

## **APPENDIX 3**

### **5 Kylemore Road: Application 2010/0916/P**

Mr Almas Bavcic  
A D Design Concepts  
25 Grampian Gardens  
London  
NW2 1JH

Application Ref: **2010/0916/P**

Please ask for: **Aysegul Olcar-Chamberlin**

Telephone: 020 7974 **6374**

19 April 2010

Dear Sir/Madam

## **DECISION**

Town and Country Planning Acts 1990 (as amended)

Town and Country Planning (General Development Procedure) Order 1995

Town and Country Planning (Applications) Regulations 1988

### **Full Planning Permission Granted**

Address:

**5 Kylemore Road**

**London**

**NW6 2PS**

Proposal:

Erection of rear dormer roof extension, installation of balustrade on flat roof of existing rear addition to use as roof terrace on second floor (attic) level and installation of two rooflights on front roof slope to existing first floor flat (Class C3).

Drawing Nos: 003-01 (Site Location Map); 002; 003; 004; 005; 006; 007A; 008A; 020; 021B; 030; 031; 032A; 033A; and E-mail from Almas Bavcic from PKS Architects LLP dated 12th April 2010.

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 B1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 The use of the roof as a terrace shall not commence until the obscure glazed screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans: 003-01 (Site Location Map); 002; 003; 004; 005; 006; 007A; 008A; 020; 021B; 030; 031; 032A; 033A; and E-mail from Almas Bavcic from PKS Architects LLP dated 12th April 2010.

Reason:

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

Informative(s):

- 1 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies SD1 (Quality of life), SD6 (Amenity for occupiers and neighbours), B1 (General design principles) and B3 (Alterations and extensions). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 3 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 Planning and Public Protection Division (Compliance and Enforcement Team), Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 5613 or by email [ppp@camden.gov.uk](mailto:ppp@camden.gov.uk) or on the website [www.camden.gov.uk/pollution](http://www.camden.gov.uk/pollution)) 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.

**Disclaimer**

***This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613***

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 19<sup>th</sup> April 2010. For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>22/04/2010</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>12/04/2010</b>
<b>Officer</b>			<b>Application Number</b>	
Aysegul Olcar-Chamberlin			2010/0916/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
5 Kylemore Road London NW6 2PS			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</b>				
Erection of rear dormer roof extension, installation of balustrade on flat roof of existing rear addition to use as roof terrace on second floor (attic) level and installation of two rooflights on front roof slope to existing first floor flat (Class C3).				
<b>Recommendation:</b>		Grant Planning Permission		
<b>Application Type:</b>		Householder Application		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>28</b>	No. of responses	<b>03</b>	No. of objections	<b>02</b>
			No. Electronic	<b>02</b>		
<b>Summary of consultation responses:</b>	<p>The occupiers of 11 Kylemore Road and 27 Gladys Road objected to the proposed development on the following grounds:</p> <ul style="list-style-type: none"> <li>Noise nuisance from the proliferation of roof terraces;</li> <li>Loss of privacy due to overlooking of adjoining properties;</li> <li>Inappropriate design and detailing to the character of this 19<sup>th</sup> century terrace house.</li> </ul> <p><i>Response: Please refer to the assessment part of the report.</i></p> <p>The occupiers of 16 Kylemore Road unconditionally supported the application.</p>					
<b>CAAC/Local groups* comments:</b> *Please Specify	None					
<b>Site Description</b>						
<p>The application relates to a two-storey-plus basement level mid-terrace property. The property has been divided into two flats.</p> <p>The site is neither in a conservation area nor is listed. The surrounding area is predominantly residential. A number of properties in the immediate vicinity have rear dormer extensions and roof terraces, some of which were built as 'permitted development' and some of which were granted planning permission.</p>						
<b>Relevant History</b>						
<p><u>Application property:</u>  <b>H4/5/27/36109</b> – Planning permission was granted on 12/08/1983 for the change of use including works of conversion to form a self-contained flat and an upper maisonette.</p> <p><u>Neighbouring properties:</u>  <b>8b Kylemore Road</b> – Planning permission was refused on 31/08/2005 for the erection of a rear roof extension, plus the erection of railings on the roof of the 3 storey rear extension for use as a roof terrace. In summary, the reasons for refusal were the excessive size of the rear dormer and roof lights and the detrimental impact of the proposed terrace on the residential amenities of the adjoining properties (ref: 2005/2633/P). The resubmitted application for a smaller dormer extension and roof terrace and two front rooflights were granted planning permission on 25/11/2005 (ref: 2005/4192/P).</p> <p><b>3 Kylemore Road</b> – Certificate of lawfulness was granted on 02/12/2005 for the installation of four rooflights on the roofslope of the front elevation, the erection of a rear dormer extension on the main roof, and a roof</p>						

extension on the rear wing to provide additional accommodation for a single-family dwellinghouse (ref: 2005/4030/P).

**17 Kylemore Road** – Planning permission was granted on 11/03/1994 for the provision of roof terrace on rear extension including erection of raised parapet wall and 1.7m high obscured glazed screen facing No 15 (ref: 9301628).

### **Relevant policies**

#### **Replacement Unitary Development Plan 2006**

SD1 – Quality of life

SD6 – Amenity for occupiers and neighbours

B1 – General design principles

B3 – Alterations and extensions

#### **Camden Planning Guidance 2006**

#### **LDF Core Strategy and Development Policies**

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

*The following policies in the draft LDF Core Strategy and Development Policies documents have been taken into consideration*

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

DP24 – Securing high quality design

DP26 - Managing the impact of development on occupiers and neighbours

## Assessment

### Proposal:

The proposal is for the erection of rear dormer roof extension, installation of obscure glazed balustrade on the flat roof of the existing rear addition/closet wing to use it as a roof terrace on second floor (attic) level and installation of two rooflights on the front roof slope to create additional accommodation space on the attic level of the first floor flat.

The scheme has been revised since it was originally submitted. The design and bulk of the proposed rear dormer extension were revised to improve its relationship with the existing house in terms of fenestration detailing and subordination. Additionally, the height of the proposed obscure glazing facing the rear of 3 Kylemore is proposed to be increased to a height of 1.7m to protect the privacy of that property.

The proposed rear dormer extension would have a width of 3m, a maximum projection of 2.6m (from the rear roof slope) and a roof apron section above the eaves. It would be 0.5m below the ridge of the existing roof and provide access to the proposed roof terrace. The proposed roof terrace would cover an area of approximately 12.5sqm.

The proposed balustrade would be set in by 0.55m from the side walls of the rear addition and 1.1m from the rear wall.

### Design Appearance:

The Council's planning guidance states roof extensions and alterations are likely to be acceptable where there is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to reunite a group of buildings and townscape. Although most of the house in this terrace have been converted into flats and therefore do not benefit from permitted developments rights, similar roof terraces and roof extensions are present in the surrounding area. For example, the adjoining property (3 Kylemore Road) has quite a large existing rear dormer extension which was built as 'permitted development'.

The rear of the application property is well screened from the public views therefore the proposed roof extension and balustrade would not be visible from the street scenes. The proposed rear dormer extension would be of matching roof tiles to the existing with a narrow door and a small window. The proposed rear dormer extension would be much smaller than the existing rear dormer extension at no.3 and would be in keeping with the development pattern in the area. The glass balustrade which would secure the proposed terrace is considered to be a small addition to the roof profile and would not compromise the architectural integrity of the existing building. The proposed rear dormer and balustrade would be subordinate to the existing roof profile and would be sympathetic to the fenestration details of the existing building.

A number of properties on Kylemore Road have rooflights on their front roofslopes. The proposed rooflights would be 0.8m x 0.8m each and would protrude less than 10cm from the front roof plane. The proposed rooflight are considered to be a minor alteration to the existing roof profile and would not harm the appearance and character of the existing house and the street scene.

On balance, the proposal is considered to be acceptable in design terms and would not harm the appearance and the character of the surrounding area and complies with the aims of policies B1 and B3 of the UDP.

### Amenity:

Policy SD6 seeks to ensure that the amenity of occupiers of neighbouring properties is protected. It states that

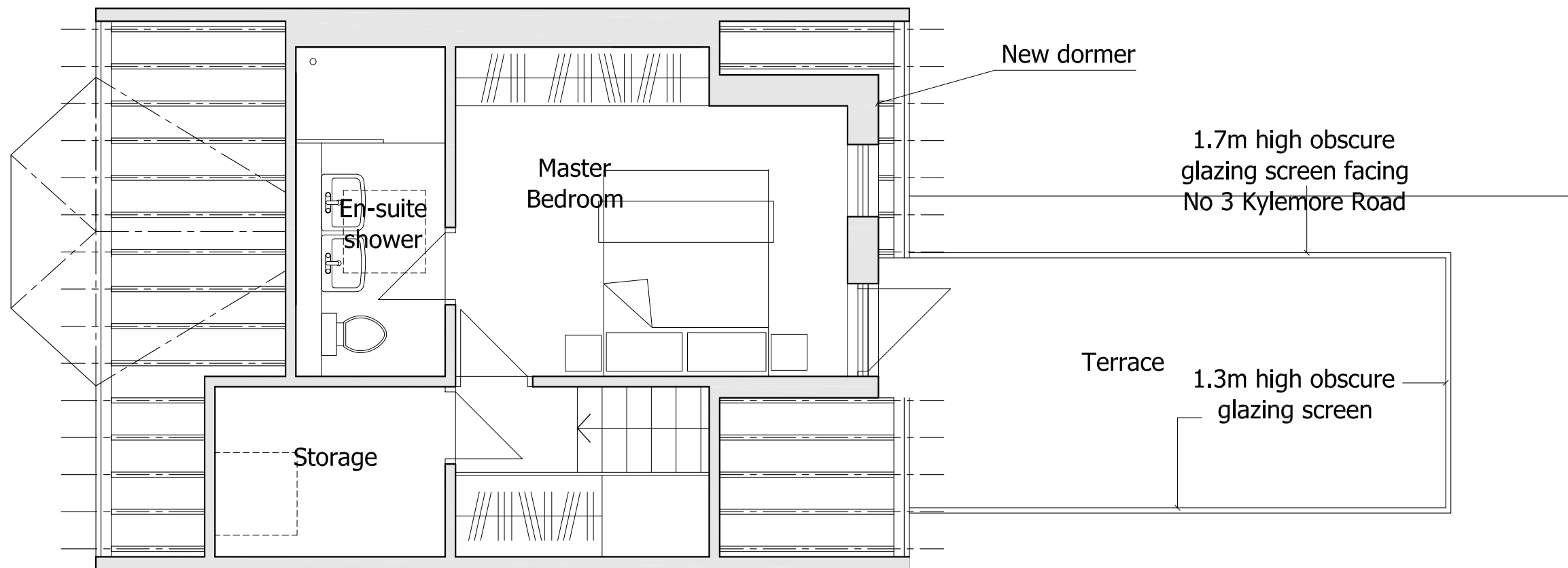


planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and result in overlooking.

Due to the relationship with the windows of the neighbouring properties, the proposal is unlikely to have an adverse impact on the amenities of the neighbouring properties in terms of loss of light, outlook, and privacy or increase sense of enclosure. The proposed balustrade around the roof terrace would be obscure glazing and its height would be 1.7m on the north side to provide adequate screening to prevent unacceptable overlooking to the rear dormer windows of no.3. The adjoining property at no.7 does not have a roof terrace or rear dormer windows therefore the proposal would affect the amenities of that property. The proposed roof terrace would also be approximately 18m from the rear windows of the terrace properties on Gladys Road (which are right opposite the rear of application site).

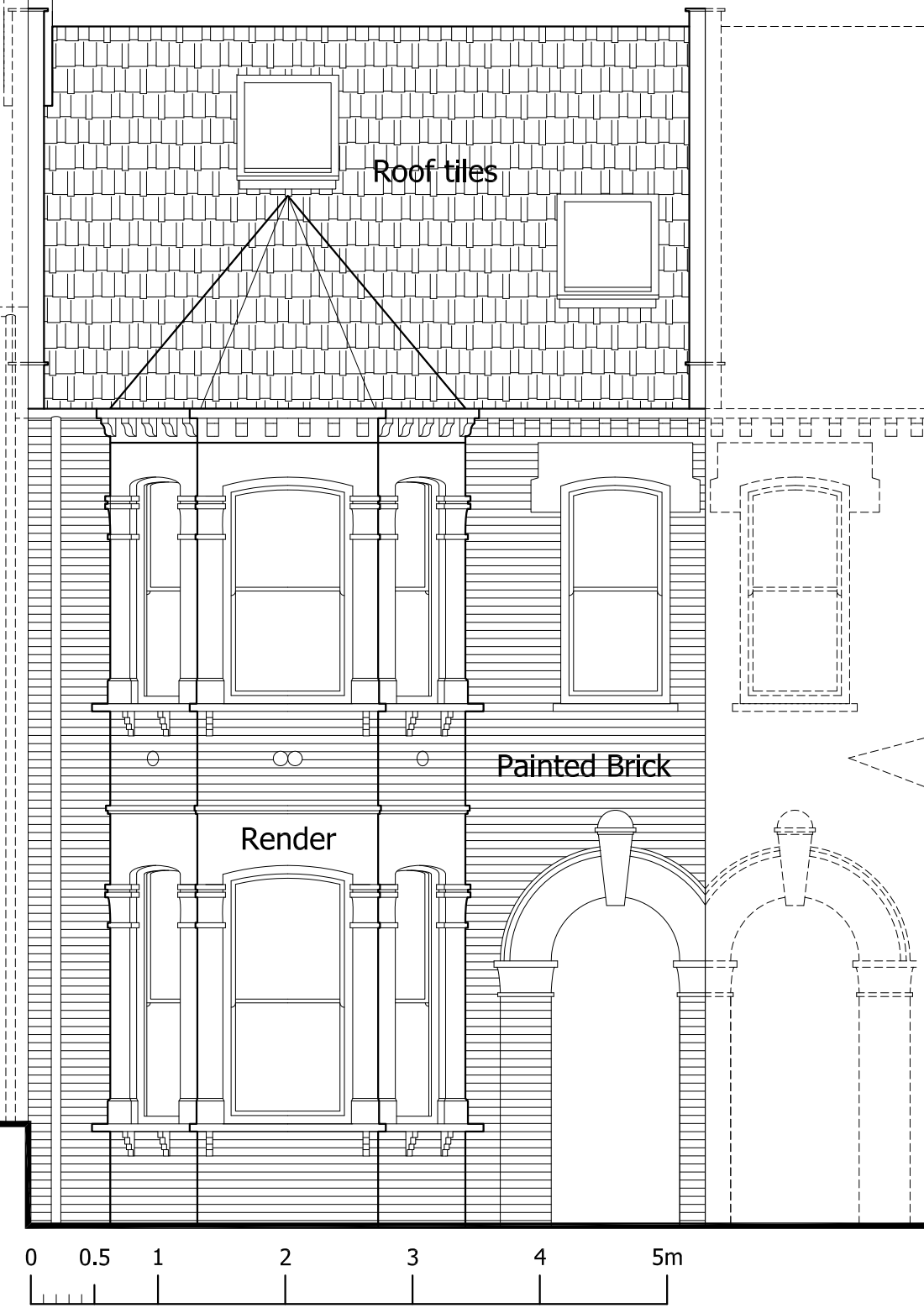
The proposal is considered to comply with policy SD6 of the UDP.

**Recommendation:** The proposal is considered not to result in unacceptable harm to the character of the existing building and the surrounding area or the amenities of the neighbouring properties. Therefore, conditional planning permission should be granted.

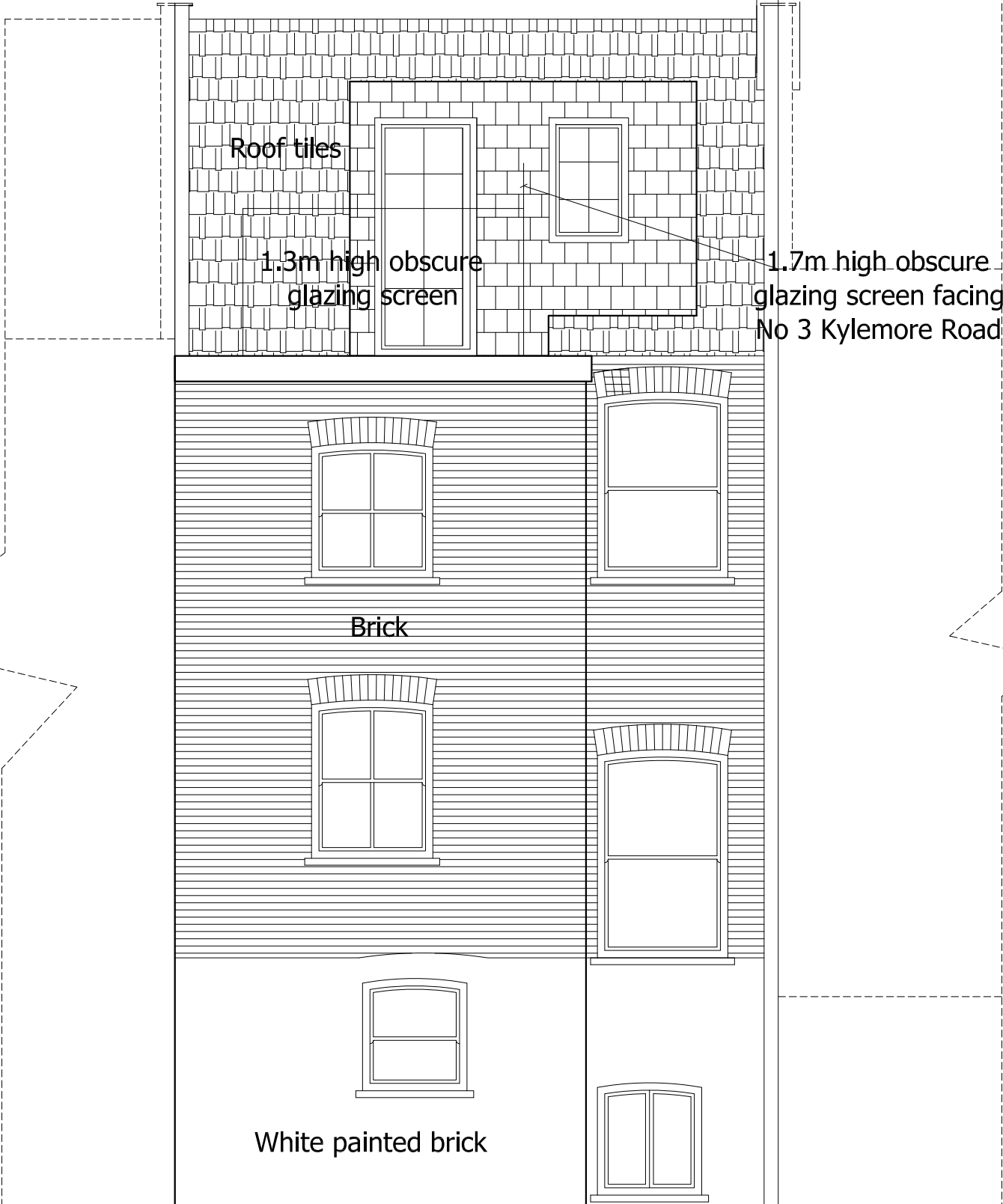


Issue	PLANNING
Project	5 Kylemore Road
Drawing Title:	Proposed Attic Plan
Drawing Number:	03-007 A
Date:	April 2010
Scale:	1:50@A3
A D Design Concepts - 25 Gramplan Gardens, London NW2 - t&f 0208 455 1424 - m 07971029759 - e-mail: ab@bavck.freemove.co.uk	

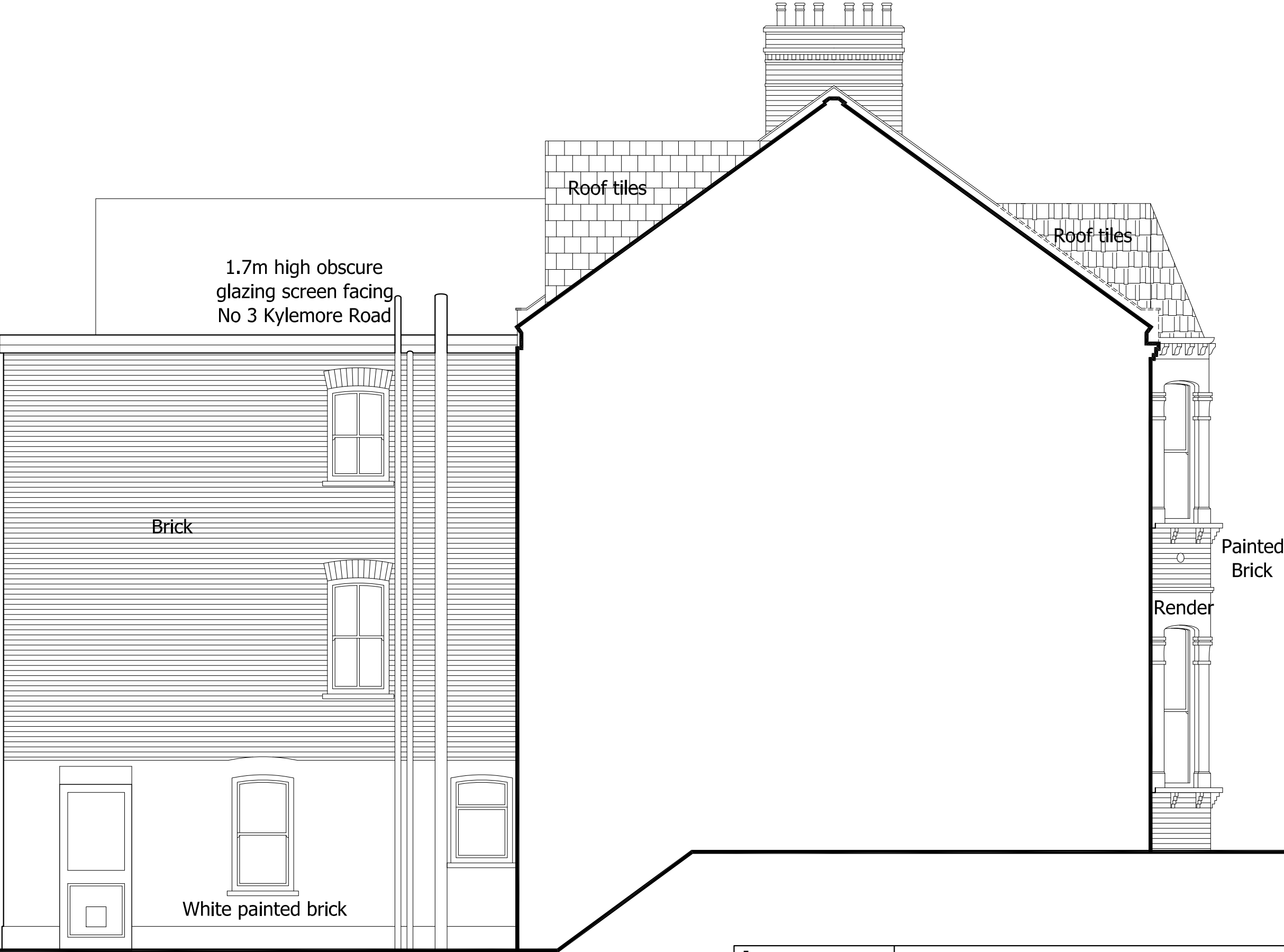
Front (Kylemore Road) Elevation



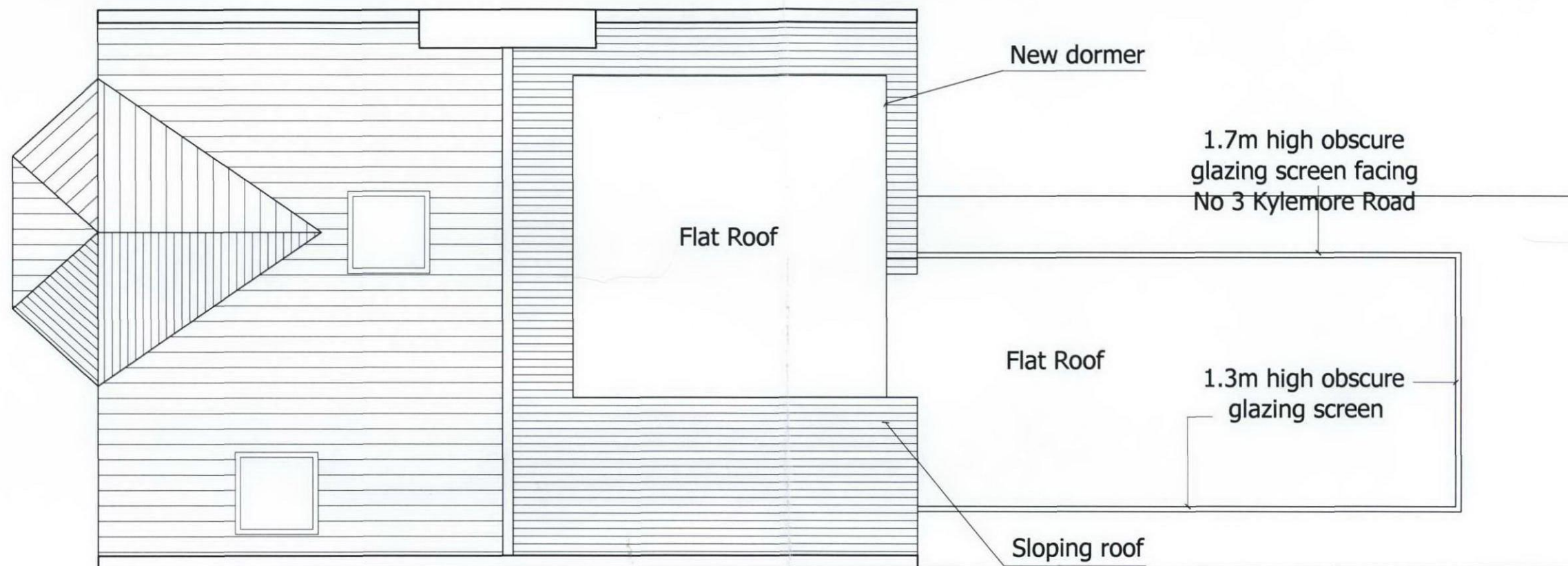
Rear Elevation



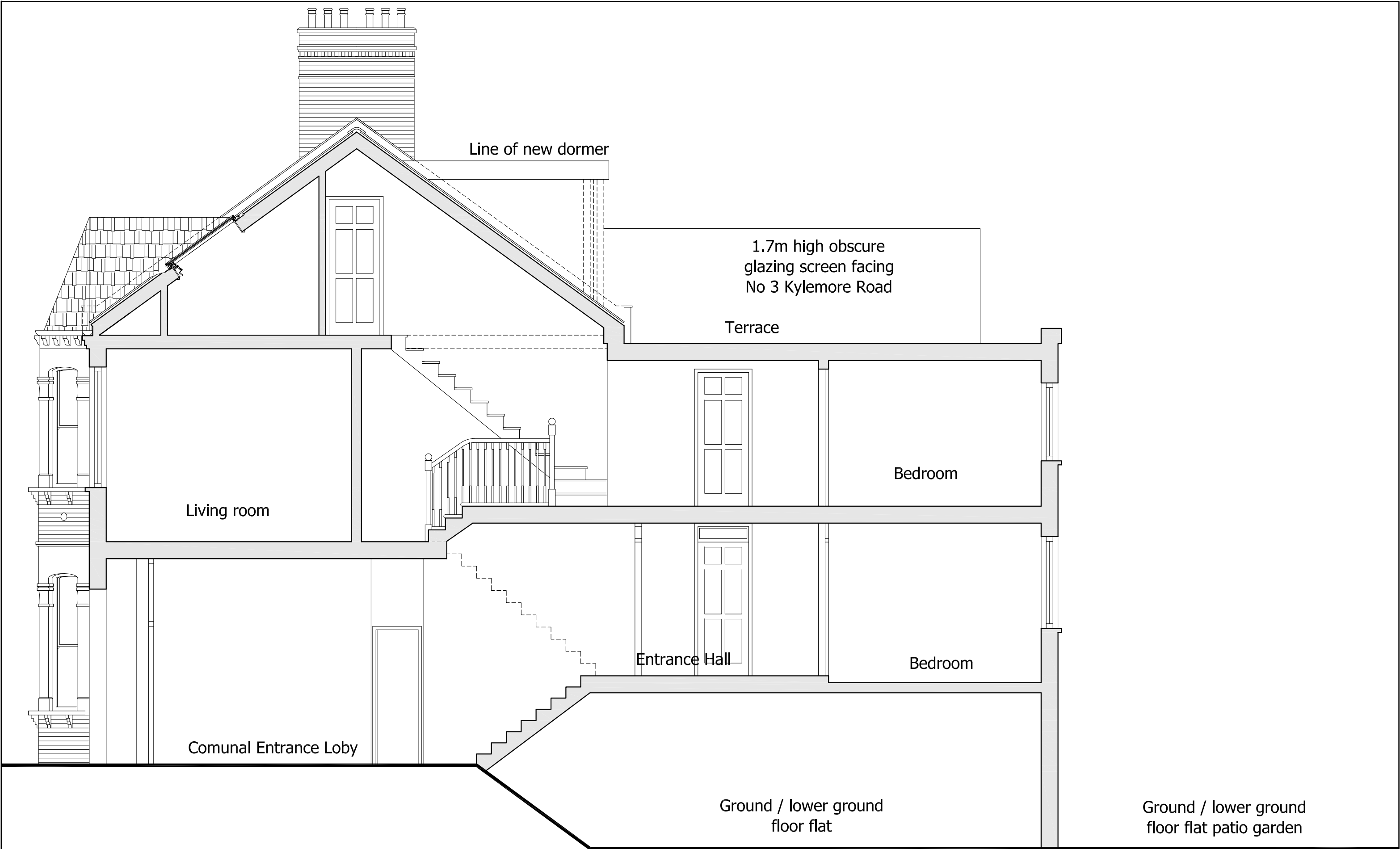
Issue	PLANNING
Project	5 Kylemore Road
Drawing Title:	Proposed front and rear elevations
Drawing Number:	03-032A
Date:	April 2010
Scale:	1:50@A3



Issue	PLANNING
Project	5 Kylemore Road
Drawing Title:	Proposed side (North) elevation
Drawing Number:	03-033A
Date:	April 2010
Scale:	1:50@A3
A D Design Concepts - 25 Gramplan Gardens, London NW2 - t&f 0208 455 1424 - m 07971029759 - e-mail: ab@bavck.freereserve.co.uk	



Issue	PLANNING
Project	5 Kylemore Road
Drawing Title:	Proposed Roof Plan
Drawing Number:	03-008 A
Date:	April 2010
Scale:	1:50@A3



Issue	PLANNING
Project	5 Kylemore Road
Drawing Title:	Proposed Section
Drawing Number:	03-021B
Date:	April 2010
Scale:	1:50@A3
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