

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	13/04/2012
		N/A	<b>Consultation Expiry Date:</b>	05/04/2012
<b>Officer</b>		<b>Application Number(s)</b>		
Nicola Tulley		2012/0969/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
First Floor Flat 6 Princess Road London NW1 8JJ		See draft DN		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Installation of railings and privacy screen and replacement of rear window with glazed door at rear first floor level to create roof terrace all in connection with the existing first floor flat (Class C3).				
<b>Recommendation(s):</b>	Refuse planning consent			
<b>Application Type:</b>	Full Planning Permission			

<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>12</b>	No. of responses	<b>04</b>	No. of objections	<b>02</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 7<sup>th</sup> March to 28<sup>th</sup> March 2012. A notice was placed in the Ham &amp; High on 15<sup>th</sup> March 2012.</p> <p>Two letters of objection were received from: 4 Princess Road and 6a Princess Road (basement flat), the following issues were raised:</p> <ul style="list-style-type: none"> <li>• Loss of light, close proximity;</li> <li>• Overlooking and loss of privacy; and it would make non-sense of the refusal at Number 30, from the objection of 32, to do the same. The terrace would allow views into the basement bedroom of Number 6a, the ground floor flat of Number 6 bedroom, and the unscreened side of the terrace views into Number 4 WC and the area nearest to the back door.</li> <li>• The adjoining terraces at Numbers 4 and 6 would lose their privacy.</li> <li>• Noise and disturbance from its use;</li> <li>• Privacy screen is unsightly and encourage similar development;</li> <li>• Any neighbouring terraces pre-date the setting up of the conservation area;</li> </ul> <p>One letter of support was received from 8 Princess Road, stating that the proposed work will not cause any problems to the enjoyment of their home.</p> <p>Officers response: see assessment below</p>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	Primrose Hill CAAC have not raised objection to the erection of the proposed roof terrace or privacy screen.					

## Site Description

The subject site is a four storey, with basement, terraced dwelling-house located on Princess Road close to the junction with Regents Park Road. The site is located within the Primrose Hill conservation area, it is predominantly residential area with similar four storey terraced type dwellings.

The property does not relate to a listed building but is noted as a positive contributor in the conservation area.

## Relevant History

Full planning permission, reference, 2011/5161/P, was refused for: Replacement of first floor level window with door and provision of steps, decking and balustrading to first floor level flat roof in connection with its use as a terrace for the existing first floor level flat (Class C3).

*Reasons for refusal: The use of the proposed terrace would allow direct views into a neighbouring habitable room window at Number 10 Princess Road and result in an unacceptable loss of privacy and impact on amenity. The proposals are therefore deemed unacceptable, contrary to policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.*

2005/2983/P: Full planning permission granted for, The erection of a lower ground floor rear extension and alterations to coal stores to form bathroom at front elevation of flat at No. 8 Princess Road and enlargement of window at lower ground floor rear elevation of dwellinghouse at No. 6 Princess Road.

J10/9/D/9583: Full planning permission granted for, Internal alterations and conversion of the premises No. 6 Princess Road, St. Pancras into five one-bedroom flats including the erection of a new three-storey extension on the rear elevation'.

### 16 Princess Road

PE9700233: Full planning permission was granted for: The use of an existing flat roof at rear second floor level as a roof terrace and the erection of railings and the alteration of a rear window to french doors; as shown on drawing numbers pjd/AM/1.

### 30 Princess Road (Referred to by objection)

Enforcement reference, EN03/1027: Appeal dismissed, The unauthorised installation of metal railings at third floor level to create a roof terrace. The inspector raised concern in relation to: effect on the appearance of the area; and the impact on the privacy of neighbours; and outlook.

- 1. Due to the design and its elevated position the visual impact would be incongruous, and out of place.*
- 2. Anyone standing on the terrace would have a clear view over rear gardens and view into rear rooms of neighbouring properties.*
- 3. The railings would be very obtrusive. An approval would set a precedent for this development and would materially alter the character and appearance of the locality.*

## Relevant policies

**The London Plan: Spatial Development Strategy for Greater London: 2011**

### **LDF Core Strategy and Development Policies 2011**

Core Policies

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 2011  
CPG1 Design (paragraphs 5.23 & 5.24)  
CPG6 Amenity

Primrose Hill Conservation Area Appraisal and Management Plan 2000

## **National Planning Policy Framework 2012**

### **Assessment**

As indicated above, planning permission was recently refused at the subject site to create a roof terrace at first floor level. The applicant is proposing a similar development but with the inclusion of a privacy screen.

The assessment of planning application reference 2011/5161/P noted that whilst the proposed terrace is acceptable in terms of design and appearance it would provide direct overlooking into a habitable room window further along the terrace at Number 10 Princess Road. The provision of a privacy screen was suggested by the agent however, officers were of the opinion that such development would create a sheer façade which would be unsympathetic to the character and appearance of the rear elevation.

Site inspection noted similar terraces in the immediate locality at Numbers 4, 10, and 16 Princess Road. A Planning search only noted Number 16 which had the benefit of planning permission in 1997.

### **Design and appearance**

The property has been previously subdivided into flats, the application relates to the first floor flat. The applicant has proposed to utilise the existing flat roof of the first floor flat as a roof terrace with associated screening. The proposed works would involve the replacement of the first floor rear window with a double opening door and removal of an existing water tank.

The rear terrace would utilise the full extent of the flat roof, which is 3.1m deep from the rear wall of the first floor flat. Access to the roof terrace would be provided through the removal of the existing double glazed aluminium window with a single opening door and full length window. The terrace would be secured by vertical steel rod balusters topped with a steel handrail. The front fascia between the flat roof and steel balusters will be fitted with untreated chestnut; this treatment is extended to the roof decking. The proposed works would involve internal changes which would relocate the bathroom and kitchen.

### **Impact upon conservation area**

The Primrose Hill conservation area appraisal and management plan state that the creation of high level balconies and terraces where they will be visually intrusive or result in partial removal of the roof will be resisted. There are a number of issues facing the conservation area in terms of development pressure; the main issue relevant to the determination of this proposal are elevational alterations including loss of detail. The conservation area statement also notes that the choice of materials for new work is important and original materials should be retained wherever possible.

The subject site is obscured from street view on Regents Park Road. The upper floors of the subject site are clearly visible from an opening between properties in St Marks Crescent although this is partially obscured by vegetation. The dismissed enforcement appeal decided in 2004 (EN03/1027) related to a roof terrace at high level which would be clearly visible from the public realm. Camden Planning Guidance 1 'Design' paragraphs 5.23 & 5.24 recognises the value of providing outdoor

amenity however, the main consideration is whether the balcony complements the elevation upon which it is to be located. Whilst a relatively modest terrace, which is in keeping with other terraces at this level, would not unduly impact the character and appearance of the existing building or the rear of this terraced group. However, the erection of a 1.8m obscured glass privacy screen would cause harm through adding undue bulk at this elevation and using a material which does not complement the character of appearance of the conservation area, contrary to policies CS14; DP24; DP25 of Camden's LDF.

### **Impact upon residential amenity**

Camden's adopted policies and guidance seek to ensure that development does not adversely impact the amenities of existing and future neighbouring occupiers. Design guidance CPG1 state that proposed terraces should not provide views into habitable rooms or the garden area closest to the dwelling-house. The proposed terrace would provide views into a habitable room window, which has been installed into the side flank projection, of Number 10 Princess Road.

The agent previously noted that the extension and window at Number 10 did not receive the benefit of planning permission and although the structure appears to be older than four years this should not be used to measure overlooking from Number 6. Although the development at Number 10 did not gain planning approval, it does not remove the issue that the terrace would cause overlooking into a habitable room. Whilst the occupier/owner of the affected property did not object previously to the proposed terrace the neighbouring amenity of future occupiers are also taken into account.

It should be noted that planning applications approved at Number 8 Princess Road (references 2004/5413/P & 2005/2983/P) were conditioned to ensure that the flat roof would not be used or converted as a roof terrace.

A 1.8m high privacy screen to mitigate the impact of overlooking would be unsympathetic to the character and appearance of the rear elevation. The planning inspector dismissed the appeal to retain a terrace at Number 30 Princess Road, mainly in consideration of its elevated height but also to protect the rear elevation of this particular terrace. It is not considered that the privacy screen would cause detrimental harm to neighbouring amenities by way of reduced outlook.

Residents raised concern of overlooking into an existing bathroom area and whilst this is not classified as a habitable room the agent provided further information to demonstrate the degree of overlooking. It is clear that no direct overlooking would occur and further information identifies these windows in the terrace as landing windows serving staircases.

### **Conclusion**

The proposed terrace and 1.8m privacy screen would not serve to preserve or enhance this part of the conservation area and thus cause harm to the character and appearance of the existing building and rear of this terraced group which was considered worth protecting. For the reasons above the proposal is considered unacceptable in relation to policies: CS14; DP24; DP25 of Camden's LDF 2010 and planning guidance CPG1.

### **Recommendation**

Refuse permission.

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