

Address:	Flat 10B, Dennington Park Mansions 267 West End Lane London NW6 1QS	
Application Number:	2008/5693/P	Officer: Hannah Parker
Ward:	West Hampstead	
Date Received:	25/11/2008	
Proposal: Alterations to the roof including removal of part of pitched roof to create a flat roof, together with the installation of perimeter iron balustrades and glass staircase enclosure to allow access to roof terrace from third/fourth floor flat.		
Drawing Numbers: Site location plan; 208015/PP_01-P1, PP_02-P1, PP_03-P2, PP_04-P2, PP_05-P2, SK01 and SK02.		
RECOMMENDATION SUMMARY: Grant planning permission subject to conditions		
Applicant:	Agent:	
Mr Robert Logan 10B Dennington Park Mansions 267 West End Lane LONDON NW6 1QR	Andrew Green	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3	<i>Dwelling House</i>	<i>0m²</i>
Proposed	C3	<i>Dwelling House</i>	<i>Approx 22.2 m²</i>

OFFICERS' REPORT

Reason for Referral to Committee:

The application was reported to Members' Briefing on 16th and 23rd March 2009. Members requested that the application be considered by the Development Control Committee [Clause 3 (ix)].

1. SITE

- 1.1 The application site is Flat B, 10 Dennington Park Mansions, 267 West End Lane which is located on the corner of West End Lane and Inglewood Road. Whilst the postal address is no. 267, this is in fact just the entrance to the mansion block on the upper floors of the terrace. The flat to which the application relates is on the top two floors of no. 279 West End Lane, and is accessed via an entrance from the back of the property.
- 1.2 No. 279 forms the end of a terrace of 3-storey buildings which have commercial uses at ground floor level and residential accommodation [Dennington Park Mansions] on the upper floors. The immediately adjoining properties in the terrace have an additional storey at roof level, such that this property is a storey lower than its neighbours. No. 279 has a hipped roof, which sits against the higher party wall with no. 277. It should also be noted that several of the immediately adjoining properties have railings enclosing the flat roof of the mansard roof – these railings are set towards the front building line, and are very prominent in views from the street.
- 1.3 The property on the other side of Inglewood Road is a much more substantial 4-storey property; again with commercial use at ground floor level and residential accommodation [Inglewood House] on the upper floors.
- 1.4 The site is situated in the West End Green and Parsifal Road Conservation Area; the building is not listed.

2. THE PROPOSAL

- 2.1 Alterations to the roof, including removal of part of pitched roof to create a flat roof, together with the installation of perimeter iron balustrades and glass staircase enclosure to allow access to roof terrace from third/fourth floor flat.

3. RELEVANT HISTORY

3.1 2008/4285/P

An application was submitted on 25/09/08 for alteration to roof profile including partial removal of pitched roof, installation of balustrades and glass enclosure to create roof terrace accessible from third/fourth floor flat. The application was withdrawn on 27/11/08.

4. CONSULTATIONS

Conservation Area Advisory Committee

4.1 West End Green CAAC

We strongly recommend refusal. We either have a conservation area or not. The materials proposed are not in keeping. The shape of the roof is altered to disagreeable proportions of design. The scale is inappropriate. Totally out of keeping with the conservation area, guidelines and design.

4.2 Local Groups

No response received.

4.3 **Adjoining Occupiers**

	Original
<i>Number of letters sent</i>	78
<i>Total number of responses received</i>	04
<i>Number of electronic responses</i>	02
<i>Number of objections</i>	04

4.4 **Adjoining owners/occupiers**

The occupiers of Flats 9, 13 and 17 Queens Court, 222-234 West End Lane and 5 Inglewood House have raised objection to the proposed development on the following grounds:

- Increase in overlooking and loss of privacy (into habitable rooms);
- Noise disturbance from barbeques and parties and, unlike the nearby bars, no guaranteed “closing time”, thus preventing sleep;
- This will be an eyesore;
- Loss of outlook;
- Adverse impact on conservation areas; and
- Loss of pitched roof unacceptable/ loss of traditional roof pitch.

Note that these objections are addressed in the assessment section of the report

5. **POLICIES**

5.1 **Replacement Unitary Development Plan 2006**

S1/S2 Sustainable Development
SD6 Amenity for occupiers and neighbours
B1 General Design Principles
B3 Alterations and extensions
B7 Conservation areas

5.2 **Camden Planning Guidance 2006**

Section 41 – Roof and terraces

6. **ASSESSMENT**

6.1 The key issues that are relevant to the assessment of this application are:

- Impact on the Host Building and Conservation Area
- Neighbourhood Amenity

6.2 **Impact on the Host Building and Conservation Area**

- 6.3 The creation of the roof terrace will involve the flattening of the front portion of the roof (i.e. removing the pitch and creating a flat roof). The rear roof slope will remain unchanged. Although the introduction of the roof terrace and associated alterations [balustrades and staircase enclosure] will fundamentally alter the form of the roof of this property, the existing roof, which is surrounded by a parapet, is not visible from the street, and thus the change to the roof form will not harm the appearance of the building or the character and appearance of the conservation area. In addition, it should be noted that the existing form of the roof is very different from those of the surrounding properties, and also that there is no consistency or uniformity in terms of the rooflines and roof forms of the application site and its immediate neighbours.
- 6.4 The proposed materials are considered acceptable. The use of glass for the stair enclosure is considered to be appropriate, considering its size and location. It will present as a lightweight structure, and will be set against the party wall with the adjoining property, which, as existing, is a storey higher than the floor level of the proposed terrace. The cast iron handrails match those that already exist on neighbouring properties at roof level.
- 6.5 The proposed glass staircase enclosure is set back from the roof edge by approximately 6m, and is only 2.8m high. This structure is sufficiently set back that it won't dominate the roof, and will not be generally visible in views of the building from the street. The iron perimeter handrails are also set back from the edge of the roof by 1.4m and, with a height of 1.2m, will be only minimally visible from street level.
- 6.6 Concerns have arisen regarding the visual impact of the roof terrace from street level. The only position from which it is likely to be visible is in long views from the eastern side of West End Lane from approx no. 246 upwards until the bend in the road makes the view impossible. Although it is acknowledged that glimpses of glass box may be visible in such views, it is considered that this will not be to an extent that would be intrusive.
- 6.7 As stated in para. 2.1 above, railings are already clearly visible on the flat roof of the mansards of the other properties in this terrace. This is clearly demonstrated in the photographs that are appended to the report. These railings are considered to have a detrimental impact on the appearance of the terrace and the character and appearance of the conservation area, but they do form part of the context within which the impact of the development that is proposed in this application has to be assessed. In this regard, the railings on the application site have been positioned to minimise their visual impact. It is considered that any glimpses of the railings and staircase enclosure that may be obtained in long views are not to an extent that would be harmful, especially when viewed within the context of the existing additions at roof level in the immediate vicinity.
- 6.8 The proposed development is not considered to harm the architectural integrity of the building and will have a minimal impact on the character and appearance of the conservation area, thereby complying with policies B1, B3 and B7.
- 6.9 **Neighbourhood Amenity**

- 6.10 The roof terrace, which will reduce the bulk and massing of the existing roof, will not have any impact on the access of daylight and sunlight to any of the neighbouring properties.
- 6.11 A number of objections have been received from the occupiers of neighbouring residential properties, who are concerned about overlooking and noise disturbance. In terms of overlooking, the neighbouring properties on the opposite side of West End Lane and Inglewood Road are a road width away, which is considered to be sufficient to prevent any significant loss of privacy to neighbours. The wall-to-wall distance between the application property and the property on the other side of West End Lane [Queen's Mansions] is approximately 45m, and between the application property and the property on the other side of Inglewood Road [Inglewood House] is approximately 25m. This is considerably in excess of the recommended separation distance in the CPG to ensure privacy i.e. 18m. Furthermore, the railings are set back from the edge of the roof by another 1.4m [ensuring that users of the terrace can not stand right on the edge of the roof] and there are already other terraces at this level along West End Lane, which have a similar [and indeed closer] relationship to their neighbours. The immediately adjoining property [no. 277 West End Lane] is a storey higher than the application site, and thus will be separated from the proposed terrace by a blank party wall that is a storey high – therefore, there will be no direct impact on it.
- 6.12 In terms of noise, it is unreasonable to presume that the occupiers of this property will use the outdoor space late into the evening or make excessive noise to an extent that is inconsistent with the general use of outdoor amenity space in the form of roof terraces and balconies that are associated with residential accommodation, and which are a characteristic feature of densely developed inner urban areas such as this. It is not an unusually large outdoor space and is a road width away from the objector's properties [distances as set out in para. 6.11 above]. There are other roof terraces a similar distance away from the objectors on the opposite side of West End Lane. Whilst it is accepted that late night use of any outdoor amenity space including gardens can potentially cause disturbance to neighbouring properties, this is likely to happen occasionally rather than regularly, and needs to be balanced against the fact that it is desirable to allow the provision of amenity space for residential accommodation that would otherwise have no private exterior space.
- 6.13 In respect of the concerns about overlooking and noise disturbance, the proposed development is considered to be consistent with Policy SD6 of the UDP.

7. **CONCLUSION**

- 7.1 It is considered that the proposed development would not harm the appearance of the host building or the character and appearance of the conservation area, and that it is therefore in compliance with policies B1 (General Design), B3 (Alterations and extensions), B7 (Conservation Area). It is also considered that it will not adversely affect the amenity of adjoining occupiers in compliance with policy SD6 (Neighbourhood Amenity).

7.2 It is recommended that planning permission be granted, subject to a condition requiring the railings to be set back as proposed – this is necessary to preserve both visual and neighbour amenity.

8. **LEGAL COMMENTS**

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.