

Delegated Report		Analysis sheet		Expiry Date:		11/05/2010	
		N/A / attached		Consultation Expiry Date:		15/04/2010	
Officer				Application Number(s)			
Rob Tulloch				2008/2950/P			
Application Address				Drawing Numbers			
50 Chalk Farm Road London NW1 8AN				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Retention of UPVC sliding doors and installation of juliette balcony in front of retained doors at rear first floor level.							
Recommendation(s):		Grant Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	15	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:		No responses received					
CAAC/Local groups* comments: *Please Specify		No responses received					

Site Description

The site comprises a three-storey mid-terrace building with a single-storey frontage. The ground floor is in Class A1 retail use and the upper floors are in residential use. The property is not located in a Conservation Area

Relevant History

EN06/0340 The unauthorised installation of uPVC sliding doors, timber decking and balustrade to form a roof terrace at the rear of 50 Chalk Farm Road. Notice issued 29/01/08

2005/3658/P Conversion of upper floors from shop (class A1) to a two-bedroom self-contained flat (class C3) with associated roof terrace at first floor front elevation. Granted 21/10/2005

2003/3699/P Change of use of shop from Class A1 (retail) to Class A3 (food and drink) involving alterations to the shopfront and the installation of extraction equipment. Refused 31/03/2004

Relevant policies

Replacement Unitary Development Plan 2006

SD6 Amenity for occupiers and neighbours

B1 General design principles

Camden Planning Guidance

Roofs and terraces

LDF Core Strategy and Development Policies

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

An enforcement notice was issued on 29/01/08 for the unauthorised installation of uPVC sliding doors, timber decking and balustrading to form a roof terrace. The reason for issuing the notice was that the terrace is located directly adjacent to habitable room windows of adjoining properties and permits direct views into them resulting in a loss of privacy and is therefore harmful to the amenities of adjoining occupiers. The notice requires the removal of the timber decking, balustrading and sliding doors.

The proposal is to remove the timber decking and balustrading, and erect a Juliette balcony in front of the sliding doors to prevent access to the flat roof, to comply with the requirements of the enforcement notice. The main issues are the visual impact of the proposal and its impact on the amenity of adjoining occupiers.

Visual impact

Removing the terrace and balustrading would restore the flat roof to its original state. This is required by the enforcement notice and is considered acceptable.

Although the enforcement notice requires the removal of the sliding doors, to prevent access to the flat roof, the proposal seeks to retain them. The enforcement report stated that "As installed, the sliding doors are not considered to cause demonstrable harm to the appearance of the building. In terms of design, the sliding doors appear to have been installed within the original window opening and are thereby considered to respect the general form and proportions of the building. There is an

existing uPVC window at rear second floor level, and on the basis that the rear elevation is not prominent in views from the public realm the use of uPVC in this location is not considered to be harmful.”

Therefore as the design of the sliding doors is considered acceptable and the Juliette balcony would prevent access to the flat roof, and thereby protect the amenity of adjoining occupiers, the retention of the sliding doors is considered acceptable. The Juliette balcony is considered acceptable in design terms because of its size and location at the rear and complies with the Council's planning guidance.

Amenity

The amenity issue is the use of the terrace causing direct overlooking to neighbouring habitable rooms. The Juliette balcony would prevent this. The sliding doors are the same size as the window they replaced and would not therefore on their own increase overlooking.

Recommendation

Grant Planning Permission

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