

PLANNING AND HERITAGE STATEMENT

Applicant: LXE PROPERTIES LTD

Site

Flat B 21 Swain's Lane London N6 6QX

Statement by Frixos Kyriacou MRTPI

Proposal: Roof extension to include enlarged rear dormer and rear rooflights, to enlarge an existing residential flat with two roof lights.
(Class C3).

Local Authority: London Borough of Camden

21st October 2020

This statement is to be read in conjunction with the Design and Access Statement.

1.0 SITE AND SURROUNDINGS & PLANNING PROPOSAL

- 1.1 The application site comprises a three storey building located on the northern side of Swains Lane. On the rear an extra floor will be provided in the roofspace where a wooden dormer provide access to the flat roof amenity space a feature of the rear of the properties in this parade. The parade consists of commercial on the ground floor with residential above. The application site has one flat on the first floor and a two bedroom flat on the second floor which has access to the roof amenity space. It is the upper two bedroom flat and amenity area that this application relates to. It is important to

note the roof at the rear of the property, is well set in from the parapet of the main structure of the building.

- 1.2 The site is sited within the Holly Lodge Conservation Area, the designation is fully explored in the Design and Access Statement. The Design and Access Statement also shows the planning history and provides photographs of the rear of the property showing other roof extensions and alterations to the rear elevation.
- 1.3 The proposal is to provide an enlarged rear roof dormer extension to create a 3 bedroom flat and landscaping to the terrace. The application building as well as others within the terrace row, have the rear part of the roof paved with hardstanding and used as a terrace. Access to the terrace is made through a small dormer which opens at the same level with the terrace. The proposal would extend the dormer to provide improved access internally and externally and increase the habitable loft space.
- 1.4 The main alterations from the previous approved scheme planning reference 2019/4583/P are:
 - Increase in the width of dormer from 3265mm to 3760mm, an increase of 495mm.
 - Internal alterations to the layout to provide access to the flat roof from the living area rather than a bedroom to make the amenity space more accessible for a 3 bed unit.

2 PLANNING HISTORY

The planning history is fully listed in the Design and Access statement. The most recent approval for the application is listed below.

- 2.1 Application ref: 2019/4583/P Roof extension to include enlarged rear dormer and rear rooflights, to enlarge an existing residential flat (Class C3). Approved 6th February 2020.
- 2.2 The decision notice sites the following reasons for the decision. The application building as well as the others within the terrace row, have the rear part of the roof paved with hardstanding and used as a terrace. Access to the terrace is made through a small dormer which opens at the same level with the terrace. The proposal would extend the dormer to provide improved access internally and externally and increase the habitable loft space, adding another bedroom to the flat below.

- 2.3 The dormer would be made of large double glazed timber doors which would allow additional light into the loft room. The dormer would have a small area of brick wall to match existing roof parapets and a lead flat roof. Another two rooflights are proposed to replace the existing one, which would be acceptable. Overall, the proposed roof extension due to its scale, projection and detailed design would appear subservient to the roof slope being extended, and preserve the existing character of roof alterations along the terrace row.
- 2.4 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
- 2.5 The proposal includes soft landscaping bordering the terraced area on all sides. This would soften the hardstanding of the existing terrace and would improve the amenity of occupiers and neighbouring ones.
- 2.6 Two comments were received prior to making this decision which are addressed in consultation summary. The planning history of the site has been taken into account when coming to this decision. As such, the proposed development is in general accordance with policies A1, A3, H3, D1 and D2 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2019 and the London Plan 2016.

3 RELEVANT PLANNING POLICY

- 3.1 The Courts have held that Central Government's policy contained in Ministerial Statements, Circulars, the National Planning Policy Framework (NPPF) are material considerations that must be taken into account by the decision maker, as are previous relevant appeal decisions. The following sections outline the relevant legislative and policy framework as well as relevant national, London and local planning policy.

PLANNING POLICY FRAMEWORK

- 3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 says that applications for planning permission must be determined in accordance with the development plan unless material considerations

indicate otherwise. For the purposes of this application, the Development Plan consists of:

- National Planning Policy Framework (2019);
- The London Plan (2016)
- Camden Local Plan 2017
- Holly Lodge Conservation Area Appraisal

National Planning Policy Framework 2019

3.3 The revised National Planning Policy Framework (NPPF) was updated on 19th February 2019 and sets out the government's planning policies for England and how these are expected to be applied. The overarching objective of the NPPF 2019 is the presumption in favour of sustainable development.

3.4 Paragraph 8 of the NPPF states that "Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): These objectives are economic, social and environmental objectives.

Section 16 of the NPPF outlines the government approach to Conservation and Heritage Assets.

3.5 Paragraph 189 states "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance". The Design and Access Statement has provided full details of the conservation area and the application site. Paragraph 193 states When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

London Plan 2016 and Housing SPD 2016 and Draft London Plan 2019

3.6 The London Plan 2016 forms part of the development plan for Greater London and sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 25-35 years. Policy 7.4 in relation to local character states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 states that buildings should be of the highest architectural quality and should complement (not necessarily replicate) the local architectural character. The Policy also states that buildings should not cause unacceptable harm to the amenity of surrounding buildings, particularly residential buildings, in terms of privacy and overshadowing.

Camden's Local Plan 2017

3.7 Policy A1 Managing the impact of development 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.

3.8 Policy A3 Biodiversity part M states expect developments to incorporate additional trees and vegetation wherever possible.

3.9 Policy H3 Protecting existing homes states • create large homes in a part of the borough with a relatively low proportion of large dwellings; • enable existing affordable homes to be adapted to provide the affordable dwelling-sizes that are most needed; or • enable sub-standard units to be enlarged to meet residential space standards

3.10 Policy D1 Design The Council will seek to secure high quality design in development.

3.11 Policy D2 Heritage The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

3.12 **The Holly Lodge Conservation Area Appraisal and Management Strategy** is also relevant and a full assessment and analysis of the proposals impact on the conservation area has been listed in the design and access statement. This will be referred to in this statement.

4.0 PLANNING CONSIDERATIONS

4.1 This section considers the planning issues relating to the development proposals in this case the main issues are considered to be:

- Whether the proposals would preserve the character and appearance of the Holly Lodge Conservation Area.
- Whether the proposals would cause any harm to the amenity of adjoining residents to justify planning permission being withheld.
- Other benefits of the proposals.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE HOST BUILDING AND THE TERRACE AND THE HOLLY LODGE CONSERVATION AREA.

4.2 The principle of roof extensions and roof lights has been established by the most recent planning permission, other permissions and are recognised in the decision notice in the reasons for granting planning permission. The proposals would now involve a dormer 495mm wider than that granted planning permission. The rear of the application comprises 3 storeys with the flat roof above used as an amenity area and the existing roofscape set considerably behind the flat roof. This means the roof is largely concealed apart from longer views.

4.3 These alterations would preserve the character and appearance of the host building and the terrace and therefore the conservation area. The enlarged dormer would be significantly set down from the eaves of the property and would be substantially set in from the party wall with No.19. This together with the proposal to brick clad a section of the dormer to integrate within the background of the existing roof would manifest itself in a subordinate and well-designed modest dormer on the rear of the

property. The proposals would appear subservient to the roof and to the property as a whole.

The detailing of the proposals have been given “special” attention and have been carefully designed so that the dormer is constructed in a dark stained wood finish, which together with the lead roof and the brick finish to the existing dormer area would integrate the proposals with their surroundings. In addition the landscaping would also facilitate the integration of the dormer into its surroundings and assist in softening the scheme.

Taking into account the design of the host building, the well designed and subordinate nature of the proposals and the presence of similar structures of the rear elevation it is considered the proposals would be consistent with Policy D1 Design and Policy D2 Heritage of the Camden Local Plan 2017. As such the proposals would preserve the character and appearance of the Holly Lodge Conservation Area.

AMENITY OF ADJOINING NEIGHBOURS.

4.4 The modest increase in the size of the dormer would not have any further implications for residential amenity than those already assessed by the council. The terrace and its use is existing and the scheme involves improving access to this amenity which should be encouraged.

OTHER ISSUES:

4.5 Section 6.49 of the local plan acknowledges that roof terraces are greatly valued and can be “especially important for families”, planning permission has been granted for a 3 bed unit and these proposals are intended to make the internal arrangements more convenient for the use of the amenity space. Section 7.2 repeats these sentiments. Therefore allowing access from the living room is consistent with the aspirations and objectives of the local plan.

Further having access available for all the family to the amenity space from the living area would be important from a well-being and mental health aspect. In view of the current Covid 19 restrictions it is considered the proposals make for a more appropriate lay out and should be encouraged.

4.6 The proposals also provide a 3 bed unit which is encouraged by Policy H3 and in accordance with Policy A3 provides additional landscaping and

planting on the rear to make contribution to fighting climate change and sustainable development.

5.0 CONCLUSION AND PLANNING BALANCE

- 5.1 The local planning authority is respectfully requested to grant planning permission for the proposals which accord with the Local Plan and the NPPF.
- 5.2 It has been found the proposals would preserve the character and appearance of the Conservation Area, while not impacting on the amenity of adjoining residents. In addition the alteration to a 3 bed flat would provide a larger unit in accordance Policy H3 and finally the scheme would provide additional landscaping to improve amenity to adjoining residents and make a contribution to climate change challenges..

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