

Delegated Report (Refusal)		Analysis sheet		Expiry Date:		15/07/2023			
		N/A / attached		Consultation Expiry Date:		03/07/2023			
Officer				Application Number(s)					
Jaspreet Chana				2022/2195/P					
Application Address				Drawing Numbers					
Flat 2nd Floor 32 Parliament Hill London NW3 2TN				See draft decision notice					
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature			
Proposal(s)									
Variation of Condition 2 (Approved Plans) to replace metal balustrades with obscure glass balustrades as granted under Appeal reference APP/X5210/W/20/3257978 in relation to Planning reference 2019/6346/P dated 29/05/20 for creation of terraces to the roof of existing rear dormers, accessed from third floor roof extension.									
Recommendation:		Refuse planning permission							
Application Type:		Variation or Removal of Condition							
Conditions or Reasons for Refusal:		<i>Refer to Draft Decision Notice</i>							
Informatives:									
Consultations									
Summary of consultation:		Three site notice(s) were displayed near to the site on the 08/06/2023 (consultation end date 02/07/2023).							
Adjoining Occupiers:		No. of responses		01		No. of objections		01	
Summary of consultation responses:		<p>One objection was received from neighbouring residents, there objections are summarised below:</p> <ul style="list-style-type: none"> <i>Consultation was not carried out properly, site notices were not put up outside the site.</i> <i>The balustrades will give our neighbours direct views into our top floor and the bed there. The intrusion on our privacy is unacceptable.</i> <p><i>Officers response: Please see section 4 below.</i></p>							

Site Description

The application site is a residential flat at 2nd and 3rd floor levels. The site is within a semi-detached property which forms a pair with its adjoining neighbour (number 34) on the east side of Parliament Hill. The attractive four storey plus lower ground level properties are examples of the 19th century Gothic Revival style and comprise front gables, ground floor bays, gabled front dormers and stucco surrounds.

Following planning permission 2014/2605/P and 2016/1514/P roof extensions have been added to the property to align with that in existence at no.34. The site is within the South Hill Park Conservation Area and the property is noted in the Conservation Area Statement as making a positive contribution to its character and appearance.

Relevant History

The planning history for the application site can be summarised as follows:

APP: 2019/6346/P

DATE: 29/05/2020

ADDRESS: Flat 2nd floor, 32 Parliament Hill

DESC.: Creation of terraces to the roof of existing rear dormers, accessed from third floor roof extension.

DEC: Refused

APPEAL: APP/X5210/W/20/3257978 – Allowed

APP: 2016/1514/P

DATE: 14/06/2016

ADDRESS: Flat 2nd floor, 32 Parliament Hill

DESC.: Roof extension with rear sliding doors and a Juliet balcony and associated alterations to existing 2nd floor flat.

DEC: Granted

APP: 2014/2605/P

DATE: 16/06/2014

ADDRESS: Flat 2nd floor, 32 Parliament Hill

DESC.: Erection of a roof extension.

DEC: Granted

APP: 2010/3088/P

DATE: 09/08/2010

ADDRESS: Top Floor Flat, 32 Parliament Hill

DESC.: Erection of a roof extension to create an additional storey including two inverted rear dormers and insertion of 3 roof lights to front roof slope, in association with the enlargement of the top floor flat (Class C3).

DEC: Granted

APP: 2009/5399/P

DATE: 26/01/2010

ADDRESS: Top Floor Flat, 32 Parliament Hill

DESC.: Erection of a roof extension to create an additional storey including rear dormer and insertion of 3 rooflights to front roof slope, in association with the enlargement of the top floor flat (Class C3).

DEC: Refused

APP: 17603

DATE: 31/01/1974

ADDRESS: 32-34 Parliament Hill, NW3

DESC.: The railings on the roof at nos. 32-34 Parliament Hill, NW3 to provide additional living accommodation

at no. 34 and an additional (fourth) self-contained flat at no. 32.

DEC: Granted

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development
- D1 Design
- D2 Heritage

Camden Planning Guidance:

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

South Hill Park Conservation Area Appraisal and Management Statement 2001

Hampstead Neighbourhood Plan 2018

- Policy DH1: Design
- Policy DH2: Conservation area and listed buildings

Assessment

1. The proposal

- Variation of Condition 2 (Approved Plans) to replace metal balustrades with obscure glass balustrades as granted under Appeal reference APP/X5210/W/20/3257978 in relation to Planning reference 2019/6346/P dated 29/05/20 for creation of terraces to the roof of existing rear dormers, accessed from third floor roof extension.

2. Assessment

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

- Design and conservation
- Residential Amenity

3. Design and conservation

3.1. Camden Local Plan Policies D1 (Design) and D2 (Heritage) and Hampstead Neighbourhood Plan Policies DH1 (Design) and DH2 (Conservation areas and listed building) are aimed at achieving the highest standard of design in all developments. Camden Local Plan Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Camden Local Plan 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 and listed buildings.

3.2. Hampstead Neighbourhood Plan Policy DH1 requires that all developments demonstrate good quality design, responding to and integrating with local surroundings and landscape context; in Dartmouth Park good design involves relating developments to the urban landscape value of the street setting, including respecting the established orientation and grain of existing development, and also ensuring that any extensions or modifications to existing buildings are subordinate to the existing development and in keeping with its setting, including the relationship to any adjoining properties. Hampstead Neighbourhood Plan Policy DH2 supports proposal for small residential extensions, where in the case of roof dormers,

respects the existing roof form in terms of design, scale, materials and detail and is restricted to the rear except where it is part of the established part of the local character.

- 3.3. CPG Altering and Extending your Home states that: 'Carefully consider materials for enclosure: for traditional buildings, metal railings are preferred as they integrate well with the buildings character, are more resilient, require low maintenance and support plant growth; Glass balustrades could ne appropriate for modern buildings'.
- 3.4. Planning permission was allowed at appeal for the creation of two balconies with metal railings. This proposal seeks to create two balconies but replace the approved metal railings with frameless glass balustrades.
- 3.5. The site is within a semi-detached property which forms a pair with its adjoining neighbour (number 34) on the east side of Parliament Hill. The attractive four storey plus lower ground level properties are examples of the 19th century Gothic Revival style and comprise front gables, ground floor bays, gabled front dormers and stucco surrounds. Roof and rear extensions and have been added to the property to align with that in existence at no.34.



Fig.1. Photos of Rear Elevation



Fig.2. Approved under appeal proposed Rear Elevation



Fig.3. Proposed rear elevation

- 3.6. We don't support glazed balustrades within traditional buildings especially those that make a positive contribution to the South Hill Park Estate Conservation Area. The glazed balustrades will not go 'unread' as suggested by the applicants, however glazed balustrades are always visible and add an incongruous element to buildings of this age and character. The metal railings as already approved are typical of buildings of this type and age, and whilst might be considered more prominent, are in character and still appear as open, light weight additions and would match other railing elements used to the rear of 32 Parliament Hill and to the rear of No.34 Parliament Hill.
- 3.7. The applicants have stated other examples (41-43 South Hill Park – 2011/3633/P) where permission has been allowed for glazed balustrades however this property and the others stated within the design and access statement are all on separate roads and on difference designed and type of properties. We have to treat and assess each site on its own merits and taking into account all matters the subject site is not comparable to these other examples and therefore they cannot be used as principal examples.
- 3.8. The harm to the character of the building, which makes a positive contribution to the conservation area, is unacceptable in the planning balance. The harm to the significance of the conservation area, although less than substantial, must be given considerable weight and importance. There are no public benefits that would outweigh this harm. The proposal does not meet policies D1 and D2 of the Camden local Plan 2017 or DH1 or DH2 of the Hampstead Neighbourhood Plan.

4. Neighbour Amenity

- 4.1. Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. The quality of life of occupiers and neighbours are protected by only granting permission for development that would not harm the amenity of neighbouring residents. This includes factors such as light, outlook, privacy, noise and disturbance. Hampstead Neighbourhood Plan Policy DH1 also seeks to protect the privacy and amenity of neighbouring properties.
- 4.2. No significant loss of light or outlook and no significant noise or disturbance would be caused as a result of the development. Furthermore, the proposal of these balconies with railings has already been allowed at appeal.
- 4.3. The approved appeal decision concluded that 'within the context of the site and the proposals before the inspector, there would be no harmful overlooking to No.34 which would result in any significant loss of privacy'. The proposal would not result in unacceptable harm too amenity therefore would not conflict with Policy A1.

5. Recommendation

- 5.1. Refuse Planning Permission