

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	02/10/2006
		N/A		Consultation Expiry Date:	12/09/2006
Officer			Application Number(s)		
Matthew Durling			2006/3157/P		
Application Address			Drawing Numbers		
36 Priory Road London NW6 4SJ			Refer to draft decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		Date
Proposal(s)					
Erection of (1.8m high) privacy screens and (1.1m high) railing, plus replacement of two windows with French doors to facilitate the use of the flat roof of the single-storey extension as a terrace as a revision to planning permission granted on 02/08/2004 (ref: 2003/3607/P) for change of use of the existing 2-bedroom self-contained flat on the ground floor to 2 x 1-bedroom self-contained flats, together with the erection of a single-storey rear extension.					
Recommendation(s):		Grant conditional permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	36	No. of responses	05	No. of objections	01
Summary of consultation responses:	<p>A site notice was displayed from 22/08/06 to 12/09/06.</p> <p>The occupiers of the Garden Flat, 38 Priory Road and 34B Priory Road have raised objection on the following grounds:</p> <ul style="list-style-type: none">The roof terrace will allow overlooking and noise disturbance; <i>Response: The privacy screens will prevent overlooking of windows serving habitable rooms. Overlooking of the rear gardens will not be made worse than that from the existing window openings. Use of the flat roof as a terrace is unlikely to increase noise and disturbance beyond existing levels given the presence of rear gardens.</i>The proposed wall will be unsightly and reduce light into the adjoining flats; <i>Response: The privacy screens which add additional height, but not depth to the extension will not result in a significant loss of light or heightened sense of enclosure to neighbouring properties..</i>The proposal is not in keeping with the style of the property or the conservation area; <i>Response: The proposal is of a satisfactory design that respects the character and appearance of the property and the conservation area.</i>Existing roof terraces are set back from the boundaries with adjoining properties and lightweight screening is provided rather than substantial brick walls; <i>Response: The roof terrace is set back from the boundary with 34 Priory Road. It is not possible to set it back from 38 Priory Road given that it is a semi. It is considered that 'lightweight' screening would not be appropriate in this context and would not respect the appearance of the property.</i>Concern about 'creeping development' and future consent for enclosure of the roof terrace; <i>Response: An application to enclose the roof terrace would be considered on its own merits.</i>The property is subdivided into bedsits with a high rate of transient occupiers with little or no regard for the state of the garden or their neighbours; <i>Response: This is not a material planning consideration.</i>The 1999 application which included a roof terrace and is referred to by the applicant was withdrawn. <i>Response: Whilst the original scheme was withdrawn a revised application was granted 19/07/99 and included a roof terrace.</i> This is not an amendment to the 2004 approved permission. <i>Response: This is an amendment to the approved permission granted 02/08/04.</i>					
CAAC/Local groups comments:	None consulted.					

Site Description

The application site which comprises ground and three upper floors is a semi-detached Victorian property located on the east side of Priory Road close to its junction with Abbot's Place. The site is within the Priory Road Conservation Area. The building is not listed.

Relevant History

02/08/2004: Planning permission granted (reference 2003/3607/P) for change of use of the existing 2-bedroom self-contained flat on the ground floor to 2 x 1-bedroom self-contained flats, together with the erection of a single storey rear extension.

19/07/1999: Planning permission granted (reference PW9902285/) for the erection of a two storey rear extension.

08/03/1996: Planning permission refused (reference 9501709) for the erection of a single storey rear extension to ground floor flat and formation of vehicle access and car hardstanding at front.

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 UDP 2006

S1/S2 Sustainable development

SD6 Amenity of occupiers and neighbours

B1 General design principles

B3 Alterations and extensions

B7 Conservation areas

Supplementary Planning Guidance (2002) and (2006)

Roofs and terraces

Assessment

Proposal:

Planning permission was granted in 2004 for the erection of a single storey rear extension, and change of use of the ground floor level accommodation from one unit to two. This current application is for works to facilitate the flat roof of the single-storey extension as a roof terrace and comprises;

- The erection of (1.1m high) railings plus (1.8m high) privacy screens on the south and north edge of the flat roof of the single-storey extension to facilitate its use as a terrace;
- The replacement of a sash window with French doors at first floor level on the rear elevation to facilitate access to the roof terrace.

Revisions:

- The replacement of a further sash window with French doors at first floor level on the rear elevation and the erection of a further privacy screen in the centre of the terrace to divide it into two.

Assessment:

The main issues requiring assessment include the impact of the proposal on the amenity of neighbouring properties, the impact of the proposals on the character and appearance of the property and also the Priory Road Conservation Area.

As part of the assessment of the earlier application (reference 2003/3607/P), the single storey extension was

found to cause no material harm to the amenity of either of the adjoining occupiers. It is considered that the erection of an 1800mm rendered privacy screen to both side elevations is also acceptable and will not cause harm to the amenity of these occupiers. The extension and privacy screen are sufficiently set back from the boundary with 34 Priory Road to prevent any significant loss of light or outlook to this property. The privacy screen on the northern elevation will project 3.0m along the boundary with 38 Priory Road. As there is to be no increase in the depth from that approved there will no significant loss of light or outlook to the 38 Priory Road. The screens will ensure there is no overlooking of habitable room windows to either of the adjoining occupiers. The rear garden areas are already overlooked by existing terraces and windows, and it is not considered that this proposal would exacerbate the situation.

Given that the first floor of the property is in use as a HMO, the application has been revised and a further screen erected in the centre of the terrace to protect the amenities of the residents and to prevent overlooking and loss of privacy between rooms. The provision of outdoor amenity space is welcomed for this accommodation.

There are a number of roof terraces (and gardens) in the vicinity of the application site, including to the adjoining property at 34 Priory Road. It is therefore considered that the proposed development would not increase levels of noise and disturbance beyond existing levels or significantly enough to justify refusal on amenity grounds. There is no evidence to suggest that noise and disturbance will be above and beyond that normally associated with the domestic use of the dwelling. It should be noted that in the event that excessive noise and disturbance were to occur Environmental Health have the right to intervene if it is causing a statutory nuisance.

In design terms, the proposal is considered to be acceptable. The privacy screens will be rendered white to match the single storey extension and will complement the host building and adjoining property. It is felt that more 'lightweight' screening (i.e. glass) would contribute to visual clutter on the rear elevation and would be inappropriate in this context. The erection of a 1100mm high railing to the rear elevation is also considered to be acceptable and will ensure the development is not visually intrusive and does not have an overbearing impact on the original building. The roof terrace will not be visible from the public realm and as such would cause no harm to the streetscene. It would not be detrimental to the character or appearance of the conservation area. The proposal to replace two windows with French doors is also considered to be acceptable, particularly given the existing window openings will be largely retained to respect the rear elevation of the property. It is recommended that a condition is added to ensure that the replacement doors are timber-framed to match the existing timber sash windows.

Recommend: Approval.

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