

Delegated Report		Analysis sheet	Expiry Date:	04/01/2016 (25/03/2016)
		N/A	Consultation Expiry Date:	07/01/2016
Officer			Application Number(s)	
Tony Young			2015/6381/P	
Application Address			Drawing Numbers	
86 Constantine Road London NW3 2LX			See decision	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of rear dormer window, creation of terrace at 3 rd floor level with installation of a metal balustrade and access door and 3 front rooflights.				
Recommendation(s):		Refuse planning permission		
Application Types:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	3	No. of responses	01	No. of objections	00
			No. electronic	01		
Summary of consultation responses:	<p>Site notice displayed from 16/12/2015 until 06/01/2016 Press notice displayed from 17/12/2015 until 07/01/2016</p> <p>1 response was received from the adjoining property at no. 84 and is summarised as follows:</p> <p>1) <i>"We are writing to support the planning application... we have seen their plans and have no objections".</i></p> <p><u>Officer Response:</u></p> <p>1) No detail provided. The response has been noted.</p>					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>Mansfield CAAC objected to the application and raised concerns summarised as follows:</p> <p>1) <i>"We do object strongly to the scheme and for the overall reason that it does not follow CA design guidelines at all... there have been several recent approvals that at best stretch the point on rear dormers... This ugly roof dormer and door totally ignore the CA design guidance and should be refused permission. The nearby earlier examples only show how awful the area would be with more of the same".</i></p> <p><u>Officer Response:</u></p> <p>1) <i>Objection noted and addressed in the main body of the report.</i></p>					

Site Description

The site comprises a 3-storey mid-terraced late Victorian property on the southern side of Constantine Road, close to the corner with Mackeson Road. It is a single dwelling house and is situated within a mainly residential area.

The property sits within the Mansfield conservation area and is unlisted. The building is considered to make a positive contribution to the conservation area (Appendix 2 - Mansfield Conservation Area Appraisal and Management Plan - adopted December 2008).

Relevant History

Host property & terrace (nos. 74-88):

PE9900907 (no.86) - The conversion of roof space incorporating the insertion of a rear dormer, and two front roof lights to provide additional residential accommodation; the formation of a rear roof terrace across the rear flat roof projection with a door access at eaves level for use as external amenity space for a single family dwelling house. Planning permission refused dated 13/06/2000.

It was considered that the proposed rear dormer would appear overly dominant by area, and by virtue

of its off-centre alignment and excessive scale in relation to the rear roof slope and would detract from the appearance of the building and the remainder of the terrace.

9201269 (no.88) - The creation of a dormer window to the rear elevation. Granted planning permission dated 08/07/1993

2011/0130/P (no. 84) - Erection of a rear roof dormer with French doors and Juliet balcony; installation of railings to form roof terrace at third floor level along with associated access; and erection of ground floor single-storey rear extension, to residential dwelling house (Class C3). Granted planning permission dated 14/03/2011

8803645 (no.80) - Conversion into three self-contained units together with the erection of roof extensions at front and rear and the formation of a rear roof terrace. Granted planning permission dated 21/07/1988

9400984 (no.78) - The formation of a roof terrace and dormer access at rear 3rd floor level. Granted planning permission dated 13/10/1994

8500348 (no.76) - Erection of a roof extension and balustrade. Granted planning permission dated 15/05/1985

PEX0200859 (no.74) - Erection of a dormer at the rear to create additional room in roof space and two 'velux' style roof light to front. Granted planning permission dated 02/12/2002

Wider area

2015/4244/P (no. 123 Constantine Road) - Loft conversion with rear dormer extension and new door onto existing roof terrace at 2nd floor level, new black iron balustrade around roof terrace and 2 x front rooflights. Granted planning permission dated 21/09/2015

2014/7760/P (no. 48 Courthope Road) - Replacement of existing conservatory with new extension on the same footprint, creation of roof terrace with traditional black railings and grasses for screening, insertion of doors into rear elevation to open onto terrace, loft conversion, with rear dormer added, three conservation velux's to the front facade and internal refurbishment throughout. Granted planning permission dated 17/03/2015

2014/2059/P (no. 17 Cressy Road) - Erection of a single storey rear infill extension, with four rooflights; installation of one rear dormer, two solar panels and five rooflights and formation of a front gate, piers and railings. Granted planning permission dated 12/06/2014

2014/1958/P (no. 19 Mackeson Road) - Installation of rear dormer access door, creation of 2nd floor rear roof terrace with associated privacy screen, installation of sliding doors and replacement door and rooflight to existing side extension on rear elevation. Granted planning permission dated 01/07/2014

2003/3111/P (no.35 Constantine Road) – Retention of a full width, full roof height rear dormer. Refused permission dated 12/02/2004 and dismissed on appeal (APP/X5210/C/04/1146618 and APP/X5210/A/04/1146451) dated 27/10/2004

Relevant policies

National Planning Policy Framework 2012

Paragraphs 14, 17, 56 -67, 126 -141

London Plan March 2015, consolidated with alterations since 2011

Policies 7.4, 7.6 and 7.8

LDF Core Strategy and Development Policies 2010

CS5 (Managing the impact of growth and development)
CS14 (Promoting high quality places and conserving our heritage)

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) 2015 – chapters 1 (introduction), 2 (design excellence), 3 (heritage), and 5 (roofs, terraces and conservatories)

CPG6 (Amenity) 2013 – chapters 1 (introduction), 6 (daylight and sunlight), and 7 (overlooking, privacy and outlook)

Mansfield Conservation Area Appraisal and Management Plan (adopted December 2008)

Assessment

Proposal

1. Planning permission is sought to erect a rear dormer window in order to create habitable space at roof level for the existing flat at 3rd floor level. The scheme also includes the provision of a door cut into the existing roof to access an existing flat roof space at 3rd floor level used as a terrace, installation of metal balustrade to surround this roof space, and the insertion of 3 front rooflights.

Revisions:

- Lower part of the dormer window has been extended downwards to occupy a lower position in the rear roofslope;
- Roof access door has been moved forwards towards the rear roof space, resulting in a smaller cut and recess into the existing guttering and roofslope than originally proposed;
- The original large and small dormer window arrangement has been replaced by three equally sized windows; and
- All windows and rear access door would be timber framed rather than metal framed as originally proposed.

Main planning considerations

- Design and impact of the proposal on the character and appearance of the Mansfield Conservation area, the host building itself and the wider street scene;
- Amenity and the impact on the adjoining occupiers.

Design

2. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 (Securing high quality design) are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 (Conserving Camden's heritage) states that within conservation areas, the Council will only grant permission for development that '*preserves and enhances*' its established character and appearance.
3. The proposed dormer (measuring approximately 4.2m wide by 2.5m deep, rising to a maximum height at its' outermost edge to approximately 1.4m) would be centrally aligned and offset by approximately 500mm on both sides including the ridge line. All windows and rear access door would be timber framed. While the proposed dormer would accord with guidance with regard to the advised 500mm gap between dormer and roof ridge, and with the proposed materials to be

used, there are a number of other reasons why the proposed dormer is not in accordance with guidance and policies, and is therefore unacceptable.

4. The host building sits within a Victorian terrace of tall and narrow, 3-storey buildings characterised by distinct parapets and shallow-pitched roofs. Camden Planning Guidance (CPG1 - chapter 5: roofs, terraces and conservatories, section 5.11(a)) advises that "*dormers should not be introduced to shallow pitched roofs*" as the pitch of the roof is unlikely to be "*...sufficient to allow for adequate habitable space without the creation of disproportionately large dormers or raising the roof ridge*". Along the same lines, the Mansfield Conservation Area Appraisal and Management Plan (page 28) advises that "*Fundamental changes to the roofline, insensitive alterations, poor materials, intrusive dormers or inappropriate windows can harm the historic character of the roofscape and will be resisted*".
5. Therefore, while it is possible that some kind of modest, suitably sized dormer might be feasible in this roofslope, the proposed dormer and access door are considered to be too bulky and an unsuitable addition to the parent building by virtue of their size and scale within this shallow pitched roof, so making the property look top heavy and obtrusive, and so, out of character with the appearance of the building and the conservation area. The proposed dormer would occupy the vast majority of the existing roofspace (offset by only 500mm on either side), and as such, is considered to be excessively large in context with this narrow roofslope so resulting in a disproportionately large dormer and not the appearance of a small projection as Council guidance would advise – "*They (dormers) should appear as separate small projections on the roof surface*" (CPG1 - chapter 5, section 5.11(d)).
6. The dormer and access door additions also have an incongruous appearance when viewed together given the tall, narrow form of the building, as the windows and door do not wholly relate to the rest of the building below in terms of design and alignment, and the rear access door itself would add an odd, imbalanced appearance alongside the dormer windows. In this regard, guidance (CPG1 - chapter 5, section 5.11(d)) advises that "*the dormer and window should relate to the façade below and the surface area of the roof... They should generally be aligned with windows on the lower floors*". Even though the dormer and access door would not be visible from street level, they would still be visible from some properties in Mackeson Road and at the rear, especially from the gardens and properties on the eastern side of Cressy Road.
7. Guidance (CPG1 - chapter 5, section 5.11(b)) also states that "*dormers should not be introduced where they cut through the roof ridge or the sloped edge of a hipped roof*". With regard to this current application, the proposed access door would cut through the existing gutter line and into the roof and would result in a deep recess (of approximately 680mm) into the roofslope to accommodate the roof access door, and as such, would be contrary to current design guidance and unacceptable.
8. It is recognised that there are a number of dormers and roof level rear access doors that already exist within the terrace. However, most approvals relating to these (nos. 74, 76, 78, 80 and 88 – see '*Relevant History*' section above) significantly predate current policies and guidance, as well as, the Mansfield Conservation Area Appraisal and Management Plan (adopted December 2008). The one exception being a planning permission at the adjoining property at no. 84 (2011/0130/P) that was granted in 2011. While it is acknowledged that consideration for this approval was given under current policies, these policies were newly introduced at the time, and it is unlikely that planning permission would be granted for similar proposals now within this particular terrace. This view is supported by the Mansfield CAAC who objected that "*there have been several recent approvals that at best stretch the point on rear dormers... the nearby earlier examples only show how awful the area would be with more of the same*". It is also important to note that the dormer as built at no.84 is considered to be unauthorised and an enforcement investigation has been opened to investigate whether what has been built is so materially different as to be without planning permission which would mean

that any planning permission had expired.

9. With this in mind, current guidance (CPG1 - chapter 5, section 5.13) states that *“the presence of unsuitably designed new or altered dormers on neighbouring properties will not serve as a precedent for further development of the same kind”*. In this regard, and notwithstanding that something different and much larger has actually been built at no.84 than was approved, the proposals that were actually granted planning permission then would now likely be viewed as unsuitable in terms of design, size and scale, and as such, are not considered to serve as a precedent for the proposals being considered here at no.86.
10. This view is extended to other similar, though not wholly comparable, examples given by the applicant within the wider area which are also considered to be unsuitably designed (and referenced in the ‘*Relevant History*’ section above).
11. Overall, it is therefore considered that the proposed rear dormer and roof access door would impact the character and appearance of the host building to the detriment of the character and appearance of the conservation area. These proposals are therefore considered unacceptable in design terms, and contrary to policies DP24 and DP25, guidance CPG1 and the conservation area appraisal.
12. The application proposals also include the installation of a metal balustrade (formed of black painted railings with vertical balusters) fixed to an angled metal bracket to the brickwork underneath the existing parapet coping to enclose an existing 3rd floor flat roof space. The railings would be approximately 0.8m above the parapet coping coming to approximately 1.1m in height from the finished floor of the roof, and would enclose an area of roof space measuring approximately 5m (depth) by 3.5m (width). The roof is currently accessed through a roof hatch.
13. Although the rear end of the balustrade would be partly seen from Mackeson Road, its visibility and prominence would be minimised by virtue of it being both set-back from the edges of the roof by approximately 30mm, being partially hidden by the rear parapet wall, and by the fact that the railings do not form a solid structure, and so would allow light to continue to pass through the spaces between the vertical balusters to reach neighbouring gardens and properties. As such, the proposed railings would not result in any significant visible bulk to harm the appearance of the host building within the conservation area.
14. In terms of design, scale, colour, location and materials to be used, therefore, the proposed metal balustrade/railings are considered to be in accordance with Camden Planning Guidance and would not have any adverse impact on the character or appearance of the building or detract from the wider conservation area, and would be acceptable.

Amenity

15. 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. Policy CPG6 seeks developments to be *“designed to protect the privacy of both new and existing dwellings to a reasonable degree.”*
16. The proposed rear dormer includes windows in the rear elevation and the proposed rear access door would be glazed giving rise to potential amenity concerns. However, given their location and significant distance from other facing windows, this element would result in no overlooking or loss of privacy to surrounding occupiers, nor exert a materially harmful impact in terms of sunlight, daylight, or sense of enclosure to the adjacent residential occupiers, and as such, the proposals are considered to be acceptable.
17. With regard to the proposed metal balustrade/railings, it is noted that the flat roof terrace area

that it would enclose would be located 6.5m away from the side elevation of no. 33 Mackeson Road. However, there are no windows facing the terrace space at 3rd floor level, and the two 1st and 2nd floor side windows of this property appear to serve bathrooms and are obscure glazed. The difference in levels between the 3rd floor level terrace space and windows at 1st and 2nd floor levels further serves to protect no. 33 from any undue overlooking from the proposed terrace. The angle of view and difference in levels would also limit any serious overlooking impact on the adjoining property at no. 84, whereas at no. 88, the adjacent area is occupied by an unused flat roof, chimney stack, and no immediate windows and would be unaffected. Therefore, there are considered to be no amenity concerns as a result of these proposals in terms of loss of privacy, loss of light or overlooking to neighbouring properties, and the proposals are considered to be acceptable in this regard.

Other matters

18. The proposed three front rooflights would be conservation type and would not harm the appearance of the front elevation of the building or the conservation area, and do not present any adverse amenity issues, and would therefore be acceptable.

Conclusions

19. The proposed rear dormer windows and access door and associated alterations, by reason of size, scale and detailed design, would have a detrimental impact on the character and harm the appearance of the host building and wider terrace, and would fail to preserve and enhance the character and appearance of the Mansfield Conservation Area. This is 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.

Recommendation:

Full Planning Permission is refused on design grounds.