				Drawing Numbers			
98 Queen's Crescent London NW5 4DY				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of rear extension at first floor level to use as storage for restaurant.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Application					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	13	No. of responses	02 00	No. of objections	02
Summary of consultation responses:		<p>2 separate objections were received from the occupiers of:</p> <p>96b Queens Crescent: proposal is unsightly and overdevelopment of the rear of the site. It will overlook the first floor residential windows of No.100 and compromise their daylight, aspect and privacy. It is also considered likely that noise and smells from the restaurant downstairs will increase from the entrance door being left open. The proposal would also increase the likelihood of the existing flat roof being used as a roof terrace.</p> <p>96a Queens Crescent: Overdevelopment of the site and would be an eyesore. Would create nuisance because of noise and human traffic.</p> <p>Officer response: Matters raised above related to design are discussed in paragraphs 2.1-2.1, whilst amenity is discussed in paragraphs 2.1-2.1.</p>					
CAAC/Local groups comments:		The site is not in a conservation area					

Site Description

The site is located on the southern side of Queen's Crescent and forms part of a row of terraces with ground floor shop units. The site is not located within a conservation area and is not a listed building. The ground floor unit is currently in use as a restaurant which this application relates. The upper floor levels are in use for independent residential purposes.

Relevant History

Host site

TP1601/P1/20333 -To use the ground floor shop premises at No. 98, Queens Crescent, St, Pancras, as a fried fish shop (**Granted 06/01/1964**).

2013/5739/P - Erection of a mansard roof extension to residential flat (Class C3) (**Refused 28/10/2014**)

Reason:

The proposed roof extension by reason of its location on a terrace of properties with an unimpaired roofline, would be detrimental to the character and appearance of the building, the terrace as a whole and the general streetscene, contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

100 Queens Crescent

EN13/0786 - Installation of 2x windows to first floor rear elevation of flat (class C3) (Enforcement notice served 09/07/2014). Compliance - The unauthorised windows to the rear first floor elevation shall be fixed shut and the glazing obscured to a height of 1.7m and maintained as such hereafter.

Relevant policies

National and Regional Policy

National Planning Policy Framework 2012

London Plan 2011

CS1 (Distribution of Growth);

CS5 (Manage impact of growth);

CS7 Promoting Camden's centres and shops

CS14 (Promoting high quality places and conserving our heritage)

DP10 Helping and promoting small and independent shops

DP24 (Securing high quality design)

DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2013:

CPG 1 (design) chapter 4

CPG 6 (amenity) chapters 6 and 7

Assessment

1. Background:

1.1 The flank/rear elevation of 100 Queen's Crescent, which faces the development site, comprises two windows which were added without planning permission (see relevant history ref: **EN13/0786**). The two windows appear to service habitable residential accommodation (kitchen/dining room and bathroom) and face directly towards the proposal site at first floor level and along the remaining terrace Queen's Crescent.

1.2 An enforcement case was opened for the unlawful works and a notice served on 09/07/2014 for the unauthorised windows. The enforcement notice requires that the rear first floor elevation windows shall be fixed shut and the glazing obscured to a height of 1.7m and maintained as such hereafter.

1.3 Within this context and notwithstanding enforcement action, the windows serving residential accommodation to the flank elevation of 100 Queen's Crescent are adjudged material to the assessment of this application.

2. Proposal:

2.1 The application proposes:

- The erection of brick faced rear extension (6.5m in depth, 2.7m in height, 4.2m in width) at first floor level to use as storage for the associated ground floor restaurant.

2.2 The principal considerations material to the determination of these applications are summarised as follows:

- The design of the extension and the impact on the appearance of the building and on the character and appearance of the area
- The impact on amenity for adjacent occupiers.
- Additional retail floorspace

3. Design and appearance

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings; development should consider the character and proportions of the existing building, where extensions and alterations are proposed; developments should consider the quality of materials to be used.

3.2 The extension is proposed towards the south-eastern section of the site, above the existing single storey extension, which now covered what would have been a rear garden space. The resulting extension would terminate at 6m in height, 4.2m from the rear elevation of the main building. The proposed extension would feature two windows in the side elevation facing the flank/rear elevation of No.100 Queen's Crescent. Access to the extension would be via the existing residential entrance at the rear of the first floor flat which is also shared by the commercial unit at ground floor level.

3.3 In terms of context within the terrace, the remaining flat roofs (the roof space of the ground floor level extensions) are mainly used for extractor vents and condenser units for the shops at ground level. There is an existing first floor rear extension at No.88 Queen's Crescent however there is no planning history for this.

3.4 The proposed design of the rear extension is considered unsympathetic to the existing building. The proposed extension does not preserve or respect the original design and proportions of the building, which is a modest width mid-terraced property, and is not in keeping with the architectural

style. The extension is considered bulky and out of scale with the existing building and its location 4m from the rear wall of the host building is considered awkward and acts more like an outbuilding rather than an extension, which is out of character with the remaining terrace.

3.5 The proposed materials include brickwork to match the existing and uPVC windows to match the existing, while uPVC windows are not encouraged, given their location on a flank elevation and that the site is not in a conservation area, they are considered acceptable.

4. Amenity

4.1 DP26 and CPG6 seek to ensure that the amenities of neighbouring occupiers are not unduly harmed in terms of daylight access, outlook, overlooking and noise.

4.2 In accordance with CPG 6 (Amenity), outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. It is considered the most sensitive areas to outlook are living rooms, bedrooms, kitchen and the part of a garden nearest to the house.

4.3 The extension, by virtue of its location and position represents an overbearing structure which would be detrimental to the outlook of the residential occupiers of 100 Queen's Crescent, also ensuring a significantly diminished outlook which would result in a harmful sense of enclosure.

4.4 The extension which includes two windows in the flank wall would project beyond the flank/rear wall at No.100 Queen's Crescent, thereby reducing the amount of daylight to this window as well as creating harmful overlooking and loss of privacy.

4.5 The extension has a proposed door opposite the existing bedroom window to the first floor flat at 98 Queen's Crescent. It is considered the privacy to this bedroom window would be compromised as staff from the restaurant below enter and exit via the existing door in the rear elevation of the main building passing in front of this bedroom window to access the storage room.

5. Additional retail floorspace

5.1 The proposed area of the extension would be approximately 20sqm and is proposed to be used as storage for the ground floor restaurant, adding to the character, function, vitality and viability of the local area, in compliance to policy DP10.

6. Conclusion

6.1 The rear extension located at first floor level, by reason of its location, height, bulk and point of access results in a harmful sense of enclosure and loss of outlook, privacy and daylight to the adjoining building of 100 Queen's Crescent, contrary to policy CS5 (Managing the impact of growth and development) the London Borough of Camden Local Development Framework Core Strategy; and Policy DP26 (Managing the impact of development on occupiers and neighbors) of the London Borough of Camden Local Development Framework Development Policies.

6.2 The rear extension located at first floor level, by reason of its height, bulk and detailed design results in harm to the character and appearance of the building and the terrace as a whole, contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

Recommendation: Refuse planning permission