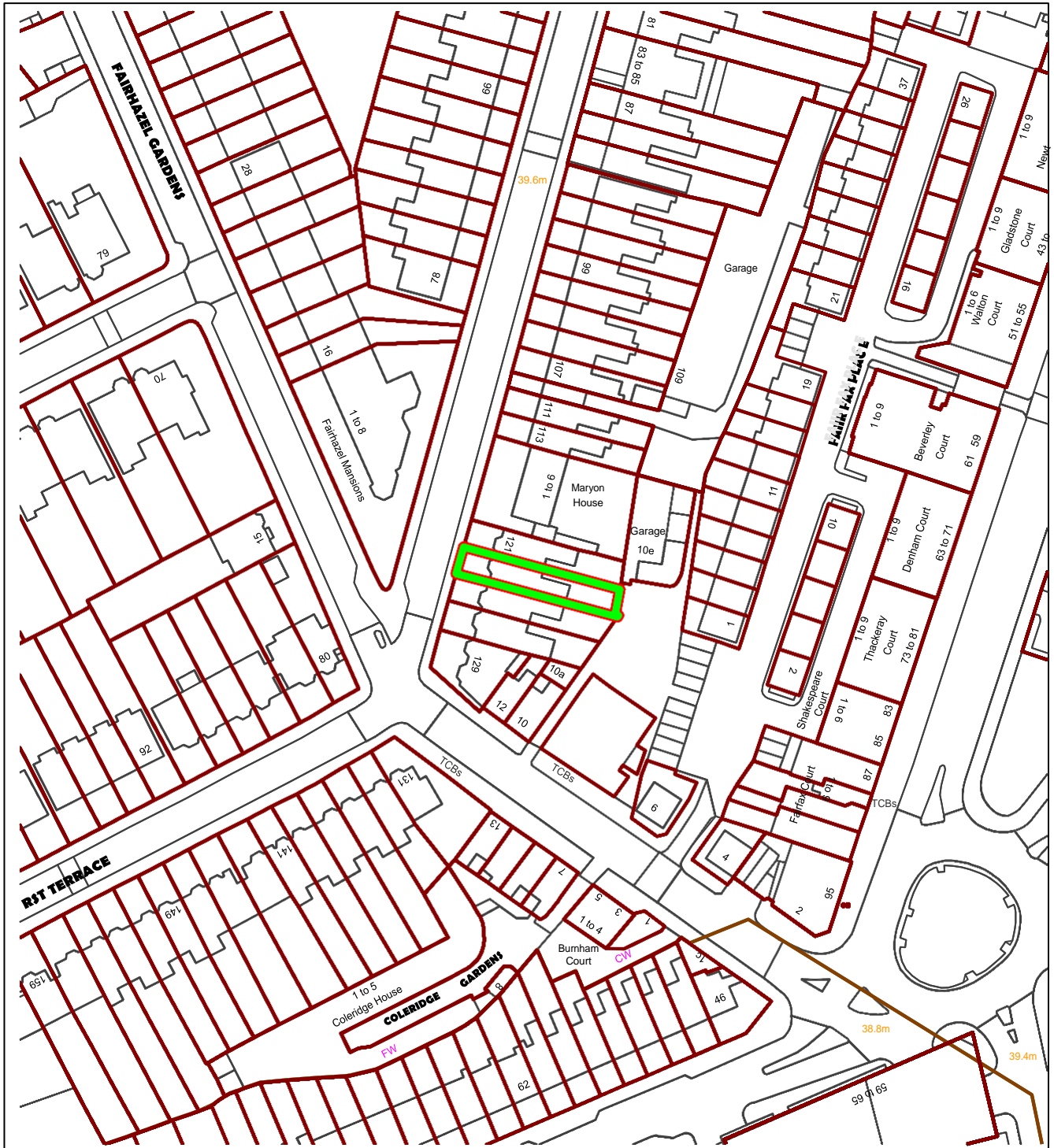


# 123 Goldhurst Terrace

## NORTHGATE SE GIS Print Template



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<b>Delegated Report Members Briefing</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	09/09/2014
		N/A / attached	<b>Consultation Expiry Date:</b>	04/9/2014
<b>Officer</b>		<b>Application Number(s)</b>		
Nanayaa Ampoma		2014/4565/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
123 Goldhurst Terrace London NW6 3EX		Please 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(s)</b>				
Erection of roof terraces at 2nd and 3rd floor levels to rear.				
<b>Recommendation(s):</b>	Approve Planning Permission			
<b>Application Type:</b>	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	20	No. of responses	03	No. of objections	03
			No. electronic	00		
Summary of consultation responses:	A Site Notice was displayed at the property for a period of 21 days between 13/08/2014 to 04/09/2014.					
	Adjoining neighbours were also notified. Three objections have been received. Specifically from:					
	✦ Flat 1,121Goldhurst Terrace					
	✦ Flat 2,121Goldhurst Terrace					
	✦ Flat 3,121Goldhurst Terrace					
	These comments can be summarised as follows:					
	✦ Flat 1, 121 were not notified of the application					
	✦ Works are in danger of jeopardising the structural integrity of property					
	✦ Builders disregard safety issues					
	✦ Proposal would devalue the property					
	✦ Building works are likely to cause noise and nuisance to neighbours					
	✦ Loss of privacy to flats at 121 Goldhurst Terrace					
	✦ No Building Regs applied for					
	✦ No Party Wall drawn up					
	✦ The property does not have permission to be used as three flats					
	✦ Proposed balcony would connect to existing balcony at Flat 3, 121 Goldhurst and would be unacceptable on design grounds.					
	Officer's response: Planning records indicate that all flats 1-3, 121 Goldhurst Terrace were notified in a letter dated 11 <sup>th</sup> August. The structural safety of building works are Building Control matters. The valuation of the property and Party Wall issues are not planning matters, however an informative will be attached to any approval ensuring that the applicant is aware of the need for a Party Wall Agreement.					
	An amendment has been made to the application to include privacy screens between the development and no.121 Goldhurst Terrace in answer to the objections on privacy.					
	The conversion of the application site into three flats does not appear to be					

	<i>related to any permission. This matter has been passed to the Planning Enforcement Team to investigate.</i>
<b>CAAC/Local groups* comments:</b> *Please Specify	The application site is within the South Hampstead Conservation Area. However no comments have been received from a CAAC or other local groups.

## Site Description

The application site relates to a three storey residential dwelling house which was once a single property. It is not clear when the property was built, however it is believed to date back to the Victorian times. The property is finished in exposed redbrick and white painted window and door frames. The property benefits from a rear roof extension with two windows looking towards the rear garden.

The property was given permission to be converted into two flats in the 1950's under application H6/5/20/5163. A visit to the site and documents submitted as part of the application suggests that the property is now three flats. However there appears to be no planning permissions for this change and it is not clear when this was implemented. As stated above, this matter has been passed to the Planning Enforcement Team to investigate.

The site falls within the South Hampstead Conservation Area. This was previously known as the Swiss Cottage Conservation Area until February 2011 when the name was changed to reflect the change in the spatial and historic relationship with Hampstead. The property is also the subject of an Article 4 Directive placed on it in September 2010. The Directive restricts alterations to the property's front, side and in some cases, rear elevation.

## Relevant History

**PWX0103112** Installation of two velux windows to front and erection of roof dormers to rear in association with provision of additional bedroom space for existing self-contained flat. As shown on drawing numbers: GTPP 1/4A, 2/4A, 3/4A, 4/4A. **Grant (31/05/2001)**

**P9602338R1** The erection of a single storey rear extension to the existing ground floor flat, as shown on drawing number 96/06/231 R1. **Grant (13-12-1996)**

**H6/5/20/5163** The conversion of No. 123, Goldhurst Terrace, Hampstead, into a self-contained maisonette and a self-contained flat. **Grant (10/06/1955)**

## Relevant policies

**National Planning Policy Framework (2012)**

**LDF Core Strategy and Development Policies**

**Core Strategy (2010)**

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

**Development Policies (2010)**

DP24 Securing High Quality Design

DP25 Conserving Camden's Heritage

## **Supplementary Planning Policies**

Camden Planning Guidance 1 Design

Camden Planning Guidance 6 Amenity

## **South Hampstead Conservation Area Statement**

### **Assessment**

#### **Proposal**

1.1 The application proposes to build:

- A balcony to the existing roof extension at 3<sup>rd</sup> floor with a privacy screen between the site and the property at no.121 Goldhurst Terrace
- A terrace at second floor. The proposed terrace measure 4 metres in length and 3 metres wide. A two metre obscure glazed screen is proposed at the east of the site looking towards the side of the property at 121 Goldhurst Terrace.

#### **Amendments**

2.1 Under the original application, the proposal involved a much deeper terrace area of six metres with a two metre by two metre screen at second floor looking towards the east of the site. Officers expressed concerns regarding the possible loss of privacy and terrace size. As a result of these concerns, amended plans were submitted reducing the terrace area and adding a privacy screen.

2.2 It should be noted that no additional consultation was made in regard to the amended plans as these reduced the impact of the development and would therefore have created less harm.

#### **Current Development**

3.1 Under CPG1(p:35), the main areas for consideration for these forms of developments are:

- ☐ The scale, visual prominence and general design of the development – Design;
- ☐ The effect on the established townscape and architectural style – Design;
- ☐ The effect on neighbouring properties – Amenity

#### *Design*

3.2 Policies CS14 of the Core Strategy and DP24 of the Development Policies states that the Council will require all developments including alterations and extensions to existing buildings, to be of the highest design standard in terms of the character, siting, context, form and scale to the existing building and the general area.

3.3 Policies CS5 (Core Strategy) and DP25 (Development Policies) states that the Council will only

give permission to developments in Conservation Areas if they preserve or enhance the character and appearance of the area.

3.3 Whilst the supplementary design guidance CPG 1, states that balconies and terraces should form an integral element in the design of the elevation. The key to whether a design is acceptable is the degree to which the balcony or terrace complements the elevation upon which it is to be located. Consideration should therefore be given to the following (p: 41):

- detailed design to reduce the impact on the existing elevation;
- careful choice of materials and colour to match the existing elevation;
- possible use of setbacks to minimise overlooking – a balcony need not necessarily cover the entire available roof space;
- possible use of screens or planting to prevent overlooking of habitable rooms or nearby gardens, without reducing daylight and sunlight or outlook; and
- need to avoid creating climbing opportunities for burglars.

3.4 The above guidance is applicable in the case of 123 Goldhurst Terrace.

3.5 Officers are of the opinion that whilst the original submission did not comply with the above requirements the amended scheme presents a design that is in keeping with CPG1. A visit to the site demonstrated that there are several balconies and roof terraces at neighbouring properties. Some larger than that being proposed here (no.200 Goldhurst Terrace: 2012/0250/P, no. 217: 2006/3843/P, no.125: 8703133, no.10 , no.10A,no.121 2007/1141/P). Neighbours to either side of the site have balconies and terraces. Therefore in terms of context, the development is not out of keeping.

3.6 The proposed balcony would sit alongside that at no.121 and be of a similar size and design. The proposed terrace relates better with the property and does not overpower the rear elevation. Therefore the application is compliant with policy.

#### *Amenity*

3.7 Under planning guidance CPG 6 which focuses on amenity, all developments are required to have some regard for the amenity of existing and future occupants. Policies CS5 (Core Strategy) and DP26 (Development Policies) state that the council will protect the quality of life of existing and future occupiers and neighbours by only granting permission for those developments that would not have a harmful effect on amenity. Such issues include visual privacy, overlooking, overshadowing, outlook, sunlight, daylight and artificial light levels.

3.8 The application shares a boundary with nos.121 and 125 Goldhurst Terrace. Both of these properties have rear closet wing extensions attached to a shared neighbouring boundary wall. The application site shares its closet wing boundary wall with no.125. There is an existing parapet wall between the closet wing roofs which means that much of the proposed terrace area will be hidden away from this neighbour and would therefore have little impact. Any loss of privacy

is likely to be felt by no.121.

- 3.9 The existing arrangement in the area is such that many of the properties already overlook each other via existing balconies and terraces such as that at 10 and 10a Goldhurst Terrace. However to meet the existing LDF, the applicant has made the amendment to include privacy screens and set the terrace back as required by supplementary guidance CPG 1 sated above. Given that these changes have been implemented, officers are of the view that significant loss of privacy matters such as direct overlooking into the side windows at 121 and direct views into the balcony at 121 Goldhurst Terrace, have been adequately addressed. The development now meets policy requirements on amenity grounds.

#### *Neighbour objections*

- 3.10 Much of the comments and objections from neighbours have already been discussed above. However remaining comments are detailed below:

- A. **Building works are likely to cause noise and nuisance to neighbours** – An informative will be attached to the application regarding the Environmental Health construction times to help ensure that the applicant is aware what hours works can take place.
- B. **Building control issues** – An informative will be placed on the application regarding the need for Building Control approval. However it is the responsibility of the applicant to ensure they have sought out the necessary Certificates.
- C. **Proposed balcony would connect to existing balcony at Flat 3, 121 Goldhurst and would be unacceptable on design grounds** – The application has been assessed and deemed to be acceptable on design grounds. The proposed balcony would share the boundary wall with this neighbour. However the land belongs to the applicant and they may apply to develop it in any ways they wish.

**Recommendation: Approve application subject to conditions**

#### **DISCLAIMER**

**Decision route to be decided by nominated members on *[insert date here : eg Tuesday 2 April 2013]*. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'**



Mr Michael Lees  
Caryatid Architects  
20 Kings Avenue M  
uswell Hill  
LONDON  
N10 1PB

Application Ref: **2014/4565/P**  
Please ask for: **Nanayaa Ampoma**  
Telephone: 020 7974 **2188**

12 September 2014

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**123 Goldhurst Terrace**  
**London**  
**NW6 3EX**

Proposal:

Erection of roof terraces at 2nd and 3rd floor levels to rear.

Drawing Nos: OS Plan, 1408-12C, 1408-11C and Design and Access Statement

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise

specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans OS Plan, 1408-12C, 1408-11C and Design and Access Statement.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The use of the roof terrace and balcony shall not commence until the screens, as shown on the approved drawings, have been constructed. The screens shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Rachel Stopard  
Director of Culture & Environment

**DRAFT**

**DECISION**