

142a Agar Grove, London, NW1 9TY

2015/2698/P



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Site Photos –

Photo 1: Rear elevation of 142 Agar Grove with the red dashed line indicating the extent of the approved extension under 2014/7687/P



Photo 2: The rear of the building at 144 Agar Grove. The first floor terrace at 144b, that would lie immediately adjacent to the proposed terrace, is indicated by a red star

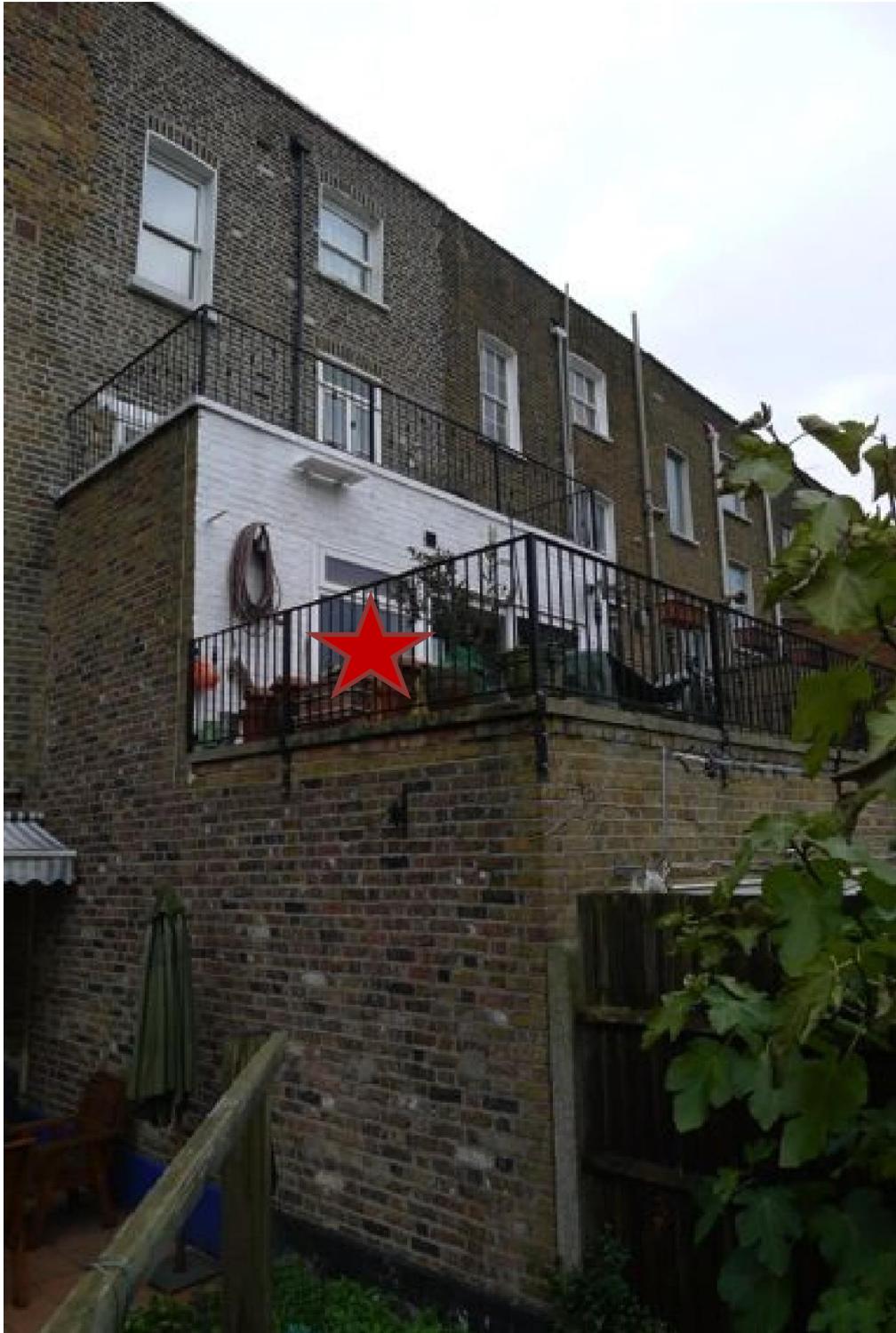


Photo 3: View from 1st floor terrace at 144b Agar Grove towards the rear elevation of the application site

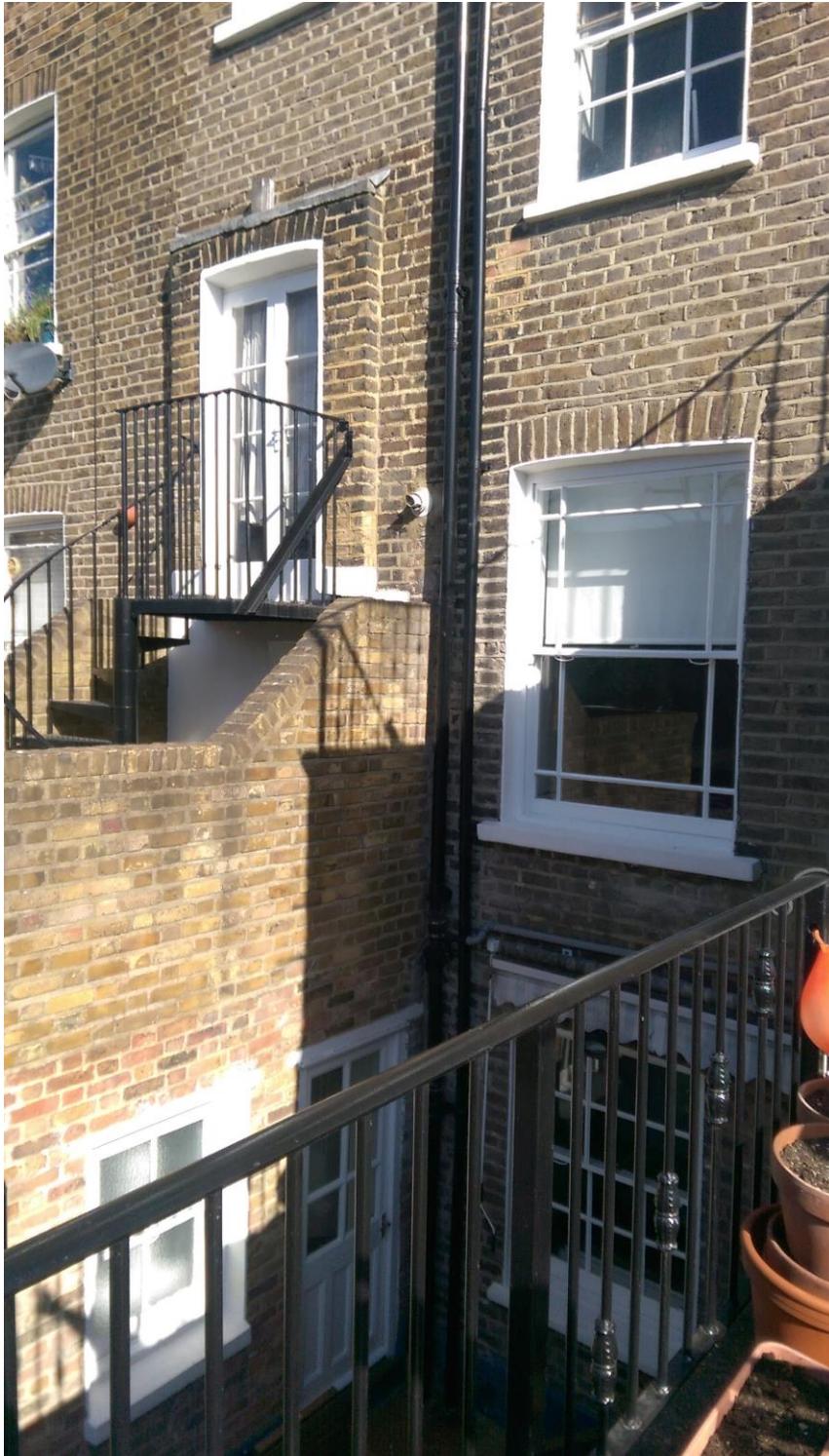


Photo 4: Rear elevation of the adjacent building at 140 Agar Grove (right of image)



Photo 5: Aerial view of the rear elevation of the application site and the adjoining neighbours. The application site is indicated with a red star



Delegated Report		Analysis sheet	Expiry Date:	08/07/2015
(Members' Briefing)		N/A	Consultation Expiry Date:	11/06/2015
Officer			Application Number(s)	
Jonathan McClue			2015/2698/P	
Application Address			Drawing Numbers	
142 Agar Grove London NW1 9TY			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Details of the privacy screens erected on the proposed rear terrace required by condition 4 of planning permission 2014/7687/P dated 02/03/2015 (part single storey, part two storey rear extension and the creation of a first floor terrace with screening)				
Recommendation(s):	Approve.			
Application Type:	Approval of Details			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	12	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Whilst this type of application does not normally involve formal consultations as it is not a statutory requirement, the immediate neighbours were sent acknowledgement of the application in good faith. This was done as the screening would affect those properties immediately adjacent to the application site.</p> <p>3 written objections were received from residents at 144a, 144b and 1st Floor 144 Agar Grove. A petition was attached to one of the objections. It has 14 signatures from residents on Agar Road. They largely consider the level of screening proposed to be excessive. The objections from the individual letters and petition are summarised below:</p> <ul style="list-style-type: none"> • The screening would block daylight and sunlight reaching the first floor level balcony at 144b Agar Grove. • Loss of outlook from 144b, particularly from a first floor level kitchen window. • Loss of property value of 144b. • Unattractive feature that is out of keeping with the surrounding area. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • The proposed screening would only occupy a section of the balcony and it would be glass in construction. It is not considered the screen would result in a loss of light would result. • The screening would extend 1.8m along the shared boundary and a good level of outlook would remain from the first floor balcony and rear windows at 144b Agar Grove. The glass screen has been designed so that no part of it would extend beyond a 45 degree line drawn from the centre of the kitchen window at 144b. • The loss of property value is not a material planning consideration. • The proposed glass material is not considered to significantly detract from the character or appearance of the surrounding area. It would be small in scale and would not amount to an excessive level of glazing. Due to its location to the rear it would not be visually prominent nor would it be visible from within the public realm. The majority of the balcony would use black railings to match the adjacent balcony at 144b 					
CAAC/Local groups comments:	<p>None were consulted as the application relates to an Approval of Details application. The consultation only included immediate neighbours as explained above.</p>					

Site Description

This application relates to an existing flat at 142a Agar Grove located over the lower ground and ground floors of a four storey mid-terrace building. A stairwell with a small terrace is located to rear of the building and serves flat 142b. It provides a means of escape and access to the rear garden area.

The attached building at 144 Agar Grove benefits from a full width part single, part two storey rear extension with terraces at first and second floor level. The first floor balcony belongs to the flat at 144b Agar Grove. The rear garden at 140 Agar Road lies behind a high boundary wall and the stairwell leading down to the garden from 142b Agar Road.

The host property lies within the Camden Square Conservation Area. The rear elevations of the terrace along this side of Agar Grove have been developed in a piecemeal fashion with rear additions of various heights, widths, depths and there is evidence of a mixture of materials used. Many of properties benefit from roof terraces of various heights and sizes. While mutual overlooking already exists within this parade of buildings, none of the existing terraces are located at the same height as an adjacent terrace on a shared boundary.

Relevant History

2014/7687/P: Planning permission was granted for a part single storey, part two storey rear extension to include a first floor terrace with screening on 02/03/2015. Details of the screening were submitted but further details to be approved were required by condition 4.

Relevant policies

NPPF 2012

London Plan March 2015, consolidated with alterations since 2011

Local Development Framework 2010

Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies

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) 2014

CPG6 (Amenity) 2011

Camden Square Conservation Area Appraisal and Management Strategy 2011

1.0 Background

1.1 Planning permission was granted on 02/03/2015 under 2014/7687/P for a part single storey, part two storey rear extension to an existing residential unit to form a new bedroom and living room area and the creation of a first floor terrace with screening. Condition 4 of the approval required further screening details:

“Details of the terrace privacy screens shown on Drawings 14AG_PL_03 Rev B, 14AG_PL_05 Rev A and 14AG_PL_07 Rev A hereby approved shall be submitted to and approved in writing by the local planning authority before the development commences. The screens shall be erected on the proposed rear terrace prior to the commencement of the use of the roof terrace and 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.”

2.0 Proposal

2.1 This application is seeking to discharge condition 4 (cited above) by providing details of the screening to be used on the proposed first floor terrace. After further site visits and consultation with the applicant and immediate neighbours, amended details of the screening have been submitted over the indicative plans that formed part of the approved planning application under 2014/7687/P.

2.2 The proposed screening would be located on the shared boundary of the proposed roof terrace and the existing terrace at 144b Agar Grove. It would extend 1.8m along the terrace at a height of 1.75m and be constructed out of translucent glass.

3.0 Design and Impact on the Camden Square Conservation Area

3.1 Due to the overall size of the proposal and its location to the rear of the building it would not be visually prominent within the surrounding area. The glazed material is considered appropriate in this location and would not significantly detract from the appearance of the rear elevation or the character and appearance of the Camden Square Conservation Area. Furthermore, the terrace would predominately be bordered by black railings which would be in keeping with the prevailing pattern of development, including the adjacent terrace at 144b Agar Grove.

4.0 Residential Amenity

Overlooking and loss of privacy

4.1 The proposed screening has been limited to the shared boundary with the adjacent terrace at 144b Agar Grove. This approach is considered acceptable.

4.2 A stairwell is located next to the proposed terrace which provides access to the rear garden for the occupiers of 142b Agar Grove. There is a small terrace area that benefits from a high parapet wall located within the stairwell. Due to the size of this terrace area, which is not a useable amenity space, and given that 142b benefits from a larger and more useable garden amenity space to the rear it is not considered that screening would be required between the terrace proposed here and the stairwell. Therefore, the proposal would not significantly harm either of the occupiers living conditions by way of overlooking or a loss of privacy.

4.3 Due to the setback and orientation of the terrace in relation to 140 Agar Grove and the existence of a high boundary wall and stairwell along the shared boundary, it is not considered that the proposed terrace would lead to a material level of overlooking into the rear windows or garden of those properties.

4.4 The proposed level of screening along the shared boundary with 144b Agar Grove would prevent mutual overlooking from the terraces into windows on the neighbouring rear elevation. While it would not extend across the entire depth of the terraces, it would provide an adequate amount of screening without unacceptably restriction levels of outlook from the terraces.

Loss of outlook, daylight and sunlight

4.5 Due to the setback and length (1.8m) of the screening it is not considered that it would result in a significant loss of outlook, daylight or sunlight to the occupiers of 144b Agar Grove. The screening would be glass in construction and no part of it would extend beyond a 45 degree line drawn from the centre of the kitchen window at 144b. The 45 degree test is usually applied to rear extensions. When a solid wall would not extend beyond a 45 degree line drawn from a rear facing window on plan form, it is considered that the development would not result in a loss of light or outlook that would detrimentally harm that window. As the proposal here is of glass construction, limited to a height of 1.75m (extensions along a shared boundary usually have a much greater height and a solid wall) and passes the 45 degree test, it would not lead to a loss of outlook, daylight or sunlight to the first floor rear windows at 144b. It is considered that the level of outlook from the rear balcony would be retained.

5.0 Conclusion

5.1 Overall, the proposal is considered acceptable on balance as it would protect the character and appearance of the conservation area by not introducing a substantial amount of glazing around the terrace whilst ensuring that there would not be any undue harm to neighbouring occupiers. The residential amenities of the prospective occupiers of the host property (142a Agar Grove) have been balanced with those of the occupiers at 144b Agar Grove. The screening is considered necessary as it would prevent some mutual overlooking between the existing and proposed terraces, which are the same height and lie immediate adjacent each other, while not significantly damaging the existing outlook enjoyed by the occupiers at 144b.

6.0 Recommendation: Approve the Details

DISCLAIMER

Decision route to be decided by nominated members on Monday the 29th June 2015. For further information please click [here](#)



Mr Matthew Shepherd
Mclaren Architecture+Design Ltd
261 Railton Road
London
SW9 9TA

Application Ref: **2015/2698/P**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 **4908**

17 June 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:
142 Agar Grove
London
NW1 9TY

DECISION

Proposal:

Details of the privacy screens erected on the proposed rear terrace required by condition 4 of planning permission 2014/7687/P dated 02/03/2015 (part single storey, part two storey rear extension and the creation of a first floor terrace with screening)

Drawing Nos: 14AG-PL-03 Rev A; 05 Rev A; 07 Rev A and Opaque glass screen details.

The Council has considered your application and decided to grant permission.

Informative(s):

- 1 You are advised that all conditions relating to planning permission 2014/7687/P granted on 02/03/2015 which need details to be submitted, have been approved.

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

Director of Culture & Environment

DRAFT

DECISION