

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		06/02/2018	
		N/A		<b>Consultation Expiry Date:</b>		24/01/2018	
<b>Officer</b>				<b>Application Number(s)</b>			
Ben Farrant				2017/6848/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
34 Ingham Road London NW6 1DE				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>							
Installation of rear dormer roof extension and 'pod' roof extension above part of two storey rear addition (Retrospective)							
<b>Recommendation(s):</b>		Refused and Enforcement Action to be taken					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refuse Permission					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		A site notice was displayed between 03/01/2018 and 24/01/2018  No responses were received.					

## Site Description

The subject site comprises a two storey mid-terrace dwellinghouse with original two storey stepped outrigger to the rear, situated on the northern side of Ingham Road.

The property is not a Listed Building and the site does not fall within a conservation area.

## Relevant History

### 34 Ingham Road

**2009/1968/P** – Erection of a single storey rear extension to dwellinghouse. Certificate of lawfulness (proposed) - **Refused 17/07/2009**

**2009/3915/P** – Erection of a single storey side and rear extension to residential dwelling (Class C3) - **Planning permission granted 06/10/2009**

**2014/5311/P** – Proposed rear dormer to replace existing and rooflights to front roofslope - **Certificate of lawfulness (proposed) granted 30/09/2014**

**2015/7260/P** – Erection of rear dormer roof extension and "pod" roof extension above part of two storey rear addition - **Certificate of lawfulness (proposed) granted 04/05/2016**

**2016/5069/P** - Alterations to the rear elevation at second floor level, including the creation of a roof terrace above two storey outrigger enclosed by new balustrade and privacy screens, and replacement of existing rear dormer window with a door – **Refused 02/02/2017 – Appeal dismissed 27/04/2017 (Ref: APP/X5210/D/17/3170357)**

### 32 Ingham Road (Neighbouring property)

**PSX0204672** – Certificate of Lawfulness for Proposed Development to convert the loft into habitable space, including the erection of a full width rear dormer and the installation of 4 roof lights on the front slope of the roof - **Certificate of lawfulness (proposed) granted 16/06/2003**

**2014/7565/P** – Erection of a single storey rear infill extension and changes to the windows at first floor and second floor level on the rear elevation - **Planning permission granted 16/02/2015**

### 36A Ingham Road (Neighbouring property)

**2016/6886/P** – Extend rear dormer, create second floor terrace, enlarge window & door opening to existing first floor balcony, replace existing casement windows with double hung sash windows – **Planning Permission granted 17/02/2017**

## Relevant policies

**National Planning Policy Framework 2012**

**The London Plan March 2016**

**The Camden Local Plan 2017**

A1 - Managing the impact of development

D1 - Design

## Camden Planning Guidance

CPG1 - Design

CPG6 - Amenity

## Fortune Green and West Hampstead Neighbourhood Plan

Policy 2 (Design and Character)

### Assessment

In determining this application it is acknowledged that a certificate of lawfulness (proposed) was previously approved to form a dormer and 'pod' addition to the roof of the property through its permitted development rights (Ref: 2015/7260/P dated 04/05/2016). The roof additions were built out of accordance with the previously approved plans, and do not form permitted development. This application seeks retrospective permission for the works. As the works were not completed in accordance with the criteria for permitted development, this does not form a 'fall-back' position, the extension is unlawful, and the entire proposal is assessed on planning policies.

CPG1 (Design) advises that roof alterations are sympathetic and do not harm the character and appearance of buildings. It states that alterations should be architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form. It also states that development will be resisted where "*the scale and proportions of the building would be overwhelmed by additional extension[s]*".

Policy 2 (Design and Character) of the Fortune Green and West Hampstead Neighbourhood Plan insists on high quality design which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead. Furthermore, paragraph A14 states that "*roof extensions and loft conversions should fit in with existing rooflines and be in keeping with existing development*".

Policy D1 (Design) of Camden Borough Council's Local Plan states that development should respect local context and character.

Two storey outriggers are the predominant feature of the rear building line along this side of Ingham Road. The addition represents a large, bulky and incongruous addition to the roofline, which is out of keeping with the original architectural features of the host building and disrupts the pattern and form of the rear building line of the terrace. The proposal by reason of its siting, scale and design serves to significantly detract from the character and appearance of the host building and its surroundings, and is considered to be out of accordance with the aforementioned policies and guidance.

It is considered that the proposal would not result in undue harm to the residential amenities of neighbouring occupiers.

No objections have been received following consultation on the proposal. The planning history of the site and surrounding area has been considered when determining this application.

Given the above assessment, the proposed development is in contrary to policy D1 of the London Borough of Camden Local Plan 2017, the London Plan 2016, the National Planning Policy Framework 2012, CPG1 and the Fortune Green and West Hampstead Neighbourhood Plan.

### Recommendation

Refuse planning permission

#### a) Issue an enforcement notice

#### b) Authorise enforcement action

That the Head of Legal Services issue an Enforcement Notice under section 172 of the Town & Country

Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under section 179 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

**The Notice shall allege the following breach of planning control:**

Without planning permission the unauthorised erection of roof extensions which would include the rear dormer and the projecting dormer that extends over the outrigger.

**The Notice shall require that, within a period of 3 months of the Notice taking effect:**

**Either**

1. Remove all the roof extensions which would include the rear dormer and the projecting dormer that extends over the outrigger together with their associated masonry flank walls.

**Or**

2. Restore the roof to a state before the breach occurred as detailed in the plans referenced "BEFORE ROOF EXTENSION FLOOR PLANS" drawing number "001" attached to the application referenced 2017/6848/P.

**And**

3. Remove from the site all constituent materials resulting from the works detailed above.

**Reasons for Issuing the Notice:**

- 1) It appears to the Council that the above breach of planning control has occurred within the last 4 years
- 2) The unauthorised development by reason of the harm to the host building and wider area and would be contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017