

<b>Delegated Report Members Briefing</b>		<b>Analysis sheet</b> N/A	<b>Expiry Date:</b> <b>25/06/2010</b>
			<b>Consultation Expiry Date:</b> <b>02/06/2010</b>
<b>Officer</b>		<b>Application Number</b>	
John Sheehy		2010/1105/P	
<b>Application Address</b>		<b>Drawing Numbers</b>	
Flat 9 39 Regent's Park Road London NW1 7SY		Refer to decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>
<b>Proposal</b>			
Installation of 2 x velux style roof lights on front roof slope, blocking of two existing window openings to east elevation and creation of one new window opening with Juliette balcony to top floor flat.			
<b>Recommendation:</b>	<b>Grant conditional permission</b>		
<b>Application Type:</b>	<b>Full Planning Permission</b>		

<b>Conditions:</b>	<b>Refer to Draft Decision Notice</b>
<b>Informatives:</b>	

## Consultations

<b>Adjoining Occupiers:</b>	No. notified	<b>22</b>	No. of responses No. electronic	<b>3</b> <b>1</b>	No. of objections	<b>2</b>
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<b>Summary of consultation responses:</b>	<p>Site notice displayed from 10<sup>th</sup> to 31<sup>st</sup> of May.</p> <p>The occupiers of the following properties objected to the application Flat 7 39 Regents Park Road and Flat L 37 Regents Park Road. In summary the following points were raised:</p> <ul style="list-style-type: none"> <li>• The velux windows proposed are not in keeping with the Victorian design of the property;</li> <li>• Proposal would “totally destroy” the character of the house;</li> <li>• Roof terrace would be inappropriate for this row of houses;</li> <li>• “Noisy balcony... will be a grave disturbance”;</li> <li>• Loss of privacy to neighbours</li> <li>• The roof is not constructed to accommodate this window structurally.</li> <li>• The flat roof is not designed or constructed for people to use as a balcony. The rafters are not designed to carry weight and there is no sound proofing. The two small windows are not for access to use the flat roof as a terrace.</li> </ul> <p>One comment received from occupier of Flat H, 37 Regents Park Road: “I hope this work will be carried out as quietly as possible and as quickly as possible. What on earth is a Juliette balcony?”</p>
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<b>CAAC comments:</b>	<p>Primrose Hill CAAC, qualified ‘no objection’: “We would normally object to rooflights on the front slopes of houses of this type in Regent’s Park Road, given a number of architectural considerations, such as the importance of the symmetry of the hipped roofs, their uninterrupted form, and the contrast with other groups of houses with hipped roofs with original dormers. In the case of this house, however, we have checked and established that – partly because of its height and partly because of its location – the traditional ‘conservation’ rooflight would not be visible even in the longest views possible of the roof, and, therefore, would not object. We would ask that it is made clear that this is exceptional and due to the exceptional circumstance of this specific house: it does not establish a precedent for other houses in this group, or in Regent’s Park Road more generally”.</p>
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## Site Description

The application relates to a semi detached 4-storey Victorian villa on the southern side of Regents Park Road containing 9 self-contained flats. The application relates to the top floor flat at the front of the property. The site is located within Primrose Hill Conservation Area. The building on the site is not listed; however, it is identified as making a positive contribution to the character and appearance of the Conservation Area.

## Relevant History

**February 1973** Planning permission granted for conversion to 9 self-contained residential units together with the erection of a 2-storey side extension, ref. 15318.

## Relevant policies

### 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

### Primrose Hill Conservation Area Statement

### LDF Core Strategy and Development Policies

*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.*

DP26 Managing the impact of development on occupiers and neighbours  
 CS14 Promoting high quality places and conserving our heritage

## Assessment

**Proposal:** the following works are proposed:

- installation of 2 velux style rooflights on the front roof slope; and
- blocking of two existing window openings to the east elevation and replacement with one new window opening [1.7m (H) x 0.7m (W)] with Juliette balcony.

## Assessment

### *Design/ impact on Conservation Area*

The rooflights would both be conservation style rooflights, flush with the plane of the roof slope. They would be located away from the side, roofs and eaves of the roof slope and would be in line with recommended dimensions contained in Camden Planning Guidance (minimum clearance of 0.5m on all sides). Both rooflights would measure 1.2m x 0.8m: they would be modest in size in the context of the roof slope within which they would be located and are considered to respect the robust character and visual integrity of the front roof slope.

The replacement window on the side elevation would measure approximately the combined area of the two windows which would replace and would relate to the other windows on the building in terms of form, pane size and materials (timber).

The alterations are considered to be relatively minor, not prominent in views from the street and in keeping with the architectural style of the application building and the surrounding area. The proposal is considered to preserve the character and appearance of the Conservation Area.

### *Impact on amenity*

During the course of a site visit, it was noted that the 2 existing side windows on the east elevation are clear-glazed and therefore already afford views of the neighbouring property. The proposal would not result in an intensification of views in this direction, and would therefore not result in a loss of privacy to neighbours. It should also be noted that the new window is to a bathroom, which is likely to mean that it is obscure glazed.

The proposed new window is lower/longer than either of the ones that are to be blocked up, which means that it could be possible to access the flat roof of the adjacent extension. Should this area be used as a terrace, this could open up new views into surrounding properties. A condition has therefore been attached to the decision notice to ensure that this area is used for maintenance and emergency purposes only.

Apart from improvement to light and ventilation, there would appear to be no logical reason to seek to install a larger window including a Juliette balcony to a very small room that is used as a bathroom. It may therefore be the case that the intention may be to facilitate access to the adjacent flat-roofed area. The flat roof would not be readily accessible from within the application flat, other than by climbing over the proposed Juliette balcony railing and through the narrow window opening; however, as noted above, access to this flat-roofed area could open up new views into surrounding properties to the detriment of neighbour privacy. To ensure that this flat-roofed area is not readily accessible to occupiers of the application flat, a condition has been added to ensure that the lower pane of the new window would be fixed shut.

### *Concerns raised by neighbouring occupiers*

It is not proposed to change the use of the flat away from its existing residential use: it is therefore considered that the proposal will not result in any additional noise to neighbouring occupiers.

The impact of construction noise on nearby residents is subject to control under Environmental Health legislation, under the Control of Pollution Act 1974 which sets out the approved hours of construction for works that can be heard at the boundary of a site. An informative is attached to the decision notice informing the applicant of the permitted hours of construction under the Act and the contact details of the Council's Compliance and Planning team should the applicant anticipate any difficulty in carrying out construction within the hours stated in the Act.

**Recommendation:** grant conditional permission

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