

## Flat 6, 22 Wedderburn Road – 2013/7515/P



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## **Photos – 22 Wedderburn Road**

Rear elevation:



View of neighbouring terrace at no. 20 and 16



View from application site to east – showing terrace at no. 20 and 16 in distance:



View from application site to west, showing existing flat roof of no. 24





View from the site towards rear of Akenside Road properties



<b>Delegated Report</b> <b>(Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	20/01/2014
		N/A / attached		<b>Consultation Expiry Date:</b>	09/01/2014
<b>Officer</b>			<b>Application Number(s)</b>		
Sally Shepherd			2013/7515/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Flat 6 22 Wedderburn Road London NW3 5QG			Refer to 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>					
Formation of rear roof terrace with metal balustrade and replacement of existing rear window with double doors to provide access.					
<b>Recommendation(s):</b>		Grant Planning Permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	44	No. of responses	0	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 13/12/2013 to 03/01/2014  A press notice was published in the Ham &amp; High on 19/12/2013</p> <p>One objection was received which is summarised below:</p> <ul style="list-style-type: none"> <li>Overlooking into ground floor conservatory and garden at no. 20 (<b>officer's response: see section 5.2 in assessment below</b>)</li> <li>Contemporary design – not in keeping with Victorian architecture (<b>officer's response: see sections 2.1 &amp; 4.1 in assessment below</b>)</li> <li>No. 20 does not have a roof terrace, the guard rail around the roof is used for maintenance access</li> </ul>					
CAAC/Local groups* comments: *Please Specify	<p>The Fitzjohns/Netherhall CAAC objected to the application on the following grounds:</p> <ul style="list-style-type: none"> <li>Concerns about the noise impact of the terrace (<b>officer's response: see section 5.4 in assessment below</b>)</li> <li>Proposed construction and profile are incongruous increasing the rear façade imbalance (<b>officer's response: see section 4.1 in assessment below</b>)</li> </ul>					

## Site Description

The site is located on the north side of Wedderburn Road. It comprises a large semi detached property which is subdivided into five flats. The application relates to the top floor flat.

The site is not listed, but is within the Fitzjohn's Netherhall Conservation Area.

## Relevant History

### Application site

**2003/2330/P** – Planning permission refused on 28/01/2004 for erection of conservatory to rear lower ground floor level across full width of property and partial width extension at rear ground floor level and creation of a new ground floor roof terrace above the proposed conservatory. The application was refused due to excessive bulk and footprint, location and height and harm neighbouring amenity.

**2004/1354/P** – Planning permission granted on 21/05/2004 for the erection of a conservatory to rear lower ground floor level, erection of an extension at rear ground floor level, replacement of existing rear windows and door and replacement of existing rooflights at lower ground floor level.

**2004/1356/P** – Planning permission granted on 21/06/2004 for the change of use from 2 x flats at lower and ground floor level to form 1 x self-contained maisonette.

**2013/5904/P** – Planning permission granted on 27/11/2013 for erection of a full width rear extension.

### 20 Wedderburn

**PW9702921R1** – Planning permission granted on 28/05/1998 for erection of a rear conservatory extension, 2 dormer windows at the rear and one dormer at the side, balustrading around the rear flat roof area; installation of rooftop glazing and 4 rooflights; excavation of front lightwells and basement area to provide additional habitable accommodation.

### 16 Wedderburn

**8501116** – Planning permission granted on 21/11/1985 for alterations to the roof to provide an additional self-contained flat including the formation of dormers and roof terraces

### 14 Wedderburn

**9100887** – Planning permission granted on 07/05/1992 for erection of a roof terrace with railings at the rear.

## Relevant policies

### **National Planning Policy Framework 2012 London Plan 2011**

#### **LDF Core Strategy and Development Policies**

##### **Core Strategy**

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

##### **Development Policies**

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

#### **Camden Planning Guidance 2013**

CPG1 (Design)

CPG6 (Amenity)

## Assessment

### 1. Proposal

- 1.1 Permission is sought for the formation of a rear roof terrace on the flat roof below the existing dormer window. A 1.1m high metal balustrade will be erected around the perimeter of the roof and a set of timber framed French doors would be installed to replace two of the existing timber framed windows in the centre of the dormer.

### 2. Revisions

- 2.1 Originally a glass balustrade was proposed, however this was considered to be unacceptable. It was therefore revised and replaced with a simple black metal balustrade.

### 3. Assessment

- 3.1 The main planning considerations material in the determination are:
- Design (the impact that the proposal has on the character and appearance of the host property and the Fitzjohns/Netherhall conservation area)
  - Amenity (the impact that the proposal has on the amenity of adjoining occupiers)

### 4. Design

- 4.1 The proposed black painted metal railings are considered to be sympathetic to the style and age of the building and would not have any detrimental effect on the character or appearance of the building. The neighbouring property (no. 20) also has simple black metal railings around the perimeter of the roof (although it is not used as a roof terrace) as does no.16. The terrace is therefore considered to be in keeping with the surrounding area. The proposed French doors would be made from white painted-timber to match the existing windows either side which is considered to be a sympathetic material for the conservation area. The proposal is therefore considered to be in line with policy DP25 of the LDF which seeks to ensure developments preserve and enhance conservation areas.

### 5. Amenity

- 5.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight.
- 5.2 The proposed terrace is not considered to result in any significant overlooking into neighbouring properties or gardens than are already visible from other windows in the building and the existing dormer window. Concerns were raised from the neighbouring property (no.20) regarding overlooking into their conservatory at ground floor level. The terrace is located approximately 9m above ground level and is set in slightly from the edge of the roof. The conservatory at no.20 is located on the east side of the rear elevation. The separation distance between the proposed terrace and the neighbouring conservatory is considered to be sufficient enough to reduce the incidence of direct overlooking and although it is recognised that some overlooking may occur, it is not sufficient enough to warrant a reason for refusal.
- 5.3 The railings around the roof at no.20 have been installed for maintenance purposes and not for a roof terrace (planning permission has also not been obtained for the railings). As the roof is not in use as a terrace, there is not requirement for a privacy screen to block views across to this terrace.
- 5.4 The total area of the proposed terrace would be approx. 9 sq m. While it is acknowledged that it would be possible to accommodate a few people at any one time, its potential for noise disturbance on neighbouring properties is not considered such as to justify a refusal on these grounds. A unit with a small outdoor amenity area is welcomed in the context of current LDF policies.

### 6. Recommendation

- 6.1 Grant Planning Permission

#### **DISCLAIMER**

*Decision route to be decided by nominated members on Monday 3rd 2014.*

*For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.*



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Application Ref: **2013/7515/P**  
Please ask for: **Sally Shepherd**  
Telephone: 020 7974 **4672**

27 February 2014

Dear Sir/Madam

**DRAFT**  
**DECISION**

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) Order 2010  
Town and Country Planning (Applications) Regulations 1988

**Full Planning Permission Granted**

Address:  
**Flat 6**  
**22 Wedderburn Road**  
**London**  
**NW3 5QG**

**DECISION**

**Proposal:**

Formation of rear roof terrace with metal balustrade and replacement of existing rear window with double doors to provide access.

Drawing Nos: Site location plan; 1711 10; 1711 30; 1711 20; 1711 11; 1711 31A; 1711 21A

The Council has considered your application and decided to grant permission subject to the following condition(s):

**Conditions and Reasons:**

- 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 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 policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; 1711 10; 1711 30; 1711 20; 1711 11; 1711 31A; 1711 21A

Reason:

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

Culture and Environment Directorate  
(Duly authorised by the Council to sign this document)

**DRAFT**

**DECISION**