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| Delegated Report | | Analysis sheet | Expiry Date: | 22/05/2015 |
| | | N/A / attached | Consultation Expiry Date: | 21/04/2015 |
| Officer | | | Application Number(s) | |
| Mandeep Chaggar | | | 2015/1168/P | |
| Application Address | | | Drawing Numbers | |
| 37 & 39 Rudall Crescent London NW3 1RR | | | See decision notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
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| Proposal(s) | | | | |
| Alterations including installation of aluminium double glazed doors and windows at basement and ground floor level (front) and aluminium double framed windows and doors are first floor level (front and rear) and installation of rooflights at roof level. | | | | |
| Recommendation(s): | | Refused | | |
| Application Type: | | Householder Application | | |

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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 10 | No. of responses | 00 | No. of objections | 05 |
| | | | No. electronic | 00 | | |
| Summary of consultation responses: | <p>Objection from 6 Gayton Crescent on the following issues:</p> <ul style="list-style-type: none">• Design issues related to the rear elevation.• Objection to increase in window sizes at first floor rear level.• Increase overlooking to rear of No.6 Gayton Crescent.• Aluminium framed windows and doors are not in keeping with character of conservation area.• Addition of two rooflights would damage the integrity of the terrace (other properties have 3). <p>Objection from 41 Rudall Crescent on the following issues:</p> <ul style="list-style-type: none">• Proposal to change the timber framed windows to aluminium is not acceptable and would be detrimental to the symmetry of the terrace.• Refers to another application for aluminium windows which was refused (reference 2015/1167/P). <p>Objection from 7 Gayton Crescent on the following issues:</p> <ul style="list-style-type: none">• Design issues related to the rear elevation.• Loss of privacy. <p>Objection from 7A Gayton Crescent on the following issues:</p> <ul style="list-style-type: none">• Loss of privacy. <p>2 Objection from 8 Gayton Crescent on the following issues:</p> <ul style="list-style-type: none">• Light from the proposed rooflights shining into bedroom at rear of property. <p><u>Officer's response</u> - Please refer to assessment section of report for comment.</p> | | | | | |
| CAAC/Local groups* comments: *Please Specify | <p>Objection from Rudall Crescent Resident's Association on the following issues:</p> <ul style="list-style-type: none">• Proposal to change the timber framed windows to aluminium is not acceptable• Enlarged windows at ground floor level and additional roof lights detract from overall symmetry of the rear elevations of the terrace of five houses.• Increased overlooking to properties to the rear in Gayton Crescent. <p><u>Officer's response</u> – Please refer to assessment section of report for comment.</p> | | | | | |

Site Description

The application site comprises two single dwellinghouses located on the north side of Rudall Crescent, off Willoughby Road. The dwellinghouses are both two storey in height, with accommodation also provided within the roofspace at present. The application site is located within Hampstead Conservation Area. Although not listed, the buildings are identified within the conservation area appraisal as being positive contributors. More specifically, they are located within an established terrace of properties (namely No's 31-39) which are referred to as follows within the statement:

“Nos.31-39 were built in the gardens of 4-9 Gayton Crescent in the late 1950s. The group creates an appealing contrast to its Victorian neighbours forming a continuous two-storey terrace with white painted wood cladding, set back behind a brick wall.”

Rudall Crescent as a whole is formed in a loop off Willoughby Road, with a mixture of 19th and 20th century architecture. The neighbouring building at No. 41 is a later addition and, in contrast to the application site buildings and is identified as making a neutral contribution to the special character and appearance of the conservation area. The area surrounding the application site, including Gayton Crescent and Gayton Road to the north and north-west, are largely residential in character.

The application site is also located within a controlled parking zone. It has a public transport accessibility level of 3 (moderate). It is also situated within the Hampstead Article 4 Direction area.

Relevant History

2013/0824/P - Excavation to create new basement levels with front lightwells, conversion of garages to provide additional habitable space, extensions at rear ground floor level, replacement front boundary wall, alterations to front elevation and associated works to two dwellings (Class C3). Granted subject to a S106 Legal Agreement.

Planning application at 35 Rudall Crescent

2015/1167/P - Additions and alterations including installation of folding doors to the full width of garage door opening, alteration of ground floor front window to three panel folding doors; replacement of front and rear windows and doors and side light with aluminium frame, along with enlargement of waste and recycle store and installation of new velux rooflight to the rear elevation. Refused for the following reason:

“The proposed aluminium windows by virtue of their inappropriate material finish and detailed design, would detract from the appearance of the building and the uniformity of the wider terrace and would fail to preserve or enhance the character and appearance of the Hampstead Conservation Area contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.”

An appeal has subsequently been lodged against this refusal.

Relevant policies

NPPF 2012

London Plan March 2015, consolidated with alterations since 2011

LDF Core Strategy and Development Policies

Core Strategy:

CS5 (Managing the impact of growth)

CS14 (Promoting high quality places and conserving our heritage)

Development policies:

DP24 (Securing high quality design)
DP25 (Conserving Camden's heritage)
DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2013:

CPG1: Design-

CPG6: Amenity- Chapter 6 & 7

Hampstead Conservation Area Statement 2001

Assessment

1.0 Proposal:

1.1 The applicant seeks permission for the following alterations:

- Installation of aluminium, double glazed doors to basement level front elevation for access to the light well ;
- Installation of aluminium, double glazed windows to ground floor level front elevation
Installation of aluminium, double glazed doors and windows to first floor and rear elevations;
- Installation of two additional roof lights to rear roof pitch; and
- Replacement of brickwork piers to front elevation to match existing.

2.0 Impact on the character and appearance of the host building and conservation area:

2.1 The neighbouring properties in this terrace (Nos. 31-39 which were built as a group) have timber windows and doors to the front and rear elevation. There is a degree of uniformity within the terrace. It is proposed to replace the existing timber framed windows and doors with aluminium units within larger openings.

2.2 The proposed replacement of timber windows and doors with aluminium framed windows and doors is considered to have a detrimental impact to the character and appearance of the host building and the surrounding area. The proposed window openings are significantly larger than windows in the other properties in the terrace and this is considered out-of-keeping within the established character of this group of properties. The windows would appear incongruous in the context of the group of buildings which have timber windows and doors of largely uniform size. The objections received on the grounds that the replacement windows are not in keeping with the character of the terrace and the Conservation Area are noted and the Council agrees these concerns are sustainable.

2.3 The rear roof lights in the rear elevation of the main roof are considered to have a minimal impact and would not be seen in public views. Therefore these alterations are considered acceptable. Objections have been received regarding the addition of two rooflights (increase from 3 to 5) given other properties in the terrace have three rooflights. Given their location at roof level it is not considered permission could be withheld on this basis.

2.4 The replacement of brickwork piers to the front elevation is considered acceptable provided the brickwork matches the existing and would not appear out of character with the host property and surrounding area.

2.5 The proposed aluminium framed windows and doors within larger openings are considered detrimental to the unity of the host buildings and the wider terrace which is recognised as a positive contributor to the conservation area. It is considered that the proposals would have a detrimental impact on the symmetry of the host buildings within the context of the terrace and the Hampstead Conservation Area and is therefore contrary to policies CS5 and CS14 of the Core Strategy and Development Policies DP24, DP25 within the LDF.

2.6 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

3.0 Amenity:

3.1 The roof lights in the rear elevation of the main roof would be positioned at an angle and would be a sufficient distance (24 metres) from adjoining properties. Therefore the rooflights would not result in direct overlooking of neighbouring properties and properties to the rear of the site. Furthermore, the roof lights are not considered to result in significant light pollution that would justify a reason for refusal. Whilst the neighbour's concerns over the rooflights are noted it is not considered the application could be refused on this basis.

3.2 The rear windows at first floor level are to be enlarged. Neighbours in Gayton Crescent have raised concerns over the impact of these larger windows on their privacy. The rear windows are approximately 22m from the objectors' properties and therefore it is not considered that overlooking would be significantly worsened in comparison to the existing situation. A reason for refusal is therefore not justified. The proposed alterations are not considered to result in loss of outlook, reduction in daylight or sunlight or sense of enclosure and the scheme complies with Policy DP26.

Recommendation: Refuse Planning Permission