

Delegated Report		Analysis sheet		Expiry Date:	25/05/2023
		N/A / attached		Consultation Expiry Date:	26/02/2023
Officer				Application Number(s)	
Sam FitzPatrick				2022/5237/P	
Application Address				Drawing Numbers	
304 West End Lane London NW6 1LN				Please refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of balcony with french doors to rear elevation at first floor level; two roof terraces on main flat roof with associated access skylights and balustrades; and new fencing and door at ground floor level to front and side.					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	01	No. of objections	01
Summary of consultation responses:	Site notices were displayed from 31/01/2023 to 24/02/2023 A press notice was published from 02/02/2023 to 26/02/2023			
	One objection was received from a local resident, whose concerns can be summarised as follows: <ul style="list-style-type: none">Proposed balconies and roof terraces would result in overlooking of neighbours;Proposed roof terrace would likely result in notable amount of noise that would harm amenity of neighbours;There would be a detrimental impact on the character and appearance of the conservation area due to the design and prominence of the works. <p><u>Officer Response:</u></p> <ul style="list-style-type: none">Please refer to section 5 of the report for concerns relating to amenity.Please refer to section 4 of the report for concerns relating to design and conservation.			

Site Description
<p>The site comprises a three-storey red brick/tiled residential building on the west side of West End Lane, at the junction between West End Lane and Crediton Hill. It is situated within a primarily residential area and is part of the West End Green Conservation Area. Although the building is not listed, it is recognised as a positive contributor in the Conservation Area Appraisal and Management Strategy.</p>
Relevant History
<p>2022/2889/P – Existing use as six flats. Certificate of Lawfulness granted 01/09/2022.</p> <p>9501918 – Erection of rear first floor balcony. Refused 15/03/1996.</p> <p>11869 – The formation of an additional room at 2nd floor level, as an extension to the existing 2nd floor flat at no 304 West End Lane. Granted 25/11/1971.</p>
Relevant policies
<p>National Planning Policy Framework (2021)</p> <p>The London Plan (2021)</p> <p>Camden Local Plan (2017)</p> <ul style="list-style-type: none"> A1 Managing the impact of development D1 Design D2 Heritage

Fortune Green and West Hampstead Neighbourhood Plan (2015)

- **Policy 2** Design & Character
- **Policy 3** Safeguarding and enhancing Conservation Areas and heritage assets

Camden Planning Guidance

- CPG Amenity (Jan 2021)
- CPG Design (Jan 2021)
- CPG Home Improvements (Jan 2021)

West End Green Conservation Area Appraisal and Management Strategy (2011)**Assessment****1. The Proposal**

- 1.1. Planning permission is sought for the erection of a balcony to the rear elevation at first floor level and two roof terraces to the flat roof of the building, all with associated access and balustrades. The proposal also includes the erection of new fencing and a door at ground level.

2. Revisions

- 2.1. The proposal was amended following officer comments to remove two proposed balconies – one balcony to the side elevation at first floor level and one additional balcony to the rear elevation at second floor level. These drawings have been accepted as amendments to the scheme.

3. Assessment

- 3.1. The principal considerations in the determination of this application are:

- Design and conservation;
- Amenity.

4. Design and Conservation

- 4.1. Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of 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, while Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 4.2. The Fortune Green and West Hampstead Neighbourhood Plan Policies 2 (Design & Character) and 3 (Safeguarding and enhancing Conservation Areas and heritage assets) aim to secure development that is of a high quality of design and complements the local character and identity of the area. Specifically, Policy 2 states that development should maintain the positive contributions of existing buildings and have regard to the form, function, and structure of the context (including scale and the pattern of surrounding buildings and streets), and Policy 3 makes clear that proposals that detract from the special character of conservation areas will not be supported.
- 4.3. In support of this, the Council's 'CPG Design' makes clear that "*The Council will only permit development within Conservation Areas that preserves and where possible enhances the character and appearance of the area*". The Council's 'CPG Home Improvements' also states that balconies and roof terraces should be subordinate to the roof form and have limited impact on the streetscene and wider area.

4.4. The site occupies a prominent location at the junction of West End Lane and Crediton Hill, which is accentuated due to the slope of Crediton Hill and positioning of the building at the higher elevation end of the street. As such, the rear and side of the building are clearly visible from the public realm on both Crediton Hill and West End Lane. The large roof extension to the second floor of the building that was granted in the 1970s also increases the prominence of the building, as shown in the photos at the end of this report.

4.5. The existing building is designated as a positive contributor in the West End Lane Conservation Area Appraisal and Management Strategy, and the document highlights the “important, regular composition of the roof lines” in the conservation area. Although the existing extension at second floor level is substantial and appears to differ from the more regular traditional roofscape in the surrounding area, it would not be considered appropriate to make further additions that only exacerbate this appearance, such as a roof terrace. The proposed railings for the terraces and balcony are considered to be inappropriate features that add prominent and incongruous visual clutter at a high level in this location. There is also a concern that these roof terraces could in future contain paraphernalia generally associated with amenity terraces, such as windbreaks, privacy screens, parasols and furniture, which would be very visible and incongruous at such a prominent roof level. The terraces and balcony with the associated railings would detract from the heritage and streetscape value of the building and therefore harm the character and appearance of the Conservation Area, especially given the clear visibility they would have from the public realm on both Crediton Hill and West End Lane.

4.6. The roof terraces and rear balcony, along with the associated railings, would be unwelcome additions that would undermine the contribution that the positive contributor makes to the Conservation Area, and would detract from the established character and architectural appearance of the surrounding area. Whilst officers appreciate the importance of outdoor amenity space, this needs to be balanced against the duty to preserve the borough’s heritage assets, including conservation areas. In this instance, the harm is considered to be ‘less than substantial’ and there are no public benefits that would outweigh the harm the proposals would have on the character and appearance of the positive contributor building and the heritage asset of the associated conservation area.

4.7. It should also be noted that there are no other similar permitted roof terraces at neighbouring properties which define the character or appearance of the area. Although there are balconies along Crediton Hill (particularly at the south of the street), these tend to be of traditional design that are original to the buildings and incorporated into the building such as by being adjacent to bays. The installation of a non-original balcony and in such a prominent location visible from the street would be inappropriate and would clearly read as a non-original addition to the building that is clearly visible from the public realm. The balcony’s proposed siting at the rear elevation would mean that it would appear as an obvious protrusion that adds visual clutter to an otherwise consistent and uniform elevation and would constitute an addition that is contrary to the established character of surrounding properties, which lack similar balconies.

4.8. The changes at ground floor level including the erection of timber gates and fencing are acceptable in terms of scale, design, and materials and would preserve the character and appearance of the conservation area. However, the siting of the fencing to the front of the property would be an inappropriate addition that would add clutter to the front elevation of the building and undermine the positive contribution that it makes to the conservation area.

4.9. 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.

5. Amenity

5.1. Policy A1 seeks to protect the amenity of Camden’s residents by ensuring the impact of development 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. This includes privacy, outlook, daylight and sunlight. The Council's guidance contained within 'CPG Amenity' provides specific guidance with regards to these aspects.

- 5.2. The proposed roof terraces and the balcony would be likely to create some opportunities for overlooking to properties at the rear of the site, such as no.55 Crediton Hill. However, given the distance between properties, it is not likely that there would be a direct line of sight that provides clear views into windows, and as such there is not considered to be any significant harm to neighbouring privacy. Similarly the properties opposite in West End Lane are too far away to be seriously overlooked. Additionally, the angle from the edge of the terrace to the windows of the rear elevation of no.302 West End Lane is too acute so there would be no direct line of sight into this neighbouring property. As such, it cannot be said that there is any significant impact on the privacy of occupiers of neighbouring properties.
- 5.3. The proposals would not result in any harmful loss of light or outlook from any neighbouring rooms or gardens, and there would be no loss of security for any neighbouring occupiers. Given the location and modest size of the terraces and balcony, they are not likely to create any significant noise impacts. It is noted that screening of any kind to increase privacy or reduce any potential noise impacts would create further visual clutter that would exacerbate the design issues raised in the previous section.
- 5.4. It is worth noting that there has not been any detailing of how any potential impacts to the privacy of neighbours may be alleviated or mitigated against. Although it is not considered that there is a loss of amenity to residents, it is possible that residents may wish to install privacy screens or planters in the event that the scheme was permitted, in order to reduce any potential impacts on amenity. However, this would entail adding further visual clutter and bulk at a high level and would cause harm to the property and surrounding conservation area (as detailed in the previous section). Although no screening is currently proposed, the desire to avoid any amenity impacts would potentially result in further design harm, were the application to be granted.
- 5.5. It is concluded that the proposal would not result in any serious loss of amenity for residents that would warrant a reason for refusal.

6. Conclusion

- 6.1. The proposed balcony and roof terraces with associated railings, by way of their design and siting, would represent inappropriate additions that would detract from the heritage value of the building and would harm the character and appearance of the Conservation Area. The proposal is therefore contrary to policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2015 and policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

7. Recommendation

- 7.1. It is recommended that planning permission is refused for the following reason -
- 7.2. The proposed balcony and roof terraces with associated railings, by reason of their location and design, would represent inappropriate and prominent additions and visual clutter at high level that would harm the character and appearance of the host building, streetscape and Conservation Area. The proposal is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

Photos



Picture 1: View from Crediton Hill with 304 West End Lane



Picture 2: View from Crediton Hill immediately south of application site.



Picture 3: View of side and rear elevations of 304 West End Lane.