

Delegated Report		Analysis sheet		Expiry Date:	08/03/2013
		N/A / attached		Consultation Expiry Date:	21/02/2013
Officer			Application Number(s)		
Hilary Cuddy			2013/0194/P		
Application Address			Drawing Numbers		
3 Hodes Row London NW3 2JZ			Refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Creation of a roof terrace by addition of railings and doorway to the rear of the property on to the existing flat roof. Addition of glass roof to internal courtyard to ground floor.					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	12	No. of responses	03	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>A site notice was displayed between 31/01/2013 and 21/02/2013. A press notice was advertise between 22/01/2013 and 12/02/2013</p> <p>3 objections were received on the following grounds:</p> <p>3 Estelle Road: -The proposed roof terrace would directly look onto the terrace and would cause overlooking and loss of privacy; -increased noise levels.</p> <p>Ground Floor, 3 Estelle Road: -Loss of privacy: The edge of the terrace is only 184cm away from bedroom window. There is no other roof terrace in the vicinity that has direct line of sight into the bedroom at such close proximity. The nearest opposite roof terrace is approximately 25 metres away.</p> <p>Flat 2, 3 Estelle Road: -the balcony directly overlooks and will be in close proximity to the rear terrace of 3 Estelle Road.</p> <p><i>Officer response: Please refer to the amenity assessment of this report.</i></p>					
CAAC/Local groups* comments: *Please Specify	Mansfield CAAC-No comments received.					
Site Description						
<p>Hodes Row is a former diary that was redeveloped in the 1990s into three houses. It is gated and entered from Estelle Road. The Application property is two storey end of terrace. The property has a terrace to the front at first floor level. The property is within Mansfield Conservation Area.</p>						
Relevant History						
<p>N/A for application property.</p> <p>2006/5252/P- Erection of a four storey two bedroom house over access to Hodes Row (Class C3). Refused at Development Control Committee Level.</p>						
Relevant policies						
<p>NPPF The London Plan LDF Core Strategy and Development Policies CS5 Managing the impact of growth and development CS14 Promoting high quality places and conserving our heritage DP24 Securing high quality design DP25 Conserving Camden's heritage DP26 Managing the impact of development on occupiers and neighbours</p> <p>Camden Planning Guidance 2011: 1 (design) & 6 (amenity) Mansfield Conservation Area Appraisal and Management Plan (2008)</p>						

Assessment

Proposal

The application refers to:

- 1.] The addition of a metal balustrade (110cm high) around a single storey flat roof to constitute a roof terrace to dwelling house;
- 2.] Creation of a doorway in rear wall of house to first floor level; Door to measure 74cmx195cm.
- 3.] The addition of a glass roof over exiting courtyard. The proposed glass roof is 3mx3.2m.

Assessment

The main issues to consider are:

- The impact on the character and appearance of the building and wider conservation area
- Amenity of the neighbouring residents and future occupiers

Design

The design of the roof terrace is considered acceptable in principle in accordance with DP25 of the LDF. The proposed metal balustrade is in keeping with those of the terraces in the neighbouring properties on Estelle and Courthope road.

The addition of the door to terrace: This part of the proposal is considered acceptable in design terms. The style and materials matching that of the host property and that of the adjoining properties in the terrace.

Addition of a glass roof over courtyard: The proposed glass roof above the enclosed courtyard patio will be built below the existing height of the surrounding walls within the application property and as such will not be visible from the public realm or surrounding properties. The conservatory style roof to be added above the patio would be Glass/uPVC in white framed panels to match exiting window materials and therefore acceptable in design terms and in accordance with DP25 and DP26 of the LDF.

Overall the proposal is considered acceptable in design terms and in accordance with policies DP25 and DP26 of the LDF.

Amenity

Privacy

Chapter 6 of the Camden Planning Guidance states that development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree with the most sensitive areas to overlooking being:

- Living rooms;
- Bedrooms;
- Kitchens; and
- The part of a garden nearest to the house.

The proposed roof terrace is sited very close to that of the habitable room windows of no 3 Estelle Road which is sub-divided into flats. The roof terrace would look directly into a bedroom and a living room as well as a terrace of 3 Estelle Road. An objection was received confirming that the rear of the terrace was only 184cm from a bedroom window and this has been noted. Although there are a number of terraces in the surrounding area, none of them are in as close proximity as the proposed terrace and the neighbouring property at no 3 Estelle Road and these do not set a precedent for allowing a detrimental impacts upon occupiers of the adjacent building.

The proposal is not considered to comply with policy DP26 and CPG6 in relation to no. 3 Estelle Road.

Outlook

Views from Estelle Road would be impacted with the addition of the terrace; however, it is considered that the loss of outlook from these windows would not be materially harmful. No other properties will experience a notable reduction in outlook.

Noise/Light

In respect of noise and light pollution, the use of terrace is considered to be incidental to the enjoyment of the residential dwelling and therefore a refusal on this basis cannot be justified.

Recommendation: Refuse Planning Permission.

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