

<b>Delegated Report</b> (Member's Briefing)		Analysis sheet		Expiry Date:	18/06/2012
		N/A / attached		Consultation Expiry Date:	31/05/12
Officer			Application Number(s)		
John Nicholls			2012/2145/P		
Application Address			Drawing Numbers		
23 DRURY LANE LONDON WC2B 5RH			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
<b>Proposal(s)</b>  Retention of railings at fourth floor level to top floor flat (Class C3).					
<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:						
Consultations						
Adjoining Occupiers:	No. notified	26	No. of responses	02	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	A site notice was displayed on 1/5/2012 and a press notice on 10/5/2012. The Covent Garden Community Association has not objected to the proposal.					
CAAC/Local groups* comments: *Please Specify	The Covent Garden CAAC have objected and their comments are as follows: <ul style="list-style-type: none"><li>• The terrace shown is shown at 2.7m in depth and it should be possible to locate the railings to minimise the visual impact of the railings as installed without consent.</li><li>• It does not enhance or preserve the appearance of the building and detracts by being unduly obtrusive. N.B a photograph would have assisted.</li></ul> <p>See para 2.2 below</p>					

## Site Description

The site is located on the southwest side of Drury Lane in between Betterton Street and Dryden Street. The site comprises a three storey with roof extension building divided into flats on the upper floors and comprising a retail use at ground floor level. The surrounding area comprises commercial properties with residential and office accommodation on upper floors.

The building is located within the Seven Dials (Covent Garden) Conservation Area but is not listed nor identified as a positive contributor.

## Relevant History

24/08/2010 – **p.p. granted (2010/3293/P)** for the erection of a mansard-style roof addition, following removal of existing roof level addition, to existing third and fourth floor three bedroom maisonette (Class C3).

09/02/2011 – **p.p. granted (2010/6618/P)** for the variation of condition 3 of planning permission granted 23/08/2010 (2010/3239/P) for the erection of a mansard-style roof addition, following removal of existing roof level addition, to existing third and fourth floor three bedroom maisonette (Class C3) as a minor material amendment to include revisions to fourth floor windows on front elevation.

28/03/2011 – **p.p. granted (2011/0288/P)** for the variation of condition 3 of planning permission (2010/3293/P) granted 23/08/2010 for the erection of a mansard-style roof addition, following removal of existing roof level addition, to existing third and fourth floor three bedroom maisonette (Class C3) as a minor material amendment to include the addition of a raised rooflight.

EN11/0479 – Design of mansard roof not as permitted drawings (2010/3293/P and amendments – see above), installation of a glazed balustrade and loss of existing chimneys/party walls.

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth

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

Seven Dials (Covent Garden) Conservation Area Appraisal

Camden Planning Guidance 2011

## Assessment

### 1.0 Proposal

- 1.1 This proposal is retrospective and is for the replacement of a single safety railing with a set of black painted metal railings on the front roof terrace fronting Drury Lane surmounted on the parapet and surrounding an area of roof in front of the mansard that is for use as a terrace..

#### Background

- 1.2 The original 2010 scheme involved the removal of a previous pitched and slated roof addition with existing roof terrace to the front and replacing this with a mansard with windows to the front which retained a small front terrace. The as existing drawings and photographic evidence which formed this application shows a large terrace area to the front of this roofscape, and showed the safety railing attached to the centre of the front parapet wall.
- 1.3 This proposal was subsequently amended twice in 2011 (Refs: 2010/6618/P and 2011/0288/P) to change the design of the fenestration and doors of the mansard and introduced a new rooflight above and set back the front of the mansard to incorporate a larger area of terrace
- 1.4 The Council's enforcement team have also been involved with the site since June 2011 when works were being undertaken to implement the scheme. The investigation centred on the size and shape of the mansard, the removal of the chimney and a glazed balustrade that was erected on the front parapet wall not built in accordance with the approved drawings. The glazed balustrade has now been removed and the railing the subject of this application installed without consent.
- 1.5 In response to enforcement discussions, the dormer has been lowered and the glazed balustrade removed. The Council also require that the demolished chimney be rebuilt. These matters are the subject of a separate and ongoing enforcement investigation and may result in the service of a formal notice; however, the applicant is co-operating on the various matters and may carry out the works and seek to regularise with an application. An informative is included to make it clear that this permission relates to the railing only and seeks the necessary application before any works are carried out.

### 2.0 Design

- 2.1 The location of the safety railing was historically on the centre of the parapet wall with a similar position to the current application. When assessing a replacement railing, the lead was taken from other similar roof terraces in the area along Drury Lane, and the proposed slim black painted railing was considered the most appropriate.
- 2.2 The design of the railing is, on balance, acceptable in terms of style and material and is considered to be an improvement on the single railing and glazed screen that existed previously. Therefore, the proposed new railing is considered to preserve the character of the conservation area and therefore complies with the statutory test in that it either preserves or enhances. Policy DP25 goes further and expects all development to preserve and enhance and it is arguable as to whether this represents an enhancement. Whilst it is a more representative design for local railing typography, it would nonetheless be more visible than the railing that existing prior to the breach of control. In assessing this point it is important to stress that the planning permission for the mansard (and its subsequent amendment) includes both an external terrace area and a railing mounted on the parapet coping stone. In addition both a terrace and a rail in the same location existed prior to any of the recent works taking place. Within this context it would be inappropriate to require that the railing be relocated and take away part of the terrace as this already has planning permission. Also, accepting that any new railing in the permitted location would have to serve modern safety requirements and include vertical bars or other screen to a height of 1.1m above the terrace itself, this design is considered to be the most appropriate solution.

### **3.0 Amenity**

3.1 The assessment of this application does not cover the acceptability of the terrace or its size because this was approved in 2011 under the two schemes to amend the original mansard roof approval. Therefore, as the principle of a terrace of this size and the railings approved in this location on top of the parapet wall, there are no new amenity concerns.

**Recommendation:** Grant Planning Permission

#### **DISCLAIMER**

Decision route to be decided by nominated members on Monday 18<sup>th</sup> June 2012. For further information please click [here](#).