

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		03/11/2011	
		N/A / attached		Consultation Expiry Date:		07/10/11	
Officer				Application Number(s)			
Angela Ryan				2011/4540/P			
Application Address				Drawing Numbers			
4-5 Fortress Yard London NW5 1AE				Refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Creation of a roof terrace with an obscured glass screen on the north, east and west elevations, metal balustrade on the side (south elevation), and hardwood decking, alterations including installation of roof hatch and a new window at rear (east elevation) ground floor level to dwelling house (Class C3).							
Recommendation(s):		Grant Planning Permission					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	9	No. of responses	2	No. of objections	2
				No. Electronic	2		
Summary of consultation responses:		<p>A site notice was displayed from 16/09/11 to 07/10/11. Two letters of objection has been received from the occupiers of 3 Fortress Yard and 57 Fortress Road. A summary of the objections are as follows:-</p> <ul style="list-style-type: none"> - Overlooking into the kitchen and garden of no.57 Fortress Road and overlooking through roof lights (Officer's response: see paragraph 3.1). -Noise Nuisance (Officer's response: See paragraph 3.3). - The terrace presents a potential security risk (Officer's response: See paragraph 3.2) - Current views will be obscured (Officer response: See paragraph 3.3) 					
CAAC/Local groups* comments: *Please Specify		Not applicable					

Site Description

The site comprises a two storey end of terrace mews building that has a single storey extension on the side (south) elevation facing the internal courtyard. It lies on the north side of Fortress Yard and is located within a terrace of three similar buildings that are located at the rear of four storey buildings located at nos. 51-61 Fortress Road and are accessed by a private road off Fortress Road.

The site is not listed and does not lie within a conservation area.

Relevant History

2 Fortress Yard- 1996 Permission granted on appeal for change of use from store with bed-sit over to dwelling house. (Ref: P9602429)

2 Fortress Yard- 2001 Certificate of Lawful Use granted for existing use as a single dwelling house (Ref: PEX0100148)

4-5 Fortress Yard- 2003 Permission refused for formation of a roof terrace including erection of a glass balustrade (Ref: PEX0300261)

3 Fortress Yard- 2006 Permission granted for change of use from workshop (Class B1) to a single dwellinghouse (Class C3), replacement of existing flat roof with a pitched roof to accommodate an additional floor and alterations to fenestration to front and rear elevations. (Ref: 2006/2826/P)

3 Fortress yard - 2009 Permission granted for replacement of existing flat roof with a mansard roof with rooflights on the front and rear to accommodate an additional floor and alterations to fenestration on the front and rear elevations, as an amendment to planning permission granted on 25.8.06 (ref 2006/2826/P) for change of use from workshop (Class B1) to a single dwellinghouse (Class C3), replacement of existing flat roof with a pitched roof to accommodate an additional floor and alterations to fenestration to front and rear elevations. (2009/0950/P)

3 Fortress yard - A current application is being considered for amendments to previously approved scheme comprising replacement of mansard roof with rooflights at front and rear elevations, alterations to fenestration at front and rear elevations and reinstatement of chimney to planning permission granted 09/06/2009 (ref: 2009/0950/P) for [replacement of existing flat roof with a mansard roof with rooflights on the front and rear to accommodate an additional floor and alterations to fenestration on the front and rear elevations] (Ref: 2011/3109/P)

4 Fortress Yard- A current application is being considered for alterations to replace existing timber doors and window at front (west elevation) with new timber windows at ground floor level, and installation of new timber window at side (south elevation) at ground floor level to dwelling house (Class C3). (Ref: 2011/4535/P)

1998- permission granted for a roof terrace at no 53 Fortress Road in connection with the conversion of the first and second floors into two self-contained flats (Ref:P9600038R1)

Relevant policies

LDF Core Strategy and Development Policies

Core strategy:

CS5 – Managing the impact of growth and development

CS14- Promoting high quality places and conserving our heritage

Development Policies:

DP24- Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

Assessment

1. Proposal

1.1 The application site is currently used for a single family dwelling house. The applicant proposes to create a roof terrace on the flat roof of the building which will be accessed via a new hatch in the roof leading off an new internal staircase proposed at first floor level. The proposal would incorporate hardwood timber decking. A new obscured glass window is also proposed to be installed in the rear elevation of the building at ground floor level.

1.2 It was initially proposed to install an obscured glass screen on the rear elevation (east elevation) only, however it is now proposed to partially install the obscured glass screen on the side elevations (north and south), together with the installation of a 1.1m metal balustrade on the remainder of the side elevations and on the front elevation.

1.3 A similar proposal for a roof terrace was refused in 2003 on the grounds of unreasonable overlooking into the rear windows at second and third floor levels of nos. 53 and 55 Fortress Road. The current scheme has a few differences which are discussed in the amenity section in this report. In 1998 planning permission was granted for a roof terrace at no. 53 Fortress Road, and there is also a roof terrace at no.55 Fortress Road although there is no record of planning permission being granted.

1.4 The issues to therefore consider are:

- The impact of the development on the character and appearance of the host building
- The impact of the development on the amenity of adjoining occupiers and neighbours

2. Design

2.1 The terrace of buildings of which the application site forms a part is a fairly modern in design and rises up two storeys with flat roofs. They are clad in a mixture of brick or render, the application site being rendered. Although the roof line in the terrace of building is currently unimpaired, planning permission has previously been granted in 2009 for a mansard roof extension to accommodate an additional floor at no. 3 Fortress yard and although not implemented has formed a precedent for development at roof level. It is considered that the proposed roof terrace and associated works would not unduly harm the character and appearance of the host building.

3. Amenity

3.1 The scheme that was previously refused proposed a terrace that incorporated a clear toughened glass guardrail which would have resulted in unreasonable overlooking into the habitable rooms located of the residential premises in Fortress Road which face the application site. The proposed terrace is to be set back on all sides, approximately 2.6m away on the north (side) elevation facing no. 3 Fortress Yard, 0.8m on the south (side) elevation facing the yard and a car park, 0.6m from the west (front) elevation which faces amenity space connected to the residential development in Bellina Mews, and 4.8m on the east (rear) elevation facing the rear of properties in Fortress Road. It is also proposed to install a 1.8m high obscured glass screen on the side and rear elevations to alleviate any overlooking. The new kitchen window proposed at ground floor level will also be of obscured glass so no overlooking will occur in respect of nos. 57 Fortress Road and no. 3 Fortress Yard. The rooflights referred to in the objection from the occupier of no. 3 Fortress Yard relates to a mansard roof extension which was previously granted approval in 2009; however, the permission has not yet been implemented. Notwithstanding the above the proposal will be constructed in such a way so as not to prejudice the potential development at no. 3 Fortress Yard.

3.2 The rear of the existing buildings on Fortress Road face north-west, and experience some shading in the late evenings by virtue of the development on Fortress Yard of which the application site forms a part. It is considered that the proposal would not have any significant impact upon the levels of light entering the rear of the properties on Fortress Road as the glazed screen would still allow light through.

3.3 It is envisaged that the proposal would not generate any significant noise levels than that which is connected with the existing residential uses, the rear yards and roof terraces surrounding the site. The proposed area of the terrace has also decreased in size by 7.4m² and would therefore limit the number of people it may hold. Given that the mansard roof extension that was previously granted permission has not been implemented and the terrace would be set back approximately 2.4m away and be enclosed by a glass screen it is envisaged that no greater security risk is created than that which already exists.

3.4 An objection has been received in respect to the loss of outlook and views. Although the buildings in Fortress Road are higher than those on Fortress Yard the upper floor windows of no. 57 Fortress Road aligns with the top storey of the application site and looks out onto the top floor windows and roof edge of the application site therefore existing views are already limited. It is not envisaged that the proposed 1.8m high screen would obscure the skyline to an unacceptable degree.

3.5 It is considered that the other residential properties surrounding the application site in Fortress Yard, Bellina Mews and

Burghley Road would not be significantly affected by the proposal.

DISCLAIMER

Decision route to be decided by nominated members on Monday 31st October 2011.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>