

Delegated Report (Member's Briefing)		Analysis sheet		Expiry Date:		03/11/2006	
		N/A		Consultation Expiry Date:		11/10/2006	
Officer				Application Number(s)			
Bethany Arbery				2006/3864/P			
Application Address				Drawing Numbers			
Flat 6 35 Belsize Park Gardens London NW3 4JJ				See draft decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		Date:		
Proposal(s)							
Enlargement of existing rear facing roof terrace in front of existing dormer window including the provision of a new glazed balustrade in association with the third floor flat.							
Recommendation(s):		Grant conditional permission					
Application Type:		Full Planning Permission					
Conditions:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	19	No. of responses	00	No. of objections	00
Summary of consultation responses:		A site notice was displayed from 20.09.06 to 11.10.06. No responses from the occupiers of adjoining properties.					
CAAC/Local groups comments:		<p>Belsize Residents Association Although this enlargement would be to the rear of this property, it would be very destructive of the character of this typical Belsize Park Villa, at roof level and also set unacceptable precedents. It is far too large, especially in width, extending over the full width of the house, and also too high, extending down virtually to gutter level. Both of these features go against the guidance given in the draft Camden Planning Guidance document which we support in this respect. Too big, too obstructive and damaging to the architecture. <u>Response:</u> The proposed works have been revised so that the balcony is to be extended in depth, but not in width. The revised proposal, extending the balcony in depth and installing glazed balustrading, replicates works granted on appeal at 39 Belsize Park Gardens in 2003.</p> <p>Belsize CAAC Object to proposed widening of the roof terrace, proposed glass balustrade, loss of additional roof slope and erosion of the roof slope. <u>Response:</u> The proposed works have been revised so that the balcony is to be extended in depth, but not in width. The revised proposal, extending the balcony in depth and installing glazed balustrading, replicates works granted on appeal at 39 Belsize Park Gardens in 2003.</p>					
Site Description							
The application site is a semi-detached property located on the south-west side of the street. The building comprises lower, upper ground, two upper floors and third floor loft storey. It is in residential use as 6 self-contained flats; this application relates to Flat 6, which occupies the third floor. The building is not listed, but is situated within the Belsize Conservation Area.							

Relevant History

35 Belsize Park Gardens

No relevant planning history.

39 Belsize Park Gardens

PWX0202578 - Planning permission was granted at appeal on 29.09.03 for the alteration and extension of three existing dormer windows, including the erection of roof terraces front and rear, to enlarge the existing flat in the roofspace.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

London Borough of Camden adopted 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.

Supplementary Planning Guidance (2002) and (2006)

Roof and terraces

Belsize Conservation Area Statement (2003)

Assessment

Proposal

Planning permission is sought to enlarge the existing rear facing roof terrace in front of existing dormer window and provide new glazed balustrading.

Amendments

The original proposal included widening the existing roof terrace towards the boundary with no. 33 Belsize Park Gardens. Following officer advice, this been amended so that the terrace remains the same width as existing.

Considerations

The existing dormer window does not fully comply with SPG guidelines as it is set too close to the roof hip. The proposal does not intend to alter the dormer window, but to increase the size of the existing terrace set in front of the dormer. The proposal originally sought to increase it in width by 1.4m towards the boundary with no. 33 Belsize Park Gardens, and in depth by 0.9m. As a result, this would have reduced the roof apron beyond that suggested in the SPG. The distance of the dormer/terrace from the eaves would be reduced to 300mm from 500mm and the distance to the boundary would have been reduced to 200mm.

It is noted that there was an application at 39 Belsize Park Gardens for enlargement of 3 existing dormer windows. The application was refused by the Council, but was allowed at appeal in 2003. This appeal decision is a material planning consideration of considerable weight in the determination of the current application. In his report, the Inspector stated that he had given consideration to policies EN13, EN24 and EN31 of the adopted UDP (2000) and Section 2.8 of the SPG. These UDP policies have since been replaced by B1, B3 and B7 of the Replacement UDP (2006), but their general thrust remains the same. Section 2.8 of the SPG remains the Council's most up-to-date guidance document on roofs and terraces. The Inspector acknowledged that the terrace would not be situated behind a roof apron in the manner recommended in the SPG, but would nevertheless be set back from the eaves. Consequently, he was of the view that it would not be an unduly prominent feature and concluded that the proposed alterations to the front dormer and roof would not harm the character or appearance of the Belsize Park Conservation Area.

In terms of the relationship of the proposed enlarged terrace to the eaves and the installation of the glass balustrading, the original application submitted here reflects the same elements that the Inspector considered in the appeal for no. 39. The only additional element is the extension of the balcony and balustrading in front of the dormer window towards the boundary with the neighbouring semi-detached property. This element is viewed as highly contentious by the Council, resulting in a balcony which is inappropriately sized and positioned and which has an uncomfortable relationship with the dormer window and fenestration below.

Following advice from officers, the application has been amended so that, whilst the terrace is increased in depth, the width remains the same. The revised proposal therefore replicates that granted at appeal on 39 Belsize Park Gardens and therefore whilst it is regrettable that it does not comply with SPG guidance, in the light of the appeal decision it is difficult for the Council to resist the scheme on this basis.

Recommendation: Grant conditional permission.

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