

Delegated Report		Analysis sheet	Expiry Date:	26/06/2019
		N/A / attached	Consultation Expiry Date:	01/07/2019
Officer			Application Number(s)	
Obote Hope			2019/1986/P	
Application Address			Drawing Numbers	
29 Fortess Road LONDON NW5 1AD			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a mansard roof extension, a new two-storey rear infill extension at lower-ground floor level with first floor conservatory to the rear elevation, alterations to the floor levels including re-alignment of the rear windows of the annex wing extension and conversion of the existing 4 flats into 3 x 1 bedroom flats and 1 x 2 bedroom maisonette (Class C3).				
Recommendation(s):		Refuse Planning Permission		
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	01	No. of objections	01
			No. electronic	01		
Summary of consultation responses:	<p>A site notice was displayed from 06/02/2019 to 02/03/2019.</p> <p>An objection was received from an unknown address as summarised below:</p> <ul style="list-style-type: none"> • The lack of consultation letter notifying neighbours of the submission of the proposed application; • The proposed mansard roof extension would impact on privacy; • The works would devalue my property; • Would like to reserve the right to make further objections; • The proposed works would cause noise and disturbance; • The owner of no 31 Fortess Road is abroad and would like to comment on the proposed works. 					
CAAC/Local groups* comments: *Please Specify	N/A					

Site Description

The application site is located midway within a Victorian terrace along the west side of Fortess Road. The host building is a three storey plus basement property sub-divided into 3 x 1 bed self-contained flats and 1 studio flat. The property is not listed or within a conservation area. However, the properties within the terrace are locally listed for their 'Architectural and Townscape Significance'.

The host building consists of a two-storey outrigger to the rear elevation as with all its neighbours.

Relevant History

2017/3552/P – Planning permission granted on 14/08/2018 for erection of a mansard roof extension, erection of a two storey infill extension at lower-ground floor level, internal and external alterations to the floor levels including re-alignment of the rear windows of the annex wing extension, all associated with the conversion of the existing 4 x 1 bed flats into 4 residential units consisting of 3 x 1bed and 1 x 2Bed self-contained flats (Class C3). Subject to a S106 on CMP and car-free housing for nominated units.

Relevant policies

National Planning Policy Framework 2019

London Plan March 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development
Policy A4 Noise and Vibration
Policy D1 Design
Policy D2 Heritage
Policy T1 Prioritising walking, cycling and public transport
Policy T2 Parking and car-free development
Policy T3 Transport infrastructure
Policy T4 Sustainable movement of goods and materials
Policy DM1 Delivery and monitoring

Camden Planning Guidance

CPG – Altering and extending your home (2019)

- Paragraph 3.2 to 3.7

CPG - Amenity (September 2011 updated March 2018)

CPG 7 – Transport (2019)

- Chapters 5 (Parking and Car Free Development) and 8 (Cycle Facilities)

CPG – Developer Contributions (2019)

- Chapter 5 (Planning Obligations) and 6 (General procedures for planning obligations)

Kentish Town Neighbourhood Plan 2016

Policy D3 Design Principles

Assessment

1. Proposal

1.1 Planning permission (2017/3552/P) was granted on the 14.08.2018 for the erection of a mansard roof extension; erection of a two-storey infill extension at lower-ground floor level, internal and external alterations to the existing floor levels and the re-alignment of the rear windows of the annex wing extension, all associated with the conversion of the existing 3 x 1 bed and 1 studio flat into 4 x residential units consisting of 3 x 1bed and 1 x 2bed self-contained flats. The scheme remains unimplemented.

1.2 Planning permission is now sought for erection of a glazed conservatory at first floor above the approved 2 storey infill extension. The remainder of the scheme remains exactly the same as approved and the expanded 1st floor flat will remain a 1 bedroom unit.

1.3 The proposed mansard roof extension would be constructed behind the high parapet wall that would add approximately 35sqm of additional residential floor space. The overall rear extension would measure approximately 2.6m in width, 3.1m in depth and 7.9m in height. The height of the existing rear outrigger would be increased from 7.4m to 7.9m.

1.4 The key considerations are as follows:

- Site and Policy Context
- Dwelling mix and standard of accommodation
- Design and Heritage
- Transport
- Residential Amenities

2.0 Site and Policy Context

2.1 The host building is located in a Victorian terrace consisting of 9 mid-19th century properties located in a predominantly residential area; the front elevation is uniform in design and appearance, set behind basement lightwells with iron railings with steps to raised ground floor. The properties are constructed using stock brick with rusticated stucco at ground floor elevation with decorative iron railings to first floor windows. They are a locally listed well-preserved group that add consistency on the west side of Fortess Road and relate well to the listed 19th century terrace on the opposite side of the road.

2.2 The Kentish Town Neighbourhood Plan (2016) requires new developments to preserve the local distinctiveness of the area *"In order to promote and reinforce rather than detract from its local distinctiveness area.* The Neighbourhood Plan stipulates that new development can harm the area's distinctiveness for existing and future generation. The policy document recognised that, *"Inappropriate development over the decades has left a legacy of poorly designed frontages that are out of keeping with the local area and have a negative impact on the visual amenity and sense of the area, and be sensitive to, the height of existing buildings in their vicinity and setting"*.

2.3 Its policy D3 on Design Principles states that Applications for the development of new and the redevelopment of existing buildings (which may include demolition, alteration, extension or refurbishment) will be supported where they meet the following criteria, *inter alia*:

- a) Proposals must be based on a comprehensive understanding of the site and its context;
- b) Proposals must be well integrated into their surroundings and reinforce and enhance local character, in line with paragraph 64 of the NPPF;
- c) Proposals must identify and draw upon key aspects of character, or design cues from the surrounding area. Appropriate design cues include grain, building form (shape), scale, height and massing, alignment, modulation, architectural detailing, materials, public realm and boundary treatments.

2.4 The NPPF 2019 stipulates that local planning authorities should set out policies, which resist inappropriate development, especially those development that cause harm to the area's character.

3.0 Dwelling mix and standards

3.1 The proposal would allow the number of units to remain the same at 4, consisting of 3 x 1Bed and 1 x 2Bed units. The proposed lower-ground floor 1 x 1Bed flat (Flat 1) would measure approximately 62sqm, the 1 x 1Bed

flat (Flat 2) on the ground floor would cover approximately 51sqm of internal floor area, Flat 3 (first floor) the existing studio would be converted into 1 x 1Bed 2P flat measuring 52sqm. The maisonette between the second and third floors would measure approximately 81sqm. All units would meet the National Space Standard for such flats. The unit mix is considered a rational arrangement for the size and floorplates of the building and the inclusion of a 2-storey 2 bedroom maisonette would achieve a mix of unit sizes and would introduce a high priority unit, thus meeting the objectives of policy H6 of the Local Plan 2017.

3.2 All units would provide adequate level of natural light, ventilation and outlook for future residents. Furthermore, a condition would normally be attached requiring details to be submitted as evidence that the proposed units would be compliant with Part M4 (2) of Building Regulations.

4.0 Design and Heritage

4.1 Policy D1 of the Local Plan 2017 stipulate that that roof alterations are likely to be acceptable when there is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape. Policy D1 also requires new development to respect local context and character, preserve or enhance the historic environment and prevailing pattern, density and scale of surrounding development. Policy D2 on Heritage aims to 'preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings', including locally listed heritage assets.

4.2 CPG (Altering and extending your home) gives in para 3.1 some general good practice principles for rear and side extensions; notably it says that proposals should- a) be secondary to the building being extended, in relation to its location, form, scale, proportions, dimensions and detailing; c) respect and preserve the original design and proportions of the building, including its architectural period and style; e) respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space.

It later states in para 3.6 that "only in exceptional circumstances will conservatories be allowed on upper levels".

Rear extension

4.3 The proposed 2-storey infill extension is the same as previously approved and still remains acceptable. It is noted that many other neighbouring buildings have had their gaps between closet wings infilled by lower extensions. However, none extend the full height of the existing closet wings and they remain subordinate in size and nature. As now proposed, the new infill rear extension would merge with the existing closet wing and result in extending the entire width to the rear host building. This extension would fail to be subordinate to the building being extended and would detract from the original design and proportions with the neighbouring buildings. Thus would be contrary to CPG (Alteration and extending your home) and the Local Plan 2017.

4.4 The host building within the terrace retains a symmetrical composition and has a harmonious and relatively balanced appearance that is fundamental to the special character of the building. The terrace of locally listed buildings at the rear is characterised by a regular pattern of dominant 3 storey half width closet wings. The principle of the glazed conservatory on the approved two-storey rear infill extension is considered unacceptable. The additional height and massing would result in changing of the historic proportions so that the closet wing is no longer obvious and prominent and now subsumed within a much larger overall extension. This would compromise the character of the host building and would undermine the rhythm of the neighbouring properties. The detailed design of the conservatory would be poorly executed in the context of the host building when looked at in context with the neighbouring properties whereby the infills of the outriggers do not rise above ground floor level and usually only consist of a single storey rear addition. Its detailed design with a large glazed façade would appear incongruous and out of keeping with the more traditional fenestration patterns of the host building.

4.5 CPG (design) stipulate that unsympathetic rear extensions can alter the harmony and balance of a group of buildings and rear extensions will not be acceptable where they would diverge significantly from the historic pattern of a group or terrace. In addition to this, the CPG states that rear extensions that are rise above the general height of neighbouring projections and nearby extensions will be strongly discouraged. This would be the case in this instance as the infill would rise above the height of the neighbouring closet wing. There is also a concern that, if implemented, the proposal would set an unwelcomed precedent for future development.

4.6 Therefore, in the light of the general degree of uniformity in the basic design, scale and massing of the existing rear outrigger extensions within the terrace, it is considered that the proposed three-storey extension

would be an incongruous addition that would be disproportionately large and would be detrimental to the character and appearance of the host building and on the locally listed terrace overall.

4.7 The locally listed building is non-designated heritage asset. CPG Design states that the Council will seek to protect non-designated heritage assets (NDHA) in the same way as heritage assets such as listed buildings and conservation areas. The effect of a proposal on the significance of a NDHA will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset. In line with NPPF guidance in paras 195-196, the Council will not permit development that results in harm that is 'less than substantial' to the significance of a designated heritage asset unless the public benefits of the proposal outweigh that harm. A similar approach is to be adopted for NDHAs.

4.8 It is considered that in this case the conservatory addition will cause 'less than substantial' harm to the locally listed building and that there are no public benefits to outweigh this harm. Para 197 of the NPPF states that, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. It is considered that the 'Architectural and Townscape Significance' of this locally listed terrace will be harmed, albeit not substantially, by the addition of an incongruous conservatory at upper levels which disrupts the regular rhythm of closet wings and gaps inbetween. It thus fails to comply with CPG design guidance and policies in the Local Plan and the Kentish Town Neighbourhood Plan.

Mansard roof extension

4.9 Four of the properties within the terrace consist of mansard roof extensions including the immediate neighbour at no.31. Thus, the principle of a mansard roof extension here is considered acceptable. The mansard roof extension is an acceptable design and would be in line with planning guidance in CPG (Alteration and extending your home). The roof extension would be predominantly clad in natural slate, which is an appropriate material. Furthermore, the mansard would accommodate appropriately sized dormers. The overall design is architecturally sympathetic to the age and character of the building and serves as a correct example for any further mansard proposals on this terrace. The existing front parapet as well as the rear with its butterfly roof profile is retained.

Fenestration and façade alterations

4.10 It is proposed to replace all the existing UPVC windows with timber-framed windows to the rear elevation and realign the first and second floor windows. The proposed windows would be subordinate in both size and numbers; the fenestration alterations to the rear are considered acceptable in design and appearance. The new window arrangements would enhance the rear elevation and are proportionate in terms of the number of windows currently installed. The first floor of the existing outrigger would be increased by 300mm; no objection is raised in regards to the proposed scale and bulk. It is proposed to render the infill extension which is acceptable, given that the existing outrigger is also rendered.

5.0 Transport

5.1 It is noted that the previous permission for exactly the same scheme without the conservatory had a S106 requiring car-free housing for 2 flats and a Construction Management Plan.

Parking

5.2 In accordance with policy T2 (Parking and car-free development) the Council will limit the availability of parking and will require all new developments in the borough to be car-free. The Council will not issue on-street parking permits in connection with new developments and will use s.106 legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits. The scheme in parking terms remains the same as previously approved- two of the existing occupiers would remain here so the lower and upper ground floor flats would have access to onstreet carparking; however the first floor flat and upper floors maisonette would need to be "car free". Had the development been acceptable in all other respects, these proposed enlarged flats would have been secured as a car-free via a s.106 legal agreement. The absence of such a legal agreement represents a further reason for refusal.

5.3 Policy T1 of the new Camden Local Plan requires development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and the design requirements outlined in CPG7. In this case, 4 flats would require 3 covered, secure and fully enclosed cycle parking spaces in accordance with policy T1. However due to the existence already of 4 flats here and the existing site constraints with very little

external space available, it is considered unreasonable to require any cycle storage in this instance.

Construction Management Plan

5.4 Policies A1 and T4 state that Construction Management Plans should be secured to demonstrate how a development would minimise impacts from the movement of goods and materials during the construction process (including any demolition works). The policies also relate to how a development is connected to the highway network. For some developments, this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).

5.5 Due to the sensitive location of this site, a CMP must be secured as a Section 106 planning obligation if planning permission is granted. A CMP (in the Council's pro-forma) will need to be submitted once a Principal Contractor has been appointed, and would need to be approved by the Council prior to any works commencing on site. It would also require an associated CMP Implementation Support Contribution. The absence of such a legal agreement represents a further reason for refusal.

6.0 Residential Amenity

6.1 Development should not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, privacy and light pollution/spillage, in accordance with CPG 6 and planning policy A1 of the Local Plan.

6.2 The proposed rear addition and mansard roof extension, by reason of their size and location, would not harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook, enclosure or privacy. The proposed first floor rear conservatory would have no harmful impact on the immediate neighbour of no.27 given that its two-storey closet wing does not have any windows on the flank elevation and the only window on the rear elevation above this, immediately adjoining the new conservatory, serves a hallway staircase landing.

7.0 Conclusion:

7.1 Overall, the development as previously approved continues to be acceptable; however the new conservatory extension is unacceptable in principle and detail. The proposed extension would result in a bulky and incongruous addition which is poorly designed and prominently located; in conjunction with the proposed 2 storey rear infill extension, it creates a very large rear extension overall which would harm the host building. It would lose the characterful rhythm of closet wings and lower gaps inbetween that are significant to the setting and character of this locally listed terrace of buildings as a non-heritage asset, to the detriment of the wider terrace. The proposal would be thus detrimental to the character and appearance of the host building and the surrounding area.

7.2 The lack of a S106 legal agreement on car-free housing and CMP form additional reasons for refusal.

7.3 Refusal is therefore recommended.