

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		02/05/2023	
		N/A		<b>Consultation Expiry Date:</b>		23/04/2023	
<b>Officer</b>				<b>Application Number(s)</b>			
Lauren Ford				2023/0980/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
34C Goldhurst Terrace London Camden NW6 3HU				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 metal railings to existing rear bay window and alteration to existing window to create double doors and balcony.							
<b>Recommendation(s):</b>		Refuse planning permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
<b>Summary of consultation responses:</b>		<p>Site notices were displayed on 29/03/2023 and expired on 23/04/2023.</p> <p>A press notice was published on 29/03/2023 and expired on 22/04/2023.</p> <p>Two letters of support were received from neighbouring occupiers at the following addresses:</p> <ul style="list-style-type: none"> <li>Flat 1, Goldhurst Terrace</li> <li>Flat 2, 34 Goldhurst Terrace</li> </ul> <p>Four objections were received from neighbouring occupiers at the following addresses:</p> <ul style="list-style-type: none"> <li>47 Greencroft Gardens</li> <li>55 Greencroft Gardens</li> <li>42C Goldhurst Terrace</li> </ul>					

	<p>The objections can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Residential amenity (noise and disturbance, overlooking, loss of privacy, increase in light spill and an increase in risk of crime and fear of crime)</li> <li>• Proposal will harm the character and appearance of the property and the surrounding conservation area</li> <li>• The proposal sets an undesirable precedent</li> <li>• Party Wall Act</li> <li>• Adverse impact on the Green Triangle Site of Nature Conservation Importance</li> <li>• Disturbance of views</li> <li>• Alter the character and visual appeal</li> <li>• Construction effects (e.g. noise, traffic and dust)</li> </ul> <p>Officer response: Design and heritage and character are discussed in Section 3 below and amenity is discussed in Section 4 below.</p> <p>It is noted that matters relating to safety and security and biodiversity (Green Triangle Site of Nature Conservation Importance) and are not material planning considerations with respect to this particular proposal given the nature of the proposal.</p> <p>With respect to party walls, this is a civil matter, and not something that Council gets involved with.</p> <p>With respect to construction effects, no unacceptable construction effects are anticipated given the scale and nature of the proposal.</p>
<p><b>Combined Residents Associations of South Hampstead (CRASH) comments:</b></p>	<p>CRASH object on the following grounds:</p> <ul style="list-style-type: none"> <li>• There is no case for precedent as the roof terrace at no.26 was either introduced without planning permission, or during a time when planning controls related to the South Hampstead (Swiss Cottage) Conservation Area were not in place.</li> <li>• This stretch of Goldhurst Terrace clearly has uniformity of the sloping/pitched roofs at the applicant's level and as such these pitched/sloping roofs form an important part of the conservation area (even if not visible from the public streetscape). The conservation area statement notes the importance of roof lines, and bay windows.</li> <li>• Application would cause nuisance (noise, visual and light) to the owners of the flat above, and to others in the near vicinity.</li> <li>• Potential compromise of "Green Triangle" which sits behind property.</li> <li>• Design and access statement does not state what the windows would be made from.</li> <li>• An asphalt roof surface for the terrace would not be appropriate.</li> <li>• Permission does not appear to be available from the owners of the roof to construct the terrace.</li> <li>• Precedent for the whole stretch of terrace, and therefore the destruction of these characteristic roofs and building lines.</li> </ul>

## Site Description

The application site is located on the western side of Goldhurst Terrace and is within the South Hampstead conservation area. The site is not listed. The flat occupies the second floor in a building containing three flats. The building is characteristic of this part of the Conservation Area which comprises semi-detached houses of four storeys and red brickwork.

Maryon Wilson Green Triangle/Goldhurst Open Space to the rear of Fairhazel Gardens and Goldhurst Terrace is a community garden with sycamore dominated woodland and ivy ground cover. Maryon Wilson Green Triangle/Goldhurst Open Space is also a Site of Nature Conservation Importance in Camden's Core Strategy.

## Relevant History

Relevant planning records at the application site:

**2011/6318/P** - Installation of dormer windows to rear and side roof slopes, creation of inset terrace to rear roof slope and installation of roof light to front of residential flat (Class C3). – **Granted 06/03/2012.**

No relevant planning records at the neighbouring sites.

## Relevant policies

### National Planning Policy Framework (2021)

### London Plan (2021)

### Camden Local Plan (2017)

Policy A1 – Managing the impact of development

Policy D1 – Design

Policy D2 – Heritage

### Camden Supplementary Planning Guidance (2021)

CGP - Design

CPG – Home Improvements

CPG - Amenity

## Assessment

### 1. Proposal

- 1.1 Planning permission is sought for the installation of metal railings (steelwork painted black) to the existing rear bay window located at first floor level and alterations to the existing window to create double timber French doors and a balcony. In association with the creation of the balcony, the rear single pitched roof located below will be demolished and the slate roof tiles will be replaced with asphalt.

## 2. Considerations

2.1 Key planning issues to be considered are as follows:

- Design & Heritage
- Neighbouring Amenity

### 3. Design & Heritage

3.1 Local plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Through Local Plan policy D2, the Council will seek to preserve and, where appropriate, enhance Camden's conservation areas.

3.2 In accordance with Camden planning guidance and policies, the creation of balconies can provide valuable amenity space, however depending on their size, balconies could generate harmful noise disturbance to neighbours when in use. Consideration should be given to the following:

- Balcony should be subordinate to the roof slope being altered;
- Preserve the roof form;
- Careful consideration of materials for the enclosure; and
- The design of the balcony should take into account the risk of creating climbing opportunities for burglars.

3.3 The South Hampstead Conservation Area Statement notes that small scale development, regardless of front or rear, can impact on the uniformity of the historic environment. Section 13.16 of the statement states that these can be categorised as follows:

- *A range of small scale change that can, cumulatively, have a significant impact on the character of an area (e.g. roof extensions; rear extensions, satellite dishes and aerials, removal of trees).*

3.4 The South Hampstead Conservation Area Statement also has regard to the uniformity of rear elevations, with Section 13.42 stating the following: *There are many attractive, historic rear elevations in the conservation area, visible both from neighbouring gardens and often in long views (e.g. across the private amenity spaces). As such, alterations and extensions to the rear elevations of buildings in the conservation area should respect the historic pattern of development, and preserve the character and historic features of existing buildings. A large number of rear elevations are visible from the communal amenity spaces to the rear and the impact of development on these will be carefully considered.*

3.5 The subject terrace is unusual for an unlisted terrace in the sense that the rear elevations are remarkably well-preserved and consistent. The exception to this one balcony at No.26 which has been created without planning permission, or before the need for planning permission.

3.6 A conservation officer has reviewed the proposal, and considers that the proposal would result in an uncharacteristic development on the rear elevation of this otherwise largely consistent terrace and would therefore fail to comply with the guidelines set out in the South Hampstead Conservation Area Statement. The proposed works would fail to preserve or enhance the otherwise positive contribution which the subject site makes to the character and appearance of the conservation area contrary to Policy D2 (e).

3.7 With respect to materials, metal railings are considered appropriate as are the timber French doors.

- 3.8 Whilst officers appreciate the importance of outdoor amenity space, it is necessary to balance this against our duty to preserve the local environment. In this instance it is considered that it would set an unwanted precedence and cause harm to the character and appearance of the host building and conservation area.
- 3.9 The installation of metal railings to create a balcony, by reason of their location and design would represent an inappropriate feature which would detract from the character and appearance of the host building, the uniformity of the rear elevation of the terrace and conservation area contrary to policy D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

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

- 4.1 Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development on their amenity is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. Relevant to the application are overlooking, privacy, noise and considerations. In terms of loss of light, the proposals are not considered to raise any concerns.
- 4.2 The CPG – Amenity states the following with respect to amenity:
- The places most sensitive to overlooking are typically habitable rooms and gardens at the rear of residential buildings
  - Balconies have the potential to increase opportunities for overlooking and should therefore be carefully sited and designed to reduce potential overlooking of habitable rooms or gardens of neighbouring residential gardens
  - Residential buildings should also be designed so that new balconies do not suffer from an unacceptable degree of overlooking from existing developments, particularly when this is the only outdoor amenity space available to the new dwelling
  - Noise and vibration can have a significant impact on amenity, quality of life and wellbeing.
- 4.3 Although the proposed balcony would likely cause some overlooking impact to the gardens of the adjoining properties, this would be minimal given the height and limited size of the balcony. In terms of overlooking into existing windows, the windows of Flat D are located significantly above the proposed balcony and adjoining properties are setback a sufficient distance from the balcony to ensure that there would be no unacceptable overlooking opportunities. While there would be some overlooking over the proposed balcony from the bedroom window of Flat D above, this would be acceptable given the scale of the proposed balcony.
- 4.4 The proposal would be unlikely to result in excessive noise disturbance at any adjoining sites or for the occupiers of the flats above or below given the limited size of the balcony and associated number of people that it can accommodate, and its location off the master bedroom.
- 4.5 The proposed balcony, due to its location, design and siting, and relationship to neighbouring properties, would not result in harm to the neighbouring amenity in terms of overlooking, privacy and noise, in accordance with policy A1 of the Camden Local Plan 2017.

#### **5. Recommendation**

- 5.1 Refuse planning permission.

