

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>22/06/2016</b>	
		N/A / attached		<b>Cons. Expire:</b>	<b>09/06/2016</b>	
<b>Officer</b>			<b>Application Number(s)</b>			
Kasuni Thewarapperuma			2016/2312/P Enforcement Case EN16/0198			
<b>Application Address</b>			<b>Drawing Numbers</b>			
84 Parkway London NW1 7AN			Refer to Decision Notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>			
<b>Proposal(s)</b>						
Erection of rear extension at the second floor level together with retention of water tank on the roof (class C3) (part retrospective).						
<b>Recommendation(s):</b>		<b>Refuse Planning Permission and Warning of Enforcement Action</b>				
<b>Code:</b>	<b>Full Planning Permission</b>					
<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>10</b>	No. of responses	<b>08</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 25/06/2016 expiring on 15/06/2016 and a public notice was displayed in the local press (Ham and High) from 26/05/2016 expiring on 16/06/2016.</p> <p>7 individual comments were received in support from 25 MC, 100 PPA, 456A Bury Road, 22 Ashbourne Avenue, 84 Parkway and 4B Hillcrest Avenue. Overall 21 responses were received; however some of these were repeat objections or blank submissions. The comments can be summarised as follows:</p> <ol style="list-style-type: none"> <li>Precedents of other water tanks in the vicinity, (Nos. 63/65 and 57/59 and 74 Parkway, 174 Camden High Street, 101 Arlington Rd, 27 Mornington Crescent, 10 Albert Street) so the water tank should be approved.</li> </ol> <p>An objection was received on behalf of residents of Gloucester Crescent was received which is summarised as follows:</p> <ol style="list-style-type: none"> <li>Water tank obscure roofline due to excessive height and size</li> <li>Concerns about the precedent effect</li> </ol> <p><i>Officer comments;</i></p> <ol style="list-style-type: none"> <li>No valid planning permissions were found for the stated sites. These have been referred to Enforcement.</li> <li>See sections – 3,4,5</li> <li>See sections – 3,4,5</li> </ol>					
<b>CAAC/Local comments:</b>	<b>groups</b>	<p>Camden Town CAAC:  <i>"We object to this application. We feel it is overdevelopment and that the proposal to create a second storey addition will create a clumsy, block-like extension. It will be an eyesore when viewed from the houses in Gloucester Crescent.</i></p> <p><i>The existing rear elevation still shows the attractive, authentic windows on the second floor which will be blotted out by the proposed second floor addition.</i></p> <p><i>The photograph of the rear elevations of Parkway we know to be an old one."</i></p>				

Officer comment:  
See section - 4

### Site Description

The application site is located at the north western side of Parkway, near the junction with Albert Street. The application building is a three storey mid-terrace property with commercial use on the ground floor (A1) and residential units to the rear of the ground floor and upper floors (C3).

The buildings on this road comprise predominantly various Class A activities at the ground floor level with residential uses (C3) on the upper floors. The application property backs on to Gloucester Crescent which mainly comprise of residential properties.

The property is in the Camden Town Centre and the Camden Town Conservation Area. The property is not listed however is identified as a positive building in the conservation area.

### Relevant History

**2015/0937/P** : Erection of a first floor rear extension to a first floor apartment (revised description) Granted 29/04/2015

**2013/7669/P** : Erection of a single storey rear extension (in retrospect) and alteration to rear roof slope to dwelling Granted 29/04/2014

**2013/0389/P**: Single storey rear extension, first floor extension and alterations to roof to dwelling (Class C3). Refusal and warning of enforcement decision issued 24/04/2013

**P9602141R1** : Erection of an additional floor at roof level for use in connection with the existing maisonette, as shown on drawing numbers PW/96/1/A and /2/A/B, and letters received dated 22nd October 1996 and 26th February 1997. Conditional permission granted 21/03/1997

**P9602141**: Construction of a roof extension to provide additional accommodation. (plans submitted). Withdrawn Application-revision received 13/09/1996

**35925**: Erection of a single storey rear office extension. Conditional permission granted 25/05/1983

**18770**: Erection of a single storey rear extension to the ground floor shop. Conditional permission granted 09/09/1974

**17346**: Change of use of part of the first floor at 84 Parkway, NW1 from surgery to residential use and the erection of a two-storey rear extension on the first and second floors to provide additional living space and the formation of two flats on the two upper floors. Refusal 22/11/1973

**17345**: Change of use of first floor of 84 Parkway, NW1 from surgery and residential use to use as offices and the erection of a 2 storey rear extension to provide additional office and living space. Refusal 22/11/1973

**17344**: Change of use of ground floor of 84 Parkway, NW1 from surgery to restaurant and the conversion of the upper floors into a maisonette. Refusal 22/11/1973

**16825**: Construction of a three-storey rear extension at 84 Parkway, NW1 and the change of use of first floor from residential and surgery use to offices. Refusal: 31/08/1973

**16372**: Construction of a three storey rear extension at 84 Parkway, N.W.1 and the change of use of the ground and first floors from doctor's surgery to offices. Refusal: 21/06/1973

### Relevant policies

#### National and Regional Policy

National Planning Policy Framework 2012 – paragraphs 56-66; 126, 128-136

London Plan 2016 – Policies 7.4, 7.6, 7.8

#### LDF Core Strategy and Development Policies

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

CPG 1: Design – Sections 2, 3, 4 (2015)

CPG 6: Amenity – Sections 7, (2011)

Camden Town Conservation Area Appraisal and Management Strategy 2007- Character Sub-Area 1, Part 2: management strategy – new developments; Quality erosion and loss of architectural detail; Rear Extensions

### **Assessment**

#### **1. Proposal**

- 1.1. The applicant seeks permission to construct a single storey rear extension at second floor level within the footprint of the existing rear extension below. The proposed rear extension would measure 4.1m deep from the existing rear façade, 3.5m wide and 2.3m high. The external walls would be brick with white render to match the existing rear extension and with uPVC windows. The proposed rear window would match the existing rear extension in terms of sizing, materials and alignment.
- 1.2. It is also proposed retain the water tank located to the rear of the roof, which measures 1.5m high and 1m wide. This water tank is intermittently visible from Parkway. There is a pending enforcement case which is linked to this application, in terms of the water tank in particular.
- 1.3. **Revisions:** The initially submitted drawings showed that the existing and proposed rear elevations were inaccurate in terms of the shape of the butterfly roof, existing windows and the chimney. The applicant was requested to provide accurate drawings. These revised drawings were received on 1 June 2016

#### **2. Assessment**

- 2.1 The following assessment will consider the impact upon the character and appearance of the building and the surrounding area as well as the amenity of neighbouring occupiers.

#### **3. Design**

##### *Street Scene*

- 3.1. Parkway is a busy road containing mainly 3-4 storey terraced properties with commercial uses at the ground floor and with residential uses above. Building forms and materials vary along the street. The proposal would not materially affect the front elevations of the existing building when viewed from the street. The water tank proposed to be retained is however intermittently visible from Parkway.

##### *Bulk and scale*

- 3.2. CPG 1 seeks to positively preserve and enhance the character history and nature of existing buildings immediately adjacent to and surrounding – especially in conservation areas. Extensions are required to be subordinate to the original building in scale, and to respect and preserve the original design and proportions of the building.
- 3.3. Extensions should therefore be subordinate to the original building, have regard to the existing pattern of rear extensions. Of note, section 4.13 of the CPG1 strongly discourages extensions higher than one full storey below roof eaves/parapet or rise above the general height of neighbouring projections. The proposed rear extension would fail to achieve this standard.
- 3.4. When considering the planning history of the property, it is of concern that the development and works to existing buildings in the conservation area being undertaken in an ad hoc manner progressively eroding the character and detracting from the townscape. The proposal when considered in context of the terrace as a whole represents inappropriate massing, detailing, materials and inadequate consideration to the form and character of surrounding buildings.
- 3.5. It is acknowledged that a much larger rear extension at no.82 (adjoining the application site) has been erected; however it should be noted that this extension was given planning permission in the 1960s prior to the area being designated as a Conservation area in 1986 and the adoption of the current policy framework. It in fact could be considered as an example of inappropriate development within a Conservation area. Given this, the presence of inappropriately designed extensions cannot serve as a

guide for further development of a similar nature, particularly where it is of detriment to the character and appearance of the host building and the wider Conservation Area.

- 3.6. The progressive addition of stories to the rear extension is inappropriate and erodes the integrity of the urban form, particularly where it is within a Conservation area. There are no recent comparable rear extensions within the terrace. The proposal therefore has the potential to set an unfavourable indication for future development for residential development in the area.

#### *Materials*

- 3.7. The proposed materials for external walls would match those of the previous extensions i.e. brick with white render. It is noted that the original rear façade features stock brick. While the CPG generally discourages rendering of brick facades, it is considered acceptable on balance in this instance to match the existing rear extensions.
- 3.8. The existing window which will be removed as a result of this proposal is a traditional 'six over six' timber framed sash window at rear stairwell. There is no evidence of a strong pattern of fenestration to the rear elevations in this terrace; however the loss of this traditional style of window is of concern. The applicable policies furthermore require that any new windows should match original as closely as possible in terms of style, material and sizing. The proposed uPVC framed window does not meet the policy requirements and are not acceptable for aesthetic and environmental reasons.

#### **4. Conservation Area Values**

- 4.1. Camden Town CAAC submitted in opposition to this proposal, citing overdevelopment of the property and visual impacts on the rear elevation.
- 4.2. While it is accepted that there have been various changes to the buildings in Parkway, the overall rhythms of the rear elevation and original details are retained to a large extent. It is considered that the incremental loss of these elements would be detrimental to the architectural qualities of the Conservation Area. The cumulative effect of the past applications and the current application at this site for successive rear and roof alterations are an example of such a situation.
- 4.3. At the second floor level, the proposed extension and water tank (retrospective) are highly visible from Gloucester Crescent and vice versa. Neighbours have raised the issue of views being obstructed. Given the urban context of the site, right to a view would not be given material weight as a planning matter in this instance. However, the Camden Town Conservation Area Appraisal and Management Strategy identifies that the rear elevations are just as integral to the character of the conservation area as those at the front. The unbroken line of roof forms is a feature that is largely preserved in the terrace.
- 4.4. The water tank therefore forms an unacceptably obtrusive element in the roof line. Furthermore, the proposed rear extension would be out of character with the majority of the terrace. See section 3 above for discussion for the existing extension at no. 82.
- 4.5. A site visit has revealed that the rear chimney has already been lost which does not have planning permission. See section 7 for further discussion on this matter. The loss of the existing timber framed sash window at the stairwell adds to the incremental loss of architectural features of the host building, and by extension, of the overall terrace of which it is part. This is not considered as acceptable in Conservation terms.

#### **5. Amenity**

- 5.1. Given the layout of the application site and the adjoining properties, the adverse effects of the proposal would mainly be limited to the flats at no. 86 Parkway.
- 5.2. The proposed rear extension would measure 4.1m deep from the existing rear façade, and 1.2m from the flank wall to the shared boundary with no.86 Parkway. The nearest window is located 3.1m from the flank wall of the proposed rear extension. This effect is similar to that considered in previously granted planning permission 2015/0937/P for a first floor level rear extension. While there may be some increase in sense of enclosure to the occupants of this property, the site orientation and the separation distance from the window, it is considered as acceptable on balance. Given this, the proposal is not considered to adversely affect the amenities of this neighbour.
- 5.3. It is considered that the proposal would result in a detrimental loss of privacy when compared to the existing situation, particularly to the rear at Gloucester Crescent. The proposed rear extension would

introduce a window to a new bedroom at second floor flat. This elevation currently features a window to the stairwell. It is acknowledged that the relationship of a bedroom window overlooking the rear properties already exist at the first floor level for the lower flat. The current proposal would however increase the existing situation in terms of number of people overlooking the rear as well as the viewing angle, which would be greater due to the higher viewing angle than the existing first floor extension

## **6. Other Matters**

- 6.1. A site visit has revealed that the chimney element has been removed from the rear elevation without the requisite consent.
- 6.2. Previously refused application 2013/0389/P recognised that this feature is a notable architectural element, the loss of which was not acceptable in planning terms. The subsequent planning applications (ref: 2015/0937/P and 2013/7669/P), including the initially submitted plans of this application showed that this element was to be preserved. It should therefore be noted that permission for these unauthorised works has not been sought by the applicant as part of this application and are the subject of a separate enforcement action.
- 6.3. However, without prejudice to any future application in this respect, the loss of the chimney is considered to be an unacceptable alteration to the rear elevation of the property. The applicant will be advised by way of informative to the decision that this matter has been referred to Enforcement separately to this planning application.

## **Recommendation**

### **Recommendation: Refuse Planning Permission and Warn of Enforcement Action to be Taken**

#### **Reasons for refusal**

1. The unauthorised water tank located at the main roof level, by reason of its location, position and overly bulky appearance would be detrimental to the character and appearance of the building property and the surrounding Camden Town Conservation Area. The development is therefore contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.
2. The proposed second floor rear extension, by reason of its size, siting and detailed design including the choice of materials, would be detrimental to the character and appearance of the building property and the surrounding Camden Town Conservation Area. The development is therefore contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.
3. The proposed second floor rear extension, by reason of its siting and height would result in an increased loss of privacy experienced by the occupiers of no. 86 Parkway and to the rear of properties at Gloucester Crescent. It would therefore be detrimental to their residential amenity, contrary to policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

The Head of Legal Services shall be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation

of the breach of planning control.

**The Notice shall allege the following breach of planning control:**

Unauthorised installation of water tank on roof of dwelling (Class C3).

**What you are required to do:**

- 1) Remove the unauthorised water tank
- 2) Make good any damage caused.

**Period of compliance:**

The notice shall require that the above is carried out within a period of 3 calendar months of the notice taking effect.

**REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:**

1. The unauthorised water tank located at the main roof level, by reason of its location, position and overly bulky appearance would be detrimental to the character and appearance of the building property and the surrounding Camden Town Conservation Area. The development is therefore contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.