

Delegated Report		Analysis sheet	Expiry Date:	02/09/2016
		N/A / attached	Consultation Expiry Date:	11/08/2016
Officer			Application Number(s)	
Raymond Yeung			2016/3846/P	
Application Address			Drawing Numbers	
21 Rosecroft Avenue London NW3 7QA			See decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Variation of condition 2 (Development in accordance with approved plans) granted under reference 2016/0218/P dated 22/03/16 for erection of rear extensions to lower ground, upper ground, first and second floors and alterations to fenestrations and to the ground front entrance area. Namely to alter the rear and side fenestrations and materials from brick to white upvc windows on the first and second floor, changes to windows to upper ground floor of the rear extension. Increase of roof overhang to extension and rear terrace at lower ground level.				
Recommendation(s):		Refused		
Application Type:		Variation of details.		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	10	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	Site notice displayed: 15/07/16 – 05/08/16 Press notice displayed: 21/07/16-11/08/16					
CAAC/Local groups* comments: *Please Specify	Redington and Frogna! CAAC were consulted: No comments received to date.					

Site Description

The application property relates to a 1960's semi-detached property on Rosecroft Avenue. The property is a brick-built, single family dwelling on three storeys with an additional lower-ground floor level. The property is within the Redington and Frogna Conservation Area (adopted in 1985) 'sub area 2' and is noted as having a neutral contribution to the area. The gradient of the ground slopes down from south to north.

Relevant History

PWX0002033-Certificate of proposed use for replacement window and doors and new stair at side and rear. GRANTED 24/02/2000.

2012/6688/P-Single storey rear extension to lower ground floor levels of existing dwelling house (Class C3). GRANTED 26/02/2013. This included planning permission for the 3 new windows shown on the flank elevation on this application. The applicant has stated in their design and access statement that the current application is in relation to the 2-storey extension only.

2013/1623/P-Certificate of Lawfulness (Proposed) Erection of 2-storey rear/side extension in connection with existing dwellinghouse (Class C3). REFUSED 02/04/2013

Refusal reason:

The proposed development would not constitute permitted development as the enlarged part extends beyond a wall forming a side elevation of the original dwellinghouse. The proposal therefore fails to comply with Schedule 2 Class A of Part 1 of the Town and Country Planning (General Permitted Development) Order 1995, as amended by the No. 2 Amendment Order 2008.

2014/6453/P - Erection of 2 storey rear extension to form 2nd floor and 2 x windows on the side elevation in obscure glass. REFUSED 19/01/2015

Refusal Reason:

The proposed extension, by reason of its height, form, bulk and location would fail to be subordinate to the host building, would detract from the symmetry and uniformity of the semi-detached pair to the detriment of their appearance, and would harm the character and appearance of the Redington and Frogna Conservation Area, 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.

Appeal allowed Ref: APP/X5210/D/15/3004848- 20/05/2015

2015/4575/P - Erection of a single storey rear extension to the lower ground floor. GRANTED 25/09/2015

2016/0218/P - Erection of rear extensions to lower ground, upper ground, first and second floors. Alterations to fenestrations to the side elevation to lower ground, upper ground, first and second floor. Alterations to the ground front entrance area. GRANTED 22/03/2016.

Relevant policies

The London Plan 2016

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 2011:

CPG1 Design: Chapters 1- 5

CPG6 Amenity:

NPPF 2012

Redington and Frognal Conservation Area Statement (2003)

Policy RF23

Assessment

1. Proposal :

1.1 The application is to alter the rear and side fenestrations and materials from brick walls/aluminium framed windows to larger white upvc framed windows on the first and second floor, changes to windows to upper ground floor of the rear extension. Increase of roof overhang to extension and rear terrace at lower ground level from the previous permission 2016/0218/P.

1.2 The removal of two rainwater hoppers and rainwater pipes previously shown to the rear at upper ground, first and second floor levels – the rainwater pipes are now concealed which would not need permission and therefore does not form of the assessment.

2. Assessment:

2.1 Principal issues: a] Design and impact on the character and appearance on the Conservation Area, b] impact on amenity.

3. Design and the Impact on the Conservation Area:

3.1. Policy DP24 advocates for the highest standard of design and in considering proposals the Council takes into account the character, setting, context and the form and scale of neighbouring buildings. Where alterations and extensions are proposed the Council also considers the character and proportions of the existing building. Policies CS14 and DP25 seek to preserve and enhance the character and appearance of conservation area.

Works to the proposed lower ground rear extension

3.2 The property as identified in the history section above has been given permission to extend the property at all, the majority of the works have not been implemented. The previous permission is a consolidation of most of the previous permissions.

3.3 The green roof to the lower ground floor is cantilevered slightly beyond the previously shown roof. The edge of the roof now matches the edge of the garden level terrace, this is considered acceptable as it would create minor increase in size , bulk and massing. The increase of a green roof is welcome.

Lower ground floor terrace

3.4 The internal level of the lower ground floor has been slightly lowered (320mm approx.), all within the approved footprint, so that the terrace is only one step down (c150mm) to the garden (the level change is lower than the permitted development height of 350mm above ground level). This level change removes the steps shown previously (on plan and elevation) and removes the Juliet balustrades shown previously (to rear and side elevations at lower ground floor level). The terrace itself is slightly wider than the previous scheme this is considered acceptable as it would create a minor increase in size, bulk and massing.

Upper ground floor

3.5 The proposed change to the existing upper ground floor rear window (to current dining room) from white Upvc to a 'box' window with minimal glazing would project 300mm from the outside face of the wall and would be formed in frameless glazing with silicone joints/ slimline mid grey aluminium frames to create an 'oriel' window. The above is considered unacceptable, the proposal to remove a traditional style and sized window (albeit UPVC) to install an isolated modern looking projecting box shaped window would appear incongruous to the host and adjoining property.

3.7 The upper ground level corner glass 'box' has been changed to the rear to show the large single panel of glass split into two panels, one of which is a sliding glass door to provide ventilation. A glass Juliet balustrade has been added to prevent any access to the green roof of the lower ground floor extension. This is considered acceptable due to the minimal alteration and nature.

Change of fenestration size, details and materials on First and Second floors

3.8 Policy and legal context

3.8.1 Page 31 of CPG1 (Design) states (extracts of relevant paragraphs in 4.7);

Good practice principles for external alterations

Alterations should always take into account the character and design of the property and its surroundings. A harmonious contrast with the existing property and surroundings may be appropriate for some new work to distinguish it from the existing building; in other cases closely matching materials and design details are more appropriate so as to ensure the new work blends with the old.

Windows

- *Where it is necessary to alter or replace windows that are original or in the style of the originals, they should be replaced like with like wherever possible in order to preserve the character of the property and the surrounding area.*
- *New windows should match the originals as closely as possible in terms of type, glazing patterns and proportions (including the shape, size and placement of glazing bars), opening method, materials and finishes, detailing and the overall size of the window opening.*
- *Where timber is the traditional window material, replacements should also be in timber frames.*

Materials

- *Wherever possible you should use materials that complement the colour and texture of the materials in the existing building, see also CPG3 Sustainability (Sustainable use of materials chapter). In historic areas traditional materials such as brick, stone, timber and render will usually be the most appropriate complement to the existing historic fabric; modern materials such as steel and glass may be appropriate but should be used sensitively and not dominate the existing property.*
- *Materials for alterations should weather well, so their ageing process contributes positively to the character of the building, and the site's wider context.*
- *Original surface finishes should be retained or replicated wherever possible, as they are usually central to the architectural design / character treatment of a building. These may cover the entire building or façade (such as stucco facing), the roof elements (such as roof tiles and roof ridges), highlight specific features (such as windows or doors) or act as decorative elements (such as ironwork or terracotta panels).*
- *Alterations or repairs to brickwork or stonework should match the original in all respects while satisfying the needs of durability and maintenance. This should include matching the original bond, mortar colour and texture. Retention of any existing pointing is encouraged wherever possible.*
- *Painting, rendering or cladding of brickwork will normally be resisted, as it is often unsightly and can damage the appearance of a building by obscuring the texture and original colour of the façade. Painting, rendering or cladding may also trap moisture, which can cause major damp problems in the masonry*

3.8.2 Redington and Froggal Conservation Area Statement policy RF23-Rear Extensions;

Extensions and conservatories can alter the balance and harmony of a property or a group of properties by insensitive scale, design or inappropriate materials. Some rear extensions although not widely visible, so adversely affect the architectural integrity of the building to which they are attached that the character of the conservation Area is prejudiced. Rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area.

It is considered that the proposals would not comply with the policies and guidance above for the reasons stated in the following paragraphs.

3.9 Firstly, it is not accepted by the paragraphs within the submitted Design & Access Statement that the proposed glazing would replace the UPVC windows to the rear elevation. The windows on the existing property are UPVC, however the previously granted permission, which this application is intending to vary gave permission for aluminium windows. So the proposal would not be replacing upvc windows but replacing subservient smaller aluminium framed windows with a fully glazed facade.

3.10 The previously approved permission included brick walls with modest and proportionally sized aluminium windows, however this application intends to change the first and second floor of the rear extensions to full height glazing to the rear and side, effectively turning it into a glazed box with double glazing comprising fixed transparent panels to the rear, together with sliding glass doors with Juliet glass balustrades on both floors. At the sides of the rear extension, brick would be replaced with fixed translucent or opaque double glazed panels including two high level side windows (above eye level height) to the north west.

3.11 The host property/semi-pair and many of the surrounding properties are predominantly in traditional brick within this conservation area. The fenestrations of the extensions previously approved application was sympathetically designed, the revised proposal of a fully glazed first and second floor would be an incongruous addition to the rear and side façade at high level which would detract any form, character and appearance of the rear façade from the original building and would be harmful to the host building and conservation area contrary to CPG1 Design guidance.

3.12 It is accept that as commented within their Design & Access statement the proposal would affect only the rear areas of the main property, it would be largely unnoticed in the majority of public views and the effect on the townscape would not be as apparent as a change to the front of the property. However, the significance of the CA derives from the buildings and layout as a whole, regardless of whether particular elements are open to public view. Its significance does not therefore rely only on the elements that can readily be seen. Consequently, the proposal would result in a diminishing effect on the character of the CA. The CA is a designated heritage asset to which the proposal would cause harm counter to the development plan and the Framework. In the terms of the Framework, the proposal's effects would not materially create substantial harm to the significance of the designated heritage asset. However, though less than substantial, the Framework states that any harm to the significance of a designated heritage asset requires clear and convincing justification. Paragraph 134 of the Framework indicates that such harm is to be weighed against the public benefits of a proposal. The appellants have not identified any public benefits that would be sufficient to outweigh the harm to the CA.

3.13 The proposal would appear as a prominent feature in the rear garden or as seen from neighbouring properties. The scheme is not in accordance with Camden's development polices and guidance and would not preserve and/or enhance the character and appearance of the conservation area. The proposals and are not seen to meet with Section 72 of the 1990 Planning and Listed Building Act which states that proposals should preserve and enhance, nor para 137 of the NPPF.

3.14 With the above taken into consideration, the proposed first and second floor alteration from brick walls and standard proportionally sized windows to a fully glazed extension , by virtue of its design and materials would represent an overly dominant, visually intrusive structure which would be at odds with the modest character of the host building, the semi-detached pair and the surrounding conservation area. As such the proposal is contrary to CS14, DP24 and DP25 of the LDF and CPG1 Design.

4. Amenity:

4.1 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."

4.2 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.

4.3 With regards to the proposed first and second floor windows on the north facing side elevation, they would be within 10 metres of the windows and garden areas to the side of adjoining neighbour 23 Rosecroft Avenue, this is considered to result in an increase of overlooking which would result in a harmful loss to this neighbour. It is noted that the glass is to be obscure/opaque however it is considered that having full length glazing would lead to an undue sense of being overlooked to the detriment of the neighbour.

4.4 The proposal would be contrary to policy CS5 (Managing the impact of growth and development) 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.

5. Conclusion:

5.1 The proposed glazing on the first and second floor rear extension by reason of design and materials, would result in harm to the character and appearance of the building, the semi-detached pair which it forms a part, and this part of the Redington and Frognaal Area. Furthermore the works would cause harm to the privacy enjoyed by neighbouring residents. Therefore the development would be contrary to policy CS14 (Promoting high quality places and conserving our heritage) the London Borough of Camden Local Development Framework Core Strategy; Design guidance CPG1 and policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

Recommendation: Refuse planning permission for the variation of details.