



Design & Access Statement For:

**31 Briardale Gdns,
London, NW3 7PN**

prepared for:

Mr. M. & Mrs. B. Patel
31 Briardale Gardens
London, NW3 7PN

by:

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Revision: --

November 2016

ultra violet

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Design Statement

1.0 Purpose:

The site is occupied by a three storey semi-detached dwellinghouse located on the northern side of Briardale Gardens within Sub Area One of the Redington/Froggnal Conservation Area. The area is characterised by Arts and Crafts style semi-detached houses likely designed by the architect Charles Quennell. The site backs onto the rear gardens of Nos. 8 and 10 Pattison Road (LB Barnet), and is 2m narrower than either neighbouring site on Briardale Gardens.

This proposal is for a single storey rear extension, together with new dormer to rear main roof and flush rooflight to main roof of front elevation. There is a recent planning approval for a similar sized extension, ref: 2014/3668/P. We have appended the decision notice, officer's report and drawings.

2.0 Design and Massing:

The design intent of the new extension is to provide a modern architectural proposal which is also sympathetic to the host building both in façade treatment and scale. The extension will use facing brickwork to match the existing and the footprint will be slightly less than the previously approved scheme. We have indicated the outline of the recently approved scheme in red on our ground floor plan and rear elevation.

3.0 Environmental Impact

There was significant objection raised by both neighbouring property owners to the previous approved application. The objections mainly concerned the height of the proposal, together with the size and location of the glazed roof lantern. This application seeks to address these objections further by removing the roof lantern and replacing it with flat rooflights. The area of new rooflight will be 5.4 sq/m compared to the previously approved rooflight area of 12.3 sq/m. We have also lowered the extension adjacent to the boundary with no.33 Briardale Gardens to match the parapet level of their recently constructed rear extension.

The extension will be detailed to a high standard and use quality materials to create a positive contribution to its environment.

There is an existing Magnolia tree adjacent to the rear extension, and a tree report and tree protection plan were commissioned for the previous application. As the report is less than 3 years old, and the rear extension location is similar to the approved scheme we have included this report in our planning application. The report concludes that "...Only minor pruning works will be required to accommodate the extension. This will not prove detrimental to the health of the Magnolia..."

The owners of the property have recently applied for and received planning approval to prune the magnolia:

Application Number 2016/3403/T REAR GARDEN: 1x Magnolia (T1) -1m overall crown reduction but on property side of tree there will be a 2 m reduction. 1 x Eucalyptus (T2) - crown reduction to 2m above previous pruning points.

Wherever possible sustainable materials will be used.

Increased ambient light levels in the new and adjacent spaces will decrease the need for artificial lighting and be beneficial to the well being of its occupants.

The proposal will need to pass Building Regulations Requirements for part L, conservation of fuel and power. To compensate for the heat losses through the extensive areas of glass the existing building will have its levels of insulation upgraded. This may be subject to a SAP rating.

4.0 Access Statement

The new extension will not alter the existing pedestrian or vehicular access to the property.

The proposal does not hinder the use of the building by its current or future inhabitants.

Mr M Blake
Martin Blake Associates Ltd
4 Miles
Bath
Somerset
BA1 2QS

Application Ref: **2014/3668/P**
Please ask for: **Emily Whittredge**
Telephone: 020 7974 **2362**

5 February 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
31 Briardale Gardens
London
NW3 7PN

Proposal:
Erection of single storey ground floor rear extension, alterations and additions to existing window openings and installation of roof lights.
Drawing Nos: 364-S-00, 364-P-01E, 364-P-02A, 364-P-03D, 364-P-04C, 364-P-05, 364-S-01B, 364-S-02B, 364-S-03B, 364-S-04C, Tree Report, Tree Protection Plan (13/01/2016), Design and Access Statement, email from applicant (27/01/2016)

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

Condition(s) and Reason(s):

- 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: 364-S-00, 364-P-01E, 364-P-02A, 364-P-03D, 364-P-04C, 364-S-01B, 364-S-02B, 364-S-03B, 364-S-04C, Tree Report, Design and Access Statement

- 4 Prior to commencement of works on site, the tree protection measures detailed in the approved documents shall be installed in line with BS5837:2012. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details. A pre-commencement site meeting shall be undertaken with the applicants arboricultural consultant, the tree contractor, the site manager and the LPA tree officer to establish the extent of any pruning of T1 that is required and to agree on any other finer points of detail that may be required prior to works commencing.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

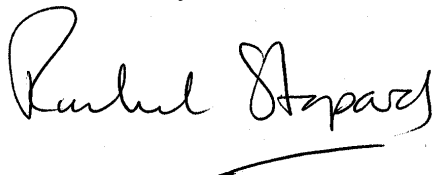
- 4 The applicant is advised to refer to the Bat Conservation Trust Interim Guidance on artificial lighting and wildlife (www.bats.org.uk).

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



Rachel Stopard
Director of Culture & Environment

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|---|----------------------------|---------------------------------------|-------------------------------------|-------------------|
| Delegated Report | | Analysis sheet | Expiry Date: | 16/12/2014 |
| (Members Briefing) | | N/A / attached | Consultation Expiry Date: | 31/12/2015 |
| Officer | | | Application Number(s) | |
| Emily Whittredge | | | 2014/3668/P | |
| Application Address | | | Drawing Numbers | |
| 31 Briardale Gardens London NW3 7PN | | | Refer to Draft Decision Notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
| | | | | |
| Proposal(s) | | | | |
| Erection of single storey ground floor rear extension, alterations and additions to existing window openings and installation of roof lights. | | | | |
| Recommendation(s): | | Grant conditional planning permission | | |
| Application Type: | | Householder Application | | |

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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified (original scheme) | 2 | No. of responses | 40 | No. of objections | 40 |
| | No. notified (revised scheme) | All original plus all respondents | No. of responses (revised scheme) | 3 | No. of objections (revised scheme) | 3 |
| Summary of representations: | <p>Site Notice 20/06/14 – 11/07/14. Press Notice: 26/06/14 – 17/07/14.</p> <p>The proposal under consideration has been substantially revised since the original submission and there is a significantly lower level of objection to the amended scheme. The original objections overwhelmingly centred on the proposals for a basement, which has been omitted.</p> <p>For clarity, the summary of responses below is divided into two sections: objections to the original proposal, and objections to the amended proposal.</p> <p>The revisions to the proposal included:</p> <ul style="list-style-type: none"> • Omission of the basement; • Reduction of the roof lantern width from 6 metres to 2.6 metres; • Reduction of the bay window depth from 1.4 metres to 0.7 metres • Some of the alterations to the fenestration in the flank elevation have also been omitted. <p>Original proposal</p> <p>In response to the <u>original</u> proposal, letters of objection were received from Nos.</p> <p>2B Briardale Gardens, 5 Briardale Gardens, 10 Briardale Gardens, 16 (Flat 2) Briardale Gardens, 16 (Flat 7) Briardale Gardens, 19 Briardale Gardens, 25 Briardale Gardens, 25A Briardale Gardens, 29 Briardale Gardens, 33 Briardale Gardens, 35 Briardale Gardens, 37 Briardale Gardens, 39 Briardale Gardens, 382 Finchley Road, 20 Lyndale Avenue, 2 Pattison Road, 6b Pattison Road, 8 Pattison Road, 14 Pattison Road, 31 Pattison Road, 33 Pattison Road, 46 Pattison Road, and an unspecified address in Hampstead.</p> <p>Objections were made on the following grounds:</p> <ol style="list-style-type: none"> 1. <i>Design</i> – Loss of existing Arts & Crafts rear bay window; the proposed basement and front lightwell are not characteristic of the area; overdevelopment of a modest house in a conservation area into a ‘mansion’; the proposal is contrary to the Conservation Area Statement Redington/Frognaal; will set an undesirable precedent; the proposed rear extension is too modern, tall, wide, deep and voluminous; the glazed roof is not in keeping with the character of the area; the adjoining rear extension at No. 33 Briardale Gardens should not be used as a precedent; various similar application in the area refused by Council | | | | | |

2. *Amenity* – The glazed roof of the proposed rear extension will result in light spill, noise and privacy impacts to habitable windows on adjoining and nearby buildings; the proposed rear extension will result in a loss of natural light and outlook to habitable windows on adjoining and nearby buildings; the proposal will result in additional rats and foxes in the area; the two proposed side windows will impact on the privacy, security and accessibility of the adjoining property.
3. *Basement Impact* – The existing geology (London clay) and hydrology of the site is not suitable for a basement; there is a 10 foot deep culvert to the rear of the site which could be connected to an underground waterway, spring or well (perhaps Blakett's Well); the site is on a slope which has not been considered; there is a history of subsidence, heave and landslip in the area which other properties have suffered from; there was surface water flooding nearby in the past; the proposal will affect the structural stability of adjoining and nearby buildings; the proposal will affect the water table; the applicant has not undertaken soil testing, hydrogeology tests, boreholes, standpipe monitoring or the like; the applicant has conducted no tests on mechanical properties, investigation of variability or strength parameters; when four test holes were dug on the site two filled with water; the two adjoining properties have only shallow foundations; unacceptable consideration of construction methods; the proposal would result in a large increase in hard surfaces/paved external areas; basement should only be considered if to both semi-detached properties; the existing basement at the subject dwelling is prone to flooding; the attached dwelling does not have a comparable basement to the existing basement in the subject dwelling.
4. *Landscaping, Trees & Biodiversity* – The proposal will result in the loss of an unacceptable amount of green space in the rear garden; the proposal should include condition restricting any further hard-standing to front or rear; the proposal will damage an existing Magnolia tree in the rear garden; because no soil investigation has taken place there is no evidence to suggest that the tree protection measures proposed would be sufficient; the proposed glass roof and associated light will have an unacceptable impact on local wildlife; no assessment on the impact of the proposed development on adjoining trees.
5. *Construction* – The proposal would result in unacceptable noise, vibration, general disturbance, dust, air quality, traffic congestion and parking problems.

Officer comment

Please see sections 3 (design), 4 (amenity), and 5 (trees and wildlife) within the main body of the report (below).

Objections to the basement are not considerations for the revised scheme, which does not include a basement proposal.

Construction works and associated noise are considered temporary in nature and able to be managed by the Control of Pollution Act 1974. The public is able to contact Environmental Health if any concerns arise during the construction period [here](#).

Revised proposal

In response to the revised proposal (received on 8 December 2015), additional comments were received from 3 parties who had previously objected. The comments are summarised below:

Nos. 29 and 33 Briardale Gardens and 2 Pattison Road objected on the following grounds:

1. *Design* – Object to proposed changes to the façade and new fan light. The design of the extension is overbearing and not in keeping with the conservation area. The roof lantern/glass is not characteristic of the original design. Where the same architect incorporates conservatories, these do not over dominate the dwelling and do not have bay windows.

2. *Amenity* – The size and proximity of the extension to the rear boundary would be intrusive. The height of the glass roof and decorative elements would cause a loss of amenity. The size of No. 33's extension is misrepresented in the design statement. The extension should be no higher than 3 metres, and should be scaled back in depth. The proposed roof lights and roof lantern would allow ambient light and light from a TV to intrude into adjoining bedrooms. The roof glazing should be obscured to limit light egress. The unobscured glass would allow adjoining occupiers to see inside the proposed extension and would impact on views. Larger panes should be used in the rear windows to obtain light, rather than having glazing in the roof. The glazed roof would not provide insulation from noise.

3. *Landscaping, Trees & Biodiversity* – The submitted tree assessment is not comprehensive. The impact on the Magnolia tree in the application garden and trees in neighbouring gardens have not been taken into account. Mini pilings should be considered for foundations to preserve tree roots. Light pollution from the roof lights and roof lantern would be harmful to bats, owls and other species along the wildlife corridor to the rear of the application site.

4. *Construction* –The proposed development risks damage to neighbouring gardens, which are not covered by insurance. A construction management plan must be submitted to prevent chemicals from being carried downhill by rain.

Officer comment

Please see sections 3 (design), 4 (amenity), and 5 (trees and wildlife) within the main body of the report (below).

Some of the grounds of objection received are not material planning considerations and cannot be taken into account in the determination of this application. These include: damage to property, factual misrepresentation of a proposal, and issues covered by other legislation (i.e. building regulations).

The Applicant submitted a Construction Management Plan with the original version of the scheme, as this involved major engineering works to form the basement. The revised proposed works are not of a scale which would warrant a construction management plan.

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| <p>Redington Froggal CAAC</p> | <p>In response to the original set of plans, objections were made on the following grounds:</p> <p>1. <i>Design</i>-- The take up of front garden with the proposed light well. Rear doors and windows are out of character with those on the main house</p> <p>In response to the amended set of plans (received on 8 December 2015), objections were made on the following grounds:</p> <p>1. <i>Design</i> – The proposed additions are unsympathetic to this important pair of houses and would greatly harm their detail, scale and setting. Both front and rear gardens make important positive contributions to Sub Area One of the Conservation Area and street scene. The introduction of glazing over the front door would compromise the historic original design of the pair of houses. The removal of the chimney will harm the character of the house and the semi-detached pair. Paving the front garden would harm the street scene and cause water run-off.</p> <p>2. <i>Landscaping, Trees & Biodiversity</i> – The proposals could damage the Magnolia tree in addition to the Cherry tree in the garden of No. 29, which provide amenity to the residents of adjoining properties. The glass turret would prevent foraging by bats and owls. The extension and patio would cause too much loss of garden area. A Phase 1 Habitat Survey should be commissioned.</p> <p>3. <i>Amenity</i> – The extensive glazing would cause loss of privacy and overlooking to neighbours.</p> <p>Officer comment</p> <p>Please see sections 3 (design), 4 (amenity), and 5 (trees and wildlife) within the main body of the report (below).</p> <p>The amended plans (received 27/10/2015) do not include any works to the front garden and therefore the comments relating to paving are not relevant to the determination of this application.</p> <p>The application site is not, and does not adjoin, a site designated for its biodiversity value. A biodiversity survey would not be required as part of the application. Please see section 5 (trees and wildlife) within the main body of the report (below).</p> |
| <p>The Heath & Hampstead Society</p> | <p>In response to the original set of plans, the following comments were made:</p> <ul style="list-style-type: none"> • The submitted Basement Impact Assessment is inadequate • Detrimental impact on locally listed building <p>In response to the amended set of plans (received on received on 8 December 2015), the following comments were made:</p> <ul style="list-style-type: none"> • Reiteration of previous objections <p>Officer comment</p> <p>The basement has been omitted from the revised scheme.</p> <p>The building is not on the Council's Local List. Please see section 3, which relates to design and the impact on the character and appearance of the Conservation Area.</p> |

**Barnet London
Borough Council**

Raises no objection

Officer comment

Barnet LPA was consulted as the application site backs onto properties within the London Borough of Barnet.

Site Description

The site is occupied by a two storey semi-detached dwellinghouse located on the northern side of Briardale Gardens within Sub Area One of the Redington/Frogna Conservation Area. The area is characterised by Arts and Crafts style semi-detached houses likely designed by the architect Charles Quennell. The site backs onto the rear gardens of Nos. 8 and 10 Pattison Road (LB Barnet), and is 2m narrower than either neighbouring site on Briardale Gardens. The site level of No. 33 is currently approximately 1 m lower than the application site.

Relevant History

2014/5117/P –Certificate of Lawfulness (Proposed) for Excavation of single storey basement extension – Refused 10/07/2015 for comprising major engineering works outside the scope of Class A of the GPDO.

2005/0635/T - REAR GARDEN 1 x Magnolia - crown reduce 25% - No objection raised 21/03/2005

No. 33 Briardale Gardens

2011/2535/P - Erection of a single storey rear extension, front infill extension and installation of timber doors and Juliette balcony at first floor rear elevation of existing dwelling (Class C3). – Granted 26/07/2011.

Permission was granted for a full-width L-shaped rear extension measuring part- 2.5m deep including a bay window, and part- 6m deep from the principle rear wall of the dwelling. It replaced an original brick lean-to and later garden store, and an original bay window. The approved extension included three roof lights, which were omitted in construction.

No. 29 Briardale Gardens

There is planning history on this site c. 1938 for an unknown development at the rear of the dwelling. The property has a full-width 2.9 m deep rear extension with a roof terrace.

Relevant policies

National Planning Policy Framework (2012)

London Plan 2015 consolidated with alterations

LDF Core Strategy and Development Policies 2010

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

DP22 Promoting sustainable design and construction

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP28 Noise and vibration

Camden Planning Guidance

CPG1 Design (2013)

CPG3 Sustainability

CPG6 Amenity (2011)

Redington Frogna Conservation Area Statement (2000)

Assessment

1.0 Proposal

1.1 The application seeks planning permission to construct a single storey rear extension with central bay window, and a parapeted flat roof with roof lantern. The development would involve the removal of the existing lean-to and bay window. The proposed rear extension would extend the full width of the dwelling at 7.2 metres wide.

1.3 The extension would measure 3.35 metres deep on the boundary as measured from the principle rear wall of the house, with the bay window projecting an additional 0.74 metres and inset approximately 2 metres from each side boundary. The bay would replicate the size of the existing bay on the rear elevation.

1.4 The height of the parapet wall would align with the flat roof height of No. 29, measuring 3.3 metres high. The roof lantern would measure 3.9 metres high at the ridge, at a distance of 3.6 metres from each flank boundary. The base of the roof lantern would be inset 2.4 metres from each flank boundary. The lantern structure would appear 0.67 metres higher than the parapet and would feature a small decorative ball finial at the apex.

1.5 The application proposes the installation of a roof light to the front roof slope, and a fan light above the entrance door. A chimney stack in the front roof slope would be removed. A new obscure-glazed window would be installed in the flank elevation at first floor level, and two existing flank windows would be replaced.

2.0 Assessment

2.1 The principle considerations in the determination of the application are as follows:

- Design – the impact of the proposal on the character of the host property as well as that of the wider Redington and Frogna Conservation Area);
- Amenity - the impact of the proposal on the amenity of adjoining occupiers; and
- Trees and Landscaping – The impact of the proposal on trees within and adjoining the application site

3.0 Design

3.1 Policy CS14 aims to ensure the highest design standards for developments. Policy DP24 states that the Council will require all developments to be of the highest standard of design and respect character, setting, form and scale of neighbouring properties and character and proportions of the existing building.

3.3 Camden Planning Guidance 1 Design paragraph 4.10-4.15 states that extensions should be designed proportionally in relation to the existing buildings and groups of buildings and in particular should be secondary to the building being extended in terms of form, scale and proportions. 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.

3.4 The houses in Briardale Gardens are identified in the Redington/Frogna Conservation Area Appraisal (RFCAS) as making a positive contribution to the conservation area. The works at the rear would not be visible from the public realm or the street scene along Briardale Gardens, which thereby limits the impact of the proposal on the character and appearance of the wider area. Nevertheless, the RFCAS notes that rear extensions can adversely affect the architectural integrity of a building and so prejudice the character of the conservation area; and therefore special attention needs to be paid

to the impact of the proposed works on the character and appearance of the host building.

3.5 The plans were amended during the course of the application to omit the basement and the associated works to the front garden. The width of the roof lantern has been reduced from 6 metres to 2.6 metres, and the depth of the bay window has been reduced from 1.4 metres to 0.7 metres. Some of the alterations to the fenestration in the flank elevation have also been omitted.

3.6 The RFCAS notes that rear extensions should normally be no more than one storey in height (RF23); and goes on to note that extensions should be in harmony with the historic pattern of extensions within the group of buildings. The acceptability of larger extensions will depend on the particular site and circumstances (RF24). Both properties adjoining the application site have full-width single storey rear extensions with flat roofs, but these differ from one another significantly in form and appearance.

3.7 There have been a significant number of single storey rear extensions to the houses in Briardale Gardens, but there is no uniform style or pattern of development to which the proposed development could adhere.

3.8 It is noted that an application for a single storey rear extension was refused at No. 14 Briardale Gardens in 2014, but a certificate of lawful development was obtained shortly thereafter for the same development as it complied with the limits and conditions of the GPDO and did not require formal planning permission. The applicants could similarly exercise permitted development rights for a single storey full width extension of similar mass and volume to that which is being proposed.

3.9 No. 29 has a 2.9 m deep extension, and No. 33 (on a lower site level) having an L-shaped extension part 2.5 m, part 6 m deep. The application dwelling forms a pair with no. 29, and the proposed development would bring its rear elevation closer in line with No. 29, its parapet aligning in height with the adjoining flat roof, and its rear wall extending 0.46m deeper.

3.10 The shallow bay window at the rear of the extension replicates an original architectural feature that is proposed to be removed, and would not dominate the principle form of the extension. The replication of the original bay window was employed in the recent extension at No. 33. Bay windows are a feature of the rear elevations in Briardale Gardens and their use in new development helps to preserve and enhance their character.

3.11 The proposed extension features a roof lantern within the flat roof, of which 0.29 m of its height would be concealed behind the parapet wall, with 0.67m of the structure higher than the parapet. It would measure 2.6 m wide at its base, set back 2.4 m from both sides. Due to its limited height and width, this architectural feature does not dominate the principle flat-roofed character of the extension being proposed, nor does it detract from the design as a whole.

3.12 Objections have been raised by adjoining occupiers and the Redington Frognaal Society to the inclusion of a roof lantern in the design. While this feature does not appear on other dwellings adjoining the site, it is of limited size in relation to the principle form of the extension. The glazing bars would be timber with a metal protective outer cap with a white finish to match the existing joinery. Roof lanterns were not a foreign feature of architecture of the 1890s at the time that these dwellings were constructed, and it is not considered that this feature, behind a parapet wall, would cause significant harm to the appearance of the dwelling, or appear incongruent with the varied pattern of development at the adjoining properties. The applicants have submitted a photograph of a similar roof lantern that would be representative of their proposals.

3.13 The development includes two roof lights that would be hidden behind the parapet and would have no visual impact. The installation of roof lights in a conservation area can normally be carried out under permitted development rights.

3.14 It is noted that single storey rear extensions can normally be constructed within conservation areas under permitted development rights, as they are unlikely to impact on or be visible from the public realm, which the conservation area designation aims to protect. Permitted development rights

have not been withdrawn for the application property through an Article 4 Direction or a planning condition. It is therefore a material consideration that the applicants could construct a single storey rear extension or glazed conservatory 3 metres deep and 4 metres high without the need for formal planning permission. An eaves height of 3 metres on the boundary would be allowed, with further allowance for a parapet wall above the eaves height. There would be no restriction on the number or size of roof lights, the amount of glazing in the conservatory, or the style or appearance of the doors and windows.

3.15 Objections were raised regarding the alterations to the front elevation, including the removal of the smaller of the two chimney stacks and the installation of a fanlight above the front door. The front entrances in Briardale Gardens vary widely in appearance, having been altered, infilled and extended in various ways, and many have similar fanlights within their covered porches. The Council's conservation officer was consulted regarding the addition of a fanlight, and did not consider that this alteration would cause harm to the dwelling or the wider Conservation Area. The removal of the chimney stack, while not supported in principle, could not form a reason for refusal since this can be carried out without the need for planning permission.

3.16 The proposals were reviewed twice by senior planning officers during case conferences, and it was considered that the revised design was acceptable. By virtue of its form, scale, detailing and proportions, the proposed rear extension would be sympathetic to the host building in accordance with policies DP24, DP25 and the NPPF. It would be subordinate to the parent dwelling and would respect and replicate the property's character and existing architectural features. The extension would be constructed in materials to match the existing external materials, and would replicate the rain water goods, and door and window details of the host building.

4.0 Amenity

4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. 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.

4.2 Both neighbouring properties currently benefit from single storey rear extensions. No. 29, the semi-detached pair to No. 31, has a full-width extension with a roof terrace measuring 2.9 m deep and 3.3 m high, with an additional 1 m balustrade around the top. The extension would extend a modest 0.4 m beyond No. 29's existing extension and would not have an overbearing impact on the ground floor windows or rear garden of No. 29. The height of the proposed parapet would be the same height as No. 29's existing extension, at 3.3 metres.

4.3 The form of the roof lantern would be pitched back towards the house with its ridge a distance of 5.6 metres from the centre of the adjoining first floor window of no. 29. The ridge would be 0.4 m lower than the bottom window cills of the first floor of No. 29. Although it would be possible to view the lantern from the adjoining first floor window, the angle of vision would be very narrow so as not to be readily visible from within the room. The lantern would thus not be intrusive to residential amenity and would not have an overbearing appearance to the occupants. The light egress from the aperture of the roof lantern would be no greater than a roof light, which could be installed without the need for planning permission.

4.4 No. 33 has recently constructed an L-shaped extension with its longest side a distance of 0.78 metres from the boundary of the application site at a length of 6 metres. The proposed development at No. 31 would be 2.7 metres shorter than the extension at No. 33 and as such would not be visible at ground floor level.

4.5 The ground level of No. 33 is approximately 1 m lower than the application site, and the proposed 3.35 m parapet would be approximately level with the lower window cill height of No.33's first floor. It is noted that the bedroom window of No. 33 has been enlarged and replaced with French doors, so the proposed parapet would be approximately level with the new doors' midpoint, at a distance of 2.78 metres from their centre. The proposed extension would be visible from the Juliet balcony, but due to

the angle of vision and limited height and depth, it would not have a significant impact on residential amenity within the room. There would be no material loss of light, and the flat roof would have less impact than a 4m high monopitch roof that could be constructed under permitted development rights. The ridge of the roof lantern would be approximately 6.5 metres away, at an angle of approximately 19 degrees, from the French doors, and as such would not have a significant impact on the amenity of the bedroom.

4.6 The occupier at 2 Pattison Road has raised an objection to the rear extension on the grounds that it would be intrusive due to its size, proximity to the rear boundary and would feature a roof lantern. Following construction, the proposed extension would be more than 11 metres from the rear boundary of the site. However, as 2 Pattison Road does not adjoin the application site (Nos. 8 & 9 back onto the site), it would be a distance of approximately 20 metres from the nearest window at an angle of approximately 45 degrees. Owing to the distance and angle between these properties, the proposed development 3.35 m deep and 3.3 m high would not appear overbearing or impact on light to the occupants of No. 2 Pattison Road. There would be no impact on privacy. As such, the development would not cause a loss of residential amenity to the occupants.

4.7 Objections have been raised to the proposed glazing in the roof, relating to the light spill into adjoining bedrooms, noise, and allowing neighbours to overlook the occupants. As previously noted, roof lights within a conservation area fall outside of planning controls, and the applicants would not need formal planning permission to install roof lights of any number or size. The roof lantern would not cause greater light spill than a roof light in the same aperture. Domestic lighting falls outside the remit of planning control, and it would be unreasonable to refuse the application for development that could be carried out under householder permitted development rights. A conservatory would have significantly more glazing, and could be constructed under the applicants' permitted development rights.

4.8 The extension would have a domestic use, and the location of televisions or internal lighting are not planning considerations. Insulation and the glazing specification, including acoustic mitigation, fall under building regulations rather than planning. The ability of adjoining neighbours to overlook the application site is not a material planning consideration and could not form a reason for refusal.

4.9 The permitted development rights of the application property are a material consideration in the assessment of the development being proposed. The site is within a conservation area, in which permitted development rights for single storey rear extensions exist. Permitted development rights have not been withdrawn through an Article 4 direction or other mechanism. It would therefore be possible for the applicant to construct an extension measuring 3 metres deep on the boundary, 3 metres high at the eaves, and a maximum of 4 metres high. A conservatory could be constructed under permitted development rights.

4.10 For the reasons stated above, it is not considered that the proposed rear extension would give rise to material harm to the residential amenity of the adjoining occupiers.

5.0 Trees and Wildlife

5.1 Policy CS15 states that the Council will protect and improve sites of nature conservation and biodiversity by numerous methods including protecting trees and promoting the provision of new trees and vegetation including additional street trees.

5.2 The applicant has submitted an arboricultural report to accompany the application. The garden of No. 31 Briardale Gardens contains a mature Magnolia tree that sits adjacent to the shared boundary with No. 29. The tree is small with local amenity value but little or no visibility from the public realm and wider Conservation Area. The Council's arboricultural officer has assessed the submitted tree report, as well as the report commissioned by the adjoining occupiers. The development is considered to have an acceptable impact on the Magnolia tree, subject to compliance with the submitted Tree Protection Plan, which will be secured by a condition attached to the decision.

5.3 An additional arboricultural report was commissioned by the adjoining occupiers in objection to the

applicant's report. This has been considered by the Council's tree officer alongside the report as submitted. Proposed works to adjoining tree T6 were included in the report in error and they have been deleted from the final version of the document.

5.4 The trial pits undertaken by the arboriculturalist are considered to demonstrate that there are no significant roots (those over 25mm in diameter in line with BS5937:2012 – "Trees in relation to design, demolition and construction") in the line of the proposed excavation. As such, the arboricultural report is considered to demonstrate that T1 will not be adversely affected by the proposed excavation. The proposed ground protection, the stem protection and the method statement in the arboricultural report are considered to demonstrate that T1 will be adequately protected. The report has recommended tree protection measures during construction works and this shall be secured by condition of consent. The extent of pruning of the Magnolia will be agreed on site by the Council's tree officer.

5.5 Objections have been raised to the potential impacts of the roof glazing to impact on protected species, including bats. The Council's Nature Conservation Officer has been consulted in relation to the scheme. The site does not fall within an area designated for its biodiversity value, such as an SSSI, SNCI, LNR or habitat corridor or Site of Metropolitan Importance and the Blue Ribbon Network (London Plan). As such, there is no local requirement for the applicant to submit a biodiversity survey and report. Bat activity has been recorded in the area by the local environmental records centre; but, small-scale domestic development in a built-up residential area, even where protected species are present, would not normally trigger a requirement for additional surveys.

5.6 The installation of glazing, or the construction of a glazed extension, could be carried out without the need for planning permission in this area. Minor domestic light fittings, either internal or external, are not subject to planning controls. Given the above, there would be no reasonable justification for a refusal of the development based on the area of glazing proposed within the roof. An informative relating to protected species will be added to the draft decision notice.

5.7 Concern has been stated by objectors around the loss of rear garden area to paving to form a patio. This cannot form a reason for refusal as the addition of a patio area in the rear garden does not require planning permission.

6.0 Transport

6.1 Camden Planning Guidance, para. 8.1 states that construction management plans are required for developments on constrained sites or near vulnerable buildings (such as listed buildings). CMPs are normally submitted for basement development, but the revised scheme comprising a single storey extension is not considered to be of a scale that would warrant such a requirement.

7.0 Conclusion

7.1 It is considered that the proposed development would respect the character and appearance of the host property and wider Redington and Frogna Conservation Area, whilst ensuring that the residential amenity of the neighbouring occupiers and existing or future residents is not materially harmed.

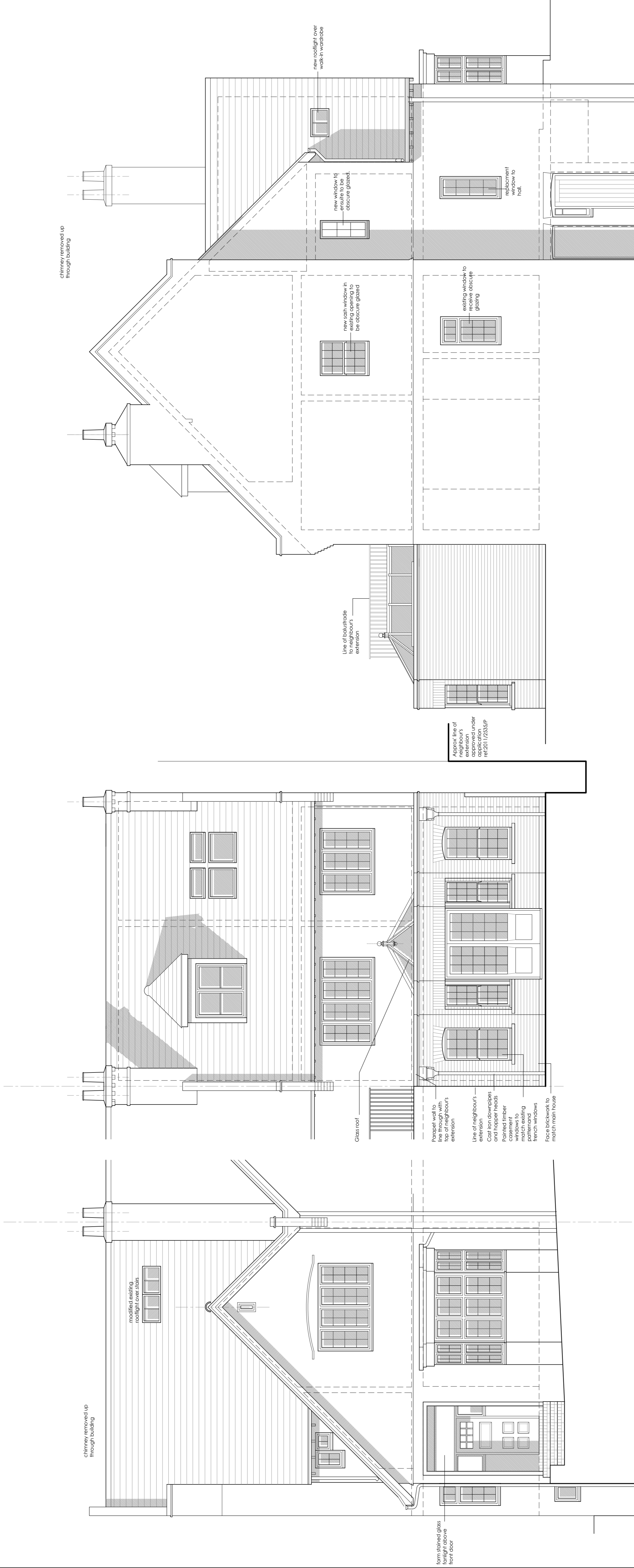
Recommendation: Grant conditional planning permission.

DISCLAIMER

Decision route to be decided by nominated members on Monday 1st February 2016. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.



NOTE
Proposed new rooflights to be finished with the same finish as the existing roof.



Front Elevation

Rear Elevation

Side Elevation



architecture • design

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Revision
A:21.08.14 - Planning comments added
B:03.10.14 - Line of existing rear extension to 33 Briardale Gardens added
C:12.12.14 - Ground level to side elevation/ side access to remain as existing/Proposed windows to ground floor dining room facing 33 Briardale Gardens omitted. Former kitchen window now in ground floor WC retained
D:02.11.2015 - Basement scheme omitted from proposals

Project title
31 Briardale Gardens
London
NW3 7PN

drawing title

Proposed Elevations

