

2020/3782/P  
Flat 2, 7 Buckland Crescent



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2020/3782/P

Flat 2, 7 Buckland Crescent



Figure 1: Existing Rear Elevation



Figure 2: Existing Rear Elevation





Figure 3: The existing roof of the structure alongside the neighbouring property



Figure 4: A satellite image of the host property and the wider terrace

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>14/10/2020</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>03/10/2020</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Jennifer Walsh			2020/3782/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat 2 Raised Ground Floor 7 Buckland Crescent London NW3 5DH			Please 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>				
Replacement of existing conservatory with a rear single storey raised ground floor rear extension to dwelling (C3)				
<b>Recommendation(s):</b>		Grant Conditional Planning Permission		
<b>Application Type:</b>		Full Planning Permission		



Conditions or Reasons for Refusal:	<b>Refer to Draft Decision Notice</b>					
Informatives:						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>02</b>	No. of objections	<b>02</b>
<b>Summary of consultation responses:</b>	<p>A site notice was advertised from 28/082020 – 21/09/2020  A press notice was advertised from 03/09/2020 – 27/09/2020  Revisions were advertised from 09/09/2020 – 03/10/2020</p>					
	<p><b>Aragon Land and Planning Limited have objected to the scheme on behalf of Flat 3 and 4, 7 Buckland Crescent.</b>  The objection is in the form of a 15 page planning submission which details the following:</p> <ul style="list-style-type: none"> <li>- The letter details the national planning context and the development plan policies. The proposal is then tested against this planning framework.</li> <li>- The document includes various text passages from the National Planning Policy Framework, Belsize Conservation Area Statement, the Camden Local Plan, and The Council’s Conservation Area Statement for the Belsize Area.</li> </ul> <p>The objection can be summarised as</p> <ul style="list-style-type: none"> <li>- The use of alien and inappropriate materials;</li> <li>- Change of proportions that make the extension more significant and detract from the uniform appearance of the Victorian Villas;</li> <li>- Consequential negative impact on the host building and harm to the character;</li> <li>- Failure to preserve the Conservation Area;</li> <li>- Existing Structure is unlawful;</li> </ul> <p><b>Officers Response:</b></p> <ul style="list-style-type: none"> <li>- The proposals have been revised to include a glazed appearance with a Standing Stem roof which is a very common and well utilised material.</li> <li>- Whilst the materials have changed as well as the window openings, the proportion of the extension have not changed to the existing structure;</li> <li>- Please refer to the design section below in relation to the perceived harm on the character of the host building as well as the conservation area;</li> <li>- The existing structure appears to have been in place for a number of years. It is shown on drawings from 2009 and therefore the structure is exempt from Enforcement action and is lawful due to being in place for over 4 years.</li> </ul> <p><b>Flat 4 has also submitted an objection:</b></p> <ul style="list-style-type: none"> <li>- Conservatories are, by their very nature, light and airy. The Flat 2 proposal is a much more significant structure with a change in proportion and a lead or zinc roof. This detracts from the beauty of the building (Victorian Villa) and the uniform appearance of the Conservation Area.</li> <li>- The materials proposed are alien to the Conservation Area.</li> <li>- In no way does this development preserve or enhance the Conservation Area - quite the opposite.</li> <li>- The Flat 2 conservatory can be seen from Lancaster Grove, a public road and public footpath. It can also be seen by residents in Buckland Crescent as well as our neighbours living in Lancaster Grove and Adamson Road. The proposal, therefore, has a wider impact than</li> </ul>					

acknowledged in the application.

- It is worth highlighting that the precedents used in the application, namely 12 Buckland Crescent (pink exterior, side extension) and 11 Belsize Park (multiple extensions built on top of one another) are dangerous precedents and should be seen as exceptions rather than the rule if we are to preserve the value and consistent architectural appearance of the Conservation Area. By citing these examples, Flat 2 aim to normalise inconsistent materials and negative features within the area, which we should not allow.
- If, as Flat 2 claim, they wish to replace the Conservatory as it is in a dilapidated state, this should be a like-for-like replacement of the same size, structure and materials.

**Officers Response:**

- Please see the design section for further comment on materials. The application has been considered in line with the host property, the terrace and the wider conservation area which takes into account the further views. A like for like conservatory would include a Glazed roof which would not pass Building Regulations in this instance as the applicant wants to use the space as part of the floorplate. Concern would also be raised on sustainability grounds due to solar gain.

**Further correspondence was received on 20/10/2020 from Flat 3 and 4 stating “For the avoidance of doubt our position is that the detailed objections submitted by Flat 3 and Flat 4 continue to stand for Rev D too”.**



**CAAC/Local groups comments:**

**Belsize CAAC object to the proposals on the following grounds:**

- The existing conservatory appears light and airy.
- This replacement proposal is heavy mullioned and solid roofed and looks like a formidable first floor development;
- The plan shows a three sided glazed space.
- The side elevation shows a solid rendered wall.

**The Belsize Society objects to the proposal on the following grounds:**

- The proposed solid-roofed 1st floor rear extension threatens the simplicity of the original volume of this Italianate villa. The elegant, sheer-faced, almost monumental facade is compromised by this proposal. The parallel the applicant draws to this type of rear, conservatory-like lean-to found in some Victorian terraces is inappropriate for the following reasons:
- The proposed extension is grafted on the first instead of the raised ground floor, whereby appearing significantly more dominant
- The size of the extension is a lot deeper than the quoted precedent
- The host building is designed with Regency-type Italianate Villa intentions instead of the typical cottage-y style.
- Less solid and more light-weight conservatory is required for this type building.

Revisions were received to the application and a subsequent consultation process was undertaken.

**The Belsize CAAC objects to the revised plans on the following grounds:**

- Despite the revisions it is still heavy roofed, too big, wide and bland and looks like a formidable first floor development,
- Completely out of character with the Conservation Area.
- It certainly does not look like a conservatory.

**Objection received 20/10/2020**

- This very wide extension still looks like a classroom block and adding three little rooflights doesn't change it into a conservatory

**The Belsize Society objects to the revised plans on the following grounds:**

- The Society's Objection to the solid roof still stands.
- In order to avoid the appearance of permanence and prevent its future transformation into an even more solid lean-to, can you please request that the proposed zinc roof be punctuated by glazed strips of roof. Not inserting skylights but building full lengths of glazed strips between the proposed standing-seam roof.

**Officer Response:**

- The existing conservatory is in a poor state of disrepair;
- The applicant has explored the option of replacing the conservatory like for like, yet due to them wanting to incorporate the space into the wider floorplate of their house, they cannot meet Part L1B of the Building regulations due to the SAP calculations;
- The application has been revised to propose glazed sides and glazed strips have been incorporated into the roof.
- This is being assessed as a new 1<sup>st</sup> floor extension, however, the size and height of the proposal has not changed compared to the existing.
- Please refer to the design section below for further assessment.

## Site Description

The application relates to an existing flat, located on the raised ground floor level. The semi-detached property is currently split into 4 flats. The application site is not a listed building, but it is located within the Belsize Conservation Area.

## Relevant History

**850145:** Change of use including works of conversion to form four self-contained flats with the erection of a single-storey rear extension a four-storey side extension and dormer windows in the roofspace – Granted 30/07/1985

**8601210:** Erection of a conservatory at ground floor level at side and rear – Withdrawn 08/05/2003

## Relevant policies

### National Planning Policy Framework 2019

### The London Plan 2016

### The London Plan (Intend to Publish) 2019

### Camden Local Plan 2017

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

CC2 (Adapting to climate change)

### Camden Planning Guidance

Amenity (2018)

Design (2019)

Altering and extending your home (2019)

### Belsize Conservation Area Statement April 2003

## **Assessment**

### **1.0 Proposal**

1.1 Planning Permission is sought for:

“Replacement of existing conservatory with a rear single storey raised ground floor rear extension to dwelling”.

1.2 Revisions have been received during the process of the application to include the following:

- A standing Stem metal pitched roof with three glazed panels to be inserted within the roof;
- Openable obscured Glazed side windows;

### **2.0 Assessment**

2.1 The main material planning issues for consideration are:

- Design and heritage
- Neighbour Amenity

#### **2.2 Design and heritage**

2.1 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 (Design) requires developments to consider the following;

- 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;
- its contribution to public realm and its impact on views and vistas; and
- the wider historic environment and buildings, spaces and features of local historic value.

2.2 The Altering and extending your home CPG (2019) states that generally, rear extensions are often considered the most suitable form of extension to a house or flat. In order for a new extension to be subordinate to the original building, its height and depth should respect the existing common pattern of rear extensions at neighbouring sites, where they exist.



Figure 1: To the left side is the existing conservatory and to the right is the proposed elevation



Figure 2: Existing Rear Elevation



2.3 The existing conservatory is built on a small dwarf wall and the rear elevation of the conservatory has curved glass up to roof level. The roof material is currently PVC corrugated sheeting on top of wooden battens. Whilst there is no planning history for the conservatory – it is clear that this structure has been around for over 10 years. Due to the poor state of disrepair and the pvc corrugated sheeting to the roof, it is not considered that the existing structure preserves nor enhances the wider conservation area. However, as this is an existing structure, it is a material consideration and it is the replacement of the existing structure which is being assessed rather than the principal of an extension in this location within the report.

2.4 The proposed extension would be pitched with a standing Seam metal roof. Three Glazed panels are proposed to sit within the standing Seam metal roof. Although the roof form is proposed to change, it is not considered that the removal of the curved roof to a pitched roof would harm the architectural integrity of the host property nor the wider area. Revisions have also been received to have glazed side elevations. This amendment is welcomed as it is considered to be more of a lightweight structure than was previously proposed.

2.5 The proposed replacement structure with its standing seam roof and glazed elevations is considered to be a suitable replacement for the existing conservatory, due to not increasing the size in width nor total height. The application has been discussed with Officers and Conservation Officers who considered that the design would be a lightweight replacement structure and due to the materials, would not be read as a visually obtrusive addition to the host property nor the wider conservation area. Whilst it is accepted that this is located at upper ground floor level, there are examples of lightweight conservatories at this level along the wider terrace. Whilst it is accepted that due to this design not having a glazed roof it is not read as a conservatory, the chosen material is a modern interpretation of the conservatory and uses a material which is considered not to challenge but complements the host property. Tiles were previously considered but discounted as they were considered to be too visually heavy at this location. Due to the details of the standing seam roof being limited, a condition is recommended to be added to ensure that before the relevant part of the works commence, a sample of the chosen roof zinc material is submitted to the council for agreement.

2.6 A green roof is proposed to be added to the existing flat roof which surrounds the existing structure. A condition is recommended to be added to any permission to ensure details are submitted to the Council for approval prior to implementation. The principal of the green roof is accepted in this instance.

2.7 The overall height and depth of the extension is considered acceptable for a building of its scale, a three storey terrace building. It is considered the proposal would not unduly harm the appearance of the host building or the streetscene in general, The proposed materials would be sympathetic to the host building and the design overall respects the character of the host building. On balance the upper ground floor rear extension is compliant with the above mentioned design policy and guidance.

2.8 In light of the above, the proposed rear extension is not considered to cause harm to the character and appearance of the host dwelling or terrace in which it forms part of, and is therefore considered to be in accordance with policy D1 (Design) and policy D2 (Heritage) of the London Borough of Camden Local Plan 2017 and CPG (Altering and extending your home).

2.9 Special regard has been attached to the desirability of preserving or enhancing 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.

### **3.0 Amenity**

3.1 Policy A1 (Managing the impact of development) of the Camden Local Plan 2017 states that 'The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity. The Council will seek to ensure that the amenity of communities, occupiers and neighbours is protected. The factors we will consider include visual privacy, outlook, sunlight, daylight and overshadowing and artificial lighting levels.' This

is further supported by CPG (Amenity).

3.2 As the proposal seeks to replace the existing structure, it is not considered that the bulk nor mass would harm the neighbouring properties in terms of outlook, sunlight and daylight nor overshadowing. Due to the glazed sides being obscured glazed, the proposal would not worsen the existing situation in any way. It is not considered, due to the distance from the neighbouring properties that the change to the pitch of the roof would not harm the amenity of neighbouring properties. The amount of light spillage from the proposed roof lights was a consideration however, due to there only being three proposed and of a suitable size, therefore, it is not considered to harm the amenity of neighbouring occupiers.

3.3 As such, the rear extension is considered to be acceptable and in accordance with policy A1 of the London Borough of Camden Local Plan 2017 and guidance within the CPG (Amenity).

#### **4.0 Recommendation: Grant Conditional Planning Permission**

*The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 26<sup>th</sup> October 2020, 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: 2020/3782/P  
Contact: Jennifer Walsh  
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Date: 20 October 2020

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# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:

**Flat 2 Raised Ground Floor**  
**7 Buckland Crescent**  
**London**  
**NW3 5DH**

# DECISION

Proposal:

Replacement of existing conservatory with a rear single storey raised ground floor rear extension to dwelling.

Drawing Nos: Site Location Plan; Existing Plan 00.10; 01.01; 01.02; 01.20; 01.21; 10.00 Rev B; 11.01 Rev B; 11.02 Rev B; 12.00 Rev C; 12.01 Rev 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 policy 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 Site Location Plan; Existing Plan 00.10; 01.01; 01.02; 01.20; 01.21; 10.00 Rev B; 11.01 Rev B; 11.02 Rev B; 12.00 Rev C; 12.01 Rev B;

Reason:

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

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Manufacturer's specification details of the proposed roof materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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

- 5 Prior to completion of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:
- i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used;
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):



- 1 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.
- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 3 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).
- 4 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 Economy, Regeneration and Investment