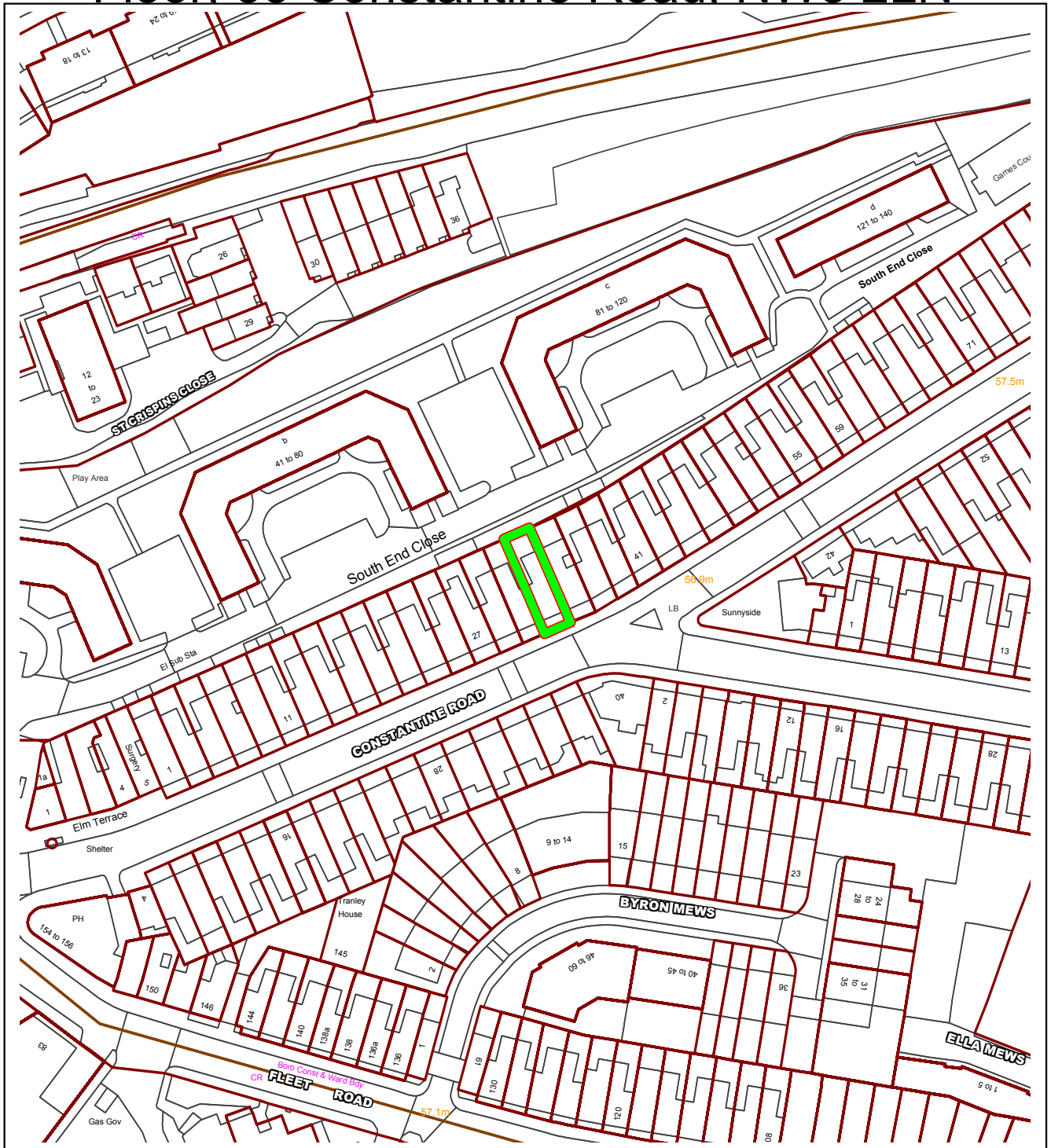


2019/3781/P - Flat 1st and 2nd Floor, 33 Constantine Road, NW3 2LN



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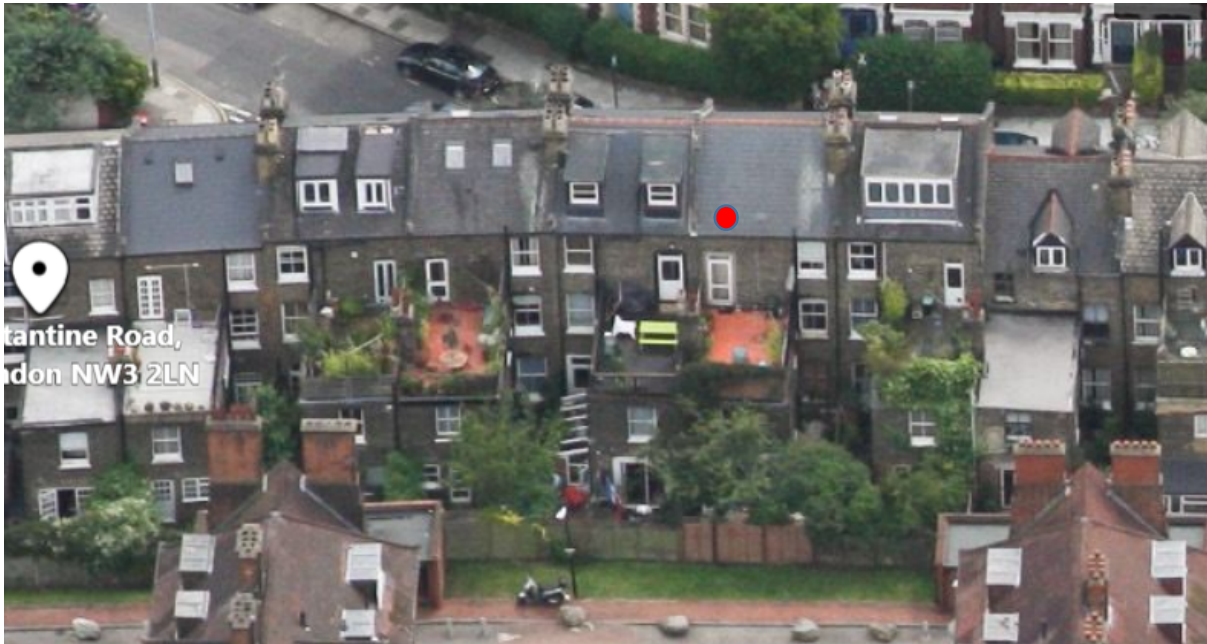


Photo 1: Rear elevations of terrace showing existing dormers and variety of fenestration at 2nd floor (site shown with red dot)



Photo 2: View from South End Close looking along the rear of the terrace



Photo 3: Existing rear terrace



Photo 4: View of dormers looking eastwards from the terrace



Photo 5: Front elevation

Delegated Report		Analysis sheet		Expiry Date:	24/10/2019
(Members Briefing)		N/A		Consultation Expiry Date:	04/11/2019
Officer			Application Number(s)		
Sofie Fieldsend			2019/3781/P		
Application Address			Drawing Numbers		
Flat 1st And 2nd Floor 33 Constantine Road London NW3 2LN			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of roof extension involving rear dormer and front/rear rooflights. Alterations to rear terrace and replacement railings. Replacement of front windows with timber, rear fenestration alterations at 2nd floor and alterations to front garden.					
Recommendations:		Grant conditional planning permission			
Application Type:		Full Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	1	No. of objections	1
Summary of consultation responses:	<p>A site notice was displayed on 04/09/2019 (consultation end date 28/09/2019), a further site notice was 26/01/2019 (consultation end date 04/11/2019). This second notice was displayed after an objection was received from a residents association, although due to their distance from the proposal this was not statutorily required.</p> <p>A press notice was issued on 05/09/2019 (consultation end date 29/09/2019).</p> <p>One Objection was received from No. 126 South End Close following the public consultation process.</p> <p>Their comment can be summarised as follows:</p> <ul style="list-style-type: none"> Impact on resident parking in South End Close by builders using spaces during construction. <p><u>Officer Response:</u> <i>See section 5.1. The issue raised is about contractor vehicles (and building material) being parked within the estate. This is a civil matter rather than a planning matter which could be resolved by the housing estate manager monitoring and enforcing on the issue as appropriate.</i></p>					
Mansfield CAAC	<p>Mansfield CAAC did not object to the scheme but made the following comment:</p> <p>‘There seems to be quite a lot happening on the rear pitch. We are also unclear as to which dormer window pattern is proposed. The sash version fits better into the area.’</p> <p><u>Officer response:</u> <i>Plans were revised to show sash windows being proposed.</i></p>					
Residents of South End Close Tenants Association (SECRA)	<p>Residents of South End Close Tenants Association objected to the scheme on the following grounds:</p> <ol style="list-style-type: none"> Parking access: Proposal will impact this will have on the estate and its residents including disabled, children and others. This property will likely require access to the back of the property using South End Close estate. 					

2) **Disruption from another site/ not consulted:** No consultation has been attempted and the most recent application and build at no.32 Constantine Road led to the blocking off to parts of the estate making the pavement impassable, having large loads of building materials and spoil left unattended and dumped upon the estate, and with rude and loud builders telling residents to move around their works rather than being accommodating to residents. If this build proceeds without consultation and a suitable environmental impact having been performed in cooperation with residents there is a real fear disabled residents, mothers and children as well as access to C and D block of the estate will be impacted for 6 months up to a year while the build progresses. Unless there is such a study and consultation, or binding commitment to access the property only via the front of the said property then the impact upon the estate will be devastating. Once again, the several hundred residents of the estate have been cut off the process by the buildings seeking a quick profit and low cost build. We have already noted several breaches of planning consent on properties on Constantine Road in recent years and are also seeing our boundary put under threat as builders take advantage of the estate behind these properties to turn residential space and parking into a building site without any consent.

Officer response

- 1) *Given the scale of the proposed development it is considered that it would not result in unduly high level of construction vehicles or disturbance for residents. The Council has given due regard to the Equalities Act 2010 and this objection when coming to a decision. It is considered that the individual implications on the affected groups would be no greater compared to other groups/.*
- 2) *See section 5.1. The consultation procedure was followed in accordance with the Statement of Community Involvement and all plans and supporting information was available to view online. The issue raised is about contractor vehicles (and building material) being parked within the estate. This is a civil matter rather than a planning matter. It could be resolved by the housing estate manager monitoring and enforcing on the issue as appropriate.*

Site Description

The application site is a three storey mid-terrace property on the north side of Constantine Road, which has been subdivided into two flats; the application relates to the upper flat on the 1st and 2nd floor. Although the property is not listed, the application site is recognised as making a positive contribution within the Mansard Conservation Area. There are no listed buildings in close proximity.

South End Close Estate is located to the rear of the property and rear of the host property faces onto the access road (South End Close) and a car park. It does not abut the curtilage of any of the flats within the estate or directly face onto any of the buildings.

Relevant Planning History

Application Site:

9100763 – The retention of a roof terrace at first floor rear - **Granted 27/08/1991**

8700545 – Conversion of single-family dwelling into two self-contained units - **Granted 03/06/1987**

Relevant planning history for other properties in the street:

31 Constantine Road

2006/1141/P – Works of conversion to provide a habitable room in the roofspace with a dormer window at the rear - **Granted 31/12/1986**

35 Constantine Road

2006/1141/P – Replacement of existing single rear dormer with two new dormer windows to rear of maisonette (Class C3) – **Granted 07/04/2006**

37 Constantine Road

2013/4486/P – Installation of 2 dormer windows to rear roofslope and 2 rooflights to front roofslope of dwelling house (Class C3) - **Granted 17/10/2013**

39 Constantine Road

2003/3645/P – Conversion of loft space to provide additional accommodation, two dormer windows; new and replacement rooflight to be added - **Granted 19/03/2004**

43 Constantine Road

8905104 – Change of use and works of conversion to form three self-contained units: Two self-contained two bedroom flats on each of ground and first floors and one self-contained two bedroom maisonette on second and third floors including the erection of a dormer window at rear third floor roof level - **Granted 07/02/1990**

53 Constantine Road

8905104 – Conversion of existing house to provide three self-contained flats - **Granted 18/02/1987**

Relevant policies

National Planning Policy Framework (2019)

London Plan (2016)

Camden Local Plan (2017)

A1 Managing the proposal impact of development

D1 Design

D2 Heritage

Camden Planning Guidance

CPG Design (2019)

CPG Altering and extending your home (2019)

CPG Amenity (2018)

Mansfield conservation area appraisal and management strategy (2008)

Assessment

1. The proposal

1.1. Planning permission is sought for the following works:

- Erection of roof extension involving 1x rear dormer, 1x rear rooflight and 2x front rooflights.
- Alterations to rear terrace involving rear fenestration alterations at 2nd floor including the replacement of existing rear upvc door with a set of timber patio doors and 1x timber window and replacement railings which are black painted steel to match the existing railings.
- Replacement of Aluminium framed front windows with timber
- Alterations to front garden including replacement of the existing front (secondary) brick retaining wall with a white rendered wall and repaving of the existing concrete steps with York Stone.

2. Revisions

2.1. During the course of this application, the following amendments were received:

- Relocation of front roof lights to reflect the existing pattern of development within the terrace
- Reduction in height of the rear balustrade to match No.35

3. Heritage and design considerations

3.1. The Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 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.

- 3.2. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Holly Lodge Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 3.3. The Council's Conservation Officer has reviewed this proposal and considers that the revised proposal will not cause detrimental harm to the host property or the wider conservation area.

Roof Extension

- 3.4. It is noted that this side of Constantine Road has been subject to a number rear dormers of various styles and sizes, including dormers at No.s 31, 35, 37, 39, 43, 49 and 53
- 3.5. The proposed rear dormer would measure 2.4m wide, 1.8m high and have a depth of 3m. CPG Altering and extending your home outlines that a 0.5m gap from the edges of the roof would normally be required to ensure the dormer appears as a subordinate feature. It is set more than 0.5m away from the two sides and the eaves but it is only set down 0.25m from the ridge of the roof. It is noted that other dormers along this side of the road are not set down by 0.5m and in this instance the smaller set down proposed would be acceptable as it is well proportioned and design and not therefore appear out of character within the terrace. It would align with the height of the dormers found at No.35 Constantine Road.
- 3.6. Two timber sash windows are proposed on the rear dormer and one small scale rooflight is proposed on the rear roofslope. On the front roofslope two small rooflights are proposed, it is noted that majority of neighbouring properties have two small rooflights near the top of the roofslope. Revisions were received to change the siting of the proposed rooflights to reflect the existing pattern of development. The fenestration in terms of its scale, siting and detailed design is considered not to detract from the character and appearance of the host property or wider terrace. A condition has been attached to ensure that rooflights are flush with the roofslope.

Rear terrace alterations

- 3.7. On the rear elevation the existing access door to the first floor terrace would be replaced with a timber sash window and a set of timber patio doors with lintels above each opening to match the host property. It is noted that the rear of terrace has been significantly altered and there is no uniformity on the pattern of fenestration at this level. The proposed fenestration is considered to enhance the rear elevation as it replaces a poor quality upvc door and incorporates design characteristics found within the terrace. The replacement balustrade was revised to reduce its height to match the neighbour at No.35; its replacement is considered acceptable.

Replacement front windows

- 3.8. The original sash windows at 1st and 2nd floor have historically been replaced with double-glazed aluminium, top-hung windows that mimic the two panes of the original fenestration. The proposal would replace the aluminium windows with double-glazed timber sash windows. The reinstatement of timber windows is welcomed and enhances the character and appearance of the host property, streetscene and conservation area.

Front landscaping alterations

- 3.9. The existing front retaining wall is unsympathetic to the conservation area and poorly finished, the

proposal would replace this with a white retaining wall similar to that found at No.29 and 35. The front garden wall between No.33 and 35 would be retained and repaired. The steps would be paved in York stone, which is referred to as the original paving finish in the Conservation Area's Appraisal and Management Strategy. This material is therefore acceptable.

- 3.10. Overall the development is considered to preserve the character and appearance of the host property, terrace and Mansfield Conservation Area. The development complies with policies D1 and D2 of the Camden Local Plan.

4. Impact on the visual and residential amenities of neighbouring and nearby properties

- 4.1. Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.
- 4.2. Given the scale, siting and detailed design of the proposal it is not considered to have an adverse impact on the amenity of the neighbouring properties in terms of loss of light, privacy, overlooking or a sense of enclosure.

5. Transport

5.1 Neighbours in South End Close raised concerns about the availability of parking in the area. Highways officers reviewed the proposal and determined that the scale of the development does not require a construction management plan (CMP). It is noted that these residents live in the estate behind the application site and that there are parking bays adjacent to the site on Constantine Road that can be suspended if required during the construction period. This issue raised about the estate being used for parking during construction is a civil matter in this instance given the small scale of the development rather than a planning matter.

6. Recommendation:

- 6.1 Grant planning permission subject to conditions.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 18th November 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: 2019/3781/P
Contact: Sofie Fieldsend
Tel: 020 7974 4607
Date: 11 November 2019

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

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25 Bickerton Road
Studio 9
London
N19 5JT
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 1st And 2nd Floor
33 Constantine Road
London
NW3 2LN

DECISION

Proposal:

Erection of roof extension involving rear dormer and front/rear rooflights. Alterations to rear terrace and replacement railings. Replacement of front windows with timber, rear fenestration alterations at 2nd floor and alterations to front garden.

Drawing Nos: 360_0_01; 360 PL 0 10 A; 360 PL 0 11; 360 PL 0 12; 360 PL 0 13 A; 360 0 14; 360 PL 0 21 A; 360 PL 0 26 A; 360 PL 0 31 A; 360 PL 0 32 A; 360 PL 1 10 A; 360 PL 1 11; 360 PL 1 12; 360 PL 1 13 A; 360 PL 1 14 A; 360 PL 2 01 B; 360 PL 2 02 B; 360 PL 2 06 B; 360 PL 3 01 B and 360 PL 3 02 B.

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 policies 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:

360_0_01; 360 PL 0 10 A; 360 PL 0 11; 360 PL 0 12; 360 PL 0 13 A; 360 0 14; 360 PL 0 21 A; 360 PL 0 26 A; 360 PL 0 31 A; 360 PL 0 32 A; 360 PL 1 10 A; 360 PL 1 11; 360 PL 1 12; 360 PL 1 13 A; 360 PL 1 14 A; 360 PL 2 01 B; 360 PL 2 02 B; 360 PL 2 06 B; 360 PL 3 01 B and 360 PL 3 02 B.

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 for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

- 4 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.
- 5 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