

Delegated Report		Analysis sheet		Expiry Date:	02/12/2022
		N/A		Consultation Expiry Date:	11/12/2022
Officer			Application Number(s)		
Daren Zuk			2022/4331/P		
Application Address			Drawing Numbers		
Flat B 29 Doynton Street London N19 5BX			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Loft conversion including the construction of a roof terrace and installation roof lights at rear (Retrospective).					
Recommendation(s):		Refuse Planning Permission and Enforcement Action to be Taken			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
		No. of responses	01	No. of objections	01
Neighbour Consultation		Site Notice: posted 11/11/2022, expired 05/12/2022 Press Notice: published 17/11/2022, expired 11/12/2022 <i>No responses received.</i>			
Dartmouth Park Conservation Area Advisory Committee (CAAC)		The Dartmouth Park CAAC has objected to the proposed development and provided the following comments: <ul style="list-style-type: none"> The proposed large dormer would destroy the attractive roofscape and would be contrary to CPG Home Improvements Dormers, DPNF Policy DC4 and DPCAAMS. It would therefore be harmful to the character and appearance of the conservation area. 			

Site Description

The subject site is a Victorian mid-terrace dwelling located on the southern side of Doynton Street, just east of the intersection with Raydon Street. The property is comprised of three-storeys (plus basement) and has been subdivided into individual flats, one of which (Flat B) relates to this application. It is noted that Flat B is located on the first and second floor levels and includes an existing private rear roof terrace at first floor level.

The property is not listed but is located within the Dartmouth Park Conservation Area. The Conservation Area Appraisal notes the group of terraces (nos. 7-35 odd) as being a positive contributor to the character of the conservation area.

Relevant History

No relevant planning history.

Relevant Policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance (CPG)

CPG Design (January 2021) – Section 3. Heritage

CPG Amenity (January 2021)

CPG Home Improvements (January 2021) – Sections 2.2 Roof Extensions, 2.2.3 Balconies and Terraces, 3.5 Rooflights

Dartmouth Park Neighbourhood Plan (2020)

Policy DC2 Heritage Assets

Policy DC3 Requirement for Good Design

Policy DC4 Small Residential Extensions

Dartmouth Park Conservation Area Appraisal and Management Plan (2009)

Assessment

1. Proposal

- 1.1. Retrospective planning permission is sought for the conversion of the loft level to habitable space including the construction of an inset rear roof terrace and installation of roof lights to the rear roof slope.
- 1.2. The inset roof terrace and rooflights were constructed without planning permission. The Council was notified of the works from a complaint filed in March 2022. An enforcement case was subsequently opened, with the owner notified they would require retrospective planning permission to retain the already constructed works.
- 1.3. The inset roof terrace and rooflights were constructed on the south roof slope, with the terrace measuring 1.8m deep and 2.6m wide and featuring a galvanised tubular steel balustrade with a

height of 1.6m. The rooflights are comprised of a combination glazed wall and rooflight with access door to the new roof terrace. The existing galvanised tubular steel balustrade is proposed to be replaced with a steel framed obscure glazed glass balustrade with a height of 1.6m.

2. Planning Considerations

2.1. The material considerations in the determination of this application are as follows:

- Design and Heritage
- Amenity

3. Design and Heritage

3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance.

3.2. Chapter 3 in the Dartmouth Park Neighbourhood Plan outlines policies that promote excellence in design, reflect local character and historic interest, conserve and enhance the historic built environment, and maintain and enhance the essential and unique character of the area. Policies specific to this development are outlined below.

3.3. Policy DC2 (Heritage Assets) aims to preserve or enhance the Dartmouth Park Conservation Area, historic buildings, and buildings of architectural merit and their settings. In the case of a building that makes a positive contribution to the character or appearance of the conservation area, development is only permitted if it preserves or enhances the character or appearance of the conservation area and makes a positive contribution to local distinctiveness.

3.4. Policy DC3 (Requirement of good design) requires that all developments demonstrate good quality design, responding to and integrating with the local surroundings and landscape context. Specifically, this policy ensures that any extensions or modification to existing buildings are subordinate to the existing development and in keeping with its setting, including the relationship to any adjoining properties.

3.5. Policy DC4 (Small residential extensions) supports proposals for small residential development (including roof extensions) that respect the existing roof form in terms of design, scale, materials, and detail.

3.6. Camden's Local Plan is supported by CPG Home Improvements, specifically Sections 2.2 (Roof Extensions) and 3.5 (Rooflights). Section 2.2 (Roof Extensions) advises that a successful roof extension would consider the overall roof form of the existing building, adjoining buildings, and be proportionate to the roof slope being extended. Section 2.2.3 (Balconies and Terraces) outlines that roof terraces should be subordinate to the roof slope being altered and the roof form overall; preserve the roof form and complement the elevation upon which they are to be located; and in the case of pitched roofs should be set within the roof slope. Section 3.5 (Rooflights) outlines that rooflights should be significantly subordinate both in size and number to the roof slope being altered and the roof form overall and their dimensions should ensure a consistent rhythm with other rooflights on neighbouring properties.

3.7. The host building, which is noted as making a positive contribution to the Dartmouth Park Conservation Area, is part of a group of terraces (nos. 7-35 odd) which are entirely unaltered at the roof level except for the occasional roof lights and solar panels. The result is a consistent roofscape that maintains the historic character of the terraced dwellings and conservation area. It is noted that similar terraces on Balmore Street and Chester Road have the same unaltered

roofscape, which combined with the Doynton Street terraces, contribute to the character and appearance of the conservation area. The rear roof slopes of these terraces, including the rear roof slope of the subject building, are prominent and visible in both private views from properties and rear gardens along Doynton Street and Balmore Street, and public views from the north-western end of Balmore Street and the children's playground on Raydon Street.

- 3.8. The as-built roof terrace and rooflights represent incongruous alterations to the unaltered and historic roofline of the positive contributing terrace. The development is considered visually intrusive and alien in form and design, and is out of character and form of the host and neighbouring buildings. Further, the as-built rooflights extend significantly up along the rear roof slope almost to the roof ridge, with dominates the rear roofslope and results in a significant loss of the overall integrity of the historic roof form.
- 3.9. The design of the rooflights is modern in form and character and thus conflicts with the historic character of the host dwelling and conservation area. The balustrades, both as-built and proposed, are modern in materials and style and out of character with the historic character of the host dwelling. This is supported by CPG (Home Improvements) which outlines that glazed balustrades are not considered appropriate additions to historic buildings specifically at high levels and prominent locations.
- 3.10. Combined, the as-built roof terrace, rooflights, and as-built and proposed balustrades due to their form, size, and location on the building are considered to cause harm to the character and appearance of the conservation area.
- 3.11. 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 as amended by the Enterprise and Regulatory Reform Act 2013.
- 3.12. As such, the as-built development would serve to harm the character and appearance of the Dartmouth Park Conservation Area, thus not in compliance with Policies D1 and D2 of the Camden Local Plan and Policies DC2, DC3, and DC4 of the Dartmouth Park Neighbourhood Plan.

4. Amenity

- 4.1. Policy A1 (Managing the impact of development), supported by Camden Planning Guidance (Amenity), seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission for development that would not harm the amenity of communities, occupiers, and neighbouring residents.
- 4.2. It is acknowledged that the as-built roof terrace may result in additional amenity impacts on neighbouring properties in terms of perception of overlooking, however, it is considered that it would not be materially more harmful than the existing situation. Given its location set within the rear roofscape, it is not considered that the development would have a detrimental impact on neighbouring amenity in terms of loss of light or outlook, or through an increase in noise. Overall, the development is considered to adhere to Policy A1.

5. Conclusion

- 5.1. In conclusion, the as-built roof terrace and rooflights on the rear (south) roof slope by virtue of its size, location on the building and detailed design would appear incongruous, would fail to respect the original design of the building and would harm the visual integrity of the roof form, thus harming the character and appearance of the Dartmouth Park Conservation Area. As such, the development is considered contrary to the requirements of Policies D1, and D2 of the Camden Local Plan 2017.

6. Recommendation

- 6.1. Refuse planning permission and take enforcement action through the issuing of an Enforcement Notice.
- 6.2. That the Borough Solicitor be instructed to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 as amended to totally remove the roof terrace that has been created and rooflights that has been installed at the rear of the site and that officers be authorised, in the event of non-compliance, to commence legal proceedings under Section 179 or other appropriate power and/or take direct action under Section 178 in order to secure the cessation of the breach of planning control.

The notice shall allege the following breach of planning control:

Loft conversion including the creation of a roof terrace and installation of roof lights at the rear roof slope.

What are you required to do:

1. Completely remove the roof terrace created and roof lights installed at the rear of the site, and reinstate the property to its previous condition;
2. Make good any damage caused as a result of the above works.

Period of Compliance:

6 Months

Reasons why the Council consider it expedient to issue the notice:

The as built roof terrace and rooflights, by virtue of its size, location on the building and detailed design would appear incongruous, would fail to respect the original design of the building and would harm the visual integrity of the roof form, thus harming the character and appearance of the host building and the Dartmouth Park Conservation Area. As such, the proposal is contrary to Policies D1 and D2 of the London Borough of Camden Local Plan 2017 and Policies DC2, DC3, and DC4 of the Dartmouth Park Neighbourhood Plan 2020.