

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	28/08/2015
		N/A / attached	Consultation Expiry Date:	13/08/2015
Officer			Application Number(s)	
Darlene Dike			2015/3771/P	
Application Address			Drawing Numbers	
23 Rudall Crescent London NW3 1RR			Please refer to decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a single storey rear extension with green roof, alterations to front and side elevation fenestration, installation of bike store to side entrance and installation of timber fence to side and rear boundaries.				
Recommendation(s):				
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	23	No. of responses	11	No. of objections	11
Summary of consultation responses:	<p>No. Electronic 11</p> <p>A site notice was displayed from 22/07/2015 to 12/08/2015. A press notice was published from 23/07/2015 to 13/08/2015.</p> <p>Nine objections were received from residents at 21 and 23 Rudall Crescent, 44 and 45 Gayton Road and 6 Gayton Crescent, and a further objection was received from Councillor Tom Currie. These are summarised as follows:</p> <p>Design</p> <ol style="list-style-type: none"> The proposed design of the extension does not fit with the character of the building Proposals would be detrimental to the character of the conservation area The proposal is not of a high enough quality to complement the existing building The proposed development is massive and extends too far from the existing building line The large scale extension is out of proportion with the size of the current house and neighbouring houses The proposed development constitutes an overdevelopment of the site and will substantially increase the building's footprint <p>Amenity – Outlook</p> <ol style="list-style-type: none"> Proposals will restrict the views of residents in Gayton Road Proposals will deprive Flat 2, 23 Rudall Crescent of its garden view and spoil the outlook for several Gayton Road and Rudall Crescent neighbours <p>Amenity – Overlooking/Privacy</p> <ol style="list-style-type: none"> The proximity of the proposed rear extension windows to properties on Gayton Road, particularly number 45, will result in much clearer views into rear habitable rooms and thus a loss of privacy The proposed development would look into the garden of 21 Rudall Crescent resulting in a loss of privacy <p>Amenity – Daylight and Sunlight</p> <ol style="list-style-type: none"> The proposed extension would block considerable sunlight <p>Amenity – Noise</p> <ol style="list-style-type: none"> Proposed works would result in 6-8 months of noise nuisance <p>Trees & Landscaping</p> <ol style="list-style-type: none"> The proposal requires the felling of several of the existing trees which will reduce the screen between Rudall Crescent and neighbours opposite, and have an impact on wildlife There would be a significant loss of land in the rear garden as a result of proposals, not allowing for the retention of a reasonable sized garden A significant area of natural habitat would be destroyed by the building of the proposed extension The green roof proposed is no substitute for a real garden and there is no guarantee that a green roof will be adequately maintained There is concern about the potential for damage during the building works to the Silver Birch and Robinia in the garden of Number 21 Rudall Crescent <p>Other</p> <ol style="list-style-type: none"> Proposals will strongly affect the foundations of 23 Rudall Crescent 					

OFFICERS RESPONSE

Design

- a., b. and c. - See paragraph 4.3
- d., e. and f. - See paragraph 4.2

Amenity – Outlook

- a. and b. – See paragraph 5.2

Amenity – Overlooking/Privacy

- a. and b. – See paragraph 5.4

Amenity – Daylight and Sunlight

- a. – See paragraph 5.6

Amenity – Noise

- a. As explained in the informative attached to the decision notice, noise from demolition and construction is not a planning matter but subject to control under the Control of Pollution Act 1974, which restricts works that can be heard at the boundary of the site to between 08.00 and 18.00 Monday to Friday and 08.00 to 13.00 on Saturday, and not at all on Sundays and Public Holidays.

Trees & Landscaping

- a. – See paragraph 6.1
- b. – See paragraph 6.3
- c. – See paragraph 6.1 and 6,2
- d. – See paragraph 6.2
- e. – Sections 3.2-3.5 of the supporting Arboricultural Report set out how all trees on and close to the site will be protected

Other

- a. As proposals include no significant excavation there is no evidence to suggest that there will be any risk to the foundations of 23 Rudall Crescent.

The Rudall Crescent Residents' Association made the following objection:

Overdevelopment of the site

The proposed rear extension will significantly extend the property at ground floor level into the rear garden, bringing it unpleasantly close to the neighbours at the rear in Gayton Road and on one side up against the party wall with No. 25. The proposed new addition represents an additional 25% in length of the flat at present. This proposed extension will considerably reduce the size of the rear garden. The proposed study, shower room and garden store extend the full length of the party wall with No. 25, and we believe that this is excessive.

In Camden's guidelines for the Conservation Area (Rear Gardens) it states that 'Rear gardens provide a significant amenity to residents and wildlife. Developments within gardens are therefore likely to be unacceptable.'

DP25 states that developments can only be permitted where they preserve and enhance the appearance of the CA. DP 25 also emphasises the necessity of preserving trees and garden space, and specifically 25.5 states that 'development will not be permitted which causes loss of trees and/or garden space'. This proposal would do just this. We do not regard the installation of a green sedum roof as adequate compensation for the loss of garden space.

Inappropriate design

The proposed rear extension is not in keeping with the architectural style of the property as a whole. Even though the extension is to the rear of the property it will not improve or enhance the appearance of the sides and rear of this delightful Victorian house and will instead be an eyesore for those immediate neighbours forced to view it from be they in Rudall Crescent or Gayton Road.

Camden's guidance indicates that rear extensions 'should be as unobtrusive as possible and not adversely affect the character of the Conservation Area'. DP24 states (a) that developments 'must consider character, setting, context, form and scale of neighbouring buildings' which this proposal fails to do. It also (DP24 (b) does not take account of the character and proportions of the existing building.

Loss of trees and shrubs

We note that it is proposed to remove 7 mature trees from the side and rear garden which will seriously damage the views from the flats above ground floor level, the views from neighbouring properties in Rudall Crescent and from many properties to the rear in Gayton Road. This represents a significant loss of amenities, in particular for both owners of the upper floors of the property. If removed this would also mean that the houses in Gayton Road would be fully exposed rather than screened off as at present, thus representing a significant loss of amenities for all adjacent properties.

Furthermore the removal of the cypress to the side of the property would significantly harm the view of the whole house when seen from the Rudall Crescent, and expose rather than enhance an important, attractive gap in the streetscape. (This can clearly be seen from the photo taken from Rudall Crescent of the front of the property.)

DP24 emphasises the importance that developments protect existing natural features such as trees (24.7)

It is proposed to replace the seven removed trees with 3 new trees and a shrub (viburnum). Only the viburnum and junipers are evergreen. The two fruit trees are deciduous so we do not regard this as adequate compensation for the felled trees. It is also impossible to see how other bushes can be retained safely when the intention is to erect a new high fence along the rear boundary wall.

Potential damage to neighbours' trees.

We are concerned about the potential damage during such extensive building works to the Silver Birch and Robinia in the garden of Number 21, despite the confidence expressed in the arboriculturalist's report. (Incidentally this report incorrectly (2.2) refers to a lime tree as being between Numbers 21 and 23 whereas it is in fact between No 19 and 17 Rudall

CAAC/Local groups comments:

Crescent.)

Increased overlooking and loss of privacy

Both the size of the proposed extension and the loss of trees will reduce the privacy

currently enjoyed by neighbours in both Rudall Crescent and Gayton Road. It will increase the degree of overlooking and even exacerbate this for any new tenants or residents who might come to live in the refurbished ground floor flat at Number 23.

DP26 reinforces the requirement that visual privacy be maintained and overlooking not be increased.

In sum we believe that these proposals do not conform to Camden's Planning Guidelines in general and also specifically conflict with the rules relating to extensions and conservatories.

We urge you to refuse.

OFFICERS RESPONSE

Overdevelopment of the site – See paragraphs 4.2 and 6.3

Inappropriate design – See paragraphs 4.2 and 4.3

Loss of trees and shrubs – See paragraphs 5.2 and 6.1

Potential damage to neighbours' trees –

Sections 3.2-3.5 of the supporting Arboricultural Report sets out how all trees on and close to the site will be protected

Increased overlooking and loss of privacy – See paragraph 5.4

Site Description

The application site comprises a three storey property, currently divided into 3 self-contained flats, located on the eastern side, at the apex of Rudall Crescent. The property features a generous garden accessed via a private side gate.

The site is located in the Hampstead conservation area and while not listed, the building is noted as making a positive contribution to the character and appearance of the conservation area.

Relevant History

APPLICATION SITE

8804719 - Retention of a ground floor extension to the rear as shown on drawing no. FBP.001. **Granted 23/03/1989.**

2013/3426/P - Erection of single storey rear infill extension including the installation of 2 x rooflights to flat. **Granted 05/08/2013.**

NEIGHBOURING SITES

7 Rudall Crescent

2012/0396/P - Erection of single storey rear extension to existing dwelling house. **Granted 08/03/2012.**

9 Rudall Crescent

2006/4193/P - Erection of a single storey rear extension. **Granted 07/11/2006.**

15 Rudall Crescent

9200492 - The erection of a rear extension to provide toilet and shower facilities at ground floor level as shown on drawing no 890/1 and 2. **Granted 16/07/1992.**

Relevant policies

National Planning Policy Framework 2012

London Plan 2015, consolidated with alterations since 2011

Camden LDF Core Strategy 2010

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)

CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)

Camden Development Policies 2010

DP17 (Walking, cycling and public transport)

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 2013 and 2015

CPG1 Design – Chapters 4 and 6

CPG6 Amenity – Chapters 7

CPG3 Sustainability – Chapter 10

Hampstead Conservation Area Statement 2001

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Assessment

1. Proposal

1.1 Planning permission is sought for the following works:

- Erection of a single storey rear extension with green roof
- Alterations to front and side elevation fenestration
- Installation of a bike store to side entrance with the capacity to hold 4 bicycles
- Installation of a timber fence to side and rear boundaries

2. Revisions

2.1 In response to comments from Council Planning Officers the following amendments were made to the scheme:

- The southern adjunct to the extension containing the entrance lobby and part of the family living area was removed to bring the south elevation of the extension in line with south elevation of the original building and thus reduce the extension's bulk, keeping it subordinate to the host building
- The proposed green roof was upgraded from a sedum blanket to wildflower blanket to improve its biodiversity and visual amenity

3. Assessment

3.1 The principal considerations material to the determination of this application are summarised as follows:

- Design (Visual Impact)
- Amenity (Impact on the amenity of adjoining neighbours)

4. Design

Policy CS14 aims to ensure the highest design standards for developments. Policy DP24 states that the Council will require all developments to be of the highest standard of design and respect character, setting, form and scale of neighbouring properties and character and proportions of the existing building.

4.1. Rear Extension

4.2 A single storey full width rear extension is proposed which would measure 7.8m (width), by 6.5m (depth – although the appended shower room and garden store brings this depth to 11.0m at the north west corner of the site), and 2.9m (height). Whilst it is acknowledged that these dimensions result in a large footprint, the extension is still considered to be subordinate to the host building in terms of its scale and massing. In terms of its height it amounts to only a single storey addition against a three storey building and so is acceptable, meeting Hampstead Conservation Area Statement guidance that 'extensions should be no more than one storey in height' (page 62). Likewise its width is appropriate as the design of the extension has been carefully revised so that it does not reach beyond the original building line of the south elevation, with the exception of the small protrusion of a proposed bay window. This means that the proposed extension is essentially only marginally wider than the existing infill extension or the existing southern building line of the house and respects the profile of the host building. With regards to its depth, the extension does run to 11.0m along the length of the party wall with 25 Rudall

Crescent to form the shower room and garden store, however this area is only 1.4m wide, and is the point where the extension drops in height from 2.9m to 2.0m, and so comprises only a very small proportion of the extension, which would not be visible behind the party wall. Elsewhere the extension has a depth of 6.5m which is considered acceptable. In terms of its scale and massing and therefore the extension's design is entirely in line with CPG 1 Design guidance that rear extensions be 'secondary to the building being extended, in terms of ... scale, proportions, dimensions' and 'respect and preserve the original design and proportions of the building' (paragraph 4.10).

4.3 Concerns have been raised that the proposed extension is not of sufficiently high design quality and not in keeping with the architectural style of the host building nor wider conservation area. Given that the extension is located at the rear of the property and would be entirely concealed behind proposed boundary walls, it would not be visible from the public realm and so its impact on the conservation area would be quite minimal. Proposals could be seen in private views from properties on Rudall Crescent and Gayton Road, but it is felt that the scheme is of adequate design quality to contribute positively to this setting. Constructed from reclaimed brickwork to match the existing in colour, bond and pointing and featuring a natural slate lean to roof to complement the main roofslopes, the proposed extension utilises high quality materials very much in keeping with its context, and the architectural features of the original building. In doing so proposals wholly adhere to CPG1 Design guidance which stipulates that 'alterations should always take into account the design of the property and its surroundings' using 'closely matching materials and design details...so as to ensure the new work blends with the old' (paragraph 4.7).

4.4 Bike Store

4.5 CPG1 Design guidance recognises that ‘entrances and adjoining areas of buildings are often spaces that require the integration of a number of competing needs such as the provision of cycle storage’ and goes on to stipulate that ‘these elements should be constructed with materials sympathetic to the site and surroundings’ as well

as advising that ‘you can minimise the visual impact of storage areas by careful siting and incorporating planters to screen developments’ (paragraph 6.33).

4.6 The proposal to install a cycle store to the side passageway of 23 Rudall Crescent complies with CPG1 guidance entirely. Constructed from dark oak, the cycle store comprises materials wholly sympathetic to the host building and its setting within the Hampstead conservation area. In addition to this, the location of the cycle store would result in limited visual impact, as it would be fully obscured from view from the road by virtue of its position behind the passageway’s side gate. Given this, it is considered that the cycle store would not have a detrimental impact on visual amenity.

4.7 The proposed cycle store is also considered appropriate in terms of its scale. At a height of 1.4m, width of 2.4m and depth of 0.8m, the cycle store is not considered unduly prominent or obtrusive in terms of its scale and massing.

4.8 Fenestration

4.9 Proposals to the side elevation seek to replace a window with a door, install a new window in the position of an existing and replace the entrance porch with windows. These constitute minor changes that will result in no harm to the appearance of the host building and so are acceptable. All apertures are existing and so there will be limited change to the configuration of the side elevation as a result of proposals. Also, all changes will be screened from view by the perimeter walls of the rear garden, and so would have limited impact on visual amenity.

4.10 Proposals also seek to replace the single glazed front bay windows and two side elevation windows with slimlite double glazing units. Whilst single glazed windows often contribute positively to the character of conservation areas, the double glazed units proposed would have a similar external appearance to the existing timber windows and so are deemed acceptable. The proposed windows to the front and side, would all be constructed from timber, and so are appropriate in terms of material. They also benefit from being of the same configuration as the existing windows and positioned in the same openings. The frames and glazing bars are the same widths as existing, and the proposed windows would have the same relationship with their reveals and thereby accord with Camden Planning Guidance. As such the proposal is not considered harmful to the character or appearance of the host building, street scene or the wider Hampstead Conservation Area.

4.11 Timber Fence

4.12 New close boarded timber fences are proposed to be installed to the entrance to the side passageway and to the rear boundary with Gayton Road properties. The proposed boundary treatments are considered to be appropriate in terms of their location, scale, material and design. Close boarded timber is an appropriate traditional material for the boundaries which respects the site’s setting within the Hampstead Conservation Area. Also, at a height of 1.8m to the side passageway and 2.0m at the rear, the fences are not excessively high, and would provide adequate screening to the site without obstructing the views of neighbours.

5. **Amenity**

Policy CS5 seeks to protect the amenity of Camden’s residents by ensuring the impact of development is fully considered. Furthermore, Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. In line with both policies, proposals will have minimal impact on the amenity of neighbouring residents.

5.1 Outlook

5.2 CPG6 Amenity defines outlook as the ‘visual amenity enjoyed by occupants when looking out of their windows or from their garden’ and states that ‘how pleasant an outlook is depends on what is being viewed’ going on to encourage that ‘you should design developments so that the occupiers have a pleasant outlook’ (paragraph 7.8). Proposals are such that despite the introduction of a generous extension, neighbouring residents on Gayton Road and Rudall Crescent would still be afforded views of a substantial garden, retained trees, as well as a wildflower green roof, and it is felt that this adequately meets the criteria for ‘pleasant outlook.’ Concerns have been raised that the proposed extension would restrict views of residents in Gayton Road and Rudall Crescent, however, given that it forms only a single storey addition there is little risk of this. Particular objection was also made to the impact of proposals on private garden views from Flat 2, 23 Rudall Crescent, and whilst it is noted that this view would be dominated by a green roof as a

result of proposals, this is not sufficient cause to warrant refusal because, as CPG 6 Amenity goes on to state, 'the specific view from a property is not protected as this is not a material planning consideration' (paragraph 7.11).

5.3 Overlooking/Privacy

5.4 'Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree' according to CPG6 Amenity (paragraph 7.4), and proposals certainly achieve this. All new windows and doors are arranged to face into the garden, which is bounded by fencing and walls of between 2.0m and 2.9m, and so little opportunity is afforded for overlooking into adjacent properties. Due to the loss of trees and shrubs that border the

rear boundary, particular fear was expressed over potential overlooking into the habitable rooms of properties along Gayton Road, especially number 45. Though it is acknowledged that through removal of this vegetation some screening would be lost, the single storey nature of the extension and the fact that the rear boundary wall between the properties reaches 2.0m, means that the scope for overlooking is truly minimal. Similarly, there is very little potential for detrimental overlooking onto 21 Rudall Crescent, as the new extension windows are no higher in position than existing openings to the side elevation, so any overlooking would be no worse than the present condition, which is limited in any case as the boundary between the two properties is 2.9m high.

5.5 Daylight and Sunlight

5.6 In line with guidance in CPG6 Amenity there should be an 'aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers' (paragraph 6.6). As a single storey element positioned at ground floor level, which does not rise higher than the boundary walls with 21 and 25 Rudall Crescent, the proposed extension would have no bearing on the daylight and sunlight at these properties due to its limited height and positioning. There is also a significant void between the buildings in the form of rear garden space which would allow sufficient daylight and sunlight to penetrate the sites at 21 and 25 Rudall Crescent, notwithstanding the presence of an extension adjacent.

6. **Trees and Landscaping**

6.1 There has been significant objection to the principle of felling trees as part of proposals, and in turn the immediate impacts of this action on screening, views, amenity and habitat. On the advice of tree officers however the proposed tree removals are considered to be acceptable due to the relative small size of affected trees and the low contribution they offer to the character of this part of the conservation area. The significant trees on site will be retained, and the largest tree that is proposed to be removed is a cypress tree in close proximity to two buildings which is of low visibility from the public realm. The applicants have proposed adequate replacement tree plantings, including a replacement conifer to be planted in the same location as the existing cypress tree. An apple tree, a pear tree and Viburnum shrubs along the rear boundary have also been proposed. This is considered suitable for the site and goes some way to mitigate against the loss of canopy cover provided by the existing tree stock, thus offering reasonable screening, views, amenity and habitat for wildlife. Also ameliorating for the loss of habitat is the introduction of a wildflower green roof to the flat roof of the extension.

6.2 The proposed green roof is an important feature of the scheme which will serve to enhance the extension's positive visual contribution to its setting and sustainable merits, and meet the aspirations of CPG3 Sustainability that schemes 'must incorporate green or brown roofs wherever suitable' (paragraph 10.3). Concerns have been raised however over the quality of the green roof and its maintenance. In response to this revisions were secured which upgraded the green roof from sedum blanket to wildflower blanket, moving from a bed of 8-12 species to 38 species specifically chosen to encourage biodiversity. A detailed maintenance schedule has also been provided, which makes clear exactly how the wildflower blanket will be tended. Whilst it is acknowledged that a green roof might not be perceived to have the same amenity value as a rear garden, the quality secured here will result in a pleasant space to look out on to where plants and wildlife alike can thrive.

6.3 CPG1 Design states that rear extensions should 'respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space', 'allow for the retention of a reasonable sized garden' and 'retain the open character of existing natural landscaping and garden amenity' (paragraph 4.10). Concerns were raised that proposals would not achieve this, but instead result in overdevelopment in the rear garden, significantly diminishing the amount of green space remaining. Calculations show however, that the proposed extension would occupy a footprint of approximately 57.0m², reducing the existing rear garden area from 242m² to 185.0m². A remaining garden area of 185.0m² is very substantial and as such constitutes the retention of a reasonable sized garden in line with CPG1 Design guidance.

7. **Recommendation**

7.1 Grant Planning Permission.

DISCLAIMER

Decision route to be decided by nominated members on Monday 23rd November . For further information please go to www.camden.gov.uk and search for 'members briefing'

