

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>30/06/2017</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>22/06/2017</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Nora-Andreea Constantinescu			2017/2567/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
5 Oval Road London NW1 7EA			See draft 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>				
Two-storey side extension at lower ground and ground floor levels with associated landscaping to the rear; enlargement of service staircase to create side access; enlargement of front lightwell; replacement of windows with triple glazing, all to residential dwelling (Class C3).				
<b>Recommendation(s):</b>	Refuse planning permission			
<b>Application Type:</b>	Householder Application			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	Site notices: Press notices:	31/05/2017-21/06/2017 01/06/2017-22/06/2017	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>	No responses were received from the neighbouring residents.					
<b>Primrose Hill CAAC</b>	<p>Has objected to the proposed development on the following grounds:</p> <ol style="list-style-type: none"> <li>1) The application property has a symmetrical semi-detached pair with special importance in the conservation area as positive contributors, and the proposal would seriously harm the symmetry.</li> <li>2) The character of the plot is with a generous garden space on three sides; closing up the space to the side, even at only one level above ground would seriously harm the balance of built and open space.</li> <li>3) The loss of garden space to create more space for cars is contrary to Camden policy.</li> <li>4) Proposed changes to glazing would only be acceptable if the framing sections match those existing in both semi-detached pairs.</li> <li>5) The proposal does not preserve or enhance the character of the conservation area, but it would cause significant harm.</li> </ol>					

## Site Description

The application site is located to the western side of Oval Road and is a four storey semi-detached property in use as a single family dwelling. The topography of the site slopes from the south-west to north-east (from the front to the rear).

To the opposite side of Oval Road is a terrace of 22 terraced houses all of which are Grade II listed.

The application property together with its semi-detached pair and the neighbouring semi-detached properties and terraces on the western side of Oval Road are considered to make a positive contribution to the Primrose Hill Conservation Area, within which they are located.

The application site lies within Primrose Hill Conservation Area and as well as its semi-detached pair and the neighbouring semi-detached properties and terraces on the western side of Oval Road, are considered to make a positive contribution to the conservation area.

## Relevant History

### Relevant history of the application site:

2017/2835/P - Roof dormer to rear elevation and installation of rooflights to front and side elevations to residential dwelling (Class C3). – Pending consideration

PE9700472 - Erection of a three storey building adjacent to the existing dwelling house, as a single family dwelling. – **Refuse - 29/09/1997**

Reasons for refusal:

1. The scale, height, form and setting of the three storey extension would harm the character and appearance of Primrose Hill Conservation Area.
2. The relation between the main building and the proposed three storey extension fails to respect the visual importance of the existing gap the townscape and the conservation area.
3. The proposed roof terrace terrace would result in unreasonable overlooking of neighbouring properties, to the detriment of the amenities of the occupiers.

### Relevant planning history in the surrounding area:

16879 - 9 Oval Road, N.W.1 - Change of use of property at 9 Oval Road, N.W.1 into 4 self-contained units, including works of conversion, and erection of a 2-storey residential unit at the side. – **Granted – 17/10/1973**

8802570 – 11 Oval Road N.W.1 - Erection of a 3-storey extension at the rear for residential purposes (as shown on drawings no: HA 377.01; 02;03;05;17;18 and HA 398.03) – **Granted 17/01/1989**

## **Relevant policies**

**National Planning Policy Framework, 2012**

**The London Plan 2016**

**London Borough of Camden Local Plan 2017**

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

DM1 (Delivery and monitoring)

A5 (Basements)

CC3 (Water and flooding)

A4 (Noise and vibration)

T1 (Prioritising, walking, cycling and public transport)

T2 (Parking and car-free development)

**Camden Supplementary Planning Guidance**

CGP1 (Design) (2015) – Sections 2, 4, 6

CPG6 (Amenity) (2011) – Sections 6, 7

CPG4 (Basements and lightwells) (2015) – Sections 2, 3

CPG7 (Transport) (2011) – Sections 5, 6

**Primrose Hill Conservation Area Statement (2001)**

### 1. Proposal

- 1.1 Planning permission is sought for the erection of a two-storey side extension at lower ground and ground floor levels with associated landscaping to the rear; enlargement of service staircase to create side access; enlargement of front lightwell; replacement of windows with triple glazing, all to residential dwelling (Class C3).
- 1.2 The proposed two storey side extension would extend at the lower ground and ground floor levels, with a width of 5.8m and 6.1m, set back from the front elevation of the property by 2.6m, and set back from the rear corner of the property by 0.5m. The length of the extension would be 6.9m. To the rear of the side extension would be a sunken patio measuring 2.6m by 6.3m, this would include a set of steps leading up to the existing garden level. Seen from the street the extension would have a height of 3.6m and would occupy the full width of the area to the right of the parent building, extending adjacent to the boundary with No.7 Oval Road at a height of 3.1m.
- 1.3 The proposed side extension would accommodate a large bedroom at the lower ground floor, and a garage at the ground floor level. The extension would open to front of the property with metal framed panelled garage. To the rear the extension would have a height of 6.5m, with two sets of double doors at the lower ground floor and two traditional timber sash windows at the ground floor level.
- 1.4 The existing service staircase has a width of 0.8m and the proposal is to extend to 1.4m width and include additional steps to the lower ground floor.
- 1.5 It is proposed to extend the existing front lightwell a further 0.3m, there is an existing retaining wall in front of the lightwell which would remain as existing as part of the proposal.
- 1.6 All the existing windows are proposed to be replaced with triple glazing.

### 2. Considerations

2.1 The main issues for consideration area:

- Principle of excavation
- Trees
- Design and heritage
- Amenity
- Transport

### 3. Principle of excavation

3.1 Policy A5 of Camden Local Plan highlights that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- Neighbouring amenities;
- The structural, ground, or water conditions of the area;
- The character and amenity of the area;
- The architectural character of the building; and
- The significance of heritage assets.

3.2 Furthermore, policy A5 highlights that in determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on

drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment.

- 3.3 The proposal includes the excavation of 41.7 sqm of the garden at the south-east side of the host building, with a maximum depth of 3.6m. It is identified in the Camden Geological Hydrogeological and Hydrological Study – Guidance for Subterranean Development Issue 01 Dated Nov 2010 that the application site is located in an area where the ground substrate is made of London Clay, which can affect the slope stability. As such, significant concerns are raised in relation to the impact of the proposed excavation to the structural stability of the host property and neighbouring ones.
- 3.4 In order to have greater certainty over the potential impacts of the proposed excavation, the officers requested additional information in the form of the Screening Stage, to clarify if a Basement impact Assessment would be necessary or not in this instance, in line with the guidance included in CPG4. The applicant failed to provide the information requested, and therefore there is no assurance that the proposal would not cause significant harm to the host property and neighbouring ones in terms of structural stability, drainage, groundwater, flooding and natural environment.
- 3.5 In relation to the enlargement of the front lightwell, it is considered that insufficient information has been provided to the officers to consider if the proposed excavation at the front of the property would cause any harm to the structural stability of the host building and surrounding area.

### **Trees**

- 3.6 Policy A5 states that underground development should avoid loss of garden space or trees of townscape or amenity value. The proposed extension would occupy all the garden space, to the side of the host property (north-west), and involves the removal of 3 trees located close to the boundary with No. 7, G4, a group of small cherry trees, T2 a laurel and T5 a sycamore. T5 is located on the boundary of the application property with No. 7 Oval Road.
- 3.7 Policy D2 highlights the council will preserve trees and garden spaces which contribute to the character and appearance of a conservation area. Furthermore, under policy A3 the Council would resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation.
- 3.8 The sycamore tree T5, is highly visible from the public realm and is considered to contribute to the character of this part of the conservation area and provide a high level of visual amenity to the public. This has been identified as category B in line with BS5837:2012 and has a good life expectancy and appears to be in fair/good condition, both physiologically and structurally. As such, its removal is considered unacceptable, due to the impact on the amenity of the area and the character and appearance of the conservation area.
- 3.9 Although, land ownership is not a planning material consideration, in this instance it is considered as being relevant to the case. The arboricultural report submitted with the application includes tree protection which shows the tree to be exactly on the boundary of the application site and No. 7 Oval Road. The rear garden of No. 7 is London Borough of Camden owned and managed, and therefore T5 is council property. According to the Council's records the garden of No. 7 Oval Road is not demised to a lease holder. In addition, the tree is close to the boundary but is located within the curtilage of No. 7 so is not under shared ownership as a tree located on the boundary would be. As the tree it is not in the applicant's ownership, its removal would not be acceptable without the legal owner's permission.

- 3.10 The other trees proposed to be removed, G4 and T2 are of a smaller scale and are not

considered to provide significant amenity value. Their removal would not be considered detrimental to the visual amenity of the host property, streetscene and wider Primrose Hill conservation area.

#### **4. Design and heritage**

4.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

##### **Side Extension**

4.2 CPG1 states that extensions should respect and preserve the original design and proportions of the building, the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space, be secondary to the building being extended in terms of location, form, scale, proportions, dimensions and detailing, and retain the open character of existing natural landscaping and garden amenity.

4.3 Furthermore, CPG1 details in relation to side extensions at para 4.17, that infilling the gaps between the buildings would not be considered acceptable where significant views or gaps are compromised or blocked, the architectural symmetry or integrity of a composition is impaired and/or the original architectural features of a side wall are obscured.

4.4. Primrose Hill Conservation Area Statement identifies the properties on the west side of Oval Road, of which the application site is part of, as being characterised by substantial garden spaces and large gaps between building groups. Symmetrical with No. 3 Oval Road, the application site benefits from a large gap at the side of the property, bordered by a 2m high front boundary wall with a small door for access.

4.5 The application site is symmetrical with its pair and similar in design and appearance with the other semi-detached properties along Oval Road. The symmetry of the semi-detached properties has a particular importance on this stretch of Oval Road, considering the proximity with the Grade II listed buildings, opposite the application site and the overall felling of the street. The proposed side extension would project full width to the side of the host property as seen from the street. The semi-detached pair at No. 3 Oval Road has not been extended at the lower ground or ground floor levels. The proposed extension would therefore unbalance the pair and appear as an incongruous addition, out of character with the existing pattern and grain of development.

4.6 Policy D1 stresses that high quality design would preserve strategic and local views and would respond to natural features and preserves gardens. Policy D2 requires that any proposed development preserves or where possible enhances the character or appearance of the area and preserves trees and garden spaces which contribute to this character. Due to its sitting and projection, the proposed side extension would adversely affect the rhythm of the built and open space by blocking views towards the side and rear garden of the application property, with harmful implications to the streetscene and wider Conservation Area.

4.7 Furthermore, the application site as well as its pair, benefit from a symmetrical two storey side projection, with traditional sash windows and string courses to express externally the difference in levels. These architectural features add to the character of the building and create a symmetrical composition of elevations. As such, the proposed side extension due to its projection would obscure these architectural elements which is considered to cause substantial

harm to the appearance of the property and its pair, contrary to CPG1 para 4.17.

- 4.8 The detailed design of the proposed extension takes no reference from the character of the host property. The garage panelled doors would appear larger than the door opening, leading to a disproportionate appearance of the extension in relation to the host property. Policy D1 highlights that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 4.9 The proposed landscaping to the rear garden would include a hardstanding patio surrounded by planting, with steps up to the main garden. The alterations are not particularly sympathetic to the host building. When assessing the overall appearance of the side extension and landscaping, they are not considered to preserve or enhance the character of the building, or conservation area.
- 4.10 It is acknowledged that the proposed side extension is set back from the main building and street pavement, and that it would be no taller than the front porch; however the side extension would overwhelm the host property projecting with the same width, unbalancing the semi-detached pair, would cover and harm the whole garden space at the side of the property, would block views towards the garden area, and would result in poor quality, unsympathetic, unbalanced front elevation, contrary to D1, D2 and CPG1. The proposal does not enhance or preserve the character and appearance of the host property, adjoining ones and wider conservation area, and does not give any public benefit, which is contrary to policy D2.
- 4.11 It is also noted that historic applications were granted permission for two-storey side extensions at Nos. 9 and 11 Oval Road in 1973 and 1989. It is highlighted that the Council's policies and guidance have changed significantly since then, and if assessed under the currently adopted Local Plan and supplementary guidance, these extensions would be refused. The two examples are not considered to form the character of this stretch of Oval Road and are not considered a precedent in this instance.

### **Side access**

- 4.12 The existing property has a side access with steps to the lower ground floor level which can be used as a secondary access to the property. This feature is present to the other semi-detached properties in the vicinity, and historically this would have been used by servants. This staircase is significantly smaller in width than the one to the main house, to underline the hierarchy of spaces and how the property is perceived and experienced from the front garden and streetscene. Alterations to this part of the building would harm the character of the building and hence the surrounding conservation area.
- 4.13 The proposal includes the enlargement of the side access from 0.7m to 1.4m in width. This would provide direct access from the front garden to the proposed bedroom at the lower ground floor and to the main house. The excessive enlargement of the side access would further unbalance the application property with its semi-detached pair and would cause harm to the appearance of the host property and streetscene.

### **Lightwell**

- 4.14 In relation to the proposed enlargement of the lightwell, it would extend the area in front of the existing bay window by 0.2m. Due to the small projection, this is considered to preserve the appearance of the existing property.

### **Glazing replacement**



4.15 The application site as well as all the properties located on the western side of Oval Road, are bordered to the rear by railway lines. The proposal is to replace the existing single glazing with triple glazing to provide additional sound insulation. This would be to all windows to front and rear elevations, along with new traditional style timber framed and painted sash windows. Whilst, it can be understood the need for additional sound insulation to the rear of the property, there is no justification for the replacement windows on front elevation.

4.16 The plans provided show the existing and proposed frames having the same dimensions, however no detailed drawings were provided to show how these would be accommodated. Due to the triple glazing material proposed, it is considered that this can change the appearance of the window frames, to the detriment of the appearance of the building. The applicant has therefore failed to demonstrate that the triple glazing could be accommodated within the existing frames, objection is raised due to the impact on the host building and the character and appearance of the conservation area.

## **5. Amenity**

5.1 Policy A1 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, loss of outlook and implications on daylight and sunlight.

5.2 The proposed extension would extend adjacent to the boundary with No. 7 Oval Road. The side of No. 7 Oval Road appears to correspond to windows which serve a staircase area or non-habitable rooms. As such, due to the proposal's sitting, and projection it is not considered to cause significant harm to the amenity of the neighbouring residents in terms of loss of light, overlooking or loss of outlook.

5.3 Due to the proposal's sitting, it is not considered that harm would be caused to the property at No. 3 Oval Road.

## **6. Transport**

6.1 The Council's aims and objectives are to promote the delivery of sustainable transport choices and reduce the environmental impact of travel and relieve pressure on the Borough's transport network. As part of this aim the Camden Local Plan has been updated and places walking, cycling, public transport as the main priorities, as part of policy T1. The application site is located in an area with good transport connectivity, with Camden Town underground station at a walking distance of 5 min, and less than 5 min to the bus stops on Camden High Street and/or Delancey Street.

6.2 Policy T2 of Camden Local Plan 2017 states that the Council will limit the availability of parking borough wide and will limit the on-site parking to spaces designated for disabled people where necessary. Furthermore, policy T2 stresses that parking can cause damage to the environment, by replacing trees, garden areas, boundary walls and other features that contribute to the character an area, with a hard standing needed solely for the use of a car.

6.3 The site currently has a paved area at the side of the property, which provides parking space for two cars, with an existing dropped curb. There are no on-street parking spaces in front of this existing parking spaces. The proposed scheme includes a garage at the ground floor level which would provide on-site parking, and would replace garden space and as part of the proposed extension would lead to the removal of three trees, one of which is of concern as noted above. There is no indication that the garage is needed for disability reasons of the occupiers.

6.4 It is therefore concluded that the proposed garage at the ground floor level within the curtilage

of the application site, would be contrary to Council's policies T1 and T2 as it would promote unsustainable modes of transport, which would also cause significant harm to the character of the host property and wider conservation area, by replacing garden space with on-site parking.

## **7. Conclusions**

- 7.1 The proposed side extension would have an overbearing appearance in relation to the host property, unbalance the semi-detached pair, extend with the same width and cover the whole existing side garden, block views towards the rear garden, and presenting to the street scene with a unsympathetic and poor detailed design. The extension of the side access harms the character of the host property and unbalances further the semi-detached pairs. All contrary to policies D1, D2 and CPG1.
- 7.2 The extension would result in harm to the existing garden space and in removal of a healthy tree which is considered to bring amenity value to the host property, neighbouring ones and wider Conservation Area, contrary to policy A3.
- 7.3 Significant concerns are raised by officers in relation to the impact of the proposed excavation to the structural stability of the host property and neighbouring ones, groundwater, drainage, flooding and natural environment. The applicant has failed to provide additional information required, in form of the Screening Stage of the Basement Impact Assessment, to provide the Council with certainty that the proposal would not affect the host property and surrounding area, contrary to policies A1 and A5.
- 7.4 The proposed provision of on-site parking in form of a garage, does not promote sustainable transport choices, or the environmental impact of travel and it is not considered to t relieve pressure on the Borough's transport network. This is therefore contrary to policies T1 and T2 of Camden Local Plan.
- 7.5 The proposed triple glazing, without being supported by detailed drawings, failed to demonstrate that the existing timber frames would be retained and therefore it is considered that this would impact the appearance and character of the host property, neighbouring one and conservation area, contrary to D1 and D2.

## **8. Recommendation**

- 8.1 Refuse planning permission.