

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	12/02/2020
		N/A	<b>Consultation Expiry Date:</b>	16/02/2020
<b>Officer</b>			<b>Application Number(s)</b>	
Ben Farrant			2019/6281/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
13C Gardnor Road London NW3 1HA			See 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>				
Erection of roof extension to increase roof ridge height; erection of rear dormer windows; installation of rooflights to front and rear roofslopes; erection of first floor rear addition with installation of obscure glazed windows to first floor side and rear elevations.				
<b>Recommendation(s):</b>		Refuse planning permission		
<b>Application Type:</b>		Householder		

Conditions or Reasons for Refusal:	Refuse Permission			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Site notices were displayed on 23/01/2020 (consultation end date 16/02/2020).</p> <p>A press notice was displayed on 16/01/2020 (consultation end date 09/02/2020).</p> <p>Objections were received from nos. 56 and 71 Flask Walk, as well as from a further anonymous address. The objections can be summarised as follows:</p> <ol style="list-style-type: none"><li>1. Rooflights on the front elevation should not be supported</li><li>2. To increase the roof height will alter the character of the house</li><li>3. Direct overlooking from rear roof windows towards no.56 Flask Walk (allowing views into their home and garden)</li><li>4. Dormers are out of proportion and are not traditionally detailed</li><li>5. Light pollution</li><li>6. Loss of daylight and sunlight</li><li>7. Construction concerns (noise, dust, vibration as well as access issues for builders)</li></ol>			

**Hampstead  
Neighbourhood  
Forum**

Hampstead Neighbourhood Forum object as follows:

“This proposal would significantly alter the roofline of the mini-terrace that includes three houses, 13 A, B and C Gardnor Road. The houses are at the closed end of Gardnor Road, a cul de sac that is otherwise composed of taller terraced houses. The three houses are built on an incline and their rooflines currently step down elegantly and consistently from 13A to B to C. This proposal would raise the roofline of 13 C to be level with that of 13 B, leaving 13 A at a higher level. This would not be sympathetic to established building lines and would not respect the character area in which the houses are situated and therefore would be contrary to Policy DH1 of the Hampstead Neighbourhood Plan.

In addition, 13 A, B and C Gardnor Road are deemed to make a positive contribution in the Hampstead Conservation Area Statement. The alteration of the roof line would clearly reduce this positive contribution. Therefore the proposal would be contrary to Policy DH2 of the Neighbourhood Plan.

There have in fact been no roof extensions on the west side of Gardnor Road, on which 13 C is situated, and nor are there any rooflights to the front on that side of the street. On the east side, there have been many roof extensions, dormer windows and roof lights but these are obscured when viewing from street level by the strong parapet which runs along the whole street above the third storeys. There are currently no rooflights to the front of 13 A, B or C. The proposal for rooflights on the front side of the roof of 13C would be contrary to the existing character of the street and the character area, as well as the Conservation Area, and therefore would be contrary to Policy DH1 and DH2 of the Neighbourhood Plan.

We recommend that Camden refuse this application.”

<p><b>Hampstead Conservation Area Advisory Committee (CAAC)</b></p>	<p><u>Hampstead CAAC</u> object as follows:</p> <p>“Objects to the proposal as a distortion of the terrace rhythm. It is proposed to modify the natural drop in level of the roof lines going with the street. It is then proposed to introduce rear dormers where the shallow roof slope where such are clearly unfeasible without excessive projection uncharacteristic of traditional dormers. They are not normally permitted on shallow slopes and would be out-of-scale with the form of the cottage and neighbours.</p> <p>The existing details of the ridges and under-eaves of the cottages is threatened by the proposal to raise levels. No drawings are offered to reinstate these, although the re-levelling is the overriding objection regardless of such detail.</p> <p>This kind of modification may be regarded as ‘minor’ but in its contravention of scale and detail is harmful to this part of the CA and to principles of character and scale observation. Time does not allow us to submit to the same thoroughness of the Flask Walk Association’s submission, with which we would generally agree.</p> <p>The higher roofs and dormers to the buildings on Flask Walk to the rear of the application site are unfortunate but we consider do not cover the proposed damage to the character and scale of the subject building and its contribution to Gardner Road.</p> <p>That the cottages are mentioned in the HNF means among other things that part of the attraction of the group are the step changes following the street.</p> <p>In the event of consent we wish to see well-detailed drawings guaranteeing maintenance of the roofs and walls’ detailing as existing.</p> <p>The Applicants’ agent states that rooflights are harmless as to light pollution which we hold to be incorrect, on the contrary”</p>
<p><b>Heath and Hampstead Society</b></p>	<p><u>Heath and Hampstead Society</u> object as follows:</p> <p>“It is understandable for people to attempt to increase the size of a small house but not if such increase detracts from those living near-by in a very high density area.</p> <p>In this case the proposed two wide dormers at the rear of the building will cut out light to the windows of the adjacent property.</p> <p>A compromise arrangement with narrow dormers might be acceptable to neighbours - but unless revised this application should be refused.”</p>

Flask Walk Neighbourhood Association, object as follows:

“As described in the Hampstead Conservation Area Statement, p.23: Nos.13a,b,c are a run of two storey double fronted cottages with arched front doors sitting hard on the pavement. They are basically unaltered as viewed from Gardnor Road and as the Statement further comments on p.52, they are one of the elements that make a positive contribution to the character and appearance of the Conservation area. Houses in Gardnor Road began building in 1871 and these three were the last to be completed, in 1882. They have survived nearly a hundred and forty years without undergoing external alteration to their front elevations to Gardnor Road.

#### Objections

1. The Conservation Area Statement makes several general points about roof alterations. The changes proposed in this application go against many of its recommendations as listed below, while the largely unaltered and unified nature of this short terrace of properties will be irreparably damaged.

#### p.58 ROOF ALTERATIONS

In an area of such variety the roofscape changes from street to street. Great care therefore has to be taken to note the appropriate context for proposals as insensitive alterations can harm the character of the roofscape with poor materials, intrusive dormers, inappropriate windows. In many instances there is no further possibility of alterations.

#### p.62-3

#### ROOF EXTENSIONS

Some alterations at roof level have had a harmful impact on the Conservation Area. Because of the varied design of roofs in the Conservation Area it will be necessary to assess proposals on an individual basis with regard to the design of the building, the nature of the roof type, the adjoining properties and the streetscape. Roof extensions are unlikely to be acceptable where:

- It would be detrimental to the form and character of the existing building
- The property forms part of a group or terrace which remains largely, but not necessarily completely, unimpaired
- The property forms part of a symmetrical composition

2. The application includes two misleading drawings, showing the existing and proposed front elevation of No.13c Gardnor Road as viewed from Gardnor Road. Neither drawing shows any buildings behind No.13c, which is not the case. Photo 1 (attached) shows the front elevation of No.13c from Gardnor Road. The photo also shows that Albany Flats, No.50 Flask Walk (left in photo, roof line railings & green roof line) & No.56 Flask Walk (right, narrow building with grey tiles & 2 inset windows), project well above the roof line of No.13c. If a Planning Officer/Inspector is not familiar with the site, the conclusion could be drawn from the drawings that the proposed roof alterations to No.13c would have no impact on any adjacent properties to the rear.

3. The applicant seeks to introduce roof lights to both front and rear elevations. These should be refused. In the case of the front elevation, they will introduce a new element that will disrupt the current uniform roof frontages of the 3 related properties. While the south side of Gardnor Road has seen many changes to the roofline of its properties, the north side remains unaltered (Photo 2 attached).

	<p>4. Rear roof of No.13c Gardnor Road facing No.56 Flask Walk. The applicant is seeking to increase the overall height of the roof and replace a substantial area of the roof at the rear with dormer windows and roof lights. The roof lights and windows should not be permitted as they will dominate and are out of keeping with the surroundings. They will also provide an unacceptable overlook to the courtyard and rear living &amp; bedrooms of No.56 Flask Walk.</p> <p>5. The character of the immediate area. The hilly nature of Hampstead means that properties often overlook each other and are in close proximity to one another. If permitted, the alterations to the rear of No.13c Gardnor Road will adversely affect the privacy of the occupants of No.56 Flask Walk, whose property is at a higher elevation and immediately behind No.13c.</p> <p>6. If any are permitted, all windows/rooflights should be fully obscured glass.</p> <p>For these reasons, the FWNA requests that the application be rejected.”</p>
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## Site Description

The application site contains a two storey, terraced house on the western side of Gardnor Road. The building is not listed, though it is located within the Hampstead Conservation Area. The house forms part of a set of three terraced houses (nos. 13 A, B and C) which remain relatively unaltered since being built in late Victorian times, and they are designated as contributing positively to the conservation area.

13C (the host property) is unusual, having no rear curtilage, being single aspect facing towards the street. The site backs immediately onto the garden of no.56 Flask Walk (a four storey infill property).

Nos. 13A and B have existing rooflights to their rear roofslopes, though none of the properties have rooflights/alterations to the front roofslopes. The property is red brick with a natural slate roof; it has decorative brick detailing at the eaves and finial detail at the ridge.

## Relevant History

### 13C Gardnor Road (application site)

**8905280** - Construction of extension to rear at ground and first floor levels as shown on drawing nos. 207/1 207/2 207/3A 207/SK1 and 207/SK2 – **Granted 20/09/1989**

## Relevant policies

### National Planning Policy Framework (2019)

### The London Plan (2016)

### Intend to Publish London Plan (2019)

### Camden Local Plan (2017)

A1 Managing the proposed impact of development

D1 Design

D2 Heritage

H7 Large and small homes

### Camden Planning Guidance

CPG Altering and extending your home (2019)

CPG Home improvements (Draft) (2020)

CPG Amenity (2018)

### Hampstead Conservation Area Statement (2001)

### Hampstead Neighbourhood Plan (2018)

DH1 Design

DH2 Conservation areas and listed buildings

## Assessment

### 1. Proposal

1.1. This application seeks planning permission for the following works:

- Removal of existing roof light to rear roofslope, and installation of 4 rear rooflights.
- Formation of 2 rear facing dormers. The dormers would be lead clad with rear facing windows obscured to an internal height of 1.7m above floor level.
- Formation of 3 front facing roof lights.

- Formation of first floor rear infill extension above the existing ground floor projection with side and rear facing windows (obscure glazed). The extension would measure 1.6m (width) by 1.4m (length) with a flat roof and parapet finished in materials to match the host property.

## 2. Revisions

- 2.1. The following revisions were received during the course of this application following receipt of the aforementioned objections. These plans were made publically available to view online, though no re-consultation was required.
- Alteration to dormer windows reducing their width from 2.6m to 1.6m and increasing the distance to the roof ridge from 0.1m to 0.3m
  - Supplementary 'rooflight precedents' document and further detail on the proposed roof lights received

## 3. Design

### Policy context

- 3.1. Local Plan policy D1 states that the Council will seek to secure high quality design in development. The Council will require that development: a. respects local context and character; b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).
- 3.2. Local Plan policy D2 states that the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.
- 3.3. CPG Altering and extending your home (2019) states that roof alterations and additions are likely to be unacceptable on buildings where the roof construction or form are unsuitable for roof additions, such as shallow pitched roofs with eaves. It goes further to state that roof additions are also likely to be unacceptable where buildings that form part of a group where differing heights add visual interest, and where a roof extension would detract from this variety of form.
- 3.4. The CPG goes further to discuss dormers specifically. It states that dormers should not be considered appropriate unless the pitch of the existing roof is sufficient to allow adequate habitable space without the creation of disproportionately large dormers or the raising of the roof ridge. It states that dormers should not be introduced to shallow-pitched roofs. Where dormers are proposed the CPG advises a 500mm gap between the dormer and the ridge, party wall and eaves in order to maintain an adequate visual separation from these elements.
- 3.5. With reference to roof lights the CPG states that roof lights can have an adverse impact upon the character and appearance of buildings and streetscapes, particularly where they are an incompatible introduction into an otherwise un-cluttered roofscape.
- 3.6. The Home Improvements CPG (draft) states that a successful roof extension would consider the overall roof form of the existing building, adjoining buildings and impact in key views (when relevant) and be proportionate to the roof slope being extended.
- 3.7. Hampstead Neighbourhood Plan policy DH1 states that development proposals should demonstrate how they respect and enhance the character and local context of the area by responding positively and sympathetically to the existing rhythm, proportion, height, scale, massing, materials and storey heights of surrounding buildings.
- 3.8. Policy DH2 states that development must have regard to the Conservation Area Statement, that development should take advantage of opportunities to enhance the conservation area, and that development must seek to protect and/or enhance buildings which make a positive contribution to the conservation area.



- 3.9. The application site is located within the Hampstead Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.
- 3.10. The Hampstead Conservation Area Statement notes nos. 13A, B and C, their key character features including arched front doors, and the fact they sit hard on the pavement. They are noted as positive contributors, being built in 1882. It is acknowledged that their front elevations in particular appear largely unaltered. With regards to roof alterations and extensions it notes that they are unlikely to be acceptable where they would be detrimental to the form and character of the existing building, or where the property forms part of a group or terrace which remains largely but not necessarily completely unimpaired.

#### First floor rear infill extension

- 3.11. The first floor rear addition would be a discreet and modest infill of the rear corner of the property in a style to match the host building. By reason of its siting, scale, design and material finish, this element is considered to be acceptable and would have a neutral impact on the property. This extension would not result in harm to the character and appearance of the property or surrounding area and no concerns arise from this element of the proposal.

#### Raising the roof ridge

- 3.12. The roof extension would be formed by continuing the front roofslope at the same angle until it reaches the same height as the ridge at no.13B. The eaves and brickwork detail, and side party parapet would all remain unchanged. The existing slates would be removed, and where possible retained and reused on the front of the property. Similarly the finial detail would be retained and reused.
- 3.13. It is considered that the principle of raising the roof ridge would cause harm to both host property and the surrounding conservation area. The three cottages (13A, B and C Gardner Road) comprise a group and are read as such in views along the street, and they hold considerable architectural and historic interest as such. The stepped roof form of these properties forms an important part of the character which is publically visible from the street (see figure 01 below), as well as being visible in a number of private views.



Figure 01: Photograph of application site taken from street level, note the visibility of the stepped roof ridge.

- 3.14. The three houses are built on an incline and their rooflines currently step down elegantly and consistently from 13A to B to C. The proposal would not be sympathetic to established building lines and would not respect the character area in which the houses are situated; it would serve to cause harm to the character of the property and group. The proposal would distort the rhythm of the terrace, removing the natural drop in the level of the roof lines which run with the drop in the street. The historic step would be lost and the ridge position would be out of alignment with its neighbour (being set back). For these reasons, the proposed alteration to the ridge is considered to be unsympathetic, uncharacteristic and would result in harm to the character and appearance of the property (as a positive contributor), its group value as part of this terrace, and the character and appearance of the surrounding Hampstead Conservation Area.

#### Dormers

- 3.15. It is proposed to introduce dormers to the rear of the property. The design of these dormers has been amended since the submission of the application; however they would still require the raising of this historic shallow roof. They would also not be capable of retaining a gap of 500mm to the ridge and eaves of roof as established within CPG 'Altering and extending your home'. The dormers would have an excessive projection which is uncharacteristic of traditional dormers and would require fundamental alterations to the roof form (notably raising the ridge of this shallow pitched property) in order to be accommodated.
- 3.16. The proposed dormers cannot be considered sympathetically proportioned (given they require fundamental alterations to the roof form) and serve to detract from the character and appearance of this positive contributor within the Hampstead Conservation Area.

#### Roof lights

- 3.17. The proposal contains front facing roof lights which would be immediately visible in views of the host property. The front elevations of these three cottages (viewed as a group) are largely unaltered from their original form, and the insertion of roof lights would serve to significantly detract from this. The roof lights would serve to unbalance the row of cottages, where the application site is viewed as part of the group of three cottages at 13 A, B and C Gardnor Road. The formation of front facing rooflights are considered to detract from the character, form and composition of the host property and when viewed as part of the group of cottages. They constitute harm to the character and appearance of the property and the surrounding area.
- 3.18. A supplementary document was received highlighting rooflights on properties within the vicinity. Whilst this has been considered, it is noted that rooflights do not exist on 13 A, B and C Gardnor Road, which are distinct in their scale, design and form. Each application is determined on its own planning merits, and in this instance, it is considered that the rooflights would constitute undue harm to character and appearance of the host property and would detract from its positive contribution to the Hampstead Conservation Area.

#### Balance

- 3.19. For the above reasons, the works would fail to respect the local context and character or preserve or enhance the character and appearance of the conservation area, as required by Local Plan policies D1 and D2. The works are considered to result in 'less than substantial' harm to the character and appearance of the surrounding conservation area.
- 3.20. Para 196 of the NPPF (2019) 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'.
- 3.21. It is acknowledged that the proposal would result in some limited public benefits, including the increase in house size to form a 'family sized dwelling' (increasing from a two bedroom house to a four bedroom house). However it would stop the property from being a 'high priority' house size, where two bedroom market properties are defined within policy H7 of the Camden Local Plan as high priority, with four beds as a low priority. The property is also single aspect at present, with the proposal making it dual aspect (with resultant ventilation benefits).
- 3.22. As such, there is limited public benefit arising as a result of the proposal and the level of benefits would not outweigh the harm caused to the character and appearance of the conservation area.
- 3.23. The proposal is thereby considered to constitute 'less than substantial' harm to this heritage asset (positive contributor building within a conservation area), with no demonstrable public benefits derived from the scheme which would outweigh such harm. The proposal is therefore considered to be contrary to Section 16 of the NPPF (2019) which seeks to preserve and enhance heritage assets.
- 3.24. Given the above assessment, the proposal would be contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan (2017), and policies DH1 (Design) and DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan (2018), as well as to Section 16 of the NPPF (2019), and refusal is warranted on this basis.
- 3.25. Considerable importance and weight has been attached to the harm and 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

#### **4. Impact on neighbouring amenity**

- 4.1. Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.
- 4.2. By reason of its siting, scale and design, the proposed first floor infill addition is considered not to result in undue harm to the residential amenities of neighbouring occupiers.
- 4.3. The increase in roof height and the addition of 2 large dormers to the roof of the application site would result in harm to the occupiers of no.56 Flask Walk at the rear. The living area windows of no.56 would be located just 4.2m from the newly formed dormers and would face directly on to them. Their windows are also southeast-facing thus capture the morning sun. The bulk and width of these dormers, coupled with the increase in overall roof height, at such close proximity to the habitable rooms at ground and lower ground floors opposite are likely to result in a significant impact on the outlook of the occupiers of no.56 Flask Walk and would result in an increased sense of enclosure. No evidence has been submitted with the application to demonstrate the impact in terms of daylight & sunlight on the occupiers of no.56. In the absence of any evidence to demonstrate otherwise, it is considered that the proposal may also result in a significant loss of daylight and sunlight to the occupiers of this property. The windows are also likely to result in significant levels of light overspill towards the living area windows of no.56 Flask Walk at a close proximity (4.2m) and concerns thereby arise from this element of the proposal too.
- 4.4. In terms of visual privacy, it is noted that the rear facing windows would be obscure glazed to a minimum height of 1.7m from the internal floor level, thereby limiting any direct overlooking concerns. Whilst it is acknowledged that the proposal may result in an increased perception of overlooking, given the measures taken by the applicant to reduce actual overlooking, the proposal is considered to be acceptable in this regard subject to the windows being obscured glazed and non-opening to an internal height of 1.7m.
- 4.5. Given the above, the proposal is considered to result in undue harm to the residential amenities of the occupiers of no.56 Flask Walk, particularly given the separation distance of just 4.2m from their living area windows. It would harm their outlook and be likely to reduce their levels of daylight and sunlight, as well as resulting in light overspill. The proposal therefore fails to comply with policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

**Recommendation:**

Refuse planning permission.