

Delegated Report	Analysis sheet		Expiry Date:	06/01/2020
	N/A / attached		Consultation Expiry Date:	28/02/2020
Officer			Application Number(s)	
Mark Chan			2019/5693/P	
Application Address			Drawing Numbers	
8 Frognal Lane London NW3 7DU			See draft decision notice	
Proposal(s)				
Installation of glazed balustrade at roof level to create a roof garden, enlargement of existing side dormer window and installation of glazed access rooflight.				
Recommendation(s):	Refuse planning permission			
Application Type:	Full Planning Application			
Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	05	No. of objections	05
	No. Electronic	05		

Site notice consultation: 04/02/2020 until 28/02/2020
Press notice consultation: 09/01/2020 until 02/02/2020

3x objections from the owner/occupier of the ground flat and other leaseholder and resident at 8 Frogal Lane were received and their grounds are summarised as follow:

- The glazed balustrade would be clearly visible from the road, creating a wholly inappropriate and unwanted addition to an otherwise well-proportioned building. The modern glazing would jar with the original architecture and cheapen the well-preserved Victorian aesthetic.
- The house is in a conservation area and forms part of a set that contribute to the charm, authenticity and character of the area, and the proposed works would be highly detrimental to this.
- The natural progression of the buildings as they slope towards Finchley Rd would be compromised, and the well-balanced original proportions of the house destroyed.
- The substantial works required to create a roof terrace, for freeholders who do not want it, seems an excessive and extravagant use of energy and materials at a time when environmental concerns must be considered.
- As with the applicant's other submission (2019/5690/P), the 'existing front elevations' draw a solid line at ridge level beyond the tiled roof, reaching across to the large chimney. This may be technically accurate in reference to the rear of the building - however it creates the illusion that the area above the sloping roof is solid when viewed from the road. This is not the case; from the road it appears as a void with only sky visible above the sloping roof. The visual impact would therefore be much more significant than the drawings indicate.
- We wish the property to remain a positive contributor and live in a lovely Conservation area.
- We do have external space, with access to some two acres of wonderful communal gardens behind the property.
- This appears to be strongly linked to application 2019/5690/P for the erection of a full roof extension; a maybe interim step, particularly to gaining access.
- I am also not sure the existing roof is strong enough for the proposal. The only people who currently access the roof are professional builders and the roof is not far above my ceiling plaster boards (there is no attic, my flat is the attic)
- The extension of the side dormer has a major impact on the integrity of the property.
- The erection of a staircase on the 2nd floor would severely restrict access to the top floor flat.

Officer's comment: See 'Design' and 'Amenity' section

Summary of consultation responses:

CAAC/Local groups comments:

The **Heath & Hampstead Society** has objected to the proposal based on the following grounds:

- The proposal brings unsatisfactory changes to the well composed and unspoilt existing roof of this house.
- This proposal is just as unacceptable and would spoil the existing pair of pleasant houses.
- Not good enough for a Conservation Area.

Councillor comments:

Councillor Newman has objected to the proposal:

- I note the objection from the Heath and Hampstead Society to this application.
- I support the objections raised by other leases-holders in the building, including the Ground Floor Flat at 8 Frognal that this proposal is "a wholly inappropriate and unwanted addition to an otherwise well-proportioned building". I also note their concern that the "natural progression of the buildings as they slope towards Finchley Rd would be compromised, and the well-balanced original proportions of the house destroyed"

Officer's comment: See 'Design' and 'Amenity' section

Site Description

The site is located on the southern side of Frognal Lane and contains a three-storey detached property.

The dwelling is not listed but is designated as making a positive contribution in the Redington and Frognal Conservation Area. The Conservation Area is characterised by late 19th century and Edwardian residential buildings. The majority of houses are constructed from red brick with clay tiled roofs and white painted timber framed windows. The acclaimed architect Quennell designed many houses within the area; as a result his architectural style of large sweeping roofs dominates the area.

Relevant History

2019/5690/P – Erection of a mansard roof extension to provide a 2-bedroom flat with terrace at third floor level (Class C3) and alteration to existing side dormer. Refused 22/05/2019

Reason for refusal on design grounds - The proposed roof extension and associated terrace, by virtue of their location, height, bulk and design, are considered to have a detrimental impact on the overall composition of the building and the setting of its decorative features, as well as harming the uniformity of the group of buildings to which it belongs and the character and appearance of the streetscene and Redington/Frognal Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

2018/6025/P – Erection of a roof extension to create 1x2-bed flat with terrace at 3rd floor level (Class C3). Extending the existing side dormer. Installation of balconies and alterations to fenestration on the rear elevation at first & second floors. Refused 13/3/2019

Reason for refusal on design grounds - The proposed roof extensions and associated terrace, by virtue of their height, bulk, mass and design, are considered to have a detrimental impact on the overall composition of the building and the setting of its decorative features, as well as harming the uniformity of the group of buildings to which it belongs and the character and appearance of the Redington/Frognal conservation area. The application is therefore contrary to policies D1 and D2 of the Camden Local Plan 2017.

2011/0165/P – Renewal of planning permission granted on 26 February 2008 (ref:2007/6036/P) for (Additions and alterations including excavation of front lightwell, new stairs and porch, part excavation of lower ground floor level, and rear single storey extension, all in connection with the creation of additional residential accommodation to lower ground floor flat). Renewal granted 01/06/2011

2007/6036/P – Additions and alterations including excavation of front lightwell, new stairs and porch, part excavation of lower ground floor level, and rear single storey extension, all in connection with the creation of additional residential accommodation to lower ground floor flat. Granted 26/02/2008

P9601999R3 – Erection of rear addition at lower ground and ground floor level including the provision of balconies at the three upper levels, together with excavations and alterations to the front of the property to form a front basement area, and the alteration of a dormer window in the eastern roof slope. Granted 15/11/1996

8600928 – Installation of a new window at second floor level as shown on drawing nos. P2 3 3a. Granted 31/07/1986

8500104 – Provision of a two-bedroom studio flat at roof level. Withdrawn 08/05/2003.

8401245 – Schedule 8 application for the construction of a dwelling unit at roof level in outline. Withdrawn 08/05/2003

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

Draft New London Plan 2019

Camden Local Plan 2017

A1 – Managing the impact of development

D1 – Design

D2 – Heritage

Camden Planning Guidance

CPG – Altering and extending your home (2019)

CPG – Design (2019)

CPG – Amenity (2018)

Redington and Frognal Conservation Area Statement (2000)

Redington/Frognal Neighbourhood Plan Submission Version May 2020

Assessment

1. Proposal

1.1. Planning permission is sought for the installation of glazed balustrade at roof level, enlargement of the existing side dormer window and installation of a glazed access rooflight, all in association with creating communal rooftop terrace.

2. Revisions

2.1 No revisions have been sought for this application.

3. Assessment

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

- Design and heritage (the impact of the proposal on the character and appearance of the host building and wider Redington and Frognal Conservation Area);
- Amenity (the impact of the proposal on the amenity of neighbouring occupiers);

Design and Heritage

3.2. Local Plan policy D1 seeks to achieve high quality design in all developments and requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Through Local Plan policy D2, the Council will

seek to preserve and, where appropriate, enhance Camden's conservation areas.

- 3.3. Section 72(1) 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.
- 3.4. CPG 'Altering and extended your home' design advice states that roof additions are likely to be unacceptable where the appearance of the building or the surrounding streetscene are adversely affected. This means that roof additions would not be acceptable where groups of buildings which have a roof line that is largely unimpaired by alterations or extensions, even when a proposal involves adding to the whole terrace or group as a co-ordinated design, buildings that are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form; or where the scale and proportions of the building would be overwhelmed by additional extension.
- 3.5. Para 196 of the NPPF (2018) states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 3.6. The proposal includes the installation of a glazed balustrade at roof level enlargement of the existing side dormer window and installation of glazed access rooflight, all in association with creating a rooftop terrace and means of access.
- 3.7. The existing roof form complements the proportions of the building and provides a sensitive setting for the decorative gable, which is a significant architectural feature of the principal elevation. The building forms part of a group of four identical buildings that together contribute to the character of the street and the wider conservation area.
- 3.8. The building partially terminates the view down Bracknell Gardens, and the proposed glazed balustrade at roof level would be clearly visible from the streetscene and the long views from Bracknell Gardens. The modern glazing of the balustrade is considered an inappropriate addition in principle as it is out of keeping with the architecture of the original roof and the character and appearance of an otherwise well-preserved Victorian host building and the wider conservation area, contrary to policy SD5 of the draft Redington/Frognaal Neighbourhood Plan. The balustrade would also add unwelcome visual clutter at high level.
- 3.9. The proposed enlargement of the existing side dormer window would have a detrimental impact on the overall composition of the host building and the roof setting. The existing side dormer window is a relatively small addition to the roof slope and is partly shielded from public view by a chimney. The enlarged side dormer window would become overly dominant on the side elevation, with consequences for the appearance of the roofscape and would be significantly more visible from the streetscene. Furthermore, whilst the proposed glazed access rooflight would not be observable from public views, it is still considered too large for the roof. The size of the rooflight should be subordinate to the roof slope and fitted flush within the roof surface. The enlarged side dormer window would result in the host building differing from the group of four buildings to which it belongs, weakening the uniform character of this part of the streetscene and the wider conservation area. As such, the enlarged side dormer window is considered inappropriate, both in principle and detail, to the style and character of this building.
- 3.10. The Redington/Frognaal Conservation Area Statement notes that the red tiled sweeping roofs are characteristic of the area and Frognaal Lane is of a generally uniform and consistent character on its southern side. Whilst the enlarged side dormer window would be cladded in red clay tiles to match the existing, the addition would still contribute to the gradual erosion of the relatively unimpaired roofscape, especially of the group of four properties, and would be harmful to the consistent character.
- 3.11. The proposal is considered to constitute 'less than substantial harm' to this positive contributor

building and to the character and appearance of the Redington/Frogna Conservation Area. Therefore, in line with paragraph 196 of the NPPF, the harm must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this case, it is not considered that the public benefits of the proposal (i.e. the provision of one additional 2 bedroom flat) would outweigh the harm that would be caused. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of 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.

- 3.12. Overall, it is considered that the current proposal would cause significant harm to the character and appearance of the host building and the surrounding area. The proposal is therefore considered to be contrary to the NPPF and also to policies D1 and D2 of the Camden Local Plan.

Amenity

- 3.13. Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. Camden's Local Plan Document is supported by CPG Amenity guidance.
- 3.14. The additional roof terrace is not considered to worsen the existing situation of overlooking present from the rooftop as the terrace is set back the front and rear elevation. Therefore, the proposed scheme would not be harmful in terms of loss of privacy.
- 3.15. It is mentioned in the application that the additional roof terrace would create 35.6 sqm. of new communal external amenity space at roof level for the enjoyment of the residents of the existing flats in the building. However, it is noted that the residents already have access to two acres of external communal gardens behind the property.

4. Conclusion

- 4.1. The proposed development is considered inappropriate in terms of design and will adversely affect the host building, four identical buildings and the surrounding Redington/Frogna Conservation Area. Therefore, the proposed scheme is contrary to policies D1 and D2 of the Camden Local Plan 2017 and is recommended to be refused.

Recommendation: Refuse planning permission.