

13 Chester Road, N19 5DE

Site Location Plan



13 Chester Road, N19 5DE

Site Photos

1. Front Elevation



2. Nos. 13-9 Frontage



3. Nos. 13-19 Frontage



4. Rear elevation (1)



5. Rear Elevation (2)



6. Existing lean-to side extension and party wall with no.11 (1)



7. Existing lean-to side extension and party wall with no.11 (2)



8. View from existing dormer window



9. Rear of no.15



10. Rear of no.11



11. Existing degraded boundary treatments



Delegated Report		Analysis sheet		Expiry Date:		17/06/2016	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		26/05/16	
Officer				Application Number(s)			
John Diver				2016/1732/P			
Application Address				Drawing Numbers			
13 Chester Road London N19 5DE				See draft decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Replacement of rear/side extensions with single story wraparound extension. Alterations to existing rear dormer. Installation/alteration of rooflights on main roof. Reinstatement of features to front elevation.							
Recommendation(s):		Grant Conditional Planning Permission					
Application Type:		Householder Application					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified: Date of Site Notice: Date of Press Notice:	07 05/05/16 29/04/16	No. of responses	04	No. of objections	04
Summary of consultation responses:	<p>Objection comments have been received from the occupiers of nos.15, 11, 9 & 3 Chester Road and can be summarised as follows: <i>(Please note that the below comments were received prior to the submission of revisions).</i></p> <ol style="list-style-type: none"> 1. Single storey extensions are of an unacceptable scale/proportion. 2. Development would be harmful to the conservation area and is contrary to policy 3. No precedent for extensions beyond rear building line / of this style. 4. Loss of garden area would cause an impact to local ecology. 5. Development may set a precedent for local area 6. If precedent is set, the character of the row as well as long views could be undermined 7. Extensions would harm the “enjoyment, use and amenity of the local residents and wider community”. 8. Loss of outlook 9. Loss of privacy / overlooking issues 10. Loss of light 11. Flank wall would be overbearing and would create shadowing effect 12. Development would disrupt emotion wellbeing. 13. Growth of green roof will further reduce light and outlook 14. No precedent for floor to ceiling dormer windows 15. Structure labelled as exiting to the rear is not original and should be discounted. 16. Lack of communication from applicants to neighbours/community. <p><u>Officers responses:</u></p> <p>1 – 4: Please see paragraphs 3.5 to 3.17</p> <p>5 - 6: In accordance with National Planning Guidance, a decision may not be effected by the potential for a precedent for future development. Notwithstanding this, every application is assessed based upon its own merits, and development which might be considered acceptable in this instance may equally be unacceptable on a differing site.</p> <p>7 – 12: Please see paragraphs 3.18 to 3.24.</p> <p>13-14: Since submission, these proposed features have been removed/alterd by the applicant.</p> <p>15: The existing structure to the rear is of a very low state of repair and is not of solid construction. It is not considered as part of the original building as no evidence has been presented that would demonstrate this.</p> <p>16: Although the Council would always advocate pre-submission consultation between neighbours, the applicants are not duty-bound to do as such due to the consultation process run by the Authority.</p>					

CAAC/Local groups comments:

A request for comments was sent to the Dartmouth CAAC on the 26th April 2016, no response has been forthcoming.

Site Description

The application site is a two storey (plus loft), single family dwelling house located to the south side of Chester Road, close to the junction with Dartmouth Park Hill. The property is a Victorian terrace house, with features typical for a property of this type such as a front, two storey projecting bay; front gable, red brick and tiled detailing and a two storey rear outrigger with a pitched roof. Owing to the local topography (with the levels along Chester road falling away from Dartmouth Park Hill), the site is at a lower level than the adjoining property at no.11 but a higher level than no.15 Chester Road.

The application site is located within the Dartmouth Park Conservation Area. The Dartmouth Park conservation area appraisal and management strategy (adopted 2009) classifies the application property as making a positive contribution to the Conservation Area. There are no Article 4 Directives which have been applied to the application site. There are no trees protected by Tree Preservation Orders on or adjacent to the application site.

Relevant History

There is no planning history for the application site.

Relevant policies**NPPF (2012)****The London Plan 2016****LDF Core Strategy and Development Policies (2011)****LDF Core Strategy (2010)**

CS1 - Distribution of Growth

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

Development Policies (2010)

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)

CPG6: Amenity (2011)

Dartmouth Park Conservation Area Appraisal and Management Strategy 2009

1. Introduction

- 1.1. Planning permission is sought for the demolition of the existing rear and side extension and its replacement with a single storey 'wraparound' extension; the installation of rooflights and enlargement of the rear dormer window; as well as the replacement of original features on the front elevation. The proposed extension would extend into the rear garden of the property and would not be subterranean.
- 1.2. The proposed single storey extension would be comprised of two elements: a glazed lean-to side extension between the boundary wall with no.11 and the flank wall of the original outrigger; and a full width rear extension with a flat, obscure glazed roof. The proposed rear extension would project 2.5m beyond the rear elevation of the outrigger, would have a maximum height of 3m and would have a width of 5.8m. The lean-to side extension element would feature a single pitched glazed roof falling away from the shared boundary wall and would have a maximum height of 3m when measured from no.11. Both elements would feature brick finishing to match the original dwelling.
- 1.3. The proposed replacement dormer window would measure 2.9m in width, 2.25m in height, with a depth of 2.2m and would be clad in metal. This dormer would serve the existing third floor bedroom. The roof of the dwelling currently features one rear facing rooflight. It is proposed to extend the height of this rear roof light as well as install two conservation grade rooflights to the front roofslope.
- 1.4. It is also proposed to replace the boundary treatment around the site with a wooden fence as the existing has collapsed. The proposed fence would have a maximum height of 1.6m and would run around the perimeter of the rear garden. This element of the proposal benefits from deemed consent under Class A, Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO) and therefore does not form a part of this assessment. Due to the existing footings for boundary treatment, this installation would not impact upon any mature tree.
- 1.5. Following the extensions proposed, the resulting curtilage of the dwelling will measure 64sqm, maintaining more than half of the original area (86sqm). At ground floor level, the gross internal area would increase from 66m² to 83m² (representing a 26% increase).

2. Revisions

- 2.1. It should be noted that following an initial assessment, the applicant was notified that the submitted scheme was likely to be considered unacceptable for the following reason:
 - Due to its size, the proposed dormer window would dominate the rear roof slope, diminishing the character and appearance of the application property.
 - Due to its height, the proposed rear extension would lead to an unacceptable loss of light into neighbouring dwellings.
- 2.2. In response, the applicant submitted a revised scheme which made the following alterations:
 - A reduction in the width of the proposed rear dormer from 3.9m to 2.9m and a reduction in height from 2.7m to 2.25m
 - A redesign of the proposed full width rear extension including a reduction in height from 3.55m to 3m as well as a replacement of the green roof with obscure glazing.

3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:
 - The visual impact upon the character and appearance of the host property, streetscene, local area and the Dartmouth Park Conservation Area (Design and Conservation)
 - The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity).

Design and Conservation

- 3.2. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 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.
- 3.3. CPG1 design guidance recommends alterations take into account the character and design of the property and surroundings; windows, doors and materials should complement the existing building, and rear extensions should be secondary to the main building.
- 3.4. The Dartmouth Park Conservation Area appraisal and management strategy advises that careful attention should be paid to the cumulative impacts formed by minor alterations and extensions and the resulting impacts to the wider Conservation Area.
- 3.5. Historically, the host property has been altered in a number of ways from its original form, including the erection of both a lean-to and rear extension. The property is generally in a state of disrepair, with evidence of damage from neglect throughout and both front and rear gardens being severely overgrown. The refurbishment and modernisation of the property is therefore welcomed, however this must not be outweighed by any harm to the character and appearance of the property in order to be considered acceptable.

Single storey side/rear extension

- 3.6. The proposed extension would remain subordinate to the host dwelling and would not detract or compete with the character of the host property in terms of its size, scale or design. The extension would not represent an overdevelopment of the site and would not interrupt any of the primary architectural features of the property. The proposed extension would similarly not be considered visually harmful to the character or appearance of the street scene or Dartmouth Park Conservation Area. This is due to the particularly enclosed location at the rear of the site (with no public views of the proposed extension being possible).
- 3.7. Whilst it is acknowledged that none of the other dwellings within the row (nos.9, 11, 15, 17 & 19) benefit from rear extensions, several properties in the immediate surroundings do including nos.1 and 9 Bramshill Gardens and no. 85 Dartmouth Park Hill and due to its positioning, it is not considered that the proposed extension would cause significant disruption to the group character of these dwellings. The proposed development would not lead to an unacceptable loss of rear garden, detrimental to the living standards for future occupiers or to the character of the area; with more than 50% of the original rear garden being retained. Due to the existence of hardstandings and the foundations of the former rear extension, the section of the garden due to be developed is not considered to be of particular ecological importance. Its development is therefore not considered to lead to significant harm to local wildlife.
- 3.8. Being a single family dwelling house and not being subject to any Article 4 directives, the application property benefits from 'permitted development rights' and the applicant has made clear in correspondence that they have explored their 'fall back option' (i.e. the scope of works possible under deemed consent) in relation to the single storey extensions and would intend to implement if planning permission were to be refused. Whilst a full width, wrap around extension would not be permitted under Class A, Part 1 of Schedule 2 of the GPDO; under this same Class a rear extension (projecting only from the rear elevation of the outrigger) would be possible with the same height but greater depth than hereby proposed (3m rather than 2.5m). The infill side extension would similarly be possible provided it did not adjoin the rear extension, subject to a number of criteria.
- 3.9. The Dartmouth Park Conservation Area appraisal and management strategy states the following:
"As many of the properties within the conservation areas are single family dwellings they benefit from permitted development rights which mean they do not require planning permission for certain works. Often these works, although well intentioned, can have a harmful impact on the conservation area and many of these works have been identified as negative features of the area".
- 3.10. The proposed wrap around extension is considered to have a lesser impact upon the character and

appearance of the dwellinghouse than that which the applicant has stated they could implement without the need for permission.

- 3.11. The proposed extension would incorporate the use of exterior facing brick and glass which are considered appropriate. The proposed rear extension would feature an obscure glazed roof however this would not be visible apart from a select few upper floor windows of neighbouring properties.

Replacement dormer window

- 3.12. All properties in the row feature rear dormer windows to service third floor bedrooms, some of which have been extended/enlarged (i.e. nos.3 and 19). Of these two enlargements, the dormer at no.3 has been sympathetically designed and is effectively obscured from public view, being approved in 2002 under planning permission PEX0200555. The dormer at no.19 however represent an insensitive addition, being highly visible and of an inappropriate scale.
- 3.13. Following revisions, the proposed dormer window would have a width equal to half the width of the roof slope and a height equal to half the height of the main roof slope. As such it is not considered that the proportions of the hereby proposed rear dormer window would represent an overly dominant feature, retaining sufficient surrounding roofslope.
- 3.14. The positioning of the proposed dormer has been design to minimise its visibility within the local surroundings. Due to the local topography as well as the fact that all properties in the row feature two storey outrigger with dual pitched roofs and parapets walls, the proposed rear dormer window would not be visually prominent and would not project into the roofline. Only very restricted views of the proposed dormer would be possible, principally from the garden of no.11 and a select few upper floor windows of nearby properties (please see photograph 8). The top of the proposed dormer is positioned 1.4m below the ridgeline and 0.8m above the eaves level. It would be positioned well away (2.25m) from the party parapet with no.15 and 0.7m from the party parapet with no.11. The proposed dormer would be situated within 0.5m of the side slope of the rear outrigger and a chimney breast, however in this instance it is deemed beneficial to position the dormer further down the roof slope, where it will be effectively screened by the outrigger of properties on both sides and therefore comply with the requirement of CPG1.
- 3.15. The proposed dormer is therefore considered to be acceptable due to its scale, design and the fact that the positioning proposed would mean that the dormer would be effectively screened from view from any public place and the majority of views from private windows/gardens. Whilst a similar dormer may not be considered appropriate on a more prominent roof; the positioning has the effect of minimising the impact upon the character and appearance of the host property as well as the row and wider conservation area and this therefore considered acceptable in this instance.

Installation of rooflights and replacement façade detailing

- 3.16. As aforementioned, all properties in the row feature third floor/attic rooms and consequently rooflights to front roof slopes have become a characteristic feature of the local area. It is not considered that the two proposed front rooflights would appear incongruous within the streetscene or would detract from the existing and established character of the row. The proposed front rooflights would be of conservation style and as such would not project beyond or disrupt this roofslope. Similarly to the discussion in paragraph 15, the proposed enlarged rooflight to the rear would be effectively screened from public view due to the local topography as well as the rear building lines of properties within the row. As such the installation of rooflights is not considered the harm the character and appearance of the dwelling, row of dwellings or the Dartmouth Park Conservation Area.
- 3.17. With regard to the replacement façade detailing on the front elevation of the property, it is noted that a number of tiles and decorative features have been lost on the application property and their replacement is welcomed. The property is considered a positive contributor within the Conservation Area and these replacement works are considered to enhance the special character of this property as well as group of buildings. The applicant has also confirmed that they would intend to crop the overgrown shrub at the front of the site. Due to its small trunk diameters, the overgrown shrub at the front of the site would be exempt from requirements under section 211 of the Town and Country Planning Act 1990. The reduction/loss of this shrub is therefore not considered objectionable. It is not expected that any other shrub or mature tree would be impacted upon by the proposed works however an informative shall be placed upon the decision to remind the applicant of their duty to inform conform with the above section.

Residential Amenity

- 3.18. 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" and that the Council will "aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers."
- 3.19. CPG6 Amenity states: "Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The most sensitive areas to overlooking are: Living rooms; Bedrooms; Kitchens; and the part of a garden nearest to the house."
- 3.20. The proposed rear dormer is not considered to raise any concerns in terms of residential amenity. This element would not lead to a loss of light or outlook to any adjoining neighbour and the potential for overlooking from this window would not be considered significantly worse than the existing dormer window, considering its positioning as well as the fact that the property is to be retained as a single family dwelling (i.e. with no increased level of activity).

Single Storey Extensions: Impacts upon no.11

- 3.21. As aforementioned the local topography of the site means that the ground floor level of the site is approximately 0.5m below that at no.11. Furthermore an existing party wall with a height of 2.9m extends 4.4m along the shared boundary with this adjoining site (see photographs 6&7). In terms of the impacts upon the adjoining neighbour at no.11, the proposed extensions would result in an increase in height of the existing wall by 0.1m, and its extension by 0.65m. The flank wall of the rear extension would then project a further 2.5m along the shared boundary with a height of 2.5m when measured from the ground level at no.11. Due to the presence of the existing wall as well as the orientation of the site and set down in levels across these neighbouring sites, it is not considered that the proposed extension would cause significant enough impact to these neighbouring occupiers in terms of outlook or light to substantiate a reason or refusal, when taking the existing situation into account. The proposed extension would not cause any reduction of privacy to any neighbouring occupier.

Impacts upon no.15

- 3.22. The level of the rear garden of no.15 is set down approximately 0.3m below that of the application site; however the ground floor levels of the properties are the same. As such the proposed extension would lead to the creation of a flank wall running along the shared boundary with no.15 which would project beyond the rear elevation of no.15 for a distance of 2.5m and a height of 3.3m. It is recognised that, due to the orientation of the site, the proposed extension would lead to some loss of light into this neighbouring property. As the ground floor level is above that of the garden however, the impact upon ground floor rear fenestrations will be less severe and, because of the scale proposed, it is not considered that the amount of light lost into this ground floor room would be significant.
- 3.23. Due to the depth of the extension as proposed, it is not considered that the impact upon outlook would substantiate a reason for refusal. The extension would only project for 0.5m into a 45 degree line of sight when taken from the centre of the ground floor fenestration of no.15 and it is not considered that this level of encroachment to views should be considered unacceptable, especially when considering that the applicant has expressed a realistic potential to implement an extension of the same height but increased depth in this location under their permitted development rights. Due to the size of the plot, the lack of enclosure to other sides and the depth and height of the proposed flank wall, it is not considered that this property would be subject to an overbearing visual impact as a result of the proposed development.
- 3.24. Overall it is not considered that the impacts to residential amenities created by the proposed development would substantiate a reason for refusal, especially considering the potential fall back option expressed.

4. Recommendation

4.1. Grant conditional Planning Permission

The decision to refer an application to Development Control Committee lies with the Executive Director of Supporting Communities. Nominated members will advise whether they consider this application should be reported to the Development Control Committee on Monday 13th June 2016. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Laurence Page
35 a York Rise
London
NW5 1SP

Application Ref: **2016/1732/P**
Please ask for: **John Diver**
Telephone: 020 7974 **6368**

8 June 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
13 Chester Road
London
N19 5DE

DECISION

Proposal:

Replacement of rear/side extensions with single story wraparound extension. Alterations to existing rear dormer. Installation/alteration of rooflights on main roof. Reinstatement of features to front elevation.

Drawing Nos: 1/33 dated 01/03/16; 2/33 dated 01/03/16; 3/33 dated 01/03/16; 4/33 dated 01/03/16; 5/33 dated 01/03/16; 6/33 dated 01/03/16; 7/33 dated 01/03/16; 8/33 dated 01/03/16; 9/33 dated 01/03/16; 10/33 dated 01/03/16; 11/33 dated 01/03/16; 12/33 dated 01/03/16; 13/33 dated 01/03/16; 19/33 dated 18/05/16; 20/33 dated 01/03/16; 21/33 dated 22/04/16; 22/33 dated 18/05/16; 23/33 dated 18/05/16; 25/33 dated 01/03/16; 26/33 dated 18/05/16; 28/33 dated 18/05/16; 31/33 dated 18/05/16; 32/33 dated 18/05/16; 33/33 dated 18/05/16;

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

Director of Supporting Communities



- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 1/33 dated 01/03/16; 2/33 dated 01/03/16; 3/33 dated 01/03/16; 4/33 dated 01/03/16; 5/33 dated 01/03/16; 6/33 dated 01/03/16; 7/33 dated 01/03/16; 8/33 dated 01/03/16; 9/33 dated 01/03/16; 10/33 dated 01/03/16; 11/33 dated 01/03/16; 12/33 dated 01/03/16; 13/33 dated 01/03/16; 19/33 dated 18/05/16; 20/33 dated 01/03/16; 21/33 dated 22/04/16; 22/33 dated 18/05/16; 23/33 dated 18/05/16; 25/33 dated 01/03/16; 26/33 dated 18/05/16; 28/33 dated 18/05/16; 31/33 dated 18/05/16; 32/33 dated 18/05/16; 33/33 dated 18/05/16;

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 Details, or samples of the materials, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Manufacturer's specification details of all facing materials for the hereby approved dormer window (to be submitted to the Local Planning Authority).

The relevant part of the works shall be carried out in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between

dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 For a detailed discussion of the reasons for granting permission, please see the officer's report.
- 4 Trees at and adjacent to this site are not included within a Tree Preservation Order however may be protected by the provisions in section 211 of the Town and Country Planning Act 1990 (as amended) due to their location within a Conservation Area. The proposed development may encroach within the root protection area (as defined in BS5837:2012 Trees in Relation to design, demolition and construction-Recommendations) of several mature trees on/adjacent to the site. This permission confers no rights for any treatment (including any cutting of roots or branches) of any mature tree within a Conservation Area at or adjacent to the site without sending prior notification to the Local Authority. If any treatment is proposed, a 'section 211 notice' should be submitted, six weeks before carrying out work on such trees, unless an exception applies. You are reminded that it is a criminal offence to carry out or cause or permit unauthorised tree works or damage protected trees and a heavy penalty may be liable for such offences. Appropriate precautions should therefore be taken to ensure that no damage is caused to trees during development works.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Supporting Communities

Director of Supporting Communities