

Delegated Report		Analysis sheet		Expiry Date:		25/05/2010	
				Consultation Expiry Date:		13/05/2010	
Officer				Application Number(s)			
Jenny Fisher				2010/1847/P			
Application Address				Drawing Numbers			
66 King Henry's Road London NW3 3RR				Refer to decision letter			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of a glazed balustrade in association with the use of the roof as a terrace and an external staircase linking the roof with an existing first floor terrace for a single family dwelling (Class C3).							
Recommendation(s):		Refuse planning permission					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	05	No. of responses	01	No. of objections	01
				No. electronic	00		
Summary of consultation responses:		Objection from 26 Quickswood <ul style="list-style-type: none"> • out of keeping with all the other houses round about; • would enable owners to overlook neighbouring patios; • may damage structure of nearby houses; • would set a precedent. 					
CAAC/Local groups* comments: <small>*Please Specify</small>							
Site Description							
Part two/ part single-storey house developed in the second half of the 20 th C. as part of a larger homogenous development on the north side of King Henry's Road. The building is the central one of three fronting King Henry's Road with Conybeare leading into the estate to the west and Quickswood to the east. To the rear the site abuts flank walls of No.9 Conybeare and 26 Quickswood.							
The site does not fall within a conservation area.							
Relevant History							
Application site:							
18/02/1992 (9101275) Planning permission for the erection of extension at rear first floor level to the existing dwelling house							
10/01/2008 (2007/5453/P) Planning permission refused for the installation of an external stair linking first floor to roof level, a glass balustrade to enclose the roof and a roof light.							

Reason:

The proposed glass balustrade, by reason its height and location, would appear as an unduly prominent and alien feature which would interrupt the existing unaltered roofline to the detriment of the appearance of the terrace and the area generally, contrary to policies B1 (General design principles) and B3 (Alterations and extensions) of the London Borough of Camden Replacement Unitary Development Plan 2006 and advice contained within Camden Planning Guidance 2006.

Relevant policies

Replacement Unitary Development Plan 2006

SD6 (amenity),
B1 (general design),
B3 (alterations and extensions)

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.

CS5 (managing impact of growth),
DP26 (impact on occupiers and neighbours),
DP24 (secure high quality design)

Camden Planning Guidance.

Ch 15: design;
Ch 19: extensions and alterations;
Ch 41: roofs and terraces

Assessment

Proposed

The submission proposes the use of an area of the main roof as a terrace. The terrace would measure 8.5m. by 6m with a glass balustrade 1.1m. high installed at the roof edge. A new 1.1.m. high brick wall painted white would be erected to the rear between this property and the roof of No. 9 Conybeare.

A spiral staircase would provide access from the roof to the first floor terrace.

Previous application (2007/5453)

The current application is almost identical to the previous application refused 10/01/2008. The refused proposals included a glass balustrade and a spiral staircase linking the roof terrace proposed with the existing first floor terrace.

Main issues:

Impact on the appearance of the building, the street scene, and on the amenity of neighbours.

Appearance:

Although the building is not within a designated conservation area, it does command a highly prominent position, and is in the centre of a terrace of three that are very similar in design. The terrace is part of a homogeneous estate that includes buildings arranged symmetrically in groups including properties fronting Conybeare and Quickswood which all have flat roofs and are the same height. The houses have a small internal courtyard/terrace at ground floor level with a first floor terrace, accessed from a bedroom, overlooking the courtyard. Some have been granted planning permission to extend the building out over the first floor terrace. None of the buildings has a terrace on the main roof.

It is considered that the proposed development is contrary to Camden Planning Guidance which states that an addition to a roof is likely to be unacceptable where it would have an adverse effect on the skyline, appearance of the building and surrounding street scene. Guidance also states that roof alterations may be more acceptable where there is an established form of roof addition.

The proposed extension would destroy the symmetry of the buildings by introducing an alien feature and clutter on the roof that would be clearly visible from Conybeare and Quickswood and likely within long views when approaching the property from East or West along King Henry's Road. Clear views of the water tank from the opposite side of the road give an indication of the likelihood of this. The development fails to respect the uniformity and development pattern of the estate and the integrity and proportions of the original building. It would therefore harm the appearance of the host building, the group and the street scene, contrary to UDP

policies B1 and B3.

Policy B1 seeks development to be designed to a high standard and states that the Council will consider whether development respects the building lines in the surrounding area, as well as the height, bulk, scale and design of neighbouring buildings. The impact on views and skylines should also be taken into account. It is considered that works to the roof and the spiral staircase fail to respect site or setting.

The application also conflicts with policy B3 that considers whether the form, proportions and character of the building are respected and the architectural integrity of building is preserved. The homogeneity of the estate and architectural integrity of the building would be harmed because none of the other buildings in this or any other groups of buildings include development on the main roof.

Amenity:

Camden Planning Guidance (balconies and terraces) states that terraces should not be introduced where they result in an unreasonable amount of additional overlooking into any habitable rooms or the gardens of neighbouring properties.

While the previous relevant planning decision did not refuse on the basis of loss of privacy it was apparent during a site visit that there would be clear views from the proposed terrace and/or the spiral staircase into windows 9m. away (No. 7 Conybeare) and possibly closer (e.g. rear of No.9 Conybeare). The privacy currently enjoyed by people using their first floor terraces (privacy protected by orientation and dividing walls) would be lost. The proposal is therefore contrary to UDP policy SD6 which states that the Council will not grant planning permission for development that is considers would cause harm to the amenity of neighbours.

The spiral staircase would be similar to the existing staircase inside the house, and partially concealed by the existing brick wall to the rear of the building. It is considered that harm by reason of loss of daylight/sunlight or overlooking is unlikely from the roof terrace or the spiral staircase.

Conclusion:

Terraces should not be introduced where they would have an adverse effect on the townscape and the character of the host building and where they would result in an unreasonable amount of additional overlooking into habitable rooms.

The proposed roof terrace and spiral staircase is contrary to UDP policies referred to above and supporting design guidance.

Recommend: refuse permission.

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