

<b>Delegated Report</b>		Analysis sheet		Expiry Date:	12/03/2013
		N/A / attached		Consultation Expiry Date:	21/02/2013
Officer Hilary Cuddy			Application Number(s) 2013/0292/P		
Application Address 6 C Egbert Street London NW1 8LJ			Drawing Numbers  Refer to decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
<b>Proposal(s)</b>  Amendment to application ref: 2012/5508/P to include terrace to rear at roof and 1st floor level.					
<b>Recommendation(s):</b>		<b>Refuse Planning Permission</b>			
<b>Application Type:</b>		<b>Full Planning Permission</b>			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>08</b>	No. of responses	<b>02</b>	No. of objections	<b>02</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>A resident in Egbert St objected on the following grounds:</p> <ul style="list-style-type: none"> <li>-I feel to have a terrace on the 1st floor would effect my privacy in my garden.</li> <li>-We have a particular unease about being overlooked by people whom we cannot ourselves see.</li> <li>-There would be extra noise out in what has been a peaceful space</li> <li>-It is likely that smokers would flick cigarette ends over the railings into my garden</li> <li>-There are two wonderful parks within 5 minutes walk, so surely there is no need for more green space.</li> <li>-If the 3rd floor terrace is approved, I hope that will suffice</li> <li>-Comments on the co-operation of the builders.</li> </ul> <p>A resident in Egbert Street objected on the following grounds:</p> <ul style="list-style-type: none"> <li>-My reason is that it will inevitably detract from the privacy and peace one enjoys at present in the garden below.</li> <li>-As far as I know, there are no such terraces on other houses in this street and it would create a precedent which would be used by others seeking to do the same thing.</li> </ul>					
<b>CAAC/Local groups* comments:</b> *Please Specify	<p>Primrose Hill CAAC objected on the following grounds;</p> <ul style="list-style-type: none"> <li>-Objection to the proposal for the first floor roof terrace, given the potential overlooking of residents in the unit below: the proposed screens are absurdly low and would provide no effective protection;</li> <li>-We have no objection to the terrace at the main roof level. We are concerned by the design of the roofslope abutting the parapet, and would wish to see a condition requiring detailed drawings showing the proposed construction, to ensure the preservation or enhancement of the conservation area.</li> </ul>					

## Site Description

The application site is a three storey Victorian mid-terrace property plus semi-basement level on the west side of Egbert Road in the Primrose Hill Conservation Area. The property has been divided into three dwellings (basement flat, ground floor flat and first-second floors maisonette) and identified as making a positive contribution to the appearance and character of the conservation area.

## Relevant History

### Application property:

**2012/5508/P** - Erection of mansard roof extension to add additional living space and alterations to first floor rear elevation involving infilling of casement windows all in connection with existing first and second floor maisonette (Class C3). Granted 10/12/2012

**TP4861** – Planning permission was granted on 12/06/1964 for converting the existing dwelling-house, into three units of residential accommodation and to erect an addition at the rear in connection therewith.

### 1 Egbert Street:

**2004/3173/P** – Planning permission was granted on 24/09/2004 for the erection of an additional floor at roof level, installation of a door to replace an existing window on the rear elevation at ground floor level; self-containing two non-self contained flats; formation of a crossover to garage.

### 2 Egbert Street:

**CTP/J10/7/2/35941** – Planning permission was refused on 25/05/1983 for the construction of a roof terrace on top of the existing roof extension on amenity grounds.

### 3 Egbert Street:

**17256** – Planning permission was granted on 26/10/1973 for the erection of an additional storey at 3 Egbert Street, NW1 to provide an additional habitable room.

### 8 Egbert Street:

**H10/12/13/9107** – Planning permission was granted on 30/07/1970 for the Conversion of existing building into two maisonettes together with the erection of an additional room at roof level.

### 9 Egbert Street:

**PE9800538R2** – Planning permission was granted on 04/02/1999 for the change of use and works of conversion to form a single dwellinghouse together with the erection of a mansard roof extension and an external stair at rear ground to first floor levels, and the replacement and alteration of various windows at the rear.

### 10 Egbert Street:

**8701073** – Planning permission was granted on 29/07/1987 for the erection of a roof extension.

### 14 Egbert Street:

**PEX0001106** – Planning permission was granted on 30/07/2001 for the erection of a mansard roof extension with two dormer windows at front and alterations at first floor rear to include new French doors and increase the height to the brick wall to the ground and first floor rear terraces.

## Relevant policies

### **LDF Core Strategy and Development Policies (2010)**

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

### **Camden Planning Guidance (2011)**

CGP1 – Design

CPG 6 - Amenity

**Primrose Hill Conservation Area Statement (2000)**

## Assessment

### Proposal

The proposal is for amendments to application ref: 2012/5508/P. Amendments include the addition of a terrace to rear at roof and 1st floor level. The previous application, granted in December 2012 was for the erection of a mansard roof extension to add additional living space and alterations to first floor rear elevation involving infilling of casement windows all in connection with existing first and second floor maisonette.

The proposal seeks to convert the existing flat roof at 1<sup>st</sup> floor level to a roof terrace. The terrace would be 2.5m x 1.3m. The 1<sup>st</sup> floor terrace would include a metal balustrade on 2 sides to a height of 1.1m. A timber trellis will be fitted to the South elevation.

It is also proposed to alter the mansard roof design, approved in December 2012. it is proposed to set back the rear wall in order to form a roof terrace. The butterfly profile of the existing rear elevation would be retained. The roof terrace will measure approximately 3mx0.8m. The roof to the front of the property will be pitched with dormer windows as per approved design ref 2012/5508/P. The proposed terrace to the mansard extension will include a metal balustrade behind the parapet wall.

### Assessment

Principal issues are a] Design and impact on the character and appearance on the Conservation Area, b] impact on amenity.

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### Design and Appearance

Policy DP24 states that the Council will require all developments, including alterations and extensions to be of the highest standard of design and respect character, setting, form and scale of the neighbouring properties and character and proportions of the existing building. Policy DP25 seeks to preserve and enhance important elements of local character in order to maintain the character of the conservation areas.

Camden's Planning Guidance chapter 1 on Design states in paragraph 5.25 that it is normally inappropriate to set back a mansard to provide a terrace. It further states that any handrails required should be well set back behind the line of the roof slope, and be invisible from the ground.

#### Terrace to Mansard:

In addition in paragraph 5.19 it states that on buildings with a 'valley' or 'butterfly' roof if a mansard extension is considered acceptable in terms of the guidance in paragraphs 5.7 and 5.8 of this chapter, then the parapet should be retained. Terraces and additional railings will not usually be acceptable. As such the principle of a terrace at roof level on the mansard roof extension to a butterfly roof is considered unacceptable in design terms. The detailed design of the windows is also considered unacceptable. The doors leading onto the terrace are not considered subordinate and are considered dominating in the hierarchy of the fenestration.

#### First Floor Terrace:

The proposed first floor terrace is sited at the rear of the property and is relatively small in scale, with a depth of 1.3m and simple in appearance. It is not considered to detract from the appearance of the building or surrounding area and accord with policies CS14, DP24 and DP25 and the guidance set out in CPG1.

### Amenity

Policy DP26 aims to protect the quality of life of neighbours that might be affected by developments. The proposed mansard roof extension would not cause any material loss of daylight, outlook or privacy to the neighbouring properties.

#### First Floor Terrace:

The proposed first floor roof terrace sits directly above the rear extension of the ground floor flat. It immediately abuts the garden which the basement flat enjoys private use. The terrace will allow for a significant degree of overlooking, principally into the garden flat and the garden of the adjoining property – number 8 Egbert Street alongside the habitable windows of adjoining properties. This is contrary to policies CS5 and DP26 and to the guidance set out in CPG6.

In assessing the impact this degree of overlooking and disturbance will have, regard must be had to the ambient levels of privacy currently enjoyed by the ground floor flat and neighbouring properties. Although the current windows of flat C Egbert overlook the garden of the basement flat, the introduction of a terrace to the first floor would significantly increase the opportunity for intrusive overlooking which would have a detrimental impact on the level of privacy enjoyed and therefore is contrary to policies CS5 and DP26 and the guidance set out in CPG6.

#### Terrace to Mansard:

It is not considered that the terrace to the mansard roof extension would have a detrimental impact in terms of amenity. Whilst there would be an additional opportunity for overlooking into the rear gardens of adjoining properties, this would not be significantly worse than currently experienced from the lower windows. The proposed terrace would not significantly impact upon the sunlight/daylight of the adjoining properties. It is therefore considered that the proposal complies with CPG6 on Amenity and this would not be reason for refusal.

**Recommendation:** For the reasons set out above it is recommended to refuse planning permission.

