

2022/3695/P - 31B Patshull Road, NW5 2JX





1. Existing front elevation (with No. 31B Patshull Road on the left)



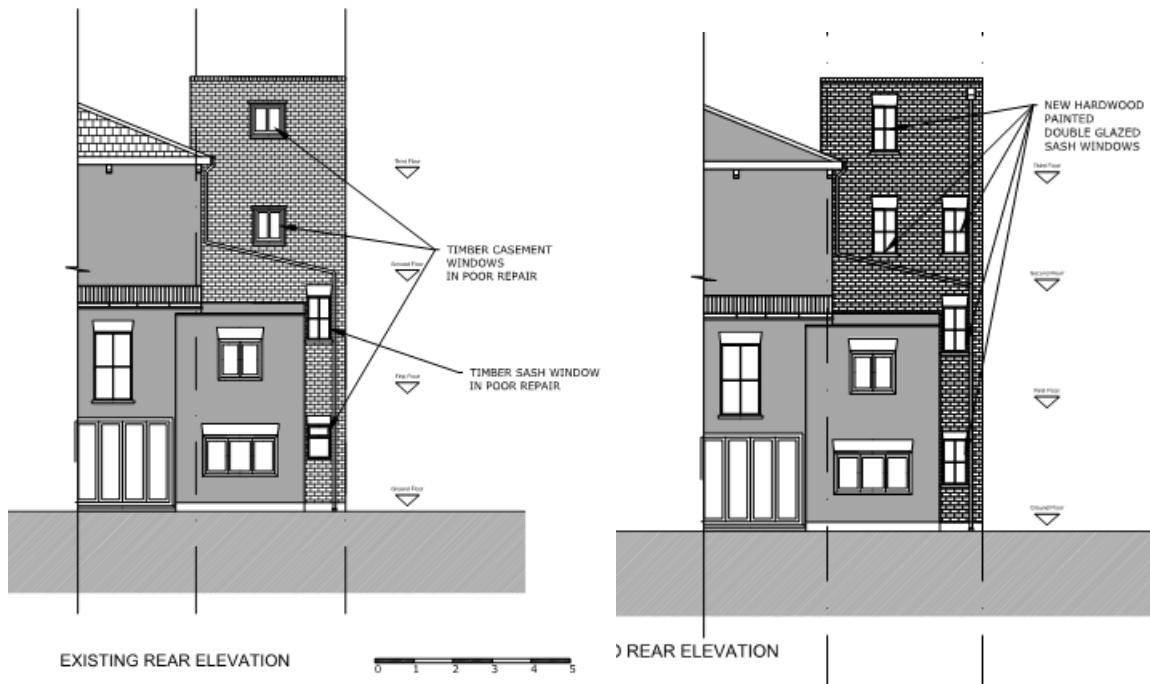
2. Aerial view towards the rear elevation showing existing conservatory.



3. Existing rear elevation



4. Existing (left) and proposed (right) front elevations.



5. Existing (left) and proposed (right) rear elevations.

Delegated Report		Analysis sheet		Expiry Date:	13/12/2022
(Members Briefing)		N/A		Consultation Expiry Date:	20/11/2022
Officer			Application Number(s)		
Fast Track Team – Geri Gohin			2022/3695/P		
Application Address			Drawing Numbers		
31B Patshull Road, NW5 2JX			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Replacement of timber casement windows with timber sash windows on the rear elevation, addition of a timber sash window on the 2nd floor rear elevation. Replacement of existing UPVc glazed conservatory with timber glazing conservatory on the front elevation and addition of three roof lights.					
Recommendation(s):		Grant Conditional Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	04	No. of objections	02
Summary of consultation responses:	<p>Site notice was displayed from 21/10/2022 and expired on 14/11/2022 Press notice was published on 27/10/2022 and expired on 20/11/2022</p> <p>Two letters of objection were received from the occupiers at Nos. 29 and 18 Patshull Road on the following grounds:</p> <ol style="list-style-type: none"> 1. <i>Decision to create a separate conservatory considered not in keeping with neighbouring properties;</i> 2. <i>No other similar constructions in the Bartholomew conservation area;</i> 3. <i>Allowing occupants access to an external space/roof terrace overlooking houses across the street;</i> 4. <i>Suggestion to bring building back into same architectural appearance as the rest of the street.</i> <p><u>Officer response:</u></p> <ol style="list-style-type: none"> 1. <i>The conservatory was allowed by the Planning Inspectorate following an appeal in January 1991. See para 3.2;</i> 2. <i>The design, materials, dimensions, siting and visibility of the proposal have been assessed, along with any impact on neighbouring amenity, and are considered to be appropriate within the particular site context. See Section 3.0 below for full assessment.</i> 3. <i>Given the distance between houses, and position of the terrace, no harmful overlooking is considered to occur. See para 5.2.</i> 4. <i>The assessment is based on what has been submitted as part of this application and the Council can't suggest an entirely new scheme.</i> 					
The Bartholomew Estate & Kentish Town CAAC	<p>The Bartholomew Estate & Kentish Town CAAC objected to the proposals as follows:</p> <ol style="list-style-type: none"> 1. <i>Unsuitability of the conservatory perched on top of the building;</i> 2. <i>Proposed alterations would improve the conservatory visually, but concerned that this will turn into a further normal habitable room;</i> 3. <i>Unwelcome precedent for others in the road;</i> 4. <i>Solid brick walls at conservatory level, permission granted on appeal shows a totally glass enclosed building;</i> 5. <i>Juliet balcony at the rear could be source of overlooking.</i> <p><u>Officer response:</u></p> <ol style="list-style-type: none"> 1. <i>The conservatory was allowed by the Planning Inspectorate following an appeal in January 1991. See paras 3.2, 3.3;</i> 2. <i>The conservatory is an extension to an existing residential unit and therefore there is no planning control over how the room can be used.</i> 3. <i>The current structure is immune from enforcement action, given its existence of over four years. See paras 3.2, 3.3;</i> 4. <i>The current structure, including the side/rear walls is immune from</i> 					

enforcement action, given its existence of over four years. See paras 3.2, 3.3;

- 5. Following officers' advice, the Juliet balcony was removed by the applicant and therefore no longer forms part of the application.*

Site Description

The application site comprises a 3-storey (plus attic accommodation) semi-detached building. The property is located on the northern side of Patshull Road near the junction with Bartholomew Villas. The host building (No. 31B) is a separate dwelling to No. 31 that was built in the early 90s. The property is constructed of bricks and has a grey roof.

No. 31B Patshull Road is not a listed building, but it sits within the Bartholomew Estate & Kentish Town Conservation Area and the building is identified as making a positive contribution to it. The site is also covered by Kentish Town Neighbourhood Plan Area.

Relevant History

At the application site:

9003247 (31 Patshull Road) Change of use from a single dwelling house to two self-contained dwelling houses including alteration to ground floor front elevation to provide additional access and erection of a conservatory at roof level. **Refused 04/07/1990, Appeal Allowed 29/01/1991.**

RfR

- 1) The proposed development would result in the creation of a residential unit which is considered to be unsatisfactory by virtue of its internal arrangement and room sizes;*
- 2) The alteration to ground floor frontage and the proposed conservatory at roof level would have an adverse effect on the appearance of the building and the visual amenity of the surrounding area.*

Inspector's justification:

The conservatory would be at the rear of the existing flat roof, set back 2 meters from the front parapet, which is proposed to be raised by a further 3 courses. In consequence this conservatory would hardly be visible at all from street level, and would not, therefore, have any undue effect upon the appearance of the property or the character of the street. As regards precedent, each case must be considered on its own merits, and as this proposal is scarcely visible from the street, I do not consider that it sets any undue precedent for proposals which may be both visible and harmful.

Relevant policies

National Planning Policy Framework 2021

London Plan 2021

Camden Local Plan 2017

A1 – Managing the impact of development

D1 – Design

D2 – Heritage

CC1 – Climate change mitigation

CC2 – Adapting to climate change

Camden Planning Guidance

CPG Home Improvements (January 2021)

CPG Design (January 2021)

CPG Energy efficiency and adaption (January 2021)

CPG Amenity (January 2021)

Kentish Town Neighbourhood Plan 2016

D3 (Design Principles)

D4 (Non-designated heritage assets)

Bartholomew Estate Conservation Area Statement (adopted 2000)

Assessment

1.0 Proposal

1.1 Planning permission is sought for the replacement of timber casement windows with timber sash windows on the rear elevation, addition of a timber sash window on the second floor rear elevation, replacement of existing UPVc glazed conservatory with timber glazing conservatory on the front elevation, with the same footprint, form and scale, and addition of three roof lights.

Revisions

1.2 The proposed plans were revised during the course of the application to remove the Juliet balcony and double doors on the 3rd floor at the rear as well as changes to the front boundary initially proposed.

2.0 Considerations

2.1 The principal material considerations to the determination of this application are:

- Design and heritage
- The impact of the proposal on neighbouring amenity

3.0 Design and Heritage

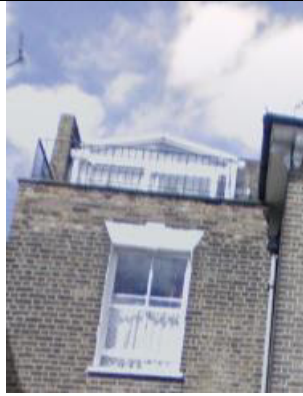
3.1 Local Plan Policy D1 (Design) aims to ensure that all developments are of the highest standard of design and respect the character, setting, form and scale of neighbouring buildings, its contribution to the public realm, and its impact on wider views and vistas. Local Plan Policy D2 (Heritage) states that the Council will require that developments preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. This is supported by the Bartholomew Estate Conservation Area Statement.

3.2 The application building appears as an extension to no. 31 but it is occupied as a separate dwelling. This has been extended with a conservatory at roof level, which was allowed by the Planning Inspectorate following an appeal in Jan 1991. The extension is unusual and the only one of its nature along the street. Its location, scale and design are not characteristic to the area, however it benefits from planning permission and therefore lawful regardless of the time when this was allowed.

3.3 The 1991 appeal decision refers to 'a totally enclosed glass building'; however, the structure has either been constructed with side/rear walls or been altered over time as in 2008, the new side/rear walls were already present as shown in the screenshots below. Given these works took place more than four years ago, they are immune from enforcement action.



Screenshot from drawing showing proposed elevation granted on appeal



Screenshot of Google Street view from 2008 showing the side brick boundary walls.

- 3.4 The existing structure has a pitched roof and large glazed openings facing the street and solid rear and side elevations. It is made of uPVC and it has a front terrace with railings. The proposal would replace the existing conservatory with a painted hardwood timber conservatory, in the same position, and with the same footprint, form and scale as the existing. In terms of detailed design, it is proposed to replace the existing four glazed panels with two larger ones. The existing glazed roof would be replaced with a new slate roof with clay ridge tiles. New roof lights are proposed, one fixed glass unit set below the parapet wall and two conservation style flush with the roof slope, on top of the conservatory. The solid rear section of the structure would be retained, and its roof refurbished with insulation and finishes. The use of timber for the structure and the proposed alterations would improve the appearance of the structure as seen from the streetscene and wider area.
- 3.5 At the rear of the property, three timber casement windows would be replaced with new hardwood painted double glazed sash windows on the ground, second and third floors. The existing openings would be enlarged to allow for the new windows. The existing timber sash on the first floor would also be replaced with new hardwood painted double glazed sash windows. New window is proposed on the 2nd floor aligned with the existing windows on the ground and first floor. Typical sash window detail has been provided and this shows adequate proportions of frame and structural glazing bars. The changes would improve the hierarchy of openings along the elevation and its overall appearance.
- 3.6. The proposed alterations would promote resilient and contextual materials, and introduce elements in keeping with the prevailing design, form, and appearance of fenestration at the property and wider conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Bartholomew Estate Conservation Area, under s.72 of the Listed Buildings and Conservation Area Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

4.0 Sustainability

- 4.1 The Council supports development which improves the thermal efficiency of existing dwellings in a sustainable way and it is acknowledged that the use of double glazing can be beneficial in this regard. It is also recognised that the use of timber is preferable to that of uPVC for both aesthetic and environmental reasons given their low carbon content, resilience and adaptability.

5.0 Amenity

- 5.1 Local Plan Policy A1 (Managing the impact of development) supported by CPG Amenity, seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents.
- 5.2 It is not considered that there would be any material amenity concerns as the proposal would mainly replace existing fenestration. The existing terrace and glazed elevation of the roof conservatory, sits at a distance of approx. 17m to the opposite buildings, which is considered far enough to not result in harmful overlooking.
- 5.3 With regard to the proposed roof lights, given their siting in a concealed position below the parapet wall and on top of the conservatory, it is not considered that they would result in any

materially harmful levels of overlooking to neighbouring occupiers.

6.0 Recommendation

6.1 Overall, the proposed development is considered acceptable in terms of design and would preserve the character and appearance of the host building and Bartholomew Estate Conservation Area, and there would be no significant adverse impact on the residential amenity of neighbouring occupiers. The development is also deemed consistent with the objectives, guidance and policies identified above and it is therefore recommended to Grant conditional planning permission.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 23rd January 2023, 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 and search for 'Members Briefing'.

Application ref: 2022/3695/P
Contact: Fast Track GG
Tel: 020 7974
Email:
Date: 16 January 2023

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

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Green Future Design
6 Hanbury Lane
Essendon
Herts
AL9 6AY

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

Flat B
31 Patshull Road
London
NW5 2JX

DECISION

Proposal:

Replacement of timber casement windows with timber sash windows on the rear elevation, addition of a timber sash window on the 2nd floor rear elevation. Replacement of existing UPVc glazed conservatory with timber glazing conservatory on the front elevation and addition of three roof lights.

Drawing Nos: 2144:01 Rev A; 2144-02 Rev C; 2144-03; 2144-04 Rev A; 2144-05 Rev B; 2144-06 Rev B; 2144-07; CR_WRSF_LS_A Revision A (x2 sheets); Design and Access Statement dated October 2022.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 2144:01 Rev A; 2144-02 Rev C; 2144-03; 2144-04 Rev A; 2144-05 Rev B; 2144-06 Rev B; 2144-07; CR_WRSF_LS_A Revision A (x2 sheets); Design and Access Statement dated October 2022.

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

- 3 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

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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) 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:

<https://www.gov.uk/appeal-householder-planning-decision>.

Yours faithfully

Chief Planning Officer

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DECISION