

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	09/06/2008
		N/A		<b>Consultation Expiry Date:</b>	08/07/2008
<b>Officer</b>			<b>Application Number</b>		
John Sheehy			2008/1275/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Flat 3 37 Platts Lane London NW3 7NN			Refer to draft decision notice.		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal</b>					
Erection of a conservatory extension at rear first floor level, and installation of a balustrade to allow use as a roof terrace.					
<b>Recommendation:</b>		Refuse permission.			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	12	No. of responses	6	No. of objections	6
			No. electronic	1		
Summary of consultation responses:	Site notice displayed 17 <sup>th</sup> June to 8 <sup>th</sup> July 2008.  Objections were received from occupiers of the Flat 2, 37 Platts Lane(x3), 33 Platts Lane(x2), 2b Briardale Gardens. The following points were raised: <ul style="list-style-type: none"><li>• The proposal would result in a loss of privacy to occupiers of 37 Platts Lane and adjoining properties;</li><li>• The proposal would be visible from street level on Briardale Gardens and would not be in keeping with the character of the surrounding area;</li><li>• The detailed design of the proposed extension would be out of character with the host building and would be inappropriate given the age and period of the host building.</li></ul>					
CAAC/Local groups comments:	Redington/ Frogna! CAAC: no objection.  Heath & Hampstead Society: object to the application as it would result in a loss of privacy to residents of the building on the application site and adjoining occupiers					

### **Site Description**

The application site is located on the western side of Platts Lane, a curved residential street to the east of Finchley.

The building on the site is a semi-detached property and comprises basement, ground, first and second floors. It is divided into 4 self-contained flats.

The building is not listed, but is situated within the Redington/Frognal conservation area. The conservation area statement confirms that the building makes a positive contribution to the conservation area.

### **Relevant History**

None

### **Relevant policies**

#### **Camden Development Plan 2006**

S1,S2 Sustainable Development

SD6 Amenity for occupiers and neighbours

B1 General design principles

B3 Alterations and extensions

B7 Conservation Areas

#### **Camden Planning Guidance 2006**

**Redington and Frognal Conservation Area Statement**

## Assessment

**Proposal:** the application relates to the first floor flat. The proposal is for the erection of a conservatory extension at rear first floor level and installation of a balustrade around the rear flat-roofed area to allow the use of this area as a roof terrace.

The conservatory extension would be 4.1m in width and would project from the rear wall of the building by 2.1m. It would have a pitched roof which would meet at a point at the centre.

## Assessment

The principal consideration material to the determination of this application is the impact on the amenity of neighbouring occupiers.

### Amenity

The proposal use of the flat-roofed area at rear first floor as a roof terrace is considered to result in a material loss of privacy to occupiers of both adjacent properties, 35 and 39 Platts Lane, as it would increase access to the flat-roofed area. This would allow views into the habitable rooms of 35 and 39 Platts Lane. These views would be over a distance of between 2.1m and 4.3m which is not considered to be an adequate separation distance to safeguard the visual privacy of occupiers of the adjacent properties.

It is noted that the occupier of the flat currently appears to have access to the flat-roofed area, however, planning permission has not been granted for use of this area as a roof terrace. It is considered that the grant of planning permission for the use of the area as a roof terrace, with a balustrade around its perimeter, would result in a more intensive use of this area to the detriment of neighbour amenity.

It is recognised that the neighbouring property, 35 Platts Lane, has a first floor rear roof terrace. No record of the grant of permission for this roof terrace has been found. However, council records indicate that the rear terrace has been in existence since at least 2002, i.e. for a continuous period of over 4 years, and could now be considered immune to enforcement action.

The proposed extension complies with the 45-degree daylight angle on both plan and elevation, as recommended in the Building Research Institute publication "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" by P.J. Littlefair and Camden Planning Guidance. The proposal is not considered to result in any demonstrable harm to the daylight or outlook from either adjacent property.

### Design

The original proposal was for an aluminium/ UPVC – framed conservatory extension. The applicant revised the detailed design of the proposal and specified that the extension would be timber-framed. In terms of design the revised conservatory echoes the Victorian style of the host building. While upper level conservatories are generally discouraged within Camden Planning Guidance, the revised design is considered to be of an appropriate quality in this location. The proposed conservatory extension is considered to be of an appropriate scale and is not considered to be excessively dominant or obtrusive. On balance the proposal is considered to be consistent with UDP Policies B1, B3 and B7.

The proposed balustrade to the roof terrace, because of its detailed design would not be appropriate to its Conservation Area location. However, if the application was to be recommended for approval, this issue could be controlled by a condition. It is therefore not considered to constitute a reason for refusal.

**Recommendation:** refuse permission on grounds of loss of visual privacy.

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