

Delegated Report		Analysis sheet	Expiry Date:	14/02/2022
		N/A	Consultation Expiry Date:	12/03/2022
Officer			Application Number(s)	
Obote Hope			2021/6205/P	
Application Address			Drawing Numbers	
32 Hartland Road London NW1 8DD			See draft decision	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a single storey rear ground floor extension with green roof; enlargement of first floor rear window and installation of access hatch for the use of the flat roof as a terrace.				
Recommendation(s):		Refused planning permission		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Site notices for the application was displayed on 16/02/2022 expiring 12/03/2022.</p> <p>The neighbouring occupiers at nos. 30 Hartland Road, 56 and 60a Hawley Road have objected to the proposed scheme on the following grounds:</p> <ul style="list-style-type: none"> • Loss of privacy from the proposed roof terrace; • Loss of light; • This proposal is unsympathetic to the property; <p><u>Officers' Response:</u></p> <ul style="list-style-type: none"> • <i>Please refer to paragraph 4.7 below;</i> • <i>Please see the amenity section in paragraph 6.2 below, and;</i> • <i>Please refer to section 4.0 to 4.8 in the design section below</i> 					
CAAC/Local groups* comments: <small>*Please Specify</small>	N/A					

Site Description

The application relates to a three-storey end of terrace house situated on the east side of Hartland Road. The site is not within any conservation area.

The terrace is short, consisting of only three buildings. Two of the buildings are three-storey terrace-style houses and the third at the southern end of the terrace is a diminutive two-storey. To the northeast is a railway embankment.

The house appears to have a roof terrace on its flat roof with timber balustrade at the front and rear parapets, although there is no record of any planning permission for this.

Relevant History

2005/3230/P – Planning permission for the erection of roof extension including roof terrace at the rear of dwellinghouse (class C3). - **Granted 15/09/2005**

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

A2 Open space

A3 Biodiversity

H1 Maximising housing supply

H4 Affordable Housing

H6 Large and small homes

T1 Prioritising walking, cycling and public transport

T2 Car-free development

CC1 Climate change mitigation

CC2 Adapting to climate change

CC5 Waste

Camden Planning Guidance

CPG Design (2021) (Design Excellence – pages 6 – 11)

CPG Home Improvements (2021) – 2.1.1 - Rear extensions

CPG Amenity – (Overlooking, privacy and outlook; Daylight & Sunlight)

CPG Transport

CPG Housing

CPG Energy efficiency and adaptation

CPG Biodiversity

CPG Planning Obligations

PROPOSAL

1.0 Planning permission is sought for the erection of single storey rear extension, replacement of the existing rear window at first floor level with an enlarged one window and the main roof of the dwelling would be used as a terrace following the installation of a replacement access hatch.

1.1 The existing single storey rear extension would be demolished and be replaced by a single storey rear extension on the footprint of the existing structure and extend along the full depth of the boundary with no. 30 measuring approximately 11.3m in depth. It would have a flat roof, measuring 2.9m in height and the width would be varied measuring approximately 4.9m closer to the building and around 2.6m at its deepest part. The proposed rear extension would have a GEA of approximately 34.5sqm. This is 13sqm less than the original footprint of the ground floor that measures 47.5 sqm GEA.

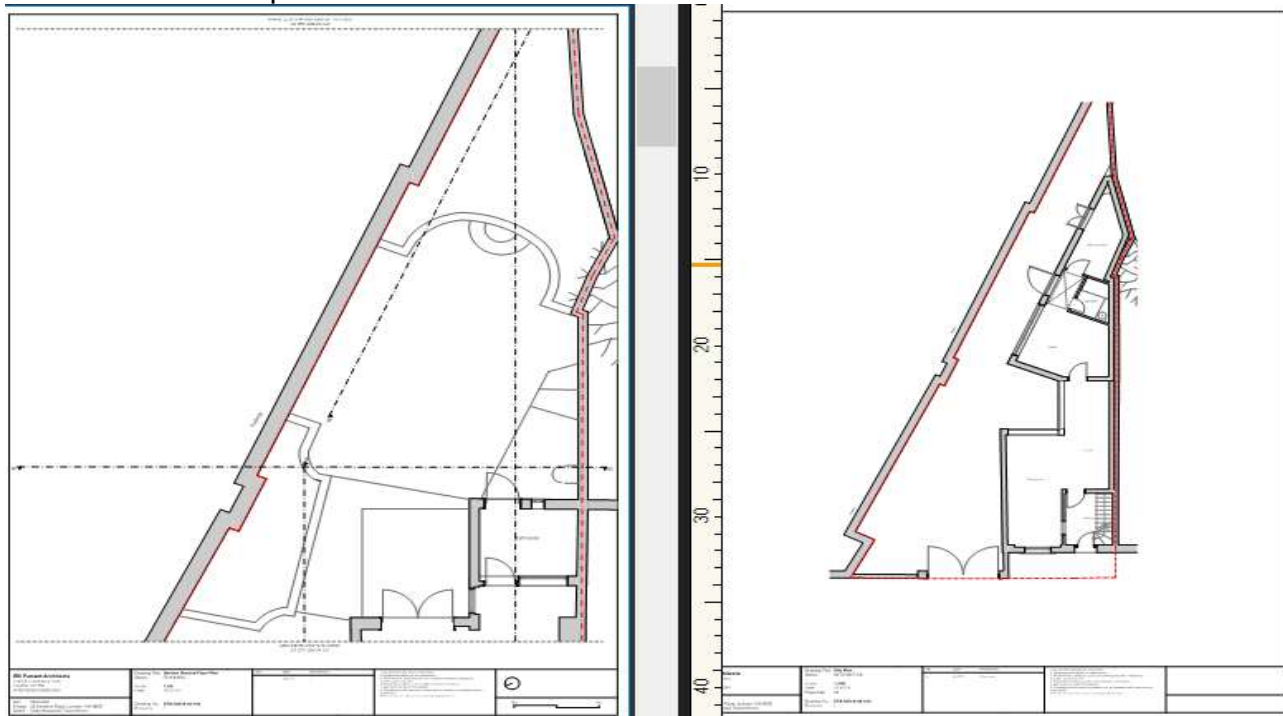


Image 1. Showing the existing and proposed garden plan.

1.2 To north-east the site is bordered by the Overground rail line. The agent confirmed that Network Rail were contacted regarding the easement and access requirements for the railway viaduct, and the extension would not impact on this. The brick viaduct is over 10m above external ground floor FFL and an overhead electricity stanchion is supported along the viaduct wall within the garden. The arches are inaccessible from 32 Hartland Road and have been bricked up. The railway viaduct is owned by Network Rail requires a 2.5m access zone along the full length of the garden adjacent to it, and the large courtyard opposite the electricity stanchion as shown in blue in image 2, below.

Revision

1.3 It should be noted that during the course of the application revisions to the proposed scheme were requested, however they have not address concerns raised by officers. The revisions made to the proposed scheme can be summarised as follows:

- A living roof was added to the proposal
- The courtyard at ground floor and within the proposed extension was replaced by a window and roof light.

ASSESSMENT

2.0 The material considerations for this application are summarised as follows:

- Design and effects on character and appearance of the area
- Amenity of neighbouring residential occupants
- Greenery and sustainability

3.0 Land use

3.1 The host building is a single-family dwelling, end of terrace property consisting of three bedrooms, two reception and one bathroom over three floors. The dwellinghouse benefits from a rear garden adjacent to the high level railway viaduct used by the London Overground and the general area is predominantly residential in character.

3.2 The proposed extension and its layout has the potential to be used as a self-contained unit, subject to minor internal alterations. Officers have noted this aspect of the proposal and in the event that the permission would have been granted a condition would have been added to the application to ensure this would solely be used in association with the host building, and not as a separate independent residential unit.

4.0 Design and effects on character and appearance of the area

4.1 Policy D1 of the Camden Local Plan requires development to respect local context and character. Design should respond creatively to its site and its context including the pattern of built form and urban grain, open spaces, gardens and streets in the surrounding area. Where townscape is particularly uniform attention should be paid to responding closely to the prevailing scale, form and proportions and materials.

4.2 The requirement to respect the pattern and rhythm of neighbouring buildings/extensions is also set out in the Council's Home Improvements CPG (2.1.1 Rear Extensions) and Design CPG. Moreover, Policy D1 stipulate that *"development within rear gardens and other undeveloped areas can often have a significant impact upon the amenity and character of an area. The Council will resist development that occupies an excessive part of a garden and where there is a loss of garden space which contributes to the character of the townscape"*.

4.3 Paragraph 7.2 of Local Plan policy D1 (Design), discusses extensions and alterations. The policy states that rear extensions, which compromise the composition of the existing elevation and undermine the prevailing pattern, density and scale of surrounding development, would not be acceptable in principle. In this instance, it is considered that the proposed rear extension would not be subordinate to the host building due to its size and scale and as such, would not be considered as secondary addition to the property. The structure would have a triangular elongated shape, with oblique and narrow corners, which due to its expanse would dominate the host building and its rear garden. The length of the structure would be more than that of the original building, which unbalances the pattern of development and urban grain.

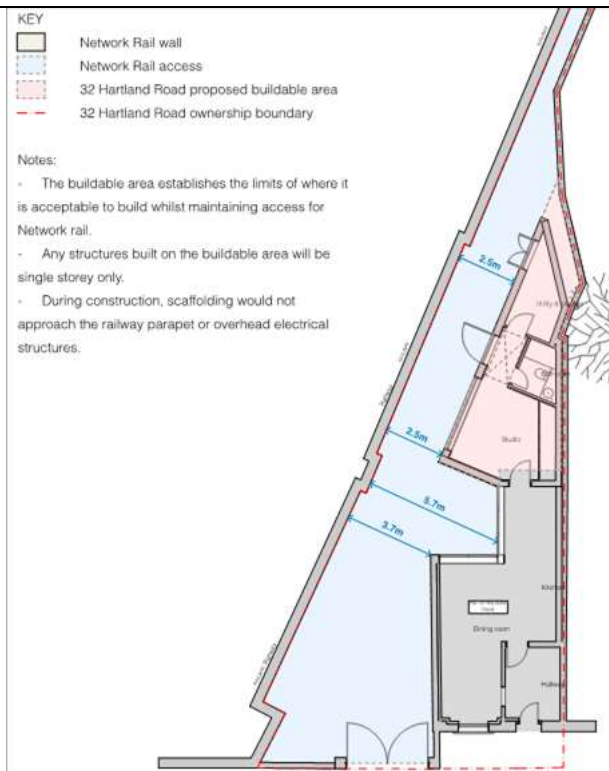


Image 2. Showing in blue the area reserved for Network Rail.

4.4 The proposed extension would extend further than the neighbouring extension at no 30 Hartland Road by approximately 7.0m and all the existing extensions along Hawley Road have modest projections, subordinate to the host buildings and their plots. Although there is fencing and foliage to the side boundaries with the neighbouring properties, there is a strong sense of openness to the rear gardens with wide views across them, as seen from the pedestrian and cycle path under the rail line on Hawley Road side, and the open space adjacent to Little Haven Nursery. The proposed extension would be at least 1.0m higher than the existing boundary wall and given the extent of its projection, it would appear as an obtrusive addition that would be out of keeping with the existing pattern of development.

4.5 CPG Home Improvements states in relation to rear extension that they should retain the open character of existing natural landscaping and garden amenity. The garden area of the application site is greatly reduced by the Network Rail access requirements on the site. The proposed extension would cover all the remaining garden area after the access requirements have been included, which would be to the detriment of the occupiers. Whilst the structure would have a green roof, this would only accommodate a limited level of planting, lower than that of what a garden space could provide. Given the extension's height and large expansion, it would be an inappropriate addition that would result in loss of substantial amount of garden space which fails to preserve or enhance the open character of the area.

4.6 The ground floor rear extension would be an incongruous addition which in the context of the neighbouring properties and townscape, it would detract from established character and common pattern of development. Moreover, the proposed extension due to its mass and scale, would appear obtrusive in the context of the surrounding properties and pays no regard to the site or its settings. The proposed extension would not be in keeping with the surrounding pattern of the development within close proximity of the host building and it does not take into consideration the character, setting, context, the form and scale of neighbouring buildings and urban grain. Consequently, the proposed rear extension would be harmful to the appearance of the host property, and neighbouring ones, contrary to policies D1 of Camden Local Plan 2017.

4.7 The roof of the host building is already used as a terrace, and the applicant claims it has been used as a terrace for more than 4 years and is therefore it should be lawful. Currently the terrace is accessed through an existing glazed hatch in line with the top floor proposed to be

replaced. There was no evidence presented to show the terrace use for more than four years; however, the officers saw at the site visit that the existing hatch appears to be old. The proposed hatch would be glazed and extend approximately in line with the existing parapets of the host building. Given the proposed scale and projection of the hatch this would not be visible from the street and any public space so its impact on the host building and wider terrace is limited. However, importantly the proposal does not include balustrading to secure the safety use of the terrace. An existing timber screen is seen from the street level to the front, however a rear balustrade is represented on the drawings. For a terrace to be acceptable in terms of safety, security, and accessibility would have to be surrounded by 1.1m balustrades. As such, the impact of the terrace cannot be adequately assessed given that the drawings do not include a true representation of the balustrade required for its lawful use. There is not a prevailing character of terraces at roof level such as the current one, and given that the actual impact of this cannot be assessed, the proposed terrace and hatch cannot be supported under the current submission, and this would constitute a reason for refusal.

4.8 The existing window at rear first floor level is a timber sash window with three by four panes. It is proposed to enlarge the existing window opening with a larger timber sash window with four-by-four panes. The existing and proposed windows are double glazed and whilst the proposal would maintain its type and material the replacement will be in keeping with the host building and its character. The proposed window is therefore acceptable in terms of material, location and design.

6.0 Amenity of neighbouring residential occupants

6.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. The relevant factors to be considered in this case are the effects on light, privacy and outlook. Guidance on effects on light, privacy and outlook are included in the Council's Amenity CPG.

6.2 The boundary with no 30 appears to be formed by a high brick wall. The proposed extension would project above the wall by approximately 1m and extend along the full depth of the shared boundary with no 30. No 30 has been extended previously to the rear, however its extensions do not go the full depth of the site. The submitted drawings do not show the existing windows at no 30 to establish accurate impact; however, based on the current information it is likely that the extension would not pass the 45 degree floor plan and elevation test. As such, the proposed extension due to its proposed size, projection and siting would likely have some detrimental impact to the amenity of the occupiers at no. 30, in terms of loss of light and outlook, and this would constitute a reason for refusal.

6.3 The proposed hatch and terrace at roof level, given its location, would allow some level of oblique views to the rear of the properties on Hawley Road. Given the distance between the properties it is unlikely that significant harm would arise from overlooking from the proposed terrace.

6.4 The proposed enlargement of the first floor window would not exacerbate levels of overlooking.

7.0 Conclusion

7.1 The ground floor rear extension would be an incongruous addition which in the context of the neighbouring properties and townscape, it would detract from established character and common pattern of development due to its mass and scale. The proposed extension would appear obtrusive in the context of the surrounding properties and pays no regard to the site or its settings. The loss of the garden and the open character that this contribute to the wider area would set an unwelcomed precedent and this would be demonstratable harmful to the character and appearance of the host building and surrounding area.

7.2 The proposed use of the roof of the existing dwelling as a terrace, in the absence of adequate

information to assess its impact, would result in harm to the character and appearance of the host building, terrace row and wider area.

8.0 Recommendation

- 8.1 The proposed single storey extension, due to its bulk, scale, siting, design, would result in an incongruous addition to the building, which would detract from the form, style and character of the original building, the terrace row and the wider built environment, which reduces the garden amenity space, contrary to policy D1 (Design) of the Camden Local Plan 2017.
- 8.2 The proposed single storey rear extension, due to its bulk, scale and rear projection, would result in an overbearing development with unacceptable sense of enclosure, detrimental to the amenity of neighbouring occupiers at no. 30 Hartland Road in terms of loss of light and outlook, contrary to policy A1 (Managing the impact of development) of the Camden Local Plan 2017.
- 8.3 The proposed terrace on the roof of the main dwelling, due to its location and lack of secure balustrading and detailed design, would result in an unsafe and inaccessible terrace at high level, contrary to policy D1 (Design) of the Camden Local Plan 2017.

9.0 REFUSE PLANNING PERMISSION