

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	03/05/2010
		N/A / attached		Consultation Expiry Date:	16/04/2010
Officer			Application Number(s)		
Katrina Christoforou			2010/0015/P		
Application Address			Drawing Numbers		
Heath Mansions Hampstead Grove London NW3 6SL			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of metal railings to perimeter of flat roof to self contained residential units (Class C3).					
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	10	No. of responses	01	No. of objections	00
			No. Electronic	01		
Summary of consultation responses:	<p>A site notice was erected on the 26/03/2010. One neighbour at Romney's House, Holly Bush Hill offered support for the application. The comments are summarise below:</p> <ul style="list-style-type: none"> - Add support for the erection of railings to the roof. - We have discussed with the applicant how best to overcome overlooking of our property including setting back the railings on the relevant section of roof or ensuring soft green landscaping all year round. The application prefers landscaping which we support. 					
CAAC/Local groups* comments: *Please Specify	<p><u>Heath and Hampstead Society:</u> Objection</p> <ul style="list-style-type: none"> - We always object to the creation of roof terraces at roof level. This is a particularly offensive example. - Very large areas of terrace would result with extensive and intrusive overlooking of properties on all sides. <p><u>Hampstead CAAC:</u> No response</p>					

Site Description

The four storey residential mansion block containing a number of flats has frontages on Hampstead Grove and The Mount. The site is within the Hampstead Conservation Area and a number of the surrounding buildings are listed.

Relevant History

2004/3853/P (Withdrawn 07/04/2005): Installation of new railings over parapet walls at perimeter of flat roof of residential building and replacement of other existing metal railings with upright centres.

2005/2365/P (Refused 05/08/2005): Erection of new metal railings to perimeter of flat roof and replacement of other existing metal railings with new metal railings to allow for the use of the roof as a roof terrace, and installation of decking.

Reason for refusal: The proposed use of the roof as a roof terrace is likely to result in unreasonable overlooking to the detriment of the amenity of the occupiers of No.8 Hampstead Grove contrary to policies EN1 (General environmental protection and improvement), EN19 (Amenity for occupiers and neighbours) and DS5 (Visual privacy and overlooking standards) of the London Borough of Camden Unitary Development Plan 2000.

2005/3750/P (Withdrawn 21/09/2005): Erection of new metal railings over parapet walls to the perimeter of the main flat roofs, to allow for the use of the roof as a roof terrace, and installation of decking.

2005/3809/P (Granted 02/12/2005): The erection of new metal railings over the existing parapet walls on the perimeter of the main flat roof, to allow for the use of the roof as a roof terrace, and installation of decking on the flat roof to the residential block of flats.

Relevant policies

Replacement Unitary Development Plan 2006

SD1- Quality of life
SD6- Amenity for occupiers and neighbours
B1- General design principles
B3- Alterations and extensions
B6- Listed buildings
B7- Conservation Areas

Supplementary Planning Guidance:

- Camden Planning Guidance 2006
- Hampstead 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.

CS1- Distribution of growth
CS5- Managing the impact of growth and development
CS14- Promoting high quality places and conserving our heritage
CS17- Making Camden a safer place

DP24- Securing high quality design
DP25- Conserving Camden's Heritage
DP26- Managing the impact of development on occupiers and neighbours

Assessment

1.1 The building has two flat roof areas connected by an external staircase. The higher level is located on the west side closest to Hampstead Grove and the lower level to the east side looking onto The Mount. The roof has an existing access from the main internal landing area. As existing, the roof is bounded for the most part by a low parapet. Areas without a parapet have an iron metal rail with mesh and some areas have both. The proposal is to formalise the flat roof areas for use as a terrace through the erection of new metal railings to a height of 1.1m to be fixed to the inside of the parapet or to the flat roof and for the laying of timber or tiled decking. The proposed railings are described as being painted black or silver galvanised finish. The proposals are almost identical to those approved as per planning permission 2005/3809/P, Granted 02/12/2005 which was not implemented and expired in December 2008.

Privacy and overlooking

1.2 The railings would mainly be located at the edge of the flat roof area behind the parapet. To mitigate overlooking of the surrounding properties sections of the proposed railings have been recessed from the edge of the flat roof area. On the lower roof area (east) the proposed railings would be set in from the edge of the roof by a maximum of 3m to mitigate any direct overlooking of neighbouring number 8 The Mount and number 4 Hampstead Grove. Views towards the side window of one of these properties would be available from the edge of the flat roof, but at an angle as the windows would be a storey below. The recessing of the railings along this part of the roof is considered to overcome this issue.

1.3 On the upper level, the railings on the eastern side (looking onto the lower roof) would be recessed by 1m. This is to help mitigate overlooking of the internal courtyard windows of the application building. Given the angle from the flat roof across the narrow space with the nearest windows two storeys below there is not considered to be an overlooking issue from this view point.

1.4 The railings have also been recessed on the north facing edge of the southern part of the upper flat roof. This part of the building projects slightly allowing views back towards the main elevation facing Hampstead Grove. The recess is intended to prevent overlooking of the top floor flat nearest to this section. This issue was raised at the time of the previously approved application. Again the affected windows would be a storey below and the lines of sight would not be direct, however, the recess is considered to prevent any overlooking of the residential accommodation.

1.5 The letter of support came from a resident of Romney House which is located to the south of the application building. The various neighbouring buildings along this side of the application site are a minimum of one full storey lower than the terrace and this combined with the orientation of windows implies that direct overlooking of habitable rooms would not occur.

1.6 When on the lower terrace looking back westwards towards the upper terrace there would be a degree of overlooking of the upper level flats within the application building. This would mainly be onto kitchens, obscure glazed bathroom windows and internal corridor spaces both communal and private. This relationship with the flat roof is existing and it is not therefore considered that this should form a reason for refusal. Given the size of the flat roof area it is unlikely that users of the roof would congregate in this small area and cause nuisance. In addition, the residents of the building would benefit from the increased amenity of formalised roof terrace area which provides views across London.

1.7 It should be noted that this application relates to an existing flat roof area with an existing access. Technically, there are no planning restrictions preventing occupants of the building from using the flat roof as an external amenity space. The proposals would not therefore alter the existing situation in terms of overlooking and privacy.

1.8 It is therefore considered that the proposals comply with policy SD6 and that the amenity of occupiers and neighbours would be preserved.

Design and appearance

1.9 From ground floor level it is unlikely that the proposed railings will be particularly visible from the street. Certain long views may be available. Black traditional style railings are a feature of the lower levels of the building and if this style is maintained it is not considered that the railings would add an unacceptable level of visual clutter and would not have any significant affect on the overall appearance of the building. The

drawings describe the proposed railings as 'black painted or silver galvanised finish'. It is recommended that a condition be attached to any permission requiring that the railings be painted black so as to be in keeping with the existing. The proposed deck would not be visible from anywhere apart from on the terrace itself and is therefore considered to be acceptable. It is considered that the character and appearance of the host property, the neighbouring listed buildings and the conservation area would be maintained in accordance with policies B1, B3, B6 and B7.

Recommendation:

Grant planning permission.

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613