

Delegated Report		Expiry Date:	29/08/2014	Officer:	David Peres Da Costa
Application Address		Application Number(s)	1st Signature	2nd Signature	
58 Belsize Road London NW6 4TG		2014/4149/P			
Proposal(s)					
Creation of terrace at rear 2nd floor level involving replacement of window with door and installation of railings.					
Recommendation(s):		Refuse planning permission			
Application Type:		Full planning permission			
Consultations	Date advertised	21 days elapsed	Date posted	21 days elapsed	
Press notice	10/7/14	31/7/14	Site notice	9/7/14	30/7/14
	Date sent	21 days elapsed	# Notified	# Responses	# Objections
Adjoining Occupier letters	7/7/14	28/7/14	8		2
Consultation responses (including CAACs):	<ul style="list-style-type: none"> • Loss of privacy to garden of 60A Belsize Rd • Loss of privacy to bedroom of flat at 1st floor level • Majority of terraces in the nearby area do not benefit from formal planning permission • The existing roof structure will not support the additional loads that a terrace would impose, a further loss of amenity would occur due to transmission of impact and airborne noise from the terrace and the existing parapet walls are of insufficient structural integrity to support railing 				
Site Description					
The site is a 4 storey (including lower ground floor) terrace property on the north side of Belsize Road (close to the junction with Fairhazel Gardens). The property falls within the South Hampstead Conservation Area but is not listed. Burnham Court is at the rear of the property.					
Relevant History					
2005/5521/P: Conversion of the existing upper maisonette into two 1-bed self-contained flats, and a new rooflight on the inner slope of the rear valley roof, and the erection of single storey rear conservatory to the existing flat at lower ground floor level. <u>Granted</u> 24/02/2006					
25966: The change of use of the ground, first and second floors to two self-contained dwelling units, including works of conversion. <u>Granted</u> 13/04/1978					

Relevant policies

LDF Core Strategy and Development Policies

CS1 (Distribution of Growth)

CS5 (Managing the Impact of Growth and Development)

CS14 (Promoting High Quality Places and Conserving Our Heritage)

DP24 (Securing High Quality Design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the Impact of Development on Occupiers and Neighbours)

Camden Planning Guidance (CPG 1 Design – chapter 5)

South Hampstead Conservation Area Statement

London Plan 2011

NPPF 2012

Assessment

Proposal: Permission is sought for a roof terrace at 2nd floor level (on the roof of the 3 storey projecting wing). A sash window would be replaced with a door and a 900mm railing would be erected around the perimeter of the projecting wing to provide a balustrade. The roof terrace would project 4m from the main rear elevation of the host property.

Assessment:

Design:

Camden Planning Guidance provides specific guidance on terraces. Balconies and terraces can provide valuable amenity space for flats that would otherwise have little or no private exterior space. However, they can also cause nuisance to neighbours. Potential problems include overlooking, loss of privacy and noise. A terrace provided at roof level should be set back behind the slope of a pitched roof, or behind a parapet on a flat roof. A terrace should normally comply with the following criteria:

- The dimensions of the roof should be sufficient to accommodate a terrace without adversely affecting the appearance of the roof or the elevation of the property.
- Any handrails required should be well set back behind the line of the roof slope, and be invisible from the ground.
- It should not result in overlooking of habitable rooms of adjacent properties.

It is noted that the majority of the adjacent properties to the east have 2 storey projecting wings with roof terraces at 1st floor level. However the subject property, unlike the neighbouring properties to the east, has a 3 storey projecting wing. A roof terrace at 2nd floor level would be more prominent because of its elevated position. The proposed roof terrace would be visible from the junction of Fairhazel Gardens and Burnham Court (at the rear of the terrace) and from Burnham Court itself.

The neighbouring property (to the west) 60 Belsize Gardens has a 3 storey projecting wing with roof terrace. This roof terrace has a brick balustrade on two sides with a small section of brickwork continuing up to roof level. However, there is no record of planning permission for this terrace and it appears to be authorised. Therefore, this terrace does not provide a relevant precedent.

The erection of railings above the 3 storey projecting wing would increase the prominence of this wing and further undermine the rhythm of the terrace.

Amenity:

There are windows of habitable rooms at first floor level on either side of the projecting wing. These windows are in close proximity to the proposed terrace. It is considered that the proposed terrace would result in harmful overlooking and loss of privacy to the occupiers of these neighbouring flats. A privacy screen would not be acceptable as it would be unduly obtrusive and would harm the rear elevation of the host property and the character and appearance of the conservation area. An objection has been received from the occupier of the neighbouring property who is concerned about the loss of the privacy to their garden. There would be a significant distance between the terrace and garden, 3 storeys below. The loss of privacy to the garden of No.60 is therefore not considered significant or harmful.

Conclusion

The proposed roof terrace at 2nd floor level would be uncharacteristic of the terrace, further eroding its uniformity and moreover would result in harmful overlooking and loss of privacy.

Recommendation: Refuse planning permission