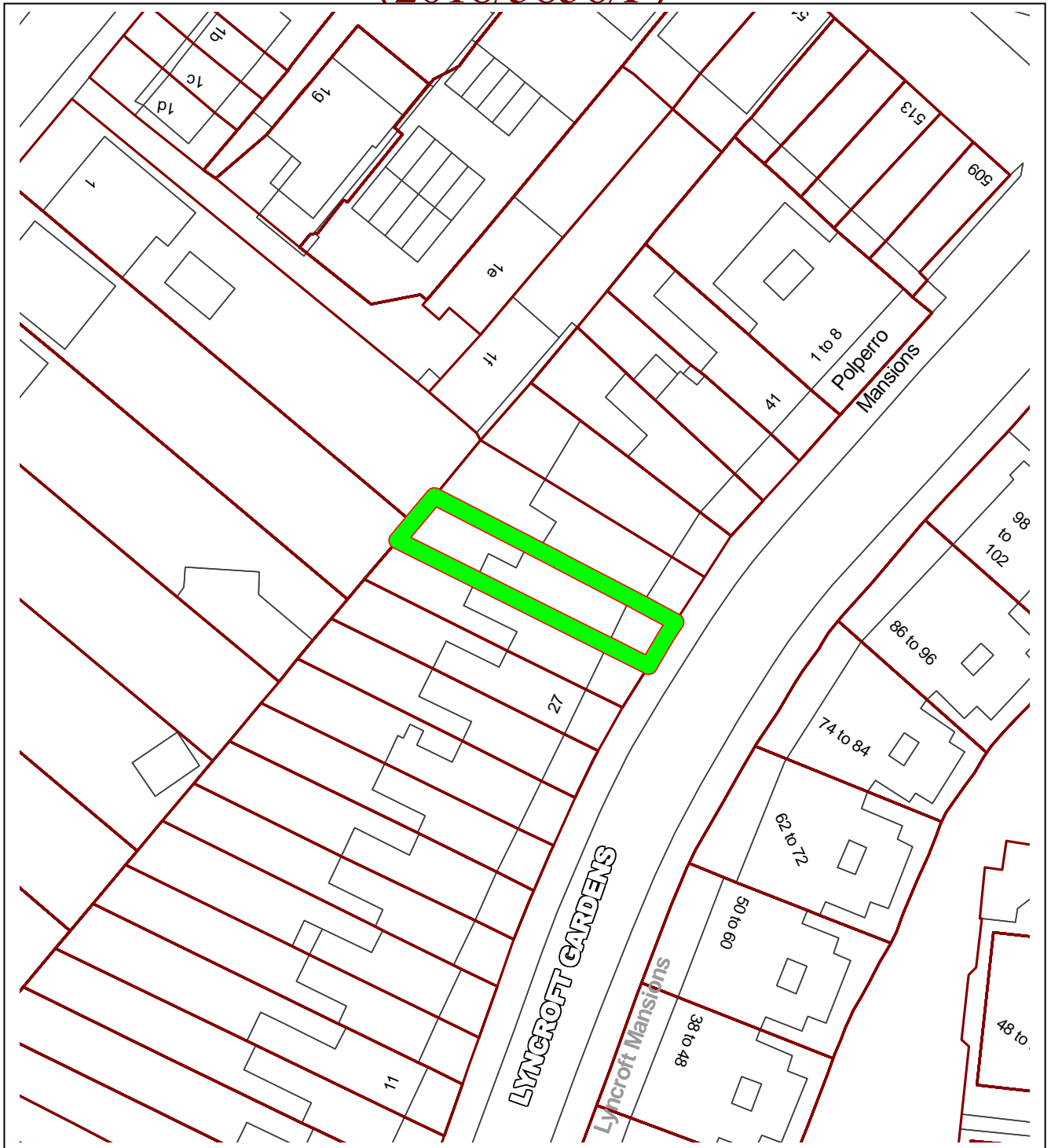


31 Lyncroft Gardens, NW6 1LB
(2018/5856/P)



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Site photos 31 Lyncroft Gardens (2018/5856/P)



Photo 1: Aerial view of front elevations of properties along Lyncroft Gardens looking south

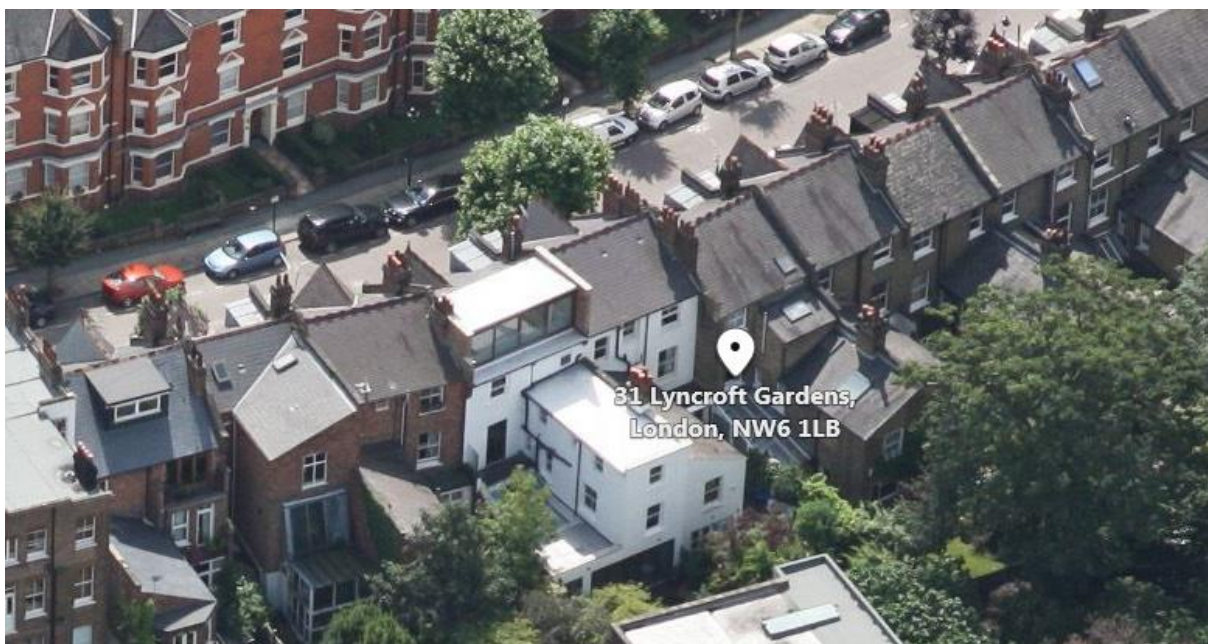


Photo 2: Aerial view of rear elevations of properties along Lyncroft Gardens looking east



Photo 3: Rear elevaton of aplication site showing existing rear conservatory



Photo 4: Rear elevation of the application site



Photo 5: Boundary with no. 33



Photo 6: Boundary with no. 33



Photo 7: Aerial view of application site and neighbouring properties illustrating locations of existing rooflights in the front roofslopes

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	20/03/2019
		N/A / attached		Consultation Expiry Date:	17/03/2019
Officer			Application Number(s)		
Elaine Quigley			2018/5856/P		
Application Address			Drawing Numbers		
31 Lyncroft Gardens London NW6 1LB			See draft decision		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of a single storey rear extension, enlargement of the first floor window in the rear elevation of the two storey closet wing at the rear and new conservation roof light to the front roofslope all in association with the existing single family dwelling (C3 use).					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	03	No. of objections	03
			No. Electronic	00		
Summary of consultation responses:	A site notice was displayed on 08/02/2019 that expired on 04/03/2019 and a press notice was published on 21/02/2019 that expired on 17/03/2019.					
	3 letters of objection have been received from local residents at 13 Lyncroft Gardens, 29 Lyncroft Gardens, 29B Lyncroft Gardens raising the following concerns:					
	<u>Design</u> <ul style="list-style-type: none">• Roof window in the front elevation is detrimental to the character and appearance of the conservation area• Roof of no. 31 is currently being replaced and it would be good to have confirmation that the original clay tiles will be replaced• The unique characteristics of the Victorian building would be destroyed• Victorian architecture is consistent in the terrace and to have one fundamentally alter the characteristics would set a terrible precedent for the conservation area.• Conservatory is architecturally inappropriate and would fundamentally alter the Victorian characteristics of the building <p>Officer comment: Refer to paragraphs 3.2 to 3.7 and 3.12</p>					
	<u>Amenity</u> <ul style="list-style-type: none">• Overlooking to the garden of no. 29 due to alterations to the window• Conservatory roofslope would result in overlooking to neighbouring properties <p>Officer comment: Refer to paragraphs 3.8 to 3.10</p>					
	<u>Flooding</u> <ul style="list-style-type: none">• Given the extensive flooding in recent years due to increased building in the area due to a raised water table, this development and the digging that would be required for these works to be carried out would worsen the problem and increase the chances of local flooding. Previous owners of 31 itself had to make an insurance claim on one of these occasions due to extensive ground floor flooding. <p>Officer comment: Refer to paragraph 3.11</p>					
	1 letter of support was received from local resident at no. 35 Lyncroft Gardens, which advised that the proposed works are sympathetic to the host building and in character with the area.					
West End Green CAAC / Fortune Green West Hampstead Neighbourhood Plan	West End Green CAAC – no response					
	Fortune Green West Hampstead Neighbourhood Plan – no response					

Site Description

The application site is a mid-terrace two storey property raised above lower ground floor levels with accommodation in the roof, located on the western side of Lyncroft Gardens. The property is in use as a single family dwellinghouse and is located within the West End Green conservation area. It is identified as making a positive contribution to the character and appearance of the conservation area for its group value (nos. 1-41 (odd)). The site is bounded to the rear by properties that front onto Parsifal Road.

The site is also located within the Fortune Green West Hampstead Neighbourhood Plan area.

Relevant History

Application site

Planning permission was **granted** on 25/04/1984 (ref 8400004) for alterations including the formation of a second floor rear extension. The proposal included the erection of a ground floor rear conservatory (to be removed as part of the current proposal).

Neighbouring properties

3 Lyncroft Gardens

Certificate of lawful development was **granted** on 02/11/2005 (ref 2005/3541/P) for the erection of a single storey side and rear extension to the existing dwellinghouse. L-shaped single storey rear extension (11m in length) that wrapped around the two storey closet wing

7 Lyncroft Gardens

Planning permission was **granted** on 15/08/2016 (ref 2016/3435/P) for erection of single rear extension and internal alterations.

23 Lyncroft Gardens

Planning permission was refused on 09/11/1999 (ref PW9902777) for erection of a roof extension and a terrace at the rear. The reason for refusal related to the location, scale, bulk and detailed design and materials of the proposed roof extension at the rear. The applicant appealed the decision (ref APP/X5210/A/99/1035105) and it was allowed on 18/05/2000. The Inspector considered that the proposal would not appear as an unduly prominent or disruptive additional to the terrace when seen from private areas at the rear.

Planning permission is sought for extension and lowering of the existing basement floor below the whole footprint of the building; replacement of the rear infill extension roof with a new pitched roof; alterations to front bay at lower ground floor level (2018/3377/P). The application is currently pending consideration.

33 Lyncroft Gardens

Certificate of lawful development was **granted** on 30/11/1999 (ref PW9902834) for installation of two roof lights to the rear extension, new windows and French doors at ground and first floor of rear extension and new window at second floor of main house.

35 Lyncroft Gardens

Planning permission was **granted** on 04/09/2007 (ref 2007/3118/P) for excavation of new basement floor to provide additional accommodation for dwellinghouse, plus new windows at front and rear and new rear lightwell with access bridge.

Planning permission was **refused** on 22/08/2007 (ref 2007/3206/P) for erection of extension at second floor level to roof of projecting wing in connection with the existing dwellinghouse.

Planning permission was **granted** on 27/09/2007 (ref 2007/3446/P) for excavation of basement with front lightwell, erection of rear ground floor level extension and erection of rear first floor level balcony all in connection with existing single-family dwellinghouse (Class C3).

39 Lyncroft Gardens

Planning permission was **granted** on 09/04/2001 (ref PWX0003069) for change of use from a dwelling to two self-contained maisonettes and works of conversion, including minor external alterations.

41 Lyncroft Gardens

Planning permission was **refused** on 12/09/1996 (ref P9600482R1) for installation of a dormer window in the rear roofslope as it would fail to achieve sufficient room height within the attic space and would not allow

adequate distance to the ridge of the main roof, leading to a visual projection above the roofline when viewed from the surrounding area. It would therefore have a detrimental effect on the appearance of the building and visual amenity of the surrounding area. The applicant appealed the decision and it was **allowed** on 02/06/1997 (ref T/APP/X521 O/A/96/274980/P9).

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

Camden Local Plan (2017)

A1 – Managing the impact of development

D1 – Design

Camden Planning Guidance

CPG1 Design (July 2015 updated March 2018)

CPG Amenity (March 2018)

Other documents

West End Green Conservation Area Appraisal and Management Strategy (CAAMS) (2011)

Fortune Green West Hampstead Neighbourhood Plan (2015)

Policy 2 (Design and Character)

Assessment

1.0 PROPOSAL

1.1 Planning permission is sought for the following works:

- Removal of existing single storey conservatory measuring 4.8m (length) by 2.6m (width) by 3.95m (height to the ridge) and replacement with a ground floor side/ rear extension projecting 8m in length to match the length of the existing two storey rear closet wing. It would measure 2.6m (width). The sloping roof of the ground floor extension would measure 3.82m in height and would include glazed panels, the flat roof section would measure 2.57m and would include a row of three rooflights adjacent to the boundary with no. 33 measuring 4.2m (length) by 0.6m (width). The extension would be constructed from yellow stock brickwork to match the existing house. The roof would be constructed from fibreglass and would include glazed panels and roof lights. Glazed bi-folding doors with a painted aluminium frame would be installed in the rear.
- Enlargement of the first floor window opening in the rear elevation of the closet wing from 1.03m (width) to 1.5m (width). A double glazed painted timber sliding sash window would be installed.
- Installation of a conservation-style rooflight in the front roofslope measuring 0.61m (length) by 0.87m (width). It would be set up from the eaves by approximately 2.4m and down from the ridge by 0.37m
- Replacement of the existing windows in the rear elevation of the main house and the rear elevation of the closet wing with double glazed timber sliding sash windows
- A small slot window on the rear elevation of the main house would be bricked up

2.0 AMENDMENTS

2.1 During the course of the application the length of the single storey extension has been revised following concerns by officers about its projection beyond the rear elevation. It has been reduced from 9.4m in length to 8m in length and would now be in line with the rear building line of the existing two storey closet wing.

3.0 ASSESSMENT

3.1 The main issues to consider as part of the assessment of the proposal would be:

- Design and character
- Amenity
- Other issues

Design and character

3.2 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 relates to heritage assets and notes that development should not harm Conservation Areas and development should preserve and where possible enhance the character or appearance of the area.

Single storey rear extension

3.3 This proposal includes a ground floor level rear extension. The extension infills the lightwell between the existing two-storey rear closet wing and the boundary with the neighbouring property at no. 33 create additional floorspace at ground floor. Although its length would measure 8m, the proposed extension would measure 2.6m in width and would not project beyond the existing two storey closet wing. The length, height, and width of the proposed extension would be considered subordinate to the two storey building and would preserve its character and appearance. The ground floor extension would be finished in brickwork to match the existing. Whilst the development would include modern glazing and aluminium frames, these are not considered to adversely impact upon the character and appearance of the building. The sloping roof of the extension would be constructed from two glass panels. This would be similar to the existing conservatory. The flat roof of the extension would not have any visual impact on the building and so the use of fibreglass for the roof materials would be considered acceptable.

3.4 There are a number of single storey extensions that have been constructed on neighbouring properties that are similar to the proposal in terms of infilling the area adjacent to the existing two storey closet wing. These include nos. 3 (approved 2005), 7 (approved 2016) 23 (no planning history), 35 (approved 2007). It is acknowledged that none of the single storey rear extensions (apart from no. 7) were approved after the adoption of the CAAMS but they are now part of the established character of the rear elevation of this part of the terrace. Given this context and the limited visibility of the rear elevation from public vantage points, the proposed extension would be considered to preserve the character and appearance of the conservation area.

Replacement windows

3.5 The proposal includes the replacement of two windows at second floor level on the front elevation and all of the existing windows at the rear of the property with double glazed timber sash windows. No objection would be raised to double-glazing given that the replacement windows would be one over one timber sash windows that match the scale, design, materials and proportions of the existing windows within the building. The first floor window in the rear elevation of the closet wing that would be widened from 1.03m to 1.5m. Although it would not follow the width of the window proportions of the existing windows it would still have a vertical emphasis and would not be considered detrimental to the character and appearance of the building. The replacement window would be double glazed one over one timber sash window to match the other replacement windows. It must be noted that this alteration falls within the permitted development rights of the property and the widening of the window could be undertaken without planning permission.

Skylight in the front elevation

3.6 The proposal would include the installation of a new conservation style rooflight in the front elevation. It would be flush with the roofslope and would be mainly screened by the existing raised party walls and prominent chimney stacks when viewed from the street. There are examples of front rooflights on two other properties within the street – one at no. 23, no. 35 and no. 41. Given its modest size, the fact that it is a conservation style rooflight and that it would be mainly screened from longer views from the street, the front rooflight would not be considered harmful to the character or appearance of the building or the conservation area.

3.7 Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Amenity

3.8 Camden Local Plan policy A1 and CPG (Amenity) are relevant with regards to the impact on the amenity of residential properties in the area.

3.9 Due to the topography of the site that slopes from north to south the application site is lower than the neighbouring property at no. 33. There is an existing boundary wall adjacent to the rear elevation of the main building that measures approximately 3.8m in height and slopes down to a 2.4m brick wall/ timber fence. The proposed extension would be similar in height to the existing extension closest to the rear elevation of the main house. It would slope down to a flat roof that would be a height of approximately 3m. There is one window on the rear wall of the neighbouring property at no. 33 and two ground floor windows in the side elevation of the

rear closet wing. In terms of daylight, whilst the proposed extension would cut within the 45 degree angle on plan form, the extension would not cut a 45 degree angle in elevation and therefore it is not expected that there would be a material loss of light as a result of the extension. Consequently, it is considered that the proposed single storey rear extension would not have a harmful impact on the daylight to this property. Due to the orientation of the properties, the extension would not result in loss of sunlight to no. 33, or result in an undue increase in overshadowing. There would be no increase in overlooking from the glazed panels in the roof as this is a similar arrangement that is present with the existing extension.

3.10 The enlarged window opening at first floor on the rear elevation of the closet wing would have a similar level of overlooking into the neighbouring garden at no. 29. The proposed extension would not project beyond the two storey rear closet wing and would not have any impact on the amenity of the neighbouring property at no. 29 in terms of loss of daylight, sunlight or overlooking.

Other issues

3.11 Concerns have been raised by local residents about the potential for further flooding as a result of the construction work (digging) required for the new extension. The site is identified as falling within a local flood risk area. The area where the existing conservatory and the area to the front of it is covered in concrete paving. The works would not include any excavation works but the removal of the concrete paving and installation of footings for the single storey extension. The works would not be considered to increase the potential for flooding within the site or to surrounding neighbours. The garden area to the rear of the site would remain unaffected by the proposal.

3.12 A local resident has also requested confirmation that the replacement roof would include the reuse of the original clay tiles to match the existing. The agent has confirmed that the roof was defective and has been replaced. This has been carried out using natural slate and the clayware (decorative ridge tiles) have been reused where possible (reliant on the condition of the existing clay tiles).

4.0 RECOMMENDATION

4.1 Grant conditional permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 25th March 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2018/5856/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Date: 19 March 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

4orm
1-5 Offord Street
London
N1 1DH
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

31 Lyncroft Gardens
London
NW6 1LB

Proposal:

Erection of a single storey rear extension, enlargement of the first floor window in the rear elevation of the two storey closet wing at the rear and new conservation roof light to the front roofslope all in association with the existing single family dwelling (C3 use).

Drawing Nos: 4118-X.01 (Site location plan); 104; 105; 110; 115; 4118-P.104A; 105A; 110A; 115B

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 4118-X.01 (Site location plan); 104; 105; 110; 115; 4118-P.104A; 105A; 110A; 115B

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

DRAFT

DECISION