

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>11/03/2015</b>	
		N/A		<b>Consultation Expiry Date:</b>		2/3/15	
<b>Officer</b>				<b>Application Number(s)</b>			
Tania Skelli-Yaoz				2014/7720/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
16-28 Lower Merton Rise London NW3 3SP				Refer to decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
		CB					
<b>Proposal(s)</b>							
Erection of a roof extension to provide additional habitable accommodation on top of 7 terraced houses.							
<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>							

## Consultations

<b>Adjoining Occupiers:</b>	No. notified	<b>44</b>	No. of responses	<b>29</b>	No. of objections	<b>11</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>The letters of objection (from nos. 8, 16, 17, 18 and 20 Lower Merton Rise, 4, 31, 37 and 39 Elliott Square and 104 King Henry's Road) stated that the proposed development:</p> <ul style="list-style-type: none"> <li>• Is of a poor design, which would be to the detriment of the character and appearance of the building and surrounding area.</li> <li>• Would cause an undue impact to the residential amenity of neighbouring properties, in terms of loss of daylight &amp; sunlight, loss of outlook and loss of privacy</li> <li>• Would cause significant disturbance to neighbouring properties in terms of noise during construction</li> </ul> <p>Letters of 'no objection' or comments (with reservations similar to those raised above) were received from residents at 1, 2 and 3 Lytletton Close, 7, 30 and 38 Elliott Square, 86 Hawtreay Road, 10 and 24 Quickswood, 14 Lower Merton Rise, 105 Fellows Road, 5 and 7 Briary Close and 37 Primrose Hill Road.</p> <p>25 letters of support were also received (including nos. 22, 24, 26 and 28 Lower Merton Rise).</p>					
<b>CAAC/Local groups Comments:</b>	N/A					

## Site Description

The site comprises 7 three-storey terraced houses dating from the 1960s which form part of the Chalcot Estate, situated between King Henry's Road in the south and Fellows Road in the north. The terrace in question is situated on the east side of Lower Merton Rise, which is roughly at the east-west midpoint of the estate. The terrace is roughly equidistant between King Henry's Road in the south and Adelaide Road in the north. The terrace overall has a uniform appearance derived from the repetitive nature of its façade treatment (including windows and doors) and palette of materials. The terrace is flat-roofed and has a continuous eaves fascia. The section of Lower Merton Rise within the Chalcot Estate is lined by a mix of two and three storey houses typical of the estate, in addition to a taller four-storey block containing shops with flats above (nos. 17-23 Lower Merton Rise). Although the application site forms part of a continuous row, the properties on the opposite side of the road have a staggered building line. The site is not listed and lies outside a Conservation Area.

The detailed design of the dwelling comprises of a front door opening on to Fellows Road, a pair of windows located at first and second floor to the front and rear, and some ground floor level additions to the rear. The dwellings all have a flat, unaltered, roofline at the same height.

## Relevant History

### **26-28 Lower Merton Rise:**

2014/1890/PRE pre-application advice issued on 21/05/2014 for the Roof extension to create additional storey to no 26 and 28 Lower Merton Rise.

### **Other sites:**

#### **5-7 Lower Merton Rise:**

2008/4919/P planning permission granted on 10/12/2008 for the erection of a third storey flat roofed extension to each dwelling-house.

#### **83-93 Fellows Road:**

2013/2648/P planning permission was refused on 9/7/2013 for the erection of a roof extension across the entire terrace of houses from 83-93 Fellows Road (odd nos. incl.) by reason of design and harm to the CA and loss of amenity (daylight & sunlight).

#### **13-15 Lower Merton Rise:**

2012/3711/P planning permission was granted on 13/9/2012 for the erection of third floor extensions to existing 3-storey terraced houses including balcony with associated balustrade to dwellings (Class C3).

## Relevant policies

### **National Planning Policy Framework 2012**

#### **The London Plan 2011**

3.5 (Quality and Design of Housing Developments)

7.4 (Local Character)

7.6 (Architecture)

#### **LDF Core Strategy and Development Policies**

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS11 Promoting Sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS19 Delivering and monitoring the Core Strategy

DP2 Making full use of Camden's capacity for housing

DP20 Movement of goods and materials

DP22 Promoting sustainable design and construction

DP24 Securing high quality design

DP26 Managing the impact of development on occupiers and neighbours

DP32 Air Quality

#### **Supplementary Planning Guidance**

Camden Planning Guidance 2011

CPG 1 Design (sections 5.7-5.8)

CPG 2 Housing

CPG 6 Amenity

## Assessment

### **Proposal:**

The proposal is for the construction of an additional floor on top of the existing seven houses in the terrace, to provide additional habitable accommodation to the existing flats. The additional floor would

be of a modern design, with a solid to void pattern and palette of materials echoing the architectural treatment of the floors below. The roof would be flat, matching the existing roofline, and would contain rooflights to light the interiors.

#### Assessment:

The main considerations for assessment are:

- Principle of a roof extension / additional floor
- Detailed design
- Impact on amenity of adjoining residents
- Other issues

The fundamental issue is the principle of the extension, considering this is an untouched terrace in the context of a much larger estate containing predominantly two and three storey houses.

Recent planning history on the estate has established that the principle of individual roof extensions breaking the roofline on a terrace is unacceptable in principle, in line with CPG1. Furthermore, the principle of multiple roof extensions covering an entire terrace has also been questioned by the refusal of planning application ref 2013/2648/P for nos. 83-93 Fellowes Road. This terrace is located on a site bordering a busier road on the periphery of the estate (and opposite the boundary of the Belsize Conservation Area). The applicants draw attention to a recently constructed roof extension to three properties on the west side of Lower Merton Rise (nos. 11-15 Lower Merton Rise), but it is argued by officers that this is an exception since they are immediately adjacent to the taller block of flats/retail units at nos. 17-23 Lower Merton Rise, and as such are viewed as a distinct group apart from all other blocks on the estate.

There have been no material changes since this refusal which impact on the assessment of the current application. Although a group of residents on the estate have put together their own set of guidelines for extensions, they have not been adopted by the Council so are not a planning consideration.

#### **Principle of a roof extension/additional floor:**

Para 5.7 of Camden Planning Guidance 1 – Design (CPG1) it states:

Additional storeys and roof alterations are likely 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;
- Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form;
- There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm.

In this instance, the proposal is considered to be unacceptable. This set of terraced dwellings forms a part of the larger Chalcot Estate, and architecturally these are predominantly sets of three storey terraces, intermingled with two-storey terraces. It is therefore noted that as the proposed development would be adding an unprecedented addition to a set of 7 x terraced dwellings, which are located within a larger group of similar buildings with relatively unaltered rooflines, it would not be reuniting the group of buildings or the townscape. In addition, the development would not retain the overall integrity of the roof form, and there is not a variety of additions which create an established pattern where this development would not cause additional harm. Therefore the proposal is considered to be unacceptable in principle, and for this reason it should be refused.

Para 5.8 of CPG1 states:

A roof alteration or addition is likely to be unacceptable in the following circumstances where there is

likely to be an adverse effect on the skyline, the appearance of the building or the surrounding street scene:

- Complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions, even when a proposal involves adding to the whole terrace or group as a co-ordinated design;
- Buildings already higher than neighbouring properties where an additional storey would add significantly to the bulk or unbalance the architectural composition.

As stated above, it is considered that proposed developments, which add to complete terraces that are largely unimpaired by extensions or alterations, would be unacceptable. In this instance, the existing terrace has been unaltered, and the proposed development would therefore be contrary to the guidance above.

#### **Detailed design:**

The detailed design of the proposed roof extension needs to be sympathetic to the host buildings in order to be in keeping to the surrounding area and subservient to the host building. The current application provides a flat-roofed solution with the front and rear facades behind small set-backs to make it recessive. The application seeks to emulate the design of the first and second floor storeys in both the front and rear facades of the terrace. This is achieved at the front and rear by a pair of sash-style windows interspersed by a lightweight cladding to complement the brickwork and panelling between the windows in the main elevations. Although this approach (also used on the three-based extension on the opposite side of Lower Merton Rise) has attracted some criticism through the consultation process for slavishly copying the lower facades and failing to provide a lightweight and subservient style of extension, it is considered, on balance, that this approach is acceptable in principle in an area outside of a conservation area. However, in this case this is a secondary matter as the principle of the roof extension is unacceptable.

#### **Amenity:**

A Daylight & Sunlight Analysis Report was prepared by Delva Patman Redler (ref. SG/sg/13511; dated July 2014) and submitted as part of the proposal. The report concludes that the proposed development will fully comply with the BRE guidelines in terms of daylight and sunlight as well as with the guidelines set in CPG6 of the Camden LDF.

A further submitted letter (dated 23<sup>rd</sup> February 2015) provides further interpretation of the analysis regarding some of the specific properties and comments with regards to the most affected property at no. 39 Elliott Square, where the analysis results show the percentage reduction to go beyond the max 20% guideline in terms of sunlight, but as in the proposed winter condition the figure remains above 5%, the guideline criteria set by the BRE is achieved.

In summary, whilst some rooms will be affected by some loss of daylight and sunlight, that impact is not considered to be to a detrimental level to warrant refusal of the proposal and is such that is found reasonable in accordance with the BRE guidelines and Camden's CPG6 in the context of this location. As such, the proposal complies with policy DP26 of the LDF.

#### **Other issues:**

Standard of Accommodation: The overall accommodation is considered to be acceptable and no objection is raised to its overall standard.

#### Legal Agreement issues:

It should be noted that should the proposal have been considered acceptable it would have been recommended that all the owners of the subject properties enter into a legal agreement with the Council to tie the development together. This would be in order to ensure that the entire terrace is development / extended in height as part of a single development and not partially, for design

reasons.

It would also have been recommended that a Construction Management Plan (CMP) is secured the legal agreement in order to control the construction period and its associated vehicular movements.

**Conclusion:**

The proposal is considered unacceptable in principle by way of its additional height and bulk, which impacts negatively on the host building (not individually but as part of a group with the other residential blocks), on surrounding blocks and on the wider streetscape of the Chalcot Estate. As such it would create an unwelcome planning precedent for the Estate. The proposals would therefore be contrary to LDF core policy CS14 (Promoting high quality places and conserving our heritage) and development policy DP24 (Securing high quality design), in addition to CPG1 chapter 5 on roof extensions.