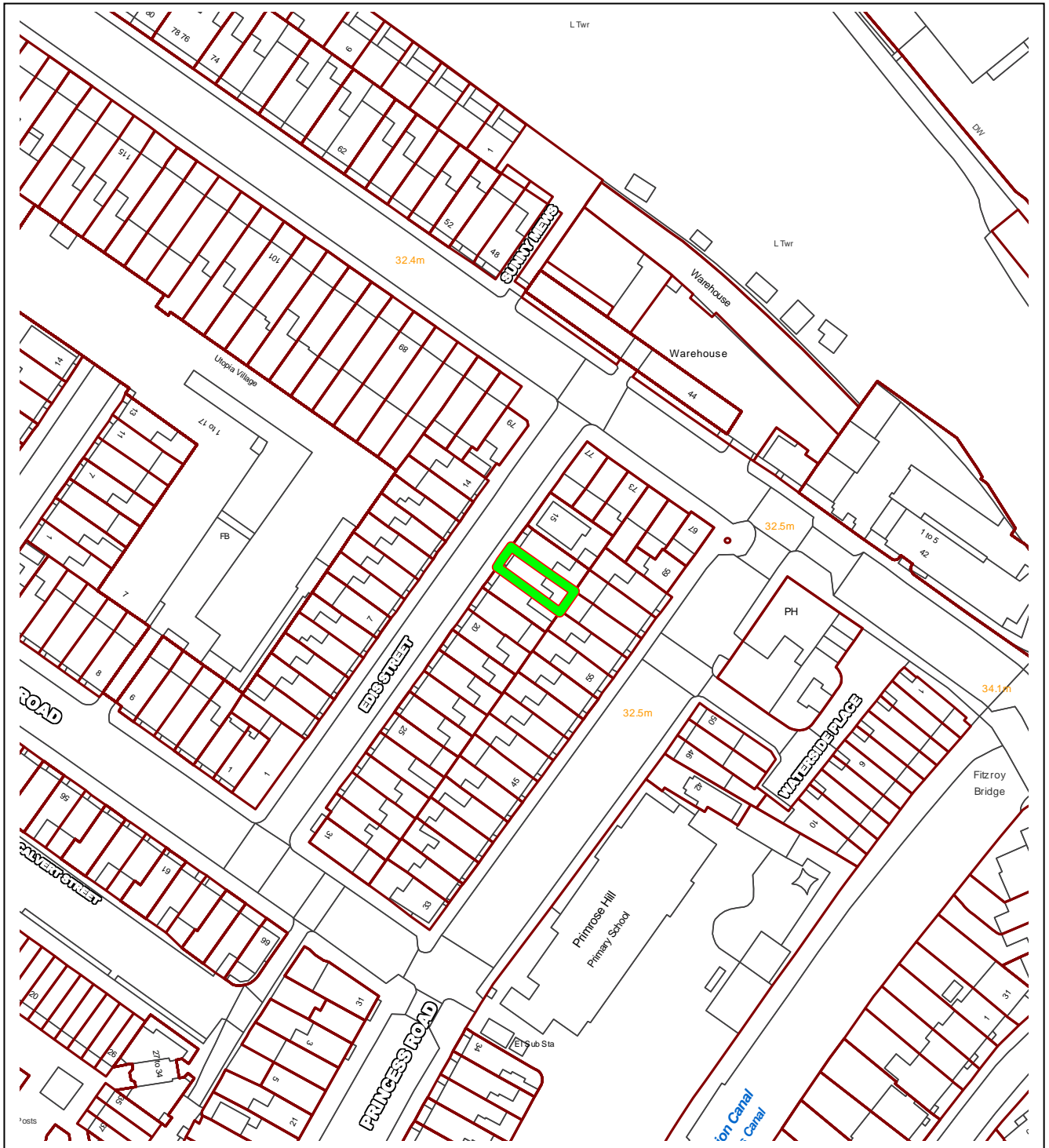


17 Edis Street 2019/3694/P



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Photo 1 showing existing rear extension and boundary wall with no.16

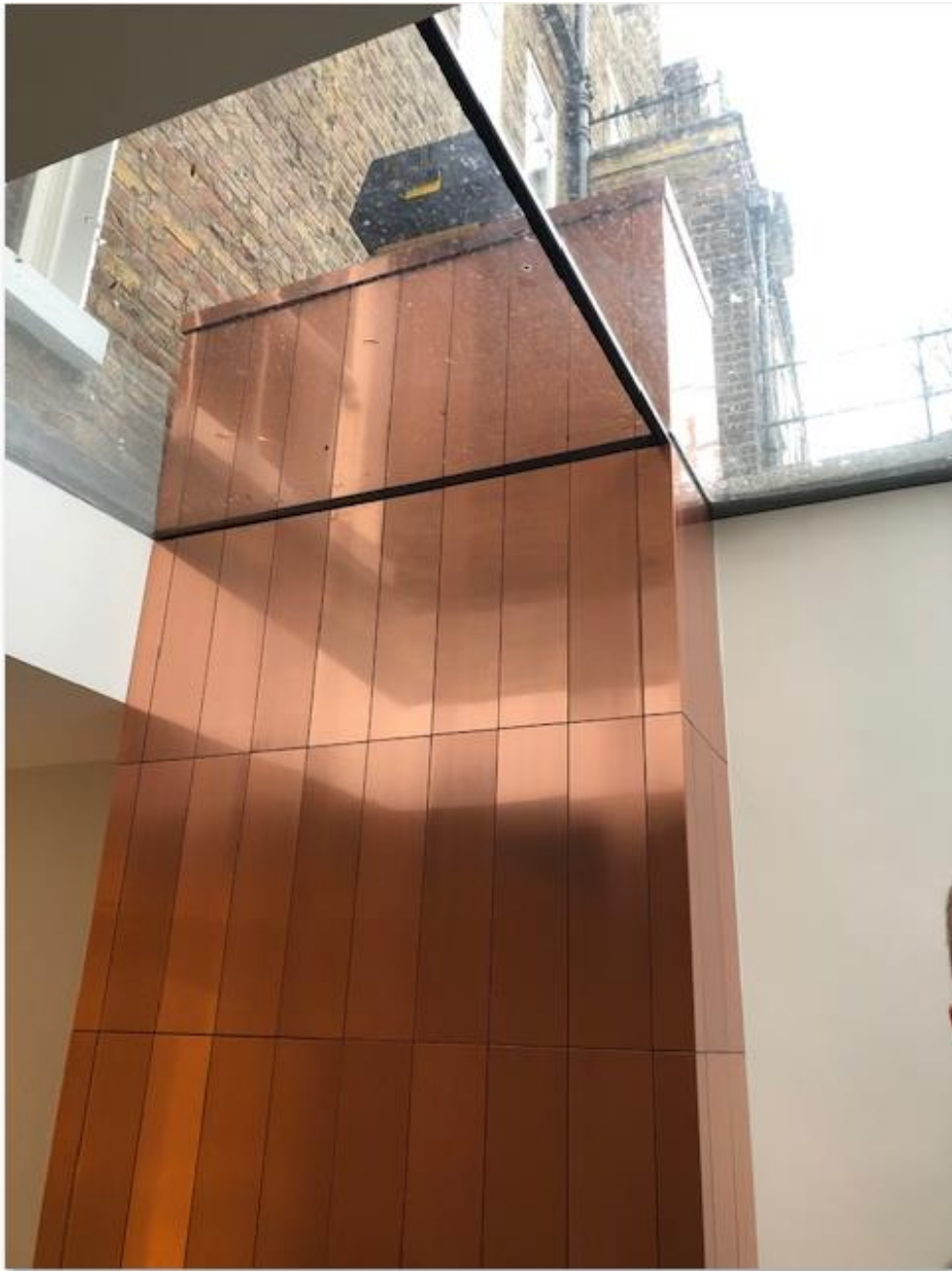


Photo 2 showing internal view of chimney



Photo 3 showing chimney from upper ground floor window

Delegated Report		Analysis sheet	Expiry Date:	13/09/2019
		N/A / attached	Consultation Expiry Date:	08/09/2019
Officer			Application Number(s)	
Laura Hazelton			2019/3694/P	
Application Address			Drawing Numbers	
17 Edis Street London NW1 8LE			Please refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of external chimney flue to roof of single storey rear extension (retrospective application including reduction in height of installed flue).				
Recommendation(s):		Grant planning permission		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>The application was advertised in the local press on 15/08/2019 and site notices were displayed on Edis Street and Princess Road between 14/08/2019 and 07/09/2019.</p> <p>One objection was received from the owner/occupier of 57 Princess Road summarised below:</p> <ul style="list-style-type: none"> • The application is flawed and inaccurate – the work start date on the application form is incorrect. • The proposals sound as if the chimney is a minor amendment to an approved scheme which it is not. The drawings state that an addition to the roof measuring less than 3000mm is approved, which it isn't. • The copper-clad box is an eye sore. • Object to the danger inherent in a chimney discharge at ground level. The chimney could cater for solid fuel – wood, coal, etc. There is no information on the type of burner installed. • Question the timing of the application in the middle of holiday season. <p><i>Officer Response</i></p> <ul style="list-style-type: none"> • <i>The date of works commencing does not impact the determination of the application.</i> • <i>Officers are aware that the chimney flue does not benefit from previous consent. The proposed drawings are annotated in reference to the fact that the total height of the boundary wall and chimney flue would not be as tall as the previously approved height of the boundary wall of 3m. The previous approval included building up of the party wall with a side parapet which was not implemented on site.</i> • <i>Please refer to section 3 for design assessment.</i> • <i>Please refer to section 3 for amenity assessment.</i> • <i>The Council cannot control when applicants choose to submit planning applications and the application was submitted following an enforcement investigation into the unauthorised works. The application was advertised by site notice, press advert and e-alert, as is the standard practice.</i> 					
CAAC comments:	<p>One objection was received from the Primrose Hill Conservation Area Advisory Committee (CAAC):</p> <ul style="list-style-type: none"> • We object strongly to applications which are not consistent with Camden's strategic objectives in the Local Plan at CC1, CC2, CC3, CC4, CC5, D1 to minimize energy use. We understand that the Council has now agreed that we are in a climate crisis: it is critically important that this is seen to be carried through in appropriate policy and implemented through effective development management. The proposal appears to be for an essentially decorative gas-consuming open 'fire'. This cannot be justified in a climate crisis. 					

- | | |
|--|---|
| | <ul style="list-style-type: none">• We note that the applicant claims that the system is flueless (note to dwg EDI-PL-GA-09) to argue that the application will not require odour or noise reports, but if it flueless what is the application for?• The copper cladding is inappropriate in the location. |
|--|---|

Officer response

- *The structure is a flueless system which is designed to be emission efficient and powered by gas rather than wood or coal.*
- *The external copper casing is under consideration as part of the current application. Please see section 3 for assessment of copper casing.*
- *Please see section 5 for sustainability considerations.*

Site Description

The application site is a three storey mid-terrace property on the east side of Edis Street. The property is constructed in London stock brick with decorative stucco features to the front elevation. The property is located within the Primrose Hill Conservation Area. Although the building is not listed, it is identified as making a positive contribution to the character and appearance of the conservation area.

The site is located within an Article 4 Direction area restricting permitted development rights for extensions and alterations.

The building is in use as a single dwellinghouse, and is located in a predominantly residential area.

Relevant History

2019/1896/P - Variation of condition 3 (approved drawings) of planning permission granted on 21/04/2017 (ref: 2016/7041/P) for the erection of mansard roof extension and single storey rear infill extension; replacement of 4 x rear sash windows with matching windows; lowering of ground floor level by 15cm; installation of new French doors and bricking up of existing door within front lightwell; removal of metal staircase and replacement with a platform lift; namely, changes to infill extension including height of party wall, removal of 100mm set back, change from metal cladding to London stock brick, and changes to fenestration. Planning permission granted 27/06/2019.

2016/7041/P - Erection of mansard roof extension and single storey rear infill extension; replacement of 4 x rear sash windows with matching windows; lowering of ground floor level by 15cm; installation of new French doors and bricking up of existing door within front lightwell; removal of metal staircase and replacement with a platform lift. Planning permission granted subject to S106 legal agreement 21/04/2017.

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

The Draft London Plan

London Borough of Camden Local Plan 2017

A1 (Managing the impact of development)

A4 (Noise and vibration)

D1 (Design)

D2 (Heritage)

CC1 (Climate change mitigation)

CC2 (Adapting to climate change)

CC4 (Air quality)

Camden Supplementary Planning Guidance

CGP Design 2019

CPG Amenity 2018

CPG Energy efficiency and adaptation 2018

Primrose Hill Conservation Area Statement 2000

Assessment

1.0 Proposal and background

- 1.1 Planning permission was previously granted on 21/04/2017 (ref: 2016/7041/P) at the application site for the 'Erection of a mansard roof extension and single storey rear infill extension; replacement of 4 x rear sash windows with matching windows; lowering of ground floor level by 15cm; installation of new French doors and bricking up of existing door within front lightwell; removal of metal staircase and replacement with a platform lift'.
- 1.2 During the construction of the rear extension, a ground floor internal chimney flue was installed which projected externally above the party wall with no.16 without the benefit of planning permission. The installed flue comprises copper casing (measuring 431mm above the parapet level) above the existing single storey extension roof, with a projecting extractor fan above this. The proposals are for the retrospective retention of the copper casing, with a proposed amendment to the chimney to move the black extractor fan unit so that it would sit down and within the copper casing.

2.0 Assessment

2.0 The material planning considerations in the determination of this application are:

- Design (impact of the proposals on the character and appearance of the host building and Primrose Hill Conservation Area)
- Amenity (impact of the proposals on the amenity of neighbouring residents in terms of daylight, outlook and privacy)
- Sustainability

3.0 Design

- 3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Camden's Local Plan is supported by CPG (Design).
- 3.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") is relevant which requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.
- 3.3 The application seeks consent for the retention of an externally projecting chimney flue measuring 1400mm long, 666mm wide, and 550mm high (431mm above parapet level). The chimney projects above the roof of the existing single storey rear infill extension at lower ground floor level and is located adjacent to the boundary wall with no.16. The chimney is clad in copper casing. Although the chimney currently features a projecting extractor fan unit, this would be removed and incorporated within the copper casing.
- 3.4 On balance, the proposed development is considered to be a minor alteration which would not cause harm to the character or appearance of the host building or this part of the conservation area following the removal of the projecting exhaust unit. Views of the structure are limited to private views from the rear windows of neighbouring properties, and given the size of the chimney, the visual impact is considered to be limited. When measured from the neighbouring ground level, the chimney would project 431mm above the existing boundary wall measuring

2.5m tall and as such, is not considered excessively tall or dominant.

- 3.5 As such, the proposed development is considered to comply with policies D1 and D2 and it is recommended that permission is granted subject to the condition that the works to incorporate the chimney exhaust within the copper casing are completed within three months of the date of approval.

4.0 Amenity

- 4.1 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.
- 4.2 As discussed above, given the height of the existing wall at 2.5m and the height of the chimney at 431mm, the proposals would not cause material harm to neighbouring amenity by way of loss of outlook, daylight or privacy.
- 4.3 The chimney would not provide extraction for any kitchen equipment, nor is it designed to be fuelled by burning wood. The applicant has provided details of the existing projecting extractor fan which would be retained, but relocated to within the copper casing where it would not be visible. The fan is designed to work with heating appliances burning gas and has a built-in fail-safe system which prevents spillage of combustion products and shuts down the system where there is insufficient draught.
- 4.4 Because it is a flueless system that is designed to be emission efficient the Council's Environmental Health Officers have confirmed the system would not require a noise or odour report and that they have no objections to the proposals.
- 4.5 As such, the proposals would not cause harm to neighbouring amenity by way of loss of outlook, privacy, or daylight/sunlight, nor would it result in noise, vibration or odour disturbance, in accordance with policies A1 and A3.

5.0 Sustainability

- 5.1 Concerns have been raised by the Primrose Hill CAAC as to the sustainability implications of the chimney.
- 5.2 The 'Energy efficiency and adaptation' CPG acknowledges that the installation of heating systems that run using gas are generally more carbon efficient than systems which use electricity. In this instance, the chimney would be connected to a gas burner which would be for occasional use only rather than for the heating of the home. As such, the energy and carbon use associated with its use would be limited. The extractor fan filters the emissions and features safety shut off devices which would prevent gas and unsafe fumes escaping, and ensure there were no harmful impacts on air quality. As such, the proposed development is considered to be in accordance with policies CC1, CC2 and CC4.

6.0 Recommendation

- 6.1 It is recommended that the proposed development is granted subject to the condition that the proposed works to incorporate the chimney exhaust within the copper casing are completed within three months of the date of approval.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 14th October 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: 2019/3694/P
Contact: Laura Hazelton
Tel: 020 7974 1017
Date: 7 October 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

Martin Evans Architects
18 Charlotte Road
1st Floor
London
EC2A 3PB
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
17 Edis Street
London
NW1 8LE

Proposal: Installation of external chimney flue to roof of single storey rear extension (retrospective application including reduction in height of installed flue).

Drawing Nos: EDI-CONSENT-GA-02, EDI-CONSENT-GA-01, EDI-CONSENT-GA-09, EDI-CONSENT-GA-08, EDI-CONSENT-GA-16, EDI-BUILT-GA-08, EDI-BUILT-GA-16, EDI-PL-GA-01, EDI-PL-GA-02, EDI-PL-GA-08, EDI-PL-GA-09, EDI-PL-GA-16

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 shall be carried out in accordance with the following approved plans: EDI-PL-GA-01, EDI-PL-GA-02, EDI-PL-GA-08, EDI-PL-GA-09, EDI-PL-GA-16.

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

- 2 The proposed relocation of the chimney extraction fan within the copper casing hereby approved must be completed within 3 months of the date of this decision.

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

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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 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 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