

- 5.20 The proposed rear extension as built has been considered a modest addition to the property which respects the scale of the host building. The use of render has been considered acceptable in this case given it is at low level in the rear elevation where it would not be widely visible. We are not aware of any material differences between the permitted scheme and that subject of the Enforcement Notice and there is no alleged breach appertaining to the ground floor rear extension contained within the Notice.
- 5.21 The front rooflights as approved are to be conservation style and high within the roofslope so not widely visible from the streetscene.
- 5.22 The new windows are timber framed which is consistent with the original features of the property.

### **Amenity**

- 5.23 In terms of amenity Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered.
- 5.24 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.
- 5.25 CPG6 Supplementary Planning Guidance on Amenity (extracts not included) 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."
- 5.26 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.*”

- 5.27 The new windows to the side elevation face towards a blank flank wall and are to be opaque glass (already controlled by condition) to prevent any loss of privacy to 47 Goldhurst Terrace.
- 5.28 The conclusions reached in approving the original works hold good in most respects:-
- 1) Most of the approved development is to the rear of the site where it would not impact on the streetscene.
  - 2) Overall the approved development is considered acceptable in terms of design and impact on the character of the Conservation Area and of course renovates and preserves the building for the foreseeable future.
  - 3) The approved development was therefore considered acceptable in terms of impact on neighbours' privacy.

### **The Enforcement Notice**

- 5.29 Before considering the three elements of the Enforcement Notice we would reiterate the background to the policy conclusions discussed above namely that the Development Plan requires the optimal use of residential units and their provision to a high standard. The proposal is sustaining the future of the building in accordance with the NPPG. The NPPF leads us to conclude that the significance of the heritage asset, namely an unlisted end of terrace building in a Conservation Area is the frontage. This remains “preserved”. The other elements have been approved in slightly different forms but none of the proposals on site or in the planning application cause any material harm to the significance of the heritage asset and they conform to policies DP24 ad DP25 and they do not cause loss of amenity under DP26. They confirm to the Council’s Design Guidance. Of the three “elements” of the Enforcement Notice we would go on to comment as follows:-
- 1) *“Erection of a rear dormer, side dormer and rear roof terrace materially different from approved plans so as to be without planning permission”.*
- 5.30 The approved dormers comply with CPG1 design guidance being set 500mm from all edges of the roofslope and the rear dormer having an inset terrace which does not break through the line of the roofslope. The slate construction is to

match the existing roof terrace and the timber framed windows are considered sympathetic to the main property.

- 5.31 Dealing first with the side dormer as built the side dormer is wider, deeper and higher and is not flat roofed. It is constructed of slate.
- 5.32 As proposed in the planning application the roof of the side dormer has been altered to provide a hip etc, its depth reduced so it is set up from the eaves.
- 5.33 There was no objection in principal to the side dormer as evidenced by the planning permission on that was granted for the double flat roofed dormer. As approved the side dormer was considered in the Planning Officer's Report to be screened by the existing chimneys. That remains the case. It is not prominent in the Conservation Area. The ridge to it matches the feature on the front elevation. See street view below.



Photo 3. Street view with No.45 in the centre.

- 5.34 The dormer looks out onto the roof of the adjoining property and does not cause any loss of amenity. It also provides valuable habitable floorspace with unrestricted headroom within the unit. See photograph below.



Photo 4. View from inside side dormer.

- 5.35 The side dormer should be approved as built. Without prejudice, if this is not considered acceptable by the Inspector then it should be altered to accord with the planning application submission.
- 5.36 With regard to the current rear elevation this is shown below as it is referenced in our comments that follow. It can be compared to Photo 1 above.



Photo 5. Rear elevation under construction.

5.37 With regard to the rear dormer this was approved at some 2.25 metres wide and inset some 1.8 metres.

5.38 As constructed and as shown on the later planning application it is wider and higher and the terrace is wider. This is exaggerated by the railings that encompass the terrace and the roof slope. There remains a roof slope as required by planning policy. See below.



Photo 6. The rear dormer as constructed.



Photo 7. View inside the terrace of the rear dormer.

- 5.39 As proposed in the current planning application the rear dormer is broadly similar to that which has been constructed (in height and depth), set up from the eaves but the railings are partly inset to the rear roof slope.
- 5.40 When the original planning application was approved it was considered that the proposed high level dormer with inset roof terrace did not directly look into any neighbouring properties windows. That remains the case.
- 5.41 It is constructed of slate to match.
- 5.42 In terms of the character of the area the Inspector will see on the site visit examples of other larger dormers in the terrace, This does create a precedent in that these now form part of the character of the area and part of the assessment of the heritage asset.



Photo 8. Adjoining dormers to the south west in the Terrace.





Photo 9. Neighbours' dormer



Photo 10. Adjoining dormers to the north east in the Terrace



Photo 11. Dormers to the rear, north east



Photo 12. Dormers opposite on Goldhurst Terrace