



Appeal Decision

Site visit made on 16 October 2012

by Ian Radcliffe BSC (Hons) MCIEH DMS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 November 2012

Appeal Ref: APP/X5210/A/12/2173619

19 St Regis Heights, Firecrest Drive, London NW3 7NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr S Thrasyvoulou against the decision of the Council of the London Borough of Camden.
 - The application Ref 2011/6416/P, dated 3 January 2012, was refused by notice dated 28 February 2012.
 - The development proposed is a roof extension comprising a roof top viewing lounge.
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Procedural matter

1. The description of the development that appears on the decision notice and on the appeal form is the 'erection of glazed and zinc roof extension (following removal of existing staircase enclosure) and installation of glass balustrading at roof level to create terrace all in connection with existing dwelling (Class C3)'. I am content that this amended description adequately describes the proposal and I shall use it in the determination of this appeal.

Decision

2. The appeal is allowed and planning permission is granted for the erection of glazed and zinc roof extension (following removal of existing staircase enclosure) and installation of glass balustrading at roof level to create terrace all in connection with existing dwelling (Class C3) at 19 St Regis Heights, Firecrest Drive, London NW3 7NE in accordance with the terms of the application, Ref 2011/6416/P, dated 3 January 2012 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan;
086_PLA_EXT_SEC_01A, SEC_02A, ELE_01A, ELE_03A, ELE_04A,
ELE_05A, ELE_06A, FFPA, RPA, 086_PLA_SEC_01_A, SEC_02_A,
ELE_03_WEST_A, ELE_03_EAST_A, ELE_01_A, ELE_02_A, ELE_04_A,
ELE_05_A, ELE_06_A , FFP_A, RP_01_A, RP_02_A.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. No 19 is a top floor flat within a large flat roofed 5 storey apartment building dating from the 1980s. When the building is considered as a whole it has no

- clear symmetry either in its staggered roofline or facade. The building is not listed, nor is it within or visible from a conservation area.
5. As part of the design of the building a rooftop terrace and decking area with a metal balustrade was included to No 19A and another top floor flat. The proposed development would create a glazed habitable space in place of the staircase enclosure and provide views southwards over London. The structure would occupy a central position within the roof in line and of the same width as the fenestration in the main southern elevation below.
 6. At 2.5m in height and set back from the front and rear walls of the building and in from its sides the structure would be subservient in scale to the roof and the building. Its curved roof would also be sympathetic to the curves incorporated into the design of the apartment block. As a consequence, it would not harm the proportions or appearance of the building in private views from within the development on Firecrest Drive or from development to the north. Owing to the topography of the area and intervening trees the structure would not be readily visible from public vantage points.
 7. A glass balustrade approximately 1m tall would be erected around an enlarged terrace surrounding the roof extension. Although the terrace on the neighbouring roof top has the original blue steel balustrade the use of glass would be a less obtrusive choice of material that would reduce the prominence of the terrace on the roof and be more in keeping with the roof extension.
 8. For these reasons the structure would not have an adverse effect on the skyline, appearance of the building or the surrounding street scene, nor would it undermine the architectural style of the apartment building. The proposed development would therefore comply with policy CS14 of the Camden Core Strategy and policy DP24 of the Camden Development Policies. These policies require the protection of the character and appearance of a locality through high quality design that respects local design features. It would also comply with supplementary planning document 'Camden Planning Guidance' in relation to design.

Other matters

9. Concerns have been expressed regarding noise associated with use of the structure. However, given that use of the roof as an outdoor living area is part of the original design of the building the proposed development is unlikely to result in an increase in noise. In terms of overlooking, whilst there are dwellings relatively close by to the north the structure would face southwards and would not overlook these dwellings. Taking both these matters into account, the proposal would not adversely affect the living conditions of neighbours.
10. For the avoidance of doubt, and in the interests of proper planning, I shall list the approved plans in a condition attached to the permission and require that the development is carried out in accordance with these plans.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Ian Radcliffe

Inspector