

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		11/09/2006	
		N/A / attached		<b>Consultation Expiry Date:</b>		N/A	
<b>Officer</b>				<b>Application Number(s)</b>			
Hugh Miller				2006/2954/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
173 & 173A Fortess Road & 108 Burghley Road London NW5 2HR				Drawing No 014.911.21A; Correspondence			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		<b>Date:</b>		
<b>Proposal(s)</b>							
Details pursuant to condition 2 (glazed screening) of planning application 2005/1451/P for change of use of restaurant (Class A3), conversion of ancillary residential accommodation on upper floors above retail unit. All in connection with the formation, 1x1 bed, 2x2 bed and 1x3 bed flats (class C3).							
<b>Recommendation(s):</b>		Granted					
<b>Application Type:</b>		Approval of Details					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses	00	No. of objections	00
<b>Summary of consultation responses:</b>		N/A					
<b>CAAC/Local groups* comments:</b> *Please Specify		N/A					

## Site Description

The site comprises two sections. A three storey terraced property with retail use (vacant) on ground floor and residential accommodation above (vacant), situated on the west side of Fortress Road at corner with Brecknock Road. In addition a two-storey element to the rear of above terrace fronts onto Burghley Road and was last used as a café and associated storage (class A3).

The site is surrounded by terraced properties with retail use on ground floor and residential above to the south, and on the opposite side of Brecknock Road to the east. A warehouse adjoins at the rear to the west and Ackland Burghley School is situated on the opposite side of Burghley Road to the north.

The site is not within a conservation area.

## Relevant History

June 2005 Pp was granted and subject to Section 106 legal agreement for change of use of restaurant (Class A3), conversion of ancillary residential accommodations on upper floors above retail unit. All in connection with the formation, 1x1 bed, 2x2 bed and 1x3 bed flats (class C3). A roof terrace adjacent the Burghley Road elevation is also proposed (ref. 2005/1451/P) and subject to condition as follows:

A 1.8 metre high opaque glazed screen, shall be submitted to and approved by the Council, shall be erected on the terrace at roof level prior to commencement of use of the roof terrace and shall be permanently retained and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies EN1 and EN19 of the London Borough of Camden Unitary Development Plan 2000.

August 2006 Pp refused for amendment to planning permission dated 9/6/2005 ref: 2005/1451/P (for change of use of restaurant (Class A3), conversion of ancillary residential accommodation on upper floors above retail unit. All in connection with the formation, 1x1 bed, 2x2 bed and 1x3 bed flats (class C3). AMENDMENTS RELATE TO A NEW roof terrace adjacent the Burghley Road elevation) AND involving reconfiguration to provide 3 x 1 bed and 2 x 2 bed flats and installation of a dormer window to rear roofslope of 173 Fortress Road (ref. 2006/2770/P).

## 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.

### RDD: 2006

SD6 –Amenity for occupiers and neighbours

B1 –General design principles

B3-Alterations & extensions

## Assessment

In June 2005 planning permission was granted and subject to Section 106 legal agreement for change of use of restaurant (Class A3), conversion of ancillary residential accommodation on upper floors above retail unit. All in connection with the formation, 1x1 bed, 2x2 bed and 1x3 bed flats (class C3). A roof terrace adjacent the Burghley Road elevation is also proposed.

The submitted details of the opaque glazed screen is pursuant to condition 2 of the recently granted permission as follows:

### Condition 2

*A 1.8 metre high opaque glazed screen, shall be submitted to and approved by the Council, shall be erected on the terrace at roof level prior to commencement of use of the roof terrace and shall be permanently retained and maintained thereafter.*

*Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies EN1 and EN19 of the London Borough of Camden Unitary Development Plan 2000.*

The applicant has submitted drawing no. 014-911-21A showing the proposed roof plan of the approved scheme which is annotated with the position of opaque screen on the roof terraces. The drawing includes a typical section at scale 1:20 of the powder coated steel posts and colourless opaque glazing all at 1.8m height. The screens would be erected on the roof terraces at nos. 173a Fortress Road and 108 Burghley Road. The height and location of the proposed screens are acceptable.

Recommendation discharge condition 2.

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