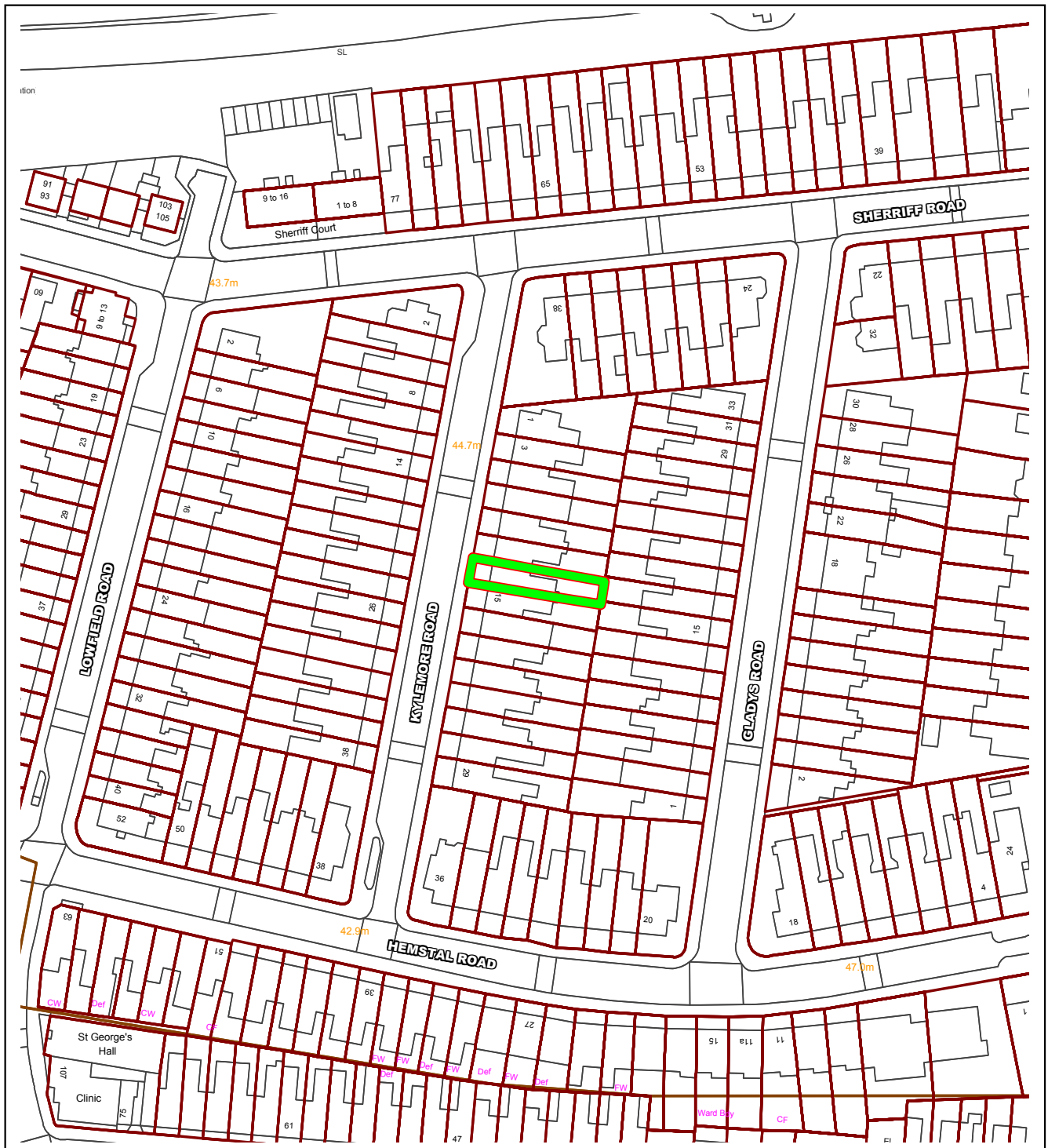


# 2019/0249/P – 13 Kylemore Road



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Photo 1 – Front of property



Photo 2 – Rear stairs and WC block



Photo 3 – Rear elevation



Photo 4 – Rear courtyard and boundary wall (with no.11)



Photo 5 – View from 1<sup>st</sup> floor of host property showing lower ground floor door and window on side return at no.11



Photo 6 – Rear garden of host property



Photo 7 – Approved side extension (no.17)



<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>18/03/2019</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>18/02/2019</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Tony Young			2019/0249/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
13 Kylemore Road London NW6 2PS			Refer to 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>					
Erection of a single storey side extension at rear lower ground floor level, involving the removal of an existing external stair and replacement of rear door at upper ground floor level with a window, and replacement of all existing timber sash windows with like-for-like double glazed windows.					
<b>Recommendation(s):</b>		Grant Conditional Planning Permission			
<b>Application Type(s):</b>		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	0	No. of responses	03	No. of objections	03
			No. Electronic	03		
Press and/or site notice details	Site notice was displayed from 25/01/2019 to 18/02/2019					
CAAC/Local groups & residents comments	<p><u>West Hampstead Gardens and Residents Association</u> objected to the proposal summarised as follows:</p> <ol style="list-style-type: none"> <li><i>"It would represent a very oppressive and overpowering construction affecting their garden (no.11). I hope there is some way to get the height and bulk reduced."</i></li> </ol> <p><u>Neighbouring occupier (no. 11)</u> objected to the proposal summarised as follows:</p> <ol style="list-style-type: none"> <li><i>Sense of enclosure and loss of daylight given height of new wall and proximity to neighbouring property at no. 11 would have a negative impact on enjoyment at rear of the property;</i></li> <li><i>Fully glazed roof would result in light spillage into neighbouring windows on our side of the return and not protect the privacy of either the occupants (at nos. 11 and 13);</i></li> <li><i>Concern regarding damage to property and lack of liability insurance.</i></li> </ol> <p><u>A local resident</u> objected to the proposal summarised as follows:</p> <ol style="list-style-type: none"> <li><i>Over development and the size and bulk of this side-return extension which harms the amenity and peaceful use of their gardens;</i></li> <li><i>Concerns regarding cracking, shift and subsidence and drainage problems due to additions of this kind, and lack of safeguards to indemnify the next-door properties against potential long-term damage and loss;</i></li> <li><i>Harm to established configuration of the back gardens in this area which have provided valuable ecological 'green' resources, drainage and social benefits for residents over many generations.</i></li> </ol> <p><u>Officer response to above:</u></p> <ol style="list-style-type: none"> <li><i>- see main body of report;</i></li> <li><i>3 and 5 - see section 4 below;</i></li> <li><i>4 and 6. - these issues are not planning matters, and as such, are not</i></li> </ol>					

	<i>planning considerations for this application; 7. - the proposal involves a small amount of side courtyard space with hardstanding. An acceptable level of rear garden space would be retained (see section 3.3 below).</i>
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## Site Description

The application site is a 2-storey, mid-terraced dwelling house with lower ground floor located on the east side of Kylemore Road backing on to the properties at the rear on Gladys Road. The surrounding area is predominantly residential with similar style terraced residential properties and is located in the Fortune Green and West Hampstead Neighbourhood Area.

The building is not statutorily listed and is not located within a designated conservation area.

## Relevant History

### Application site:

2018/6113/P - Dormer extension to rear roofslope and addition of 2 rooflights in front roofslope.  
Certificate of lawfulness (proposed) granted 11/02/2019

2015/6424/P - Excavation to lower the existing basement floor level and creation of new front lightwell with associated external staircase and front bay window; erection of new front boundary wall with new bin store area; changes to fenestration to the rear at lower and upper ground levels; raising the parapet wall and roof level of existing rear closet wing. Planning permission granted 10/11/2017

### Wider locality:

2012/6509/P (5 Kylemore Road) - Excavation to create increased depth to existing basement and new lightwells to front and rear and erection of rear ground floor level extension all in connection with existing ground and lower ground flat (Class C3). Planning permission granted on 23/01/2013

2012/3346/P (7 Kylemore Road) - Excavation to lower the existing basement and create a front lightwell, alterations windows/doors at rear basement level and removal of staircase from rear ground floor level to garden all in connection with use of the building as a single-family dwelling-house (Class C3). Planning permission granted on 28/08/2012

2012/1383/P (10 Kylemore Road) - Erection of single-storey rear lower ground floor level extension and excavation to increase depth of existing basement and create enlarged front lightwell, alterations to fenestration at rear lower ground floor level, erection of replacement timber fence to rear and timber cover to bin store in front garden all in connection with existing flat (Class C3). Planning permission granted on 01/05/2012

2011/1694/P (17 Kylemore Road) - Erection of single storey infill rear extension to existing dwelling house (C3). Planning permission granted on 06/06/2011

## Relevant policies

### **National Planning Policy Framework 2019**

### **The London Plan March 2016**

### **Camden Local Plan 2017**

A1 - Managing the impact of development

D1 - Design

### **Camden Planning Guidance**

CPG (Design) March 2019 – chapter 2 (Design excellence)

CPG (Altering and extending your home) March 2019 – chapters 2 (Design excellence for house and flats) and 3 (Extensions: rear and side)

CPG (Amenity) 2018 – chapters 2 (Overlooking, privacy and outlook) and 3 (Daylight and sunlight)

**Fortune Green and West Hampstead Neighbourhood Plan (adopted September 2015) - policy 2**  
(Design and character)

## Assessment

### 1. Proposal

- 1.1 Planning permission is sought to erect a single storey side extension at the rear of the property measuring approximately 4.8m deep by 1.8m wide by 3.3m high at its highest point, sloping downwards to 2.7m on the side boundary with no.11 Kylemore Road. Double glazed rooflights would be incorporated within the sloped roof and re-used existing or reclaimed brickwork materials are proposed to match existing facing materials with new powder-coated aluminium framed fenestration to the new lower ground floor rear doors and window. The proposal would create an approximate additional 8.7sqm of new floorspace.
- 1.2 The proposals also would involve the removal of a small rear WC block (approximately 1sqm of floorspace) and existing external stairs at the rear and the replacement of the upper ground floor access door with a white timber sash window to match the existing 1st floor window above.
- 1.3 All existing white single glazed timber sash windows would also be replaced with like-for-like double glazed windows.

### 2. Assessment

- 2.1 The principal considerations material to the determination of this application are:
  - a) the design and impact of the proposal on the character and appearance of the host building within the Fortune Green and West Hampstead Neighbourhood Area and wider locality; and
  - b) the impact of the proposal on neighbouring amenity.

### 3. Design and appearance

- 3.1 Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. It advises that *“Good design takes account of its surroundings and preserves what is distinctive and valued about the local area”* and expects all development to specifically consider:
  - character, setting, context and the form and scale of neighbouring buildings;
  - the character and proportions of the existing building, where alterations and extensions are proposed;
  - the prevailing pattern, density and scale of surrounding development;
  - the impact on existing rhythms, symmetries and uniformities in the townscape;
  - the composition of elevations;
  - the suitability of the proposed design to its intended use;
  - inclusive design and accessibility; and
  - its contribution to public realm and its impact on views and vistas.

### Side extension

- 3.2 The effect of the proposals is to extend an existing rear outrigger by 1.8m at the side, infilling into the courtyard of the property in order to provide additional habitable space as an open plan kitchen/dining area. The single storey extension itself would be 4.8m deep; however, some courtyard space nearest the rear of the host property would be retained (approximately 2.8sqm in area and 1.6m in depth) to allow for natural light to enter the rear lower ground floor windows. The extension would not extend any further into the rear garden than the current depth and building line of the existing outrigger.
- 3.3 Camden Planning Guidance (Altering and extending your home) requires that side extensions should be “*subordinate to the original building in height and scale*”. In this regard, the proposed extension would appear sufficiently subordinate to the main building and would not appear oversized in relation to the host building and wider rear terrace. The existing rear garden itself measures approximately 62sqm. The additional new floorspace associated with the proposed extension would reduce the area of the garden to approximately 51sqm resulting in an 18% loss of garden space. Over 50% of the existing garden would remain and it is considered that sufficient garden space would be retained in accordance with policies and guidance designed to protect garden space and retain a reasonably sized garden.
- 3.4 The existing space at the side of the property is narrow and provides only limited amenity value. The loss of this modest amount of outdoor space is therefore considered to be acceptable given its limited usability and small footprint, especially as an adequate outdoor garden area would still remain. The sloped roof design ensures that the addition falls downwards to a maximum height of 2.7m at the side boundary with no.11 Kylemore Road, and as such, rises no higher than 1m above the existing boundary fence, so helping to minimise the visual impact.
- 3.5 The removal of the existing rear external stairs and subsequent replacement of the upper ground floor access door with a white timber sash window to match the existing 1st floor window above is considered to be an enhancement to the property especially given the poor condition of the stairs. The proposed extension would not be visible at the front or from within the public domain. The single storey height with no increase in depth beyond the existing rear footprint of the host building and the distance away from any houses facing the rear of the property ensures that there are no visibility concerns.
- 3.6 As such, the design, siting, location and scale of the extension would ensure that it would be visually subordinate within the host garden and would not detract from the character of the narrow gardens at the rear by virtue of its size and bulk in accordance with Council guidance.
- 3.7 It is noted that the proposals are comparable with planning permission granted for similar proposals at nos. 17 (ref. 2011/1694/P) and 5 (ref. 2012/6509/P) in 2011 and 2013 respectively that have equivalent site context and constraints.

### Window replacement

- 3.8 The proposal also seeks to replace all existing timber sash single glazed windows with like-for-like double glazed windows that would match as closely as possible the existing windows in terms of materials, colour, frame sizes, design, opening methods and proportions.
- 3.9 There would be some degree of increased thickness to the glazing bars in order to accommodate the double glazing panes; however, in this instance, the use of suitably designed window units are considered to be an appropriate alteration unlikely to alter or detract from the character and appearance of the host building within the Fortune Green and West Hampstead Neighbourhood Area, and as such, would be acceptable.

## Materials

- 3.10 Re-used existing or reclaimed brickwork is proposed for the extension so as to match as closely as possible with the existing brickwork. The new windows and doors at rear lower ground floor level would be powder-coated aluminium frames. The new window replacing the upper ground floor access door and all replacement double glazed windows would be matching white timber sash frames. These materials are considered to be appropriate to the qualities of the host building and in keeping with the wider character and appearance of neighbouring buildings.
- 3.11 Overall therefore, the proposal is considered to be acceptable in terms of its design, materials, siting and scale, and would involve appropriate alterations in keeping with the character and appearance of the host building and wider Fortune Green and West Hampstead Neighbourhood Area. As such, the development would accord with Council guidance and policies, and is acceptable.

## **4. Amenity**

- 4.1 Local Plan Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents. This is supported by Camden Planning Guidance (Amenity) that requires the potential impact on the amenity of neighbouring properties to be fully considered and seeks for developments to be *"designed to protect the privacy of both new and existing dwellings to a reasonable degree"* and that the Council will *"aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers."*
- 4.2 A number of objections were received during the consultation period with regard to the possible adverse impact of the proposal on light levels, outlook, and sense of enclosure to the nearest neighbouring property at no.11 given the height and proximity of the proposed extension. While it is recognised that the rear gardens are relatively narrow with limited space in the side courtyard, it is considered that the proposed extension would be appropriate within this context for the following reasons:
- an existing 1.7m high boundary wall already provides a solid boundary between the host property and no.11. The proposed extension would rise no higher than 1m above this and so its introduction would unlikely result in any significant alteration in outlook or sense of enclosure to the neighbouring property given that the nearest rear and side windows at lower ground floor level already sit below this existing boundary height;
  - the sloping roof profile, along with the orientation of the buildings (facing east), would ensure that light provision to the neighbouring rear window and kitchen window on the side return of number 11 would not cause an unacceptable loss of light, and that any potential increased sense of enclosure would be minimised given that the roof falls downwards towards its lowest point at the boundary with no.11;
  - a small recess area will be retained in the side courtyard nearest the rear of the host property (approximately 2.8sqm in area and 1.6m in depth) to allow for natural light to continue to enter the rear lower ground floor windows of both properties;
  - the wider rear terrace itself slopes downwards towards the south-west and so no.11 sits in a slightly more elevated position than the host property, and as such, the presence of the proposed addition would be moderated to some degree and would not appear as high or overbearing;

- the rooflight would incorporate deep 'fins' within its internal design which would assist in screening artificial light from within the property and in shielding views into and out of the side extension, so reducing any potential adverse effects of light spillage or privacy impacts to or from neighbouring windows.

4.3 Therefore, while it is recognised that the rear gardens are relatively narrow with limited space in the side courtyards, it is considered by virtue of its size, siting and design that the proposal would unlikely cause undue harm to neighbouring amenity in terms of outlook, light-spill, loss of sunlight/daylight, or increased sense of enclosure. The proposals therefore accord with policy A1 and with Camden Planning Guidance, and are acceptable.

## **5. Recommendation**

5.1 The proposed development is considered acceptable in terms of its design and impact on the Fortune Green and West Hampstead Neighbourhood Area, and there is no significant adverse impact on the residential amenity of neighbouring occupiers. The development is also deemed consistent with the objectives, guidance and policies identified above. It is therefore recommended that planning permission be granted.

### **DISCLAIMER**

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 1<sup>st</sup> April 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2019/0249/P  
Contact: Tony Young  
Tel: 020 7974 2687  
Date: 25 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](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Oliver Leech Architects  
E251.4 Riverside Business Centre  
LONDON  
SW18 4UQ

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Householder Application Granted

Address:

**13 Kylemore Road**  
**London**  
**NW6 2PS**

Proposal:

Erection of a single storey side extension at rear lower ground floor level, involving the removal of an existing external stair and replacement of rear door at upper ground floor level with a window, and replacement of all existing timber sash windows with like-for-like double glazed windows.

Drawing Nos: (EX-)001, 002, 100, 101, 102, 200, 201 (dated February 2019), 300, 301 (dated February 2019); (PR-)100, 101, 102, 200, 201 (dated February 2019), 300, 301 (dated February 2019), 302.

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 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: (EX-)001, 002, 100, 101, 102, 200, 201 (dated February 2019), 300, 301 (dated February 2019); (PR-)100, 101, 102, 200, 201 (dated February 2019), 300, 301 (dated February 2019), 302.

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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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**