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| Delegated Report | | Analysis sheet | | Expiry Date: | | 22/08/2016 | |
| | | N/A / attached | | Consultation Expiry Date: | | 04/08/2016 | |
| Officer | | | | Application Number(s) | | | |
| Robert Lester | | | | 2016/3566/P | | | |
| Application Address | | | | Drawing Numbers | | | |
| Flat 4 2 Rosslyn Heights Belsize Lane London NW3 5AB | | | | 0185 A (Block Plan, Existing Elevation Plan, Existing Floor Plan, Proposed Elevation Plan, Proposed Floor Plan, Proposed Roof Plan, Photomontages, Design & Access Statement,), | | | |
| PO 3/4 | | Area Team Signature | | C&UD | | Authorised Officer Signature | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Erection of rear conservatory extension at upper ground floor level on existing patio. | | | | | | | |
| Recommendation(s): | | Refuse | | | | | |
| Application Type: | | Full Planning Permission | | | | | |
| Conditions or Reasons for Refusal: | | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | | |
| Consultations | | | | | | | |
| Adjoining Occupiers: | | No. notified | 00 | No. of responses | 00 | No. of objections | 00 |
| | | | | No. electronic | 00 | | |
| Summary of consultation responses: | | N/A | | | | | |
| CAAC/Local groups* comments: *Please Specify | | N/A | | | | | |

Site Description

The site is located at Flat 4, 2 Rosslyn Heights, Belsize Lane. The building on the site is a late-Victorian/Edwardian building containing 5 flats. Flat 4 is a maisonette unit located at upper ground floor and first floor levels. It is accessed via the raised staircase at the front of the property. At the rear, the property has a terrace, located on the eastern side of the site on the roof of the lower ground floor conservatory below. This terrace connects with a staircase to the rear garden.

The site is located in the Fitzjohns Netherall Conservation Area. The Conservation Area Appraisal Statement identifies this building as making a positive contribution to the character and appearance of the Conservation Area.

There is a protected Sycamore Tree located in the adjacent garden at 3 Rosslyn Hill, London, NW3 5UL

Relevant History

2016/1409/P - Replacement and enlargement of single storey rear extension to lower ground floor flat. Alterations to fenestrations as well as the landscaping of rear garden. The creation of a side access/entrance – Granted - 10/06/2016.

2016/3927/P - Alterations to lower ground floor flat (C3) including repositioning of approved side window; lowering of levels in rear garden; landscaping front & rear gardens; and erection of rear garden fences – Pending.

8600537 - Change of use including works of conversion and extensions to the rear and roof to provide five residential units – Granted - 25/09/1986.

Relevant policies

LDF Core Strategy 2010-2025

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

Development Policies 2010-2025

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 1 Design

Camden Planning Guidance 3 Sustainability

Camden Planning Guidance 6 Amenity

Fitzjohns Netherall Conservation Area Appraisal and Management Strategy (2001)

The London Plan (2016)

The NPPF (2012)

Assessment

Introduction

The proposed development is to construct a contemporary conservatory extension on the existing rear terrace at upper ground floor level (visually first floor level at the rear). This would measure 3.8 m depth, 3.2 m width and 3 m height with a mono-pitched roof. It would be constructed from a steel frame with glazing with some bricked sections.

The neighbouring property at lower ground floor level has an existing full width conservatory at that level and also has planning permission for the demolition of that conservatory and the provision of a replacement contemporary conservatory extension. Part of the justification in permitting that conservatory extension was that it would remain subordinate to the host dwelling and would not detract or compete with the character of the host property in terms of its size or design. That conservatory extension only resulted in a marginal increase in internal floor area and did not result in an overdevelopment of the site. It was not considered visually harmful to the character or appearance of the host building, street scene or the Fitzjohns Netherhall conservation area by virtue of its particularly enclosed location at the rear of the building, at lower ground floor level.

Design and Visual Impact

Camden Development Policy DP24 - requires the highest standard of design and expects developments to consider the character, setting, context, form and scale of neighbouring buildings.

Camden Development Policy DP25 - only permits development that preserves and enhances the conservation area and trees which provide a positive contribution.

Camden Planning Guidance 1 –states that conservatories should be located at ground or basement level. Only in exceptional circumstances will conservatories be allowed on upper floor levels.

Fitzjohns Netherall Conservation Area Appraisal – states that extensions can alter the balance and harmony of a property or group of properties by insensitive scale, design or materials. Some extensions, although not widely visible, can so adversely affect the architectural integrity of the building that the character of the Conservation Area is prejudiced. Rear extensions should be as unobtrusive as possible and should affect the character of the building or Conservation Area. In most cases extensions should be no higher than one storey in height. Extensions should also be in harmony with the character of the house and terrace. This also states that conservatories should be small scale and subordinate to the original building and at ground floor level only. The design, scale and materials, should be sensitive to the special qualities of the property and not undermine the features of the original building.

Although the proposed conservatory extension would have limited visibility, mainly from the gardens of other properties on Rosslyn Hill and Belsize Lane, it would be located at upper ground floor level and would result in an over-dominant and visually prominent two storey conservatory at this property. The conservatory by virtue of its elevated position above the existing conservatory below (or proposed conservatory at that level) and its overall cumulative scale, would affect the architectural integrity of the building and prejudice the character of the Conservation Area. The development would also fail to harmonise with the existing building and terrace as no other properties on this section of Belsize Lane have two storey rear conservatory additions. The development is considered to be contrary to the Council's Policies in CPG 1 and the Fitzjohns Netherall Conservation Area Appraisal which state that conservatory extensions should be small scale and subordinate to the original building, at ground floor level only, no higher than one storey in height and as unobtrusive as possible.

In terms of detailed design, the proposed conservatory extension would also sit uncomfortably against the rear angular and semi-circular bays on the rear elevation of the building and would fail to harmonise with the sympathetic traditional design of the existing conservatory below (although there is permission for a contemporary conservatory at lower ground floor level; this may not be

implemented). This would be contrary to the Conservation Area Appraisal which requires the design, scale and materials to be sensitive to the special qualities of the property and not undermine the features of the original building. It is therefore considered that the design of the extension would harm the architectural integrity of this building.

The developer has submitted a supporting document containing examples of other developments in the area. These have been reviewed and are not considered to be comparable to this site/application. The contemporary extensions shown are ground floor level additions only (some with terraces above; but no two storey conservatories) and the more traditional upper floor/roof level extensions have existed in the area for some time. In particular the example given at no. 26 Belsize Lane (referred to incorrectly as no. 20a in the applicants supporting information) is shown as an existing structure in the Council's records of a withdrawn planning application for a first floor conservation at that site from 1994 (Planning application 9401441). The current planning and conservation policy framework would not support these extensions. All of these examples are not considered to set a precedent for the development and in any case each application is considered on its merits.

Amenity Impact

Camden Development Policy DP 26 seeks to protect the amenity of neighbouring properties by reason of overshadowing with further detail in CPG 6 and CS5.

The proposed conservatory extension would be located on the existing terrace at upper ground floor level. The solid-built flank elevation of the extension would be located directly adjacent to the garden of no. 5 Rossllyn Hill (to the east) and would be 15 m away from the rear elevation of that property. Considering the scale and bulk of the extension, which would appear at first floor level in relation to this property, it would result in a minor increase in the sense of enclosure of the garden space. However, the scale of the impact would not be sufficient to justify a reason for refusal on this issue.

Other Issues

The extension would also be sited close to a protected tree, the canopy of which comes close to the site boundary. Although, the development would be at upper ground floor level and would not involve new foundations into the ground, the development may impact on the canopy of this tree. No information has been submitted with this application about tree protection/mitigation measures. Had the development been otherwise acceptable, a planning condition would have been applied requiring details of tree protection to be submitted to the Council.

Conclusion

The proposed upper floor level conservatory extension would result in an over-dominant and visually prominent two storey conservatory which would fail to harmonise with the existing building and terrace and would harm the architectural integrity of the building and prejudice the character of the Conservation Area. Overall, the proposed conservatory extension is considered to be contrary to the Council's Policy Guidance and for the above reasons it would be recommended for refusal.