

Delegated Report		Analysis sheet		Expiry Date:		14/08/2017	
		N/A / attached		Consultation Expiry Date:		04/08/2017	
Officer				Application Number(s)			
Obote Hope				2017/3532/P			
Application Address				Drawing Numbers			
24 Harley Road London NW3 3BN				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of a single storey side extension and the use of flat roof as a terrace to the flank (north) elevation at first floor level.							
Recommendation(s):		Refuse planning permission					
Application Type:		Householder planning permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	08	No. of objections	00
				No. electronic	08		
Summary of consultation responses:		<p>A site notice was displayed from 19/07/2017 to 09/08/2017. Press notice was published on 20/07/2017 to 10/08/2017.</p> <p>7 supporting emails were received associated with this application from numbers 3A, 18, 22 and 26 Harley Road. 66, 42 Elsworthy Road, 3 Wadham Gardens and 38 Avenue Road.</p>					
CAAC/Local groups* comments: *Please Specify		Elsworthy CAAC raises no objection.					

Site Description

The application relates to a three storey, semi-detached family dwelling house with semi-basement level on the west side of Harley Road. The property is located within the Elsworthy Conservation area.

The host building and the adjoining building at number 22 are noted in the Conservation Area Appraisal as making a positive contribution to the appearance and character of the conservation area.

The host building is part of a pair of semi-detached properties with no. 22 Harley Road. Some alterations have been undertaken to each of the buildings, including a two-storey side extension to no. 24. Numbers 22 and 24 are symmetrical when viewed from the street and share common architectural language, which adds to the group value.

Relevant History

Application property:

2009/3112/P – Planning permission granted on 20/08/2009 for: Retention of the upper ground floor external storage cupboard to the existing dwelling house.

16-18-20-22 Harley Road

H7/18/B/33128 - Planning permission was granted on 15/01/1982 for: the erection of two three-storey linking blocks between the houses and formation of a studio at the rear of No. 20 houses together with the change of use including works of conversion to form 18 self-contained flats and two self-contained maisonettes.

Relevant policies

National Planning Policy Framework 2012

The London Plan 2016

The Camden Local Plan 2017

G1 Delivery and location of growth

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance 2013-2016

CPG 1 - Design (paragraphs 4.16 to 4.19)

CPG3 - Sustainability

CPG6 - Amenity

Elsworthy Road Conservation Area Appraisal and Management Plan 2009 (paragraphs 12.5 - 12.7 and 13.12 -13.5)

Assessment

1.0 Background

1.1 Planning permission was granted (2009/3112/P) in 2009 for the retention of the first floor external storage cupboard to the existing dwelling house following the omission of the first floor side extension and terrace at first floor level at the planning officer's request. The planning officer considered a proposed first floor side extension to be unacceptable in principle and the proposal would be contrary to planning policies B1, B3 and B7 due to its design and settings.

2.0 Proposal

2.1 Planning permission is sought for the erection of a single storey side extension over the existing two-storey addition to the north elevation at first floor level. The extension would measure approximately 7.5m at its deepest point x 4.8m in width and 2.0m in height and would be set back from the front parapet wall by approximately 3.6m. It is proposed to install a new window to the flank north elevation at first floor level and the remainder of the flat roof would be used as a terrace with balustrade, following the installation of planters.

2.2 Revision

2.3 Following negotiation with the owner/occupier of no.26, the application was revised and the proposed roof terrace set back by approximately 2.1m from the front parapet wall and would measure 3.8m at its deepest point x 3.2m in width.

3.0 Design of the proposed first floor extension and window

3.1 The Local Plan planning policies D1 (Design) and D2 (Heritage) are most relevant. Planning policy D1 aims are to secure high quality design that considers the character, setting and form of neighbouring buildings. Policy D1 states that development should respect the character, setting, context, form and scale of neighbouring buildings. This is supported by paragraph 7.2 of the Local Plan, which emphasizes that the design of development should take into account the pattern and size of blocks, gardens and streets in the surrounding area. Whilst, Policy D2 of the Local Plan requires extensions to preserve the area where possible or enhance the area's character. In addition, the building has already been extended and further extension would add unacceptably to the height, bulk and mass of host building. These policies are not materially different from UDP Plan policies B1, B3 and B7 in their objectives and wording in dealing with the 2009 application (2009/3112/P) (see paragraph 1.1).

3.2 Camden Planning Guidance 1 (CPG 1) emphasizes that infilling of gaps will not be considered acceptable where *"the architectural symmetry or integrity of a composition is impaired and the established front building line is compromised"* (para 4.17). Furthermore, the design section of the Local Plan (para 7.2) expects development to consider the prevailing pattern, density and scale of surrounding development and will resist development that impacts on the rhythms, symmetries and uniformities in the townscape, which would be the case in this instance. The house should be seen as a pair with No. 22, and there is a consideration to be made about the balance of massing between the pair, which the proposed first floor extension would impact upon.

3.3 The local area comprises of Victorian semi-detached properties with predominantly single storey side extensions and it should be noted that first floor side extensions are not prevalent development within the conservation area. The side extension unavoidably has a relationship with the modern, flat roofed side extension to no. 26, due to the overall design and appearance of the pair of dwelling. The properties were designed to echo each other's massing and scale and erection of the side extension upwards would result in a cluster of different modern, flat-roofed forms in these views, which is not acceptable.

3.4 Extending the existing two-storey side extension would fail to enhance appearance of the host building, the extension would be constructed using predominantly structural glazing and single ply membrane roof with vertical metal frame windows behind timber louvres to the north facing window. Whilst, the rear would be built using metal framed windows and grey cladding. The design of the louvres provides a contrasting design to the detriment of the host building. The further increased in height of the of the existing two storey extension would add further bulk and mass at a high level and would result in an extension that is not subordinate to the main dwelling. The proposed first floor extension would be set back from the front parapet wall as annotated on the proposed elevation and floor plans. However, the extension would be visible from advantage points to the front and rear of the host building and can be read over the neighbouring building. The extension would project higher than the neighbouring property at no 26 Harley Road and due to the first floor extension prominent setting, would appear as an incongruous addition that would detract from the architectural style of the pair of buildings to the detriment of the conservation area.

3.5 It is duly noted that the property no's 16-18-20-22 Harley Road have been granted consent for two three-storey linking blocks between the houses in 1992. However, the conservation area provides substantial material consideration which outweighs the planning permission for the interlink blocks. Notwithstanding this, the Elsworthy Road Conservation Area Appraisal was adopted after planning permission was granted for these properties on the 14th July 2009, which bears substantial weight.

3.6 The Elsworthy Conservation area statement states that rear and side extensions should be as unobtrusive as possible, designed to be no more than one storey in height and should not adversely affect the character of the building nor the conservation area (*paragraph 13.12*). The proposal would be a departure from the conservation area statement, which would fail to enhance the building or its settings. The design, exacerbated by the external treatment, would not successfully reduce the impression of bulk of the extension at first floor level. This would be considered harmful to the proportions of the existing extension, and the architectural character and overall scale of the building as a whole.

3.7 The proposed side extension would appear as an incongruous addition that would fail to respect the design and character of the pair of dwellings further detracting from the general Conservation area given its size and prominent location. The proposed extension would project over a metre higher than the neighbouring property no. 26 Harley Road. Thus, would impact on the composition of both No's 22 and 26 contrary to Local Plan Policies D1 and D2.

3.8 No objection is raised in regards to the new first floor window to the flank elevation.

4.0 Roof terrace

4.1 4.1 Following revisions (as set out in paragraph 2.3) the proposed terrace at first floor level would measure approximately 4.3m at its longest point x 3.3m in width. The proposed screening details is not accurately annotated on the proposed elevation drawings. Notwithstanding this, there is no planning history to suggest that the existing roof terrace benefits from planning permission for its intended use and it appears that the roof of the raised ground floor extension was changed into a roof terrace at some stage in 2009. If the existing terrace/balustrade has been in place for 4 years or more it may be deemed lawful however the Applicant is advised to submit a Lawful Development Certificate (existing) with the appropriate evidence in order to confirm this.

4.2 Permission 2009/3112/P dated 20/08/2009 was previously assessed, the planning officer's report concluded; *No details of the timber fencing and structure are shown on the submitted drawings with this application. The agent (confirmed in his letter dated 20th August 2009 that the existing lower ground floor extension and terrace do not and at no time have formed part of the application and the timber structure and fencing are not permanent structures". It should be noted that the use of the flat roof at first floor level for a terrace was revised and proposal for the roof terrace was omitted from the planning permission that was approved in 2009 (2009/3112/P)*. This shows that the Council was not

willing to accept a roof terrace in this location in the 2009 application.

4.3 Although no's 16 to 18 Harley Road (H7/18/B/33128) dated 15/01/1982 benefits from a roof terrace. There is no recent precedent for a terrace at first floor level, which would be highly visible from the front elevation. Moreover, the existing terrace at no's 16 to 18 Harley Road pre-dates the Elsworthy Conservation Area Statement. As such, would be limited weight when determining this planning application.

4.4 The Conservation Area Statement stipulates that; '*roof terraces has cause harm to the existing rooflines of the properties within the conservation*'. The proposed roof terrace would be highly visible within the long and short views and the principle of the roof terrace would not be acceptable which would further detract from the appearance of the host building.

5.0 Amenity

5.1 Development should not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking and sense of enclosure in accordance with CPG 6 and planning policy A1 of the Local Plan. CPG6 says that development should be designed to protect the privacy of existing dwellings to a reasonable degree. CPG 6, also seeks to ensure privacy that there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other. This would not be applicable in this instance.

5.2 It is not considered that the proposed first floor extension would have significant impact with amenity issues in terms of loss of daylight/sunlight or would contribute to a sense of enclosure. There are no flank windows at the side of number 26 Harley Road therefore the extension and proposed terrace would not have any adverse impact on the amenity of occupiers of the neighbouring building. Due to the positioning of the extension there would be no impact on number 22. Therefore, the side extension is considered consistent with policy A1 of the Local Plan and CPG 6 of the London Borough of Camden Supplementary Planning Guidance.

6.0 Recommendation

6.1 It is considered that the side extension with terrace would represent an incongruous addition to the host building. The proposal would detract from the character and appearance of the host building, and symmetry of the pair of dwellings (nos. 22 and 24). The proposed side extension would fail to preserve or enhance the character and appearance of the Elsworthy Conservation Area. The application is therefore recommended for refusal.