

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	01/12/2015
		N/A		<b>Consultation Expiry Date:</b>	19/11/2015
<b>Officer</b>			<b>Application Number(s)</b>		
Matthias Gentet			2015/5644/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
9 Belsize Square London NW3 4HT			Design and Access Statement; [1189] 01.01; 01.02; 01.03; 01.04; 01.11 (B); 01.12 (B); 01.13 (B); 01.14 (B); 02.01; 02.11(B); 03.01; 03.02; 03.03; 03.11(B); 03.12 (B); 03.13(B).		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Addition of a side dormer to roof slope in connection with residential flat (Class C3).					
<b>Recommendation(s):</b>		Refused Permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>19</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>
			No. electronic	<b>00</b>		
Summary of consultation responses:	<p>Comments were received following the statutory consultation carried out in the form of consultation letters to the relevant parties (expiry date: 12/11/2015), Site Notice (erected on 28/1-/2015 and expiring on 18/11/2015) and Press Advert (published on 29/10/2015 and expiring on 19/11/2015).</p> <p style="text-align: center;"><u>Summary of Comments and Objections:</u></p> <p>An objection from the Owner/Occupier at <b>Flat 5, 9 Belsize Square, LONDON, NW3 4HT</b> has been received, summarised as follow:</p> <ul style="list-style-type: none"> <li>o Creation of additional risk of external water damage caused by the introduction of a new structure;</li> <li>o New risk of internal water damage as previously caused by the failing of the drainage around the edge of the dormer/balcony and backed up rainfall;</li> <li>o New and ongoing noise.</li> </ul> <p style="text-align: center;"><u>Officer's response:</u></p> <p><i>The addition of a feature to the side roof slope cannot be assessed on the possibility that it may leak. This would not be down to planning requirement but to the quality of the work being carried out to a high standard.</i></p> <p><i>The failing of drainage is a matter of maintenance. Any given proposal cannot be assessed on the potential of lack of maintenance as by doing so, no proposal could ever be granted.</i></p> <p><i>The noise caused by individual walking will not be increased by the location of the dormer. Residents access various rooms at various time of the day. The presence of a dormer will not increase the footfall within the residential flat. It must also be noted that half of the room subject to the addition of the dormer sits above the lower part of the host residential unit and the other half above the neighbouring flat and as such it is difficult to understand how its addition could impact directly on the below neighbours.</i></p>					
Belsize CAAC and Belsize Residents Association	<p>Belsize CAAC was consulted by letters dated 22/10/2015 expiring on 12/11/2015.</p> <p>An objection from the <b>Belsize CAAC</b> has been received, summarised as follow:</p> <ul style="list-style-type: none"> <li>o Design features which are all out of character with the existing architecture: <ul style="list-style-type: none"> <li>• pitch roof;</li> </ul> </li> </ul>					

- excessively thick surrounds;
- fenestration sub-division

An objection from the **Belsize Residents Association** has been received, summarised as follow:

- proposal puts an unacceptable large dormer;
- would be visible from the street and break roof line;
- contrary to Belsize Park Conservation Area Appraisal;
- reduce the positive contribution the building makes to the conservation area.

Officer's Response:

*All the points raised in both objections are the basis for the refusal of this proposal.*

## Site Description

The site address is a raised 4-storey with mansard property and is one of a pair of stucco villas on the northern side of Belsize Square, opposite Belsize Square Synagogue. The stucco villas (all residential) dominating Belsize Square are symmetrical with overhanging eaves, large rusticated quoins on the elevations, recessed sash windows with classically detailed surrounds, canted three-light bays on the ground floor and steps up to porticoes.

The site address sits within Belsize Park Conservation Area but is not listed. However, St Peter's Church at the eastern end of Belsize Square, at the junction with Belsize Park, is a Grade II listed building.

## Relevant History

### Host Site:

2014/4900/P – (granted on 03/12/2014) - Erection of single storey garden house - **Lower Ground Floor Flat**;

2010/1289/P – (refused but allowed on appeal on 28/04/2011) - Erection of a single storey garden house at the rear of the garden, for the use of the lower ground floor flat (Class C3) - **Flat A**;

2004/2136/P – (granted on 15/07/2004) - The erection of a rear dormer window with inset roof terrace, in association with the conversion of the roof space to additional living accommodation for the front second floor flat - **Flat 6**;

2004/0403/P – (refused on 18/03/1004) - The erection of a rear dormer window with inset roof terrace, in association with the conversion of the roof space for additional living accommodation to the second floor flat - **Flat 6**;

2004/0084/P – (refused and appeal dismissed on 29/12/2004) - The erection of front dormer window and a rear dormer window with inset roof terrace, in association with the conversion of the roof void to additional habitable accommodation for the existing rear top floor flat - **Flat 6**;

2003/0285/P – (refused on 20/08/2003) - The erection of 1 front dormer, 2 side dormers and 1 rear dormer with inset roof terraced area, in connection with the conversion of the existing loft area to additional habitable space for the top floor flat - **Flat 6**;

### Adjacent Sites:

2013/7326/P – (granted on 16/01/2014) - Erection of rear dormer window and installation of front rooflight - **12C Belsize Square**;

2012/6520/P – (refused and dismissed on appeal on 24/09/2013) - Erection of rear dormer window with balcony and installation of front rooflight (Class C3) - **12C Belsize Square**;

2008/1682/P – (refused on 29/09/2008) - Erection of dormer window in front roofslope and dormer window in side roofslope in connection with Flat D (Class C3) - **14D Belsize Square**;

2006/3108/P – (granted on 29/08/2006) - Alterations to the roof to insert three new dormer windows (one at the front, one at the side and one to the rear including the addition of a balcony) to the existing dwellinghouse - **21 Belsize Square**;

PWX0202138 – (refused on 24/09/2002) - The erection of a dormer window on the front roof slope in connection with the conversion of roof space to provide additional accommodation for the flat in the front part of the second floor – **11 Belsize Square**;

PW9902936 – (refused on 05/01/2000) - Addition of dormer windows to front & side roof slopes and installation of rooflight to rear roof slope associated with loft conversion to accommodate 2 self-contained 2 room maisonettes – **48 Belsize Square**;

PW9702290 – (granted on 11/09/1997) - The use of the premises as eight self-contained flats - **8 Belsize Square**.

#### **Enforcement Site History:**

EN07/0285 - Putting in very large Velux window in side of roof – Closed on 18/01/2011 (*no harm appears to be caused*)

### **Relevant policies**

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

##### **Core Strategies Policies**

CS5 (Managing the impact of growth and development)

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**

CPG1 (Design) 2, 3, 4, 5 (as amended 2015)

CPG6 (Amenity) 6, 7 (as amended 2013)

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

##### **Belsize Conservation Area Appraisal (adopted 2002)**

##### **The London Plan 2015 (Consolidated with amendments since 2011)**

### 1. Introduction:

1.1 The proposal has been submitted with a variety of information forming the basis of the refusal along and its subsequent assessment in connection with the residential flat at third and fourth floor level.

1.2 The proposal is the result of an amendment following the rejection of the original design of the proposed side dormer which was deemed to be too large, too close to the roof ridges and projecting too far out from the side roof slope too.

1.3 As a result, the proposal was revised and reduced in size, with a pitch roof instead of a flat roof and location and is now the subject of the refusal. The relocation of the dormer has addressed the concerns raised to that effect.

1.4 It must be noted that a fourth revision was submitted as a draft, trying to address the concerns raised by the officer in terms of the size, design and projection of the proposed side dormer but these failed to meet the expected criteria. The option of a transparent dormer of modern design was also proposed and also deemed to be unacceptable.

1.5 This refusal is therefore for the second revision of the original proposal.

### 2. Proposal:

2.1 Planning permission is sought for the following:

2.2 Addition of a side dormer in connection with residential flat at third and fourth floor.

2.3 The proposal is the result of amendments to the original submission [see paragraph 1.2 – 1.4].

### 3. Assessment:

#### Design:

3.1 One of the considerations in the determination of this application is the impact of the proposal on the appearance of the host building and the character and appearance of the conservation area and streetscape.

3.2 The proposed side dormer is to measure 2.2m in width x 1.9m in height (top of pitch roof) x 9.6m in depth (taken along the pitch roof ridge) and will provide an internal height of 4.6m.

3.3 The proposal would be in a central position and introduced to a shallow roofslope. The side cheeks would measure 2.9m at elevation edge. The proposed side dormer sits at a fraction higher than the rear dormer.

3.4 The presence of a small recess along the edge of the side roof indicates a slight difference in level within the lower side roofslope itself creating a lead ridge indicative of the demarcation between the neighbour's residential flat and the host flat (subject of this application).

3.4 CPG1 (Design) states that addition of dormers should be sensitive changes maintaining the overall structure of the existing roof form and can only be acceptable when the pitch of the

existing roof is sufficient to allow adequate habitable space without the creation of disproportionately large dormers which should not be introduced to shallow-pitched roofs.

3.5 In this particular case, due to the shallowness of the roof-pitch and the need for the proposed side dormer to be positioned in a way that it remains central to the side roof elevation as well as permitting for a reasonable internal high, the size and projection of the addition is such that it would be an unduly large and dominant feature out of character with the uniformity of the roof of this and adjacent pairs of villas.

3.6 The addition, though not too visible from street level, would be an incongruous feature that would still distract from the unaltered elevations and would be detrimental to the appearance of the roof area.

3.6 It must be noted that the rear dormer window with inset roof terrace located at the very top of the rear roof slope against the side ridge and flanking the chimney stacks (approved in 2004 - see *Host Site in Relevant History above*) is of a design and location that would not be granted planning permission today as it would be contrary to CPG1 (Design). It must therefore not be taken as setting a precedent or an example to be followed.

3.7 The large side dormer at 8 Belsize Square - which has the top left hand corner of its flat roof connecting in the same manner to the left hand top right hand corner of the rear dormer with roof terrace - is another example of developments implemented many years ago that would not receive planning grant today. Furthermore, although it would appear that the side and rear dormer with roof terrace at the said property gained approval under a Certificate of Lawfulness of existing use, historical documentation being rather sparse, it isn't possible to confirm this. [*Adjoining Sites in Relevant History*].

3.8 Belsize Conservation Area Appraisal raises the matter of *inappropriately proportioned dormers* throughout Belsize Conservation Area with some included in the "Negative Features" lists attached to the various sub-areas within the conservation area.

3.9 The proposed side dormer would be detrimental to the character and appearance of the host property and the wider streetscene. The development is considered inconsistent with the development policies DP24 (Securing high quality design) and CPG1 Design and unacceptable overall in terms of scale and design.

3.10 The materials – clay tiles and timber frame window to match existing – are considered to be acceptable.

#### Amenity:

3.11 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. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be "designed to protect the privacy of both new and existing dwellings to a reasonable degree."

3.12 Although the proposal, by virtue of its location would be facing an existing large side dormer at 8 Belsize Square, the proposed side dormer would be fixed (partially) obscured double glazed addressing any negative impact on the neighbours' amenity in terms of overlooking in accordance with CPG6 Amenity.

3.13 In terms of loss of daylight and sunlight in relation to the adjacent property at 8 Belsize Square, the size, scale and location of the proposal will not have a negative impact and as

such, the proposal is considered to be acceptable.

#### **4. Recommendation:**

4.1 The proposed side dormer fails to comply with CPG1 (Design) in terms of design and scale requiring for the side dormer not to be introduced to shallow-pitched roofs. The proposed addition would not respect the original form of the roof and would add an oversized feature.

4.2 The proposal, in terms of size, scale and location, is considered to be unacceptable and detrimental to the character and appearance of the front and rear streetscape and the host and adjacent buildings contrary to Development Policy DP24 and Camden Planning Guidance CPG1 (Design).

4.3 It is therefore recommended that planning permission be refused.



