

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		02/09/2010	
		N/A / attached		Consultation Expiry Date:		10/08/2010	
Officer				Application Number(s)			
Elizabeth Beaumont				2010/3422/P			
Application Address				Drawing Numbers			
47 Nassington Road London NW3 2TY				Please refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Variation of condition 4 (to alter the material of the privacy screen from obscure glazing to timber slats) to planning permission (2007/2295/P) granted on the 29/06/2007 for the 'erection of a single-storey rear basement level extension with roof terrace over at ground floor level, erection of roof extension, enlargement of existing front basement lightwell and other minor alterations to fenestration of the existing family dwellinghouse'.							
Recommendation(s):		Grant variation of condition					
Application Type:		Variation or Removal of Condition(s)					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	13	No. of responses	00	No. of objections	00
				No. Electronic	00		
Summary of consultation responses:		A site notice was erected on 14/07/2010, expiring on 04/08/2010. No responses were received.					
CAAC comments:		South Hill Park CAAC – Object for the following reason; <ul style="list-style-type: none"> Proposed slats would be less permanent and will not provide the same level of screening to neighbouring properties (Please refer to 3.1 below) 					
Site Description							
<p>The site is located on the south side of Nassington Road adjacent to the junction with Tanza Road. The site comprises a three-storey with lower ground floor level semi detached single dwellinghouse. The building is not listed but is located within the South Hill Park Conservation Area. It is identified as a positive contributor to the character and appearance of the conservation area.</p> <p><i>It should be noted that permitted development rights relating to Classes A, C and F of the Town and Country Planning (General Permitted Development) Order 1995 were withdrawn by condition when change of use of the property to a single dwellinghouse was granted in 2006. See relevant history below.</i></p>							

Relevant History

29/06/2007 – **p.p. granted (2007/2295/P)** for 'erection of a single-storey rear basement level extension with roof terrace over at ground floor level, erection of roof extension, enlargement of existing front basement lightwell and other minor alterations to fenestration of the existing family dwellinghouse'.

30/01/2009 – **Enforcement Investigation opened (EN09/0040)** into alleged breach that the extension being constructed was not in accordance with the approved scheme – the screen had not been installed.

Relevant policies

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

South Hill Park Conservation Area Statement

LDF Core Strategy and Development Policies

CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), 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).

As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage

Assessment

1. Proposal

1.1 Planning permission (2007/2295/P) was approved on the 29/06/2007 for the 'erection of a single-storey rear basement level extension with roof terrace over at ground floor level, erection of roof extension, enlargement of existing front basement lightwell and other minor alterations to fenestration of the existing family dwellinghouse'.

1.2 Condition 4 of the planning permission states;

The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies S1/ S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

1.3 Permission is now sought to amend the details of the approved screen from obscure glazed to timber slats. The screen has already been installed on site. The approved privacy screen was proposed to be fixed above the solid balustrade to the left of the terrace along the boundary with no. 45 to a height of 1.8m.

2. Design

2.1 The approved rear extension comprises both glass and timber cladding. It is therefore considered that the proposed use of timber slats would blend with the rear extension and would not detract from the character and appearance of the host building or the wider conservation area.

3. Amenity

3.1 It is considered that the revision to the material of the timber screen would not alter the purpose of the screen to prevent overlooking and loss of privacy to the residents of the neighbouring property. Concerns have been received that the timber slats would not be less permanent than the obscure glazing. However the condition will still require the screen to be retained and maintained. There are slight gaps between each of the timber slats but these are of a small scale and do not allow views through, therefore it is not considered that the amenity of the neighbouring occupiers would be detrimentally affected to such an extent to warrant the refusal of this application.

3.2 Furthermore, it is considered that given the height of the screen, the distance to neighbouring windows and the slat design of the screen, the use of a more opaque material would not affect the amenity of the neighbouring occupiers with regards to levels of sunlight or daylight.

4. Recommendation

- 4.1 On the basis of the above, it is considered that the details and drawing details submitted are satisfactory as a variation to Condition 4 of planning consent 2007/2295/P, as approved on 29/06/2007.

DISCLAIMER

Decision route to be decided by nominated members on Tuesday 31st August 2010. For further information see

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