

DISCLAIMER

Decision route to be decided by nominated members on Monday 24th August 2009. For further information see

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

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|--|--------------------------------|---------------------------|--------------------------------------|------------|
| Delegated Report (Members Briefing) | | Analysis sheet | Expiry Date: | 24/08/2009 |
| | | N/A / attached | Consultation Expiry Date: | 14/08/2009 |
| Officer | | | Application Number(s) | |
| Max Smith | | | 2009/2582/P | |
| Application Address | | | Drawing Numbers | |
| Flat D 23 Belsize Park Gardens London NW3 4JH | | | See decision notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
| | | | | |
| Proposal(s) | | | | |
| Alterations to existing terrace to provide steel railings and new french windows to residential flat (Class C3). | | | | |
| Recommendation(s): | Grant planning permission | | | |
| Application Type: | Full Planning Permission | | | |

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|---|---|----|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 20 | No. of responses | 02 | No. of objections | 02 |
| | | | No. Electronic | 01 | | |
| Summary of consultation responses: | Neighbours were consulted by letter and a site notice displayed outside the property. Letters of objection were received from two flats in the adjoining 21 Belsize Park Gardens. The following concerns were raised. <ol style="list-style-type: none">1. Impact on the privacy of existing 2nd floor roof terrace and garden at 21 Belsize Park Gardens. The absence of adjacent balconies at present offers considerable privacy. The proposal is only 2.5m away from their balcony.2. Planters to provide screening could only provide limited privacy.3. Access to the bay roof at present is limited due to the sash window and low parapet.4. Loss of value to 21 Belsize Park Gardens.5. The flat roof of the bay has never been used as a balcony.6. Loss of amenity from noise emanating from the balcony. | | | | | |
| CAAC/Local groups* comments: *Please Specify | Belsize CAAC has been consulted. No response received. | | | | | |

Site Description

A four storey semi-detached building divided into flats. The property is located within the Belsize Conservation Area.

Relevant History

No relevant history.

Relevant policies

Camden Replacement Unitary Development Plan 2006

- SD6 – Amenity for Occupiers & Neighbours
- B1 – General Design Principles
- B3 – Alterations & Extensions
- B7 – Conservation Areas

Belsize Conservation Area

Camden Planning Guidance 2006

Assessment

Proposal.

A painted steel railing would be installed at 2nd floor level on the top of a bay window to enclose the space for use as a terrace. The existing sash window would be replaced with timber French doors to provide access.

The applicant states that the top of the bay is already in use as a 'balcony'. It is currently possible to access the roof of the bay window through the large window with the roof top enclosed by a low parapet wall. However, the height of the parapet wall at present put a significant constraint on the usefulness of the roof as amenity space.

Main Considerations

- Visual amenity
- Residential amenity

Visual Impact

The railings and door would match very similar features installed at the same level at 21, 25 and 27 Belsize Park Gardens. The proposal would increase the symmetry of the pair of properties of which it is a part and as such would be a minor improvement to the character of the conservation area. The proposed materials and design of the railings and door would also be in keeping with the conservation area. The proposal therefore complies with policies B1, B3 and B7 of the UDP.

Residential Amenity

The railings are of too small a scale to affect neighbours in terms of loss of light and no views into the habitable rooms of neighbouring properties would be obtainable. The development would facilitate greater overlooking into the gardens of nos. 21, 23 and 25. However, the gardens of all three properties are already well overlooked by existing balconies and terraces at both 1st and 2nd floor level. It is not therefore considered that the proposal would result in a significant loss of privacy to any of the gardens compared to the existing situation. Likewise, the potential for noise disturbance would be no greater than any of the neighbouring balconies.

Finally it is not considered that loss of privacy to an existing terrace could form the basis for refusing the application. Whilst the proposal would be close to an existing terrace at no.21, it is not considered that an exposed area at 2nd floor level is a place where a high level of privacy could reasonably be expected. In any case, privacy would only be compromised when both terraces were in use at the same time. Camden's Planning Guidance also specifies that balconies/terraces should not cause unreasonable overlooking into habitable rooms or gardens of neighbouring properties, but not other terraces.

Due to the narrow depth of the terrace and the tight angle of views available from this terrace it is considered that the proposed terrace will not result in a detrimental level of overlooking into adjoining properties and therefore is considered to comply with Policy SD6.

Recommendation: Grant permission.