

Delegated Report		Analysis sheet		Expiry Date:		26/11/2014	
		N/A		Consultation Expiry Date:		04/12/2014	
Officer				Application Number(s)			
Sam Watts				2014/6205/P			
Application Address				Drawing Numbers			
Flat C 8 Estelle Road London NW3 2JY				See decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Insertion of velux window/door on rear roof slope and creation of roof terrace with railings on rear wing of top floor flat.							
Recommendation(s):		Refuse planning permission.					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	17	No. of responses	01	No. of objections	01
				No. electronic	00		
Summary of consultation responses:		Press Notice displayed from 13/11/2014 – 04/12/2014 Site Notice displayed from 07/11/2014 – 28/11/2014. Neighbour at number 10 has objected to the additional terrace stating it would create noise at the level of their bedroom. Officers Response: See paragraph 3.1					
CAAC/Local groups* comments: *Please Specify		No response received from Mansfield CAAC.					

Site Description

The site consists of a maisonette located in a three storey terraced house on the east side of Estelle Road. The site is located in the Mansfield Conservation Area and is noted as positive contributor according to the Mansfield Conservation Area Appraisal and Management Strategy.

Relevant History

2009/5314/P - Additions and alterations to include the erection of a single storey side and rear extension and a second floor rear extension in connection with the change of use from single family dwelling into 6 bedroom HMO at first, second and third floor levels and 2 self contained flats at basement and ground floor levels including the creation of a basement with front and rear lightwells. – **Granted subject to a S106 legal agreement 13/09/2010**

Relevant policies

LDF Core Strategy and Development Policies

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

CPG1 (Design) (2013)

CPG6 (Amenity) (2011)

The London Plan (2011)

The NPPF (2012)

Mansfield Conservation Area Appraisal and Management Strategy (2008)

Assessment

1. Proposal is to create a roof terrace on the roof of the 3 storey rear wing at 3rd floor level including railings around its perimeter and a velux roof light giving access from the 3rd floor flat.

2.1 Policy DP25 of the LDF states that the Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. Paragraph 5.6 of CPG 1 (Design) states that roof extensions and alterations are likely to be *unacceptable* where there is likely to be an adverse effect on the skyline, the appearance of the building or the surrounding street scene.

2.2 CPG1 states that roof alterations are likely to be acceptable where alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form.

2.3 It is noted that no other terraces exist at this high level along this road except at no.12 (see 2.4 below). Although rear roof terraces exist at 2nd floor and appear to be an established part of the townscape here, these are at a lower level where railings and other paraphernalia of amenity terraces would be expected. However high level clutter of railings and screens and access doors near the roof eaves is considered more prominent and distractive to the roofline. Therefore it is considered that the proposed terrace, by reason of its associated visual clutter, does not preserve or enhance the character of the conservation area, townscape and roofscape, contrary to policies DP24 and 25.

2.34 Furthermore, the proposed balustrade would represent an incongruous addition to this building which would bear no relation to most of the existing roof form of the wider terrace. Policy DP25 states that the council will require all developments to consider the character and proportions of existing buildings. In this case, the proposed balustrade would be prominent at the rear.

2.3 The proposed terrace is therefore not considered to preserve and enhance the conservation area and should be refused as it is contrary to the guidance set out in paragraph 4.10 and 4.13 of CPG1 (page 27), page 27 of the Mansfield Conservation Area Appraisal and Management Strategy and DP24 and DP25 of the Local Development Framework.

2.4 Following from this, it is important to note that there is one roof terrace at 3rd floor level at no.12 which was permitted in 2004 under reference number 2004/3022/P. However, this was only a minor enlargement of an existing large 3rd floor roof terrace here and therefore it is not entirely analogous in this case. Moreover the decision was made prior to the introduction of CPG1 (2011) and Camden's current Local Development Framework (2011) and cannot therefore act as a precedent in this case. In addition, paragraph 24.13 states, "*Past alterations or extensions to surrounding properties should not necessarily be regarded as a precedent for subsequent proposals for alterations and extensions*".

2.5 In addition, the proposed rooflight, which incorporates an access door that straddles the roof eaves, is also much larger than any of the rooflights in any of the surrounding buildings. By virtue of its size and siting, it is not seen to respect the original form of the building nor character and appearance of the local area and neighbouring buildings. It is also not seen to respond closely to the prevailing scale, form and proportions of other rooflights in the area and as such is contrary to DP24 and DP25.

3.0 Amenity:

3.1 It is considered that the proposed terrace would result in overlooking the habitable room windows at rear of 10 Estelle Road, resulting in a loss of privacy for that property. This is contrary to LDF policy DP26 and CPG6 paragraph 6.6 (page 32) which states "if your proposal will have an unreasonable impact on amenity the planning application will be refused." The terrace is therefore unacceptable in amenity terms. Although such overlooking could be prevented by installing high privacy screens, these would have the unfortunate effect of being bulky and prominent at this level and introducing further visual clutter to the railings which, as explained above, are already unacceptable here. No harmful impact would occur to no. 6 as it would only overlook a staircase.

Recommendation: Refuse on design and amenity grounds.