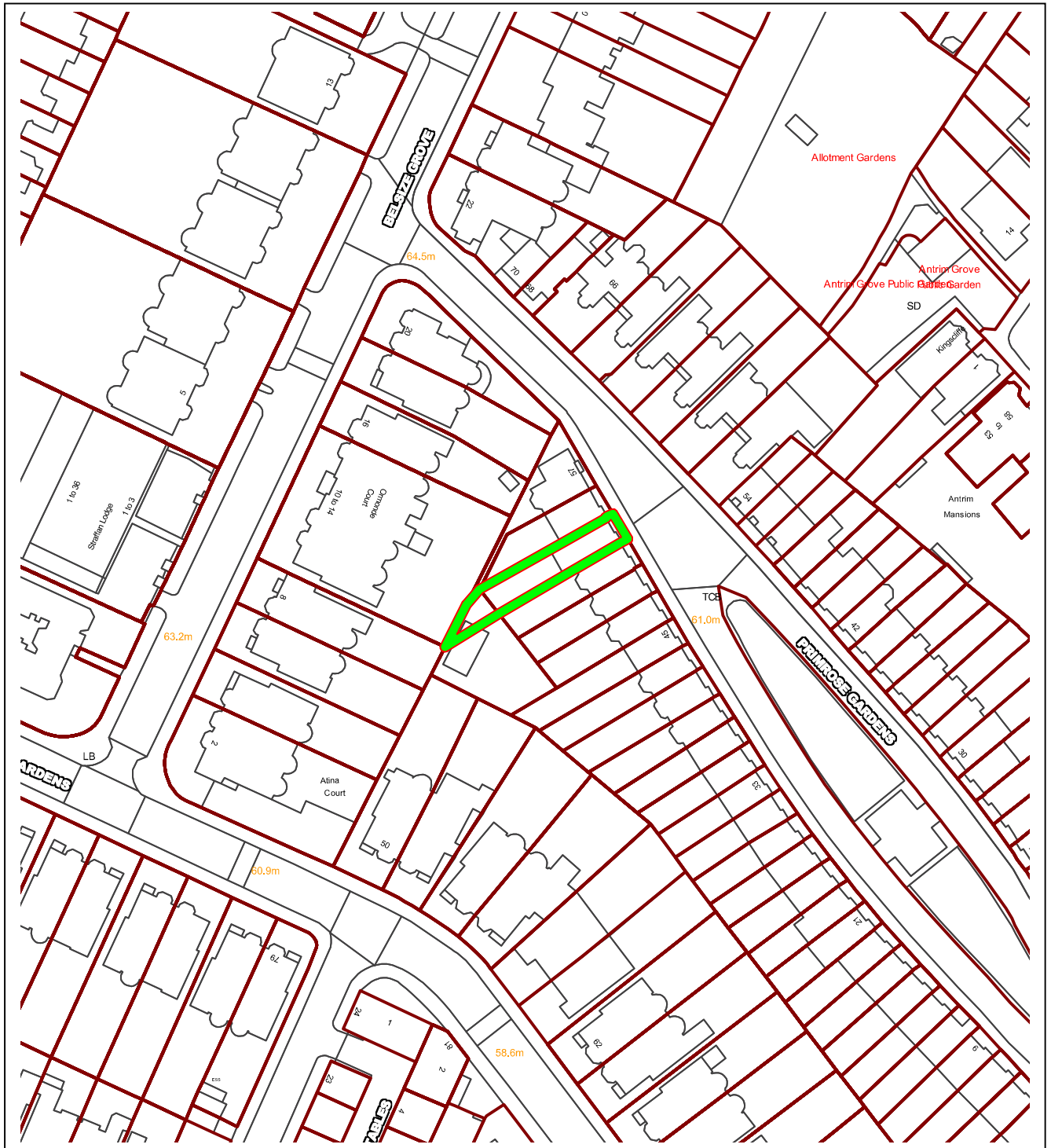


# 53 Primrose Gardens, London, NW3 4UL



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## Site Photos



Photo 1 - This shows the normal front view of no. 53 (the light grey door in the centre), taken from the opposite pavement directly in front. The skylight profile is not visible from this position. *Photos as annotated by applicant. Photo number in blue.*



Photo 2 – The front view taken from the furthest point back on the opposite pavement, up against a private hedge. Rooflight visible, as is the rooflight of no 51, which has been in place for many years. *Photos as annotated by applicant. Photo number in blue, arrows and house numbers in red.*



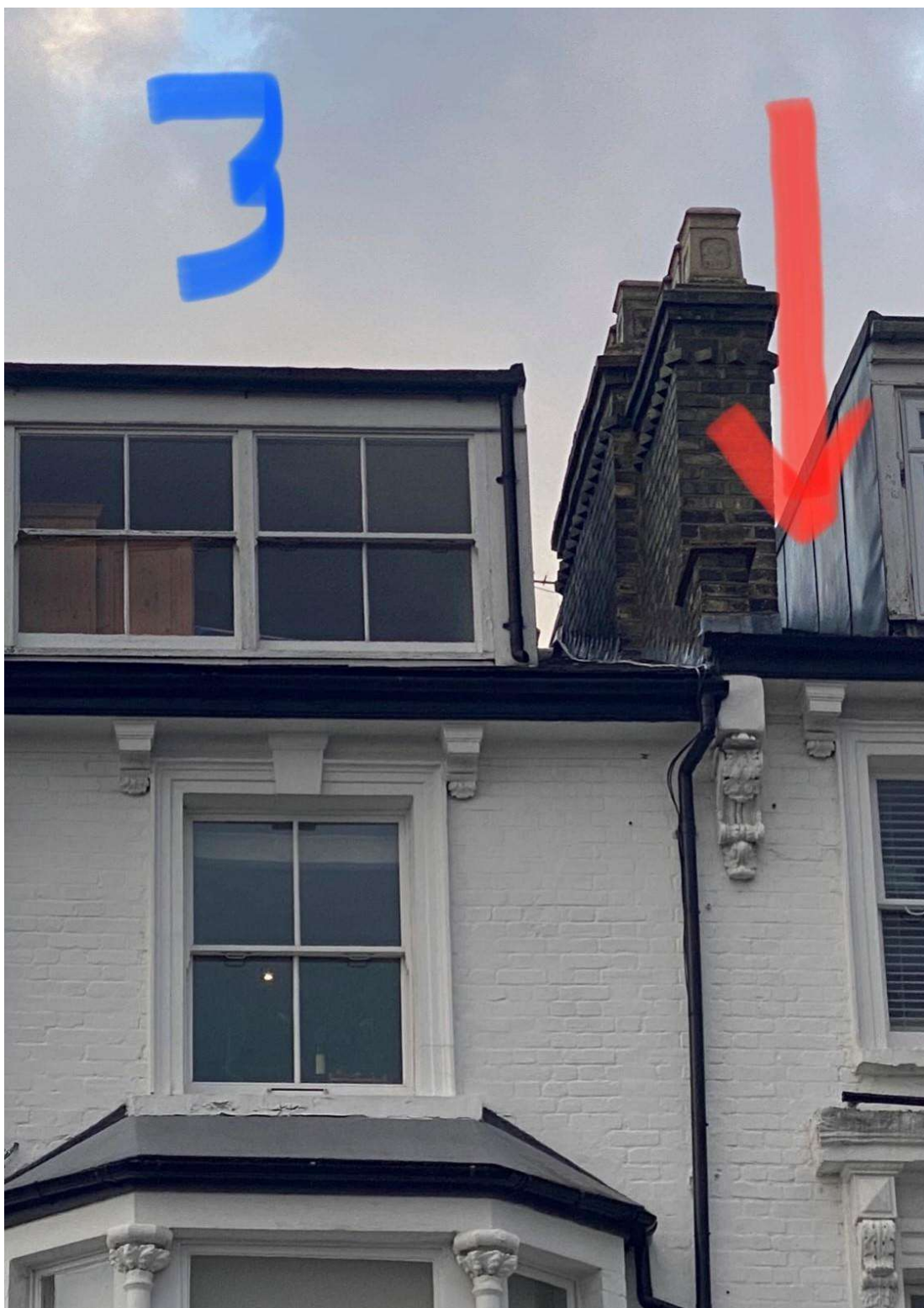


Photo 3 - Taken 3m to the left/south, in front of no. 51. The skylight of no. 53 is hidden by the partition wall and is not visible. *Photos as annotated by applicant. Photo number in blue, arrows and house numbers in red.*



Photo 4 - Taken 3m to the right/north, in front of no. 55. The skylight of no. 53 is hidden by the former window and is not visible. *Photos as annotated by applicant. Photo number in blue, arrows and house numbers in red.*



Photo 5 - Taken outside no 56





Photo 6 - Taken outside no 58 opposite, no 53 to the right of the photo.



Photo 7 - Taken outside no 60.





Photo 8 - This is from outside no. 52 (rooflight invisible)



Photo 9 – Rooflight already in place (retrospective) to front roofslope in between dormer to the left and party wall/chimneys to the right.





Photo 10 – Rooflight (retrospective) from front



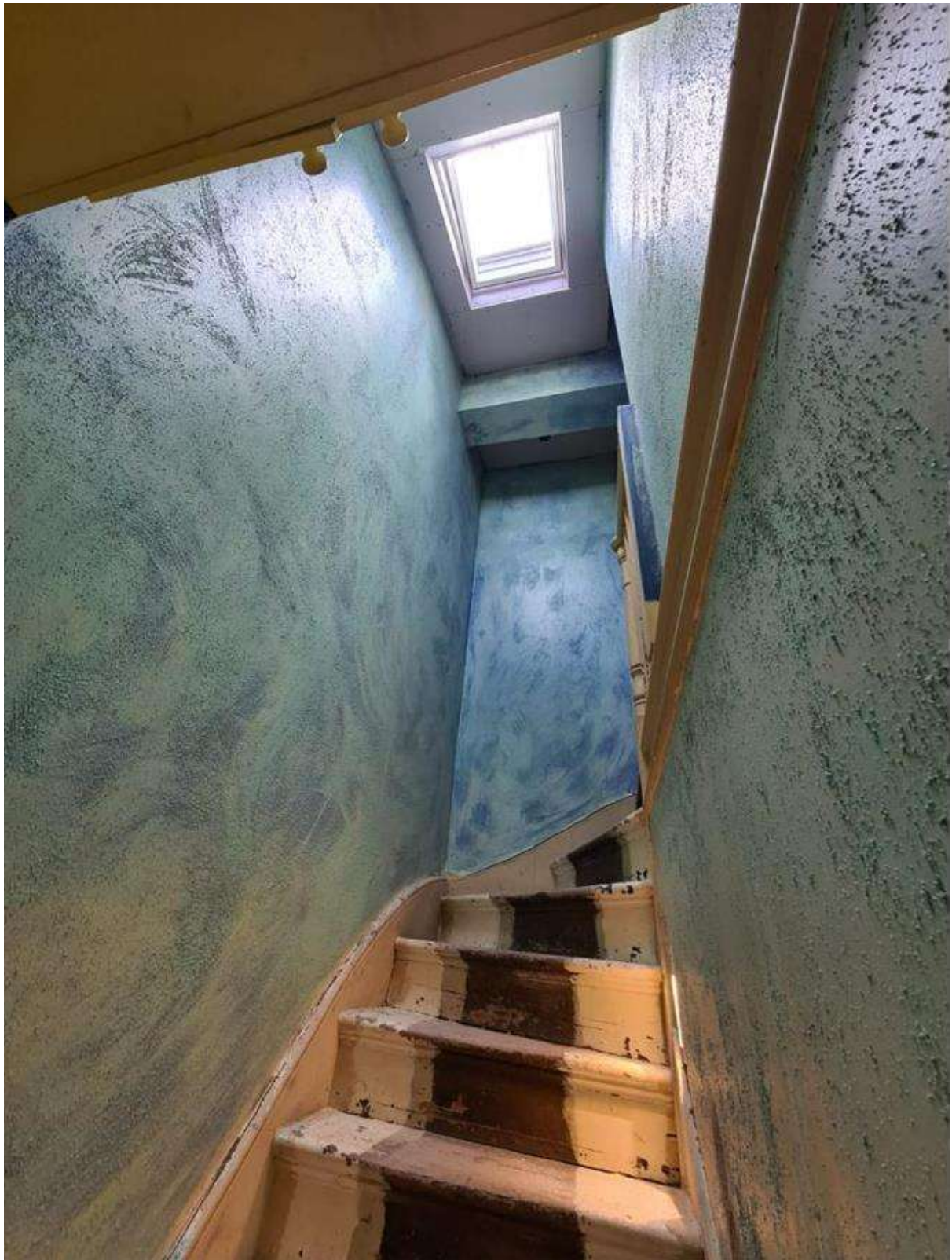


Photo 11 – Rooflight (retrospective) from interior, centrally positioned above staircase to provide daylight



Photo 12 – Outlook from front rooflight (retrospective)





Photo 13 – Existing solid hatch to flat roof





Photo 14 – Existing solid hatch to flat roof





Photo 15 - Interior view of existing solid hatch without boarding in the context of the living room.

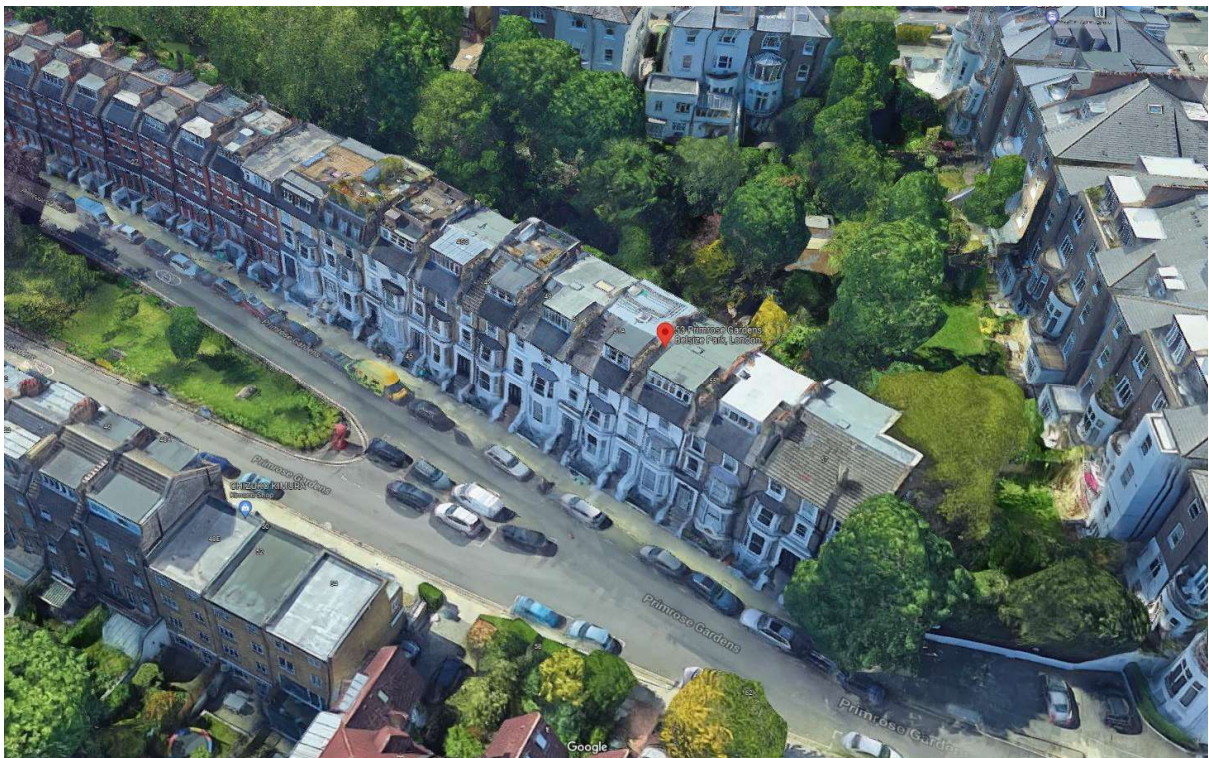


Photo 16 – Aerial view 1 of application site in street context (red icon marks application site)



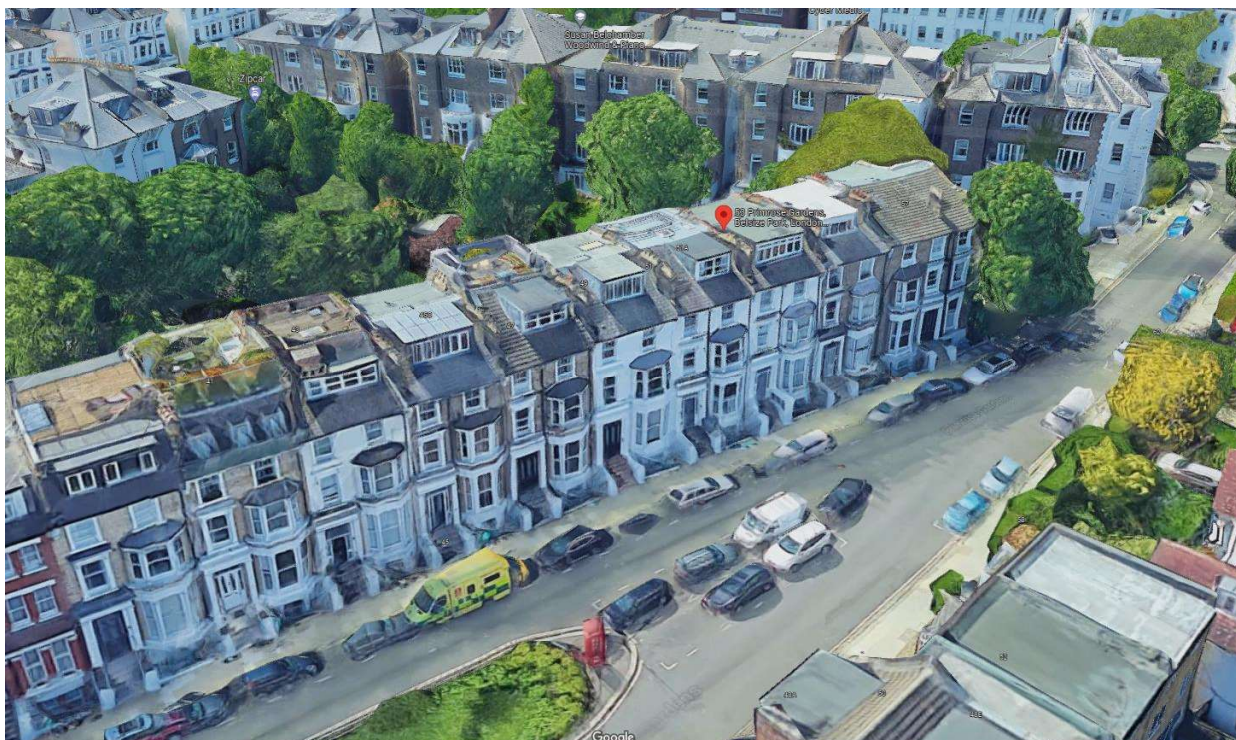


Photo 17 – Aerial view 2 of application site in street context (red icon marks application site)

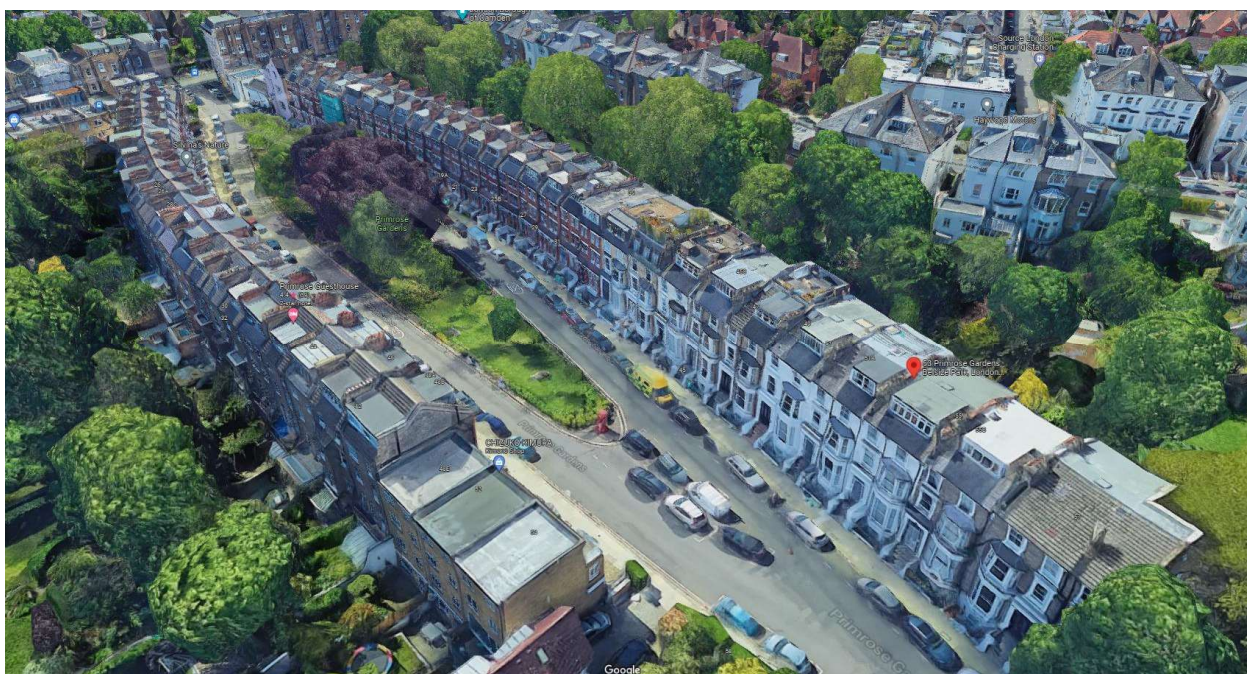


Photo 18 – Aerial view 3 of application site in street context (red icon marks application site)



<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	20/07/2021
		N/A		<b>Consultation Expiry Date:</b>	01/08/2021
<b>Officer</b>				<b>Application Number(s)</b>	
Miriam Baptist				2021/2577/P	
<b>Application Address</b>				<b>Drawing Numbers</b>	
Flat 5 53 Primrose Gardens London NW3 4UL				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>					
Installation of 1 x front and 1 x rear rooflight at 3rd floor level to replace existing solid escape hatch (Part retrospective).					
<b>Recommendation:</b>		Grant conditional planning permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
<b>Consultations</b>				
Summary of consultation:	<p>1 site notice was displayed near to the site on the 02/07/2021 (expired 26/07/2021).</p> <p>The development was also advertised in the local press on the 08/07/2017 (expired 01/08/2021).</p>			
Adjoining Occupiers:	No. of responses	00	No. of objections	00
Summary of consultation responses:	No letters of objection were submitted from or on behalf of any local owners/occupiers.			
Belsize CAAC:	<p><b>Belsize Conservation Area Advisory Committee (CAAC) Objection</b>  A letter of objection was received on behalf of the Belsize CAAC, in relation to the proposed scheme on the following grounds:  (1) Proposed front rooflight is too close both to the dormer window and party wall.</p> <p><u>Officer's response:</u>  (1) The CAAC do not state why the positioning of the rooflight is unacceptable or what harm it causes. The rooflight has been positioned central to an internal staircase (see Photo 11 of photo pack) to which it provides light. The applicant has provided evidence that because the rooflight is positioned on a narrow stretch of roof between the partition wall/chimneys and the existing wide front dormer, it is not visible from many positions on the street apart from directly opposite (please see photo pack).</p>			

## Site Description

53 Primrose Gardens is a 3 storey Victorian mid-terrace residential property with a lower ground and an attic level. The property is divided into 4 flats of which the application is in regard to the topmost flat, no 5.

The property is not statutorily listed but is situated within the Belsize Conservation Area within the Primrose Gardens/Antrim Road sub-area. Characteristic of the local area, 53 Primrose Gardens is identified in the Conservation Area Appraisal (2002) as making a positive contribution to the character of the Conservation Area.

There are no trees protected by Tree Preservation Orders within the application site.

## Planning History

Planning history at the application site:

**2020/1755/P:** Planning permission was granted on 29/05/2020 for the amalgamation of flat 2 and flat 3 to create one single residential unit (Class C3).

**2016/4463/P:** Planning permission was granted on 06/10/2016 for the replacement of single glazed timber sash windows at front and rear ground and 1st floor levels with like-for-like double glazed windows.

**25993:** Planning permission was granted (conditional) on 11/05/1978 for change of use of first, second and third floors to three self-contained flats including works of conversion and the erection of a front dormer window.

**30794:** Planning permission was granted (conditional) on 29/09/1980 for change of use including works of conversion to provide two self-contained flats, on lower ground and ground floors, alterations to the rear elevation at lower ground floor level and the erection of a dustbin store.

Relevant planning history at nearby site:

### **51 Primrose Gardens**

**9100475:** Planning permission was granted on 03/09/1991 for the conversion of the first, second & third floors into self-contained flats together with external alteration including insertion of front dormer. *Rooflight to the front included on drawings.*

## Relevant policies

### **National Planning Policy Framework (2021)**

### **The London Plan (2021)**

### **Camden Local Plan (2017)**

- **DM1** Delivery and monitoring
- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change

### **Camden Planning Guidance (2021)**

- CPG Amenity
- CPG Design
- CPG Home Improvements

### **Belsize Conservation Area Statement (2002)**



## Assessment

### 1. The proposal

- 1.1 Planning permission is sought for the installation of 1 x front and 1 x rear rooflight at roof level. The rear rooflight would be located on the flat roof of the building and would replace an existing solid escape hatch. The permission is part retrospective as the rooflight to the front has already been installed.
- 1.2 The rooflight to the front provides light to the internal staircase and the proposed rooflight to replace the hatch would provide light to the living room.

### 2. Assessment

- 2.1. The principal considerations material to the determination of this application are as follows:
- Design and Heritage - The visual impact upon the character and appearance of the host property, streetscene, local area and the Belsize Conservation Area.
  - Neighbouring Amenity - The impacts of the scheme on any neighbouring occupier.

### 3. Design and Heritage

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 states that in order to maintain the character of Camden's conservation areas, the Council will not permit development that fails to preserve or enhance the character and appearance of that conservation area.
- 3.2. The application seeks permission for two rooflights. One is retrospective, situated on the front roofslope between a wide front dormer window and the partition wall/chimneys between no 53 and no 51. The second rooflight proposed would replace an existing solid hatch on the flat roof of the building.
- 3.3. The Belsize CAAC has raised concern about the location of the rooflight on the front roofslope being too close to the dormer and the partition wall, but does not expand on why this is unacceptable or what harm this causes. The Belsize Conservation Area Statement states that 'velux' type windows would be allowed at the rear if sensitively designed in relation to the building and other adjacent roofs. It is noted that there are several similar raised rooflights already on the front roofslopes of neighbouring properties within the street, such as no 51 next door, and nearby no 47 and 49. Of these relevant properties particularly close by, planning permission can only be found for the front rooflight at no 51 Primrose Gardens. Camden's Supplementary Planning Guidance outlines the harm of rooflights when visible from long views along the streets and public spaces. In these cases it is advised that rooflights are restricted to only the rear. However, in the instance of this case the existing wide front dormer and narrow gap between this and the partition wall means that the section of roofslope is not visible from long views along the street but instead is able to accommodate a rooflight discretely.
- 3.4. The Conservation Area Statement notes that there are examples of 'large inappropriate dormers at roof level' among other alterations which detract from the consistency or original condition of the terrace. Indeed most properties on the west side of the street seem to have large dormers, which, although very often insensitively over-sized, now are part of the character of this side of the street. On the east side of the street the number of large dormers is less although they too are now a common feature. These large front dormers are now form part of the character of the street. It could be argued that the raised rooflights are much more discrete, low impact roof level additions and are not particularly noticeable, especially in the shadow of a cumbersome dormer.
- 3.5. The existing rooflight (retrospective) to the front of the property has been assessed in terms of its prominence from the street: the nearby public realm. Photograph A below shows the skylight recently installed from the public viewpoint of the opposite pavement, driveway of the house opposite, no. 56 Primrose Gardens.



*Photograph A for the purposes of this report (Photo 2 as seen in Photo pack)*

- 3.6. The front rooflight is a minor alteration to the roof of the property, which ideally would have been installed flush to the roofslope. Despite this the wide front dormer at no 53 and the tall chimney/party wall means it is concealed in a narrow gap, unnoticeable from most positions on the street unless standing opposite the property (view as seen in Photo A above). For this reason it is considered to have an acceptable impact on the building (positive contributor) and conservation area as a heritage asset.
- 3.7. The second rooflight, which would replace the existing solid hatch on the flat part of the rear roofslope of the building, is deemed acceptable. It is positioned on the rear roof, which is flat and not visible from the public realm. It is modest in scale and in context of the proposed position and type of roof it is situated on, it is not considered to have any negative impact on the heritage value of the property or the surrounding conservation area. It is considered to be a 'velux' type window as stated acceptable by the Belsize Conservation Area Statement, allowed if sensitive in relation to the building and other adjacent roofs.
- 3.8. As such, although it is not wholly ideal, it is considered that the retention of the recently installed rooflight to the front of the property and the addition of one to the flat roof to the rear roofslope would not cause a significant detrimental impact upon the character and appearance of the host property and would preserve the special character of the conservation area. 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 2013.

#### **4. Neighbouring Amenity**

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes.
- 4.2. In terms of neighbouring amenity, there is not considered to be any negative impact terms of the front rooflight, it is only from directly opposite on the street that it can be seen. It is appreciated that from other nearby properties it may be visible from a different perspective as part of their outlook, but it is considered to be a very minor change in the outlook of surrounding properties, not without precedent on the street,

and insignificant in terms of neighbouring amenity. The rooflight is intended to bring in light from the sky rather than to create an additional outlook, it does not affect daylight, sunlight or overlooking to any neighbouring properties. Similarly the rooflight proposed on the flat rear roof will face upwards rather than toward any other properties and does not have any effect on adjacent properties in terms of daylight, sunlight or overlooking.

- 4.3. In light of the above, the proposed development is not considered to lead to a significant, harmful impact upon the amenity of any neighbouring resident. The development is thus considered to be in accordance with planning policy A1.

## **5. Recommendation**

- 5.1. 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 15<sup>th</sup> November 2021, 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: 2021/2577/P  
Contact: Miriam Baptist  
Tel: 020 7974 8147  
Email: [Miriam.Baptist@camden.gov.uk](mailto:Miriam.Baptist@camden.gov.uk)  
Date: 9 November 2021

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

A Smith  
Flat 5  
53 Primrose Gardens  
London  
NW3 4UL

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Householder Application Granted

Address:

**Flat 5**  
**53 Primrose Gardens**  
**London**  
**NW3 4UL**

# DECISION

Proposal:

Installation of 1 x front and 1 x rear rooflight at 3rd floor level to replace existing solid escape hatch. (Part retrospective).

Drawing Nos: Location Plan, Site Plan, Existing Elevations, Proposed Elevations, Roof Plan.

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: Location Plan, Site Plan, Existing Elevations, Proposed Elevations, Roof Plan.

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

Informative(s):

- 1 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).
- 2 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, 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.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) 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 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

**DRAFT**

**DECISION**