

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>13/03/2019</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>18/02/2019</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Alyce Keen			2018/6025/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
8 Froggnal Lane London NW3 7DU			Refer to 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>				
Erection of a roof extension to create 1x2-bed flat with terrace at 3rd floor level (Class C3). Extending the existing side dormer. Installation of balconies and alterations to fenestration on the rear elevation at first & second floors.				
<b>Recommendation(s):</b>		Refused planning permission		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>6</b>	No. of objections	<b>5</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>Advertisement in local press on 24/01/2019 – 17/02/2019.</p> <p>Site notice displayed on 25/01/2019 – 18/02/2019.</p> <p>The owner/occupier of the ground, first and second floor flats at 8 Frogmal Lane, Bracknell Gate and 5 Frogmal Lane have objected to the application on the following grounds:</p> <ul style="list-style-type: none"> <li>- The Development would completely destroy the local character and distinctiveness.</li> <li>- The addition of an extra floor outside the original footprint of the building will dramatically alter the appearance of the building in terms of height, scale, massing, which will result in overdevelopment.</li> <li>- The roofline will be altered affecting the architectural symmetry of the building itself and its relationship with neighbouring properties.</li> <li>- Residential activity at rooftop level would bring a more dynamic roof level profile, which would be a harmful addition to the building blighting the visual amenity and the character and appearance of the RFCA and Frogmal Lane.</li> <li>- It would also set a dangerous precedent for future rooftop development, which would have a cumulative effect in eroding the character and appearance of the RFCA.</li> <li>- There is no logical or sufficient access to the roof for any further accommodation.</li> <li>- The only access to the roof of the building is from inside the 2nd floor flat.</li> <li>- The proposed windows to the front of the building are totally out of keeping with the other house in the row of four houses and spoil the roofline.</li> <li>- Railing detailing will serve to highlight the design differences between the proposed development and existing properties.</li> <li>- The balconies will result in overlooking, loss of privacy and sense of enclosure.</li> <li>- Loss of light and overshadowing from roof extension and balconies</li> <li>- Loss of view</li> <li>- Construction noise and disturbance</li> <li>- The proposal will place additional pressure on parking</li> </ul> <p>A response letter from the applicant to one of the objections was also submitted.</p>					
<b>CAAC/Local groups comments:</b>	<p>The Heath &amp; Hampstead Society and Redington Frogmal Association have both objected to the application on the following grounds:</p> <ul style="list-style-type: none"> <li>- This application is not only a roof extension but actually an extra floor and an extra floor with restricted headroom in a vain attempt to make the proposal visually acceptable - which it does not achieve.</li> <li>- The existing detached house has a well composed elevation with a pronounced Dutch gable and a 30 degree slate roof matching the</li> </ul>					

<p>Association</p>	<p>roofs in the area. It is one of a pair of the same pleasant design.</p> <ul style="list-style-type: none"> <li>- This too large extra floor (roof extension) ruins the existing building and spoils the pair.</li> <li>- The application does not contribute to a Conservation composed of well designed houses - it fact it detracts.</li> </ul>
<p><b>Councillor Newman response:</b></p>	<p>As a Councillor for this ward, I believe the Planning Committee should reject this application.</p> <p>The proposed extension would clearly have a significant and adverse effect on this Redington / Frognal Conservation area.</p> <p>The addition of a further floor to 8 Frognal Lane would risk setting an unfortunate precedent for other, future developments at rooftop level, on this street and nearby. This precedent would undermine the appearance and character of the Conservation Area which is highly prized locally.</p> <p>In addition, any roof extension would disrupt the harmony of this building's design, as well putting it out of line with other houses in its row.</p> <p>I believe the proposed extension would undermine the Development Plan for the area, negatively affect the highly-prized local Conservation Area, and in particular negatively impact Frognal Lane overall. I would like to have the opportunity to attend the relevant committee date, if possible.</p>

## Site Description

The site is located on the southern side of Frogal Lane and contains a three-storey detached property.

The dwelling is not a listed building however it is designated as making a positive contribution in the Redington and Frogal Conservation Area. The Conservation Area is characterised by late 19<sup>th</sup> century and Edwardian residential buildings. The majority of houses are constructed from Red brick with clay tiled roofs and white painted timber framed windows. The acclaimed architect Quennell designed many houses within the area, as a result his architectural style of large sweeping roofs dominates the area.

## Relevant History

2011/0165/P - Renewal of planning permission granted on 26 February 2008 (ref:2007/6036/P) for (Additions and alterations including excavation of front lightwell, new stairs and porch, part excavation of lower ground floor level, and rear single storey extension, all in connection with the creation of additional residential accommodation to lower ground floor flat). Renewal of planning permission granted 01/06/2011.

2007/6036/P - Additions and alterations including excavation of front lightwell, new stairs and porch, part excavation of lower ground floor level, and rear single storey extension, all in connection with the creation of additional residential accommodation to lower ground floor flat. Planning permission granted 26/02/2008.

P9601999R3 - Erection of rear addition at lower ground and ground floor level including the provision of balconies at the three upper levels, together with excavations and alterations to the front of the property to form a front basement area, and the alteration of a dormer window in the eastern roof slope. Grant planning permission 15/11/1996.

8600928 - Installation of a new window at second floor level as shown on drawing nos. P2 3 3a. Granted planning permission 31/07/1986.

8500104 - Provision of a two-bedroom studio flat at roof level. Withdrawn 08/05/2003.

8401245 - Schedule 8 application for the construction of a dwelling unit at roof level in outline. Withdrawn 08/05/2003.

F5/9/28/28449 - Continued use as three self-contained flats and the retention of works. Granted planning permission 13/07/1979.

F5/9/28/32778 - Alterations to form additional bed-sit flat in the basement. Refused planning permission 19/10/1981.

## Relevant policies

### National Planning Policy Framework 2019

### The London Plan March 2016

### Local Plan 2017

The Local Plan was adopted by the Council on 3 July 2017 and has replaced the Core Strategy and Camden Development Policies.

Policy G1 Delivery and location of growth

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy T1 Prioritising walking, cycling and public transport  
Policy T2 Parking and car-free development

### **Camden Planning Guidance**

CPG1 – Design (July 2015 updated March 2018);  
Interim Housing CPG (March 2018);  
CPG6 – Amenity (September 2011 updated March 2018);  
CPG7 – Transport (September 2011);  
CPG8 – Planning Obligations (July 2015 updated March 2018).

### **Redington and Frogna Conservation Area Statement 2000**

#### **Assessment**

##### Proposal

Erection of a roof extension to create 1x2-bed flat with terrace at 3rd floor level (Class C3). Extending the existing side dormer. Installation of balconies and alterations to fenestration on the rear elevation at first & second floors.

The key planning issues are as follows:

- Design & Character
- Amenity
- Standard of Accommodation
- Transport

##### Design & Character

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. The Local Plan policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. Camden's Local Plan Document is supported by CPG1 (Design). Policy D2 (Heritage) states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.

On review of the proposal plans the roof extension is considered to be unacceptable for the following reasons.

The existing roof form compliments the proportions of the building and provides a sensitive setting for the decorative gable, which is a significant architectural feature of the principal elevation. The building forms part of a group of four identical buildings that together contribute to the character of the street and the wider conservation area.

The roof extensions include the creation of an additional storey, extending the existing side dormer in width and height and the addition of two dormers to the front.

The roof extensions overall would have a detrimental impact on the overall composition of the building and the setting of the decorative features. In addition, the proposed alterations would result in the building differing from the group of four buildings to which it belongs, weakening the uniform character of this part of the streetscene and the wider conservation area.

The examples of this type of extension presented within the design and access statement are a different building type and the large roofs appear to have been an original design feature. In addition,

these buildings do not have dormer windows in the highest part of the roofs as proposed.

Due to the current site context of the property being located within a uniform row of four identical buildings, it is considered that its architectural style would be undermined by any addition at roof level.

The two additional balconies at first and second floor are considered to add visual clutter, would appear prominently visible within the conservation area at those higher levels, and therefore are inappropriate. In addition, the fenestration would need to be drastically altered to create access to the balconies, which would harm the existing proportions and uniformity on the rear elevation.

#### Impact on the Redington/Frogna Conservation Area

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Para 196 of the NPPF (2018) states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Redington/Frogna Conservation Area Statement notes that the red tiled sweeping roofs are characteristic of the area and Frogna Lane is of a generally uniform and consistent character on its southern side. The proposed roof extensions would contribute to the gradual erosion of these roofs and would be harmful to the consistent character.

The proposal is thereby considered to constitute 'less than substantial harm' to this positive contributor building within the Redington/Frogna Conservation Area, and therefore, in line with paragraph 196 of the NPPF, the harm must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this case, it is not considered that the public benefits of the proposal (i.e. the provision of additional housing) would outweigh the harm that would be caused. The proposal is therefore considered to be contrary to the NPPF and also to Policies D1 and D2 of the Camden Local Plan and the application is recommended for refusal on this basis.

#### Amenity

Policy A1 of the Local Plan 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, outlook, noise and impact on daylight and sunlight. Camden's Local Plan Document is supported by CPG6 (Amenity).

A daylight/sunlight assessment has been submitted with the application, which concluded that both 6 & 10 Frogna Lane meet the BRE Guidelines for daylight in terms of VSC and daylight distribution, and for sunlight in terms of annual and winter APSH. Therefore based on this assessment the roof extensions are not considered to adversely harm the daylight and sunlight to the adjoining properties.

The additional balconies are not considered to worsen the existing situation of overlooking present from the windows on the rear elevation.

Therefore, the proposed scheme is considered to be in accordance with policy A1 of the Camden Local Plan 2017 and CPG Amenity.

#### Standard of Accommodation

From review of the third floor plan, it appears the proposed residential unit would comply with the Technical Housing Standards 2015. A 2 bedroom, 3 person unit should have a minimum gross

internal floor area and storage (m2) of 61sqm and the unit proposed would be 63.25sqm.

### Transport

Policy T1 Prioritising walking, cycling and public transport of the Local Plan states that Council will promote sustainable transport by prioritising walking, cycling and public transport in the borough.

Cycle Parking minimum standards for C3 (Dwellings) as specified in the London Plan are 1 space per studio and 1 bedroom unit or 2 spaces per all other dwellings. No cycle parking has been demonstrated to be provided as part of the submission.

Policy T2 Parking and car-free development of the Local Plan states that Council will limit the availability of parking and require all new developments in the borough to be car-free.

It is acknowledged that the proposed scheme does not include any car parking areas therefore is in accordance with policy T2. However, if the scheme were considered to be acceptable this would have been secured by way of a S106 legal agreement.

### Conclusion

The proposed roof extension and two additional balconies at first and second floor are considered inappropriate in terms of design and will adversely affect the building, four identical buildings and surrounding Redington/Frogna Conservation Area. Therefore, the proposed scheme is contrary to policies D1 and D2 of the Camden Local Plan 2017 and is recommended to be refused.

**Recommendation:** Refuse planning permission