

Delegated Report		Analysis sheet		Expiry Date:		13/10/2010	
		N/A		Consultation Expiry Date:		21/09/2010	
Officer				Application Number			
John Sheehy				2010/4215/P			
Application Address				Drawing Numbers			
Flat F, 22 Belsize Grove London NW3 4TR				Refer to draft decision			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal							
Erection of railings to the second floor flat roof in association with use as a roof terrace.							
Recommendation:		Refuse permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	38	No. of responses	0	No. of objections	0
				No. electronic	0		
Summary of consultation responses:		Site notice displayed from 25 th of August to 15 th of September. No comments, objections or expressions of support received from neighbouring occupiers.					
CAAC/Local groups comments:		Belsize CAAC: object to railings around flat roof areas of this prominent corner building. Belsize Residents Association, object for the following reasons (in summary): <ul style="list-style-type: none"> • Overlooking of neighbouring properties; • "The contention of the roof is already used as a terrace... is absurd" • Roof terrace could accommodate large parties with resultant noise pollution. 					
Site Description							
A substantial 3-storey plus basement semi-detached white stucco villa located on the southern side of Belsize Grove at the junction with Primrose Gardens. The property has a 3-storey flat-roofed side extension. The site is located within a residential street and the application building dates in the mid 19 th century. Although not listed, the property has been identified as making a positive contribution to the character and appearance of the Belsize Conservation Area in which it is located. The property is subdivided into 6 self-contained units. This application relates to a flat roofed area accessed from a flat at 2 nd floor level of the building.							
Relevant History							
None							

Relevant policies

London Borough of Camden Replacement Unitary Development Plan 2006

SD6 Amenity for occupiers and neighbours
B1 General design principles
B3 Alterations and extensions
B7 Conservation areas

Camden Planning Guidance 2006

Belsize Conservation Area Statement

LDF Core Strategy and Development Policies

The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound. This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and these LDF policies the Planning Inspectorate would consider it reasonable to follow the latter. However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan.

LDF Core Strategy

CS14 Promoting high quality places and conserving our heritage

LDF Development Policies

DP24 Securing High Quality Design
DP25 Conserving Camden's Heritage
DP26 Managing the impact of development on occupiers and neighbours

Assessment

Proposal: erection of railings to the second floor flat roof in association with use as a roof terrace.

The proposed metal railings would have a design made up of tightly-spaced vertical bars. The railing would measure 1.1m in height and would follow the irregular line of the existing parapet which includes a corner turret.

Assessment

The principal material planning considerations are the design of the railings, the impact on the character and appearance of the Conservation Area and the impact on neighbour amenity.

Design and impact on the character and appearance of the Conservation Area

Background

The Council's design policies are aimed at achieving a high standard of design in all developments and preserving the architectural quality of buildings. With particular reference to this proposal, the following points contained within Policy B1, DP24 and DP25 are relevant:

- extensions should be subordinate to the original building in terms of scale and situation;
- development should:
 - ⇒ respect its site and setting;
 - ⇒ preserve the architectural integrity of the building;
 - ⇒ consider the character, context and the form and scale of neighbouring buildings;
 - ⇒ improve the attractiveness of an area and not harm its amenity or appearance.

The Council's policies for developments in a Conservation Area are aimed at preserving or enhancing the special character and appearance of the area.

Local context

The existing side extension is one storey in height below eaves level. The appearance and architectural style of the extension indicates that it is not an original feature however no record exists of planning permission having been granted for it, and the extension would appear to have been constructed prior to the introduction of comprehensive planning control. The property is visible from the front, side and rear in views from Belsize

Grove and Primrose Gardens – the side extension is prominent in these views. Mature trees to the front and rear of the property provide limited screening.

The flat roof which it is proposed to enclose with railings is currently accessed via a door from the second floor flat. This would appear to have been in place for a lengthy period of time and may date from the construction of the extension. There is no record of planning permission having been granted for use of the flat-roofed area as a terrace: it would appear to be used for this purpose informally by occupiers of the second floor flat.

Proposed scheme

Due to their corner location the terrace railings would be clearly visible in long views from two streets. The railings would be a highly prominent and obtrusive additional feature which would add upper-level clutter and increase the perceived bulk and size of the side extension.

The proposed railings would follow the irregular line of the parapet which includes a corner turret and a projecting bay. This would result in the railings having an irregular and overcomplicated appearance, not acceptable in design terms for a new feature in a Conservation Area.

The proposal is considered to undermine the architectural quality of the building both in terms of additional perceived bulk and the poor quality of its detailed design.

The grant of permission for use as a roof terrace may also result in additional paraphernalia associated with terraces such as planting and screening - although fixed screens would require additional permission.

Officers are of the view that, given the prominence within the streetscape of the application property the insertion of railings at this point would significantly alter the appearance of the property causing harm to its appearance and architectural integrity. The proposed railings would be detrimental to the visual amenity of neighbouring occupiers and would fail to preserve the character and appearance of the Conservation Area.

Impact on amenity

Officers have visited the flat-roofed area and observed that the windows of the other flats within the building which are directly overlooked from this area are either obscure-glazed or non habitable (e.g. communal stairs). Windows to habitable rooms to the rear of the side elevation are overlooked by the flat-roofed area, however the angle at which they are overlooked means that views into the affected rooms are not deep. It is not clear whether the side dormer window above serves a habitable room, however, due to the angle at which views upwards from the terrace would be afforded, such views would be in the direction of the ceiling of the room and not deep into the room. Views from the proposed terrace to neighbouring properties along Primrose Gardens would replicate existing views from the side extension of the property and would not add materially to overlooking of these properties. It is considered that the use of the flat-roofed area as a terrace would not result in unreasonable overlooking of any neighbouring habitable rooms or gardens to the detriment of neighbour privacy.

There would be no loss of daylight, sunlight or outlook to neighbours as a result of the proposal and the application is considered to be consistent with policy SD6.

Recommendation: refusal.

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