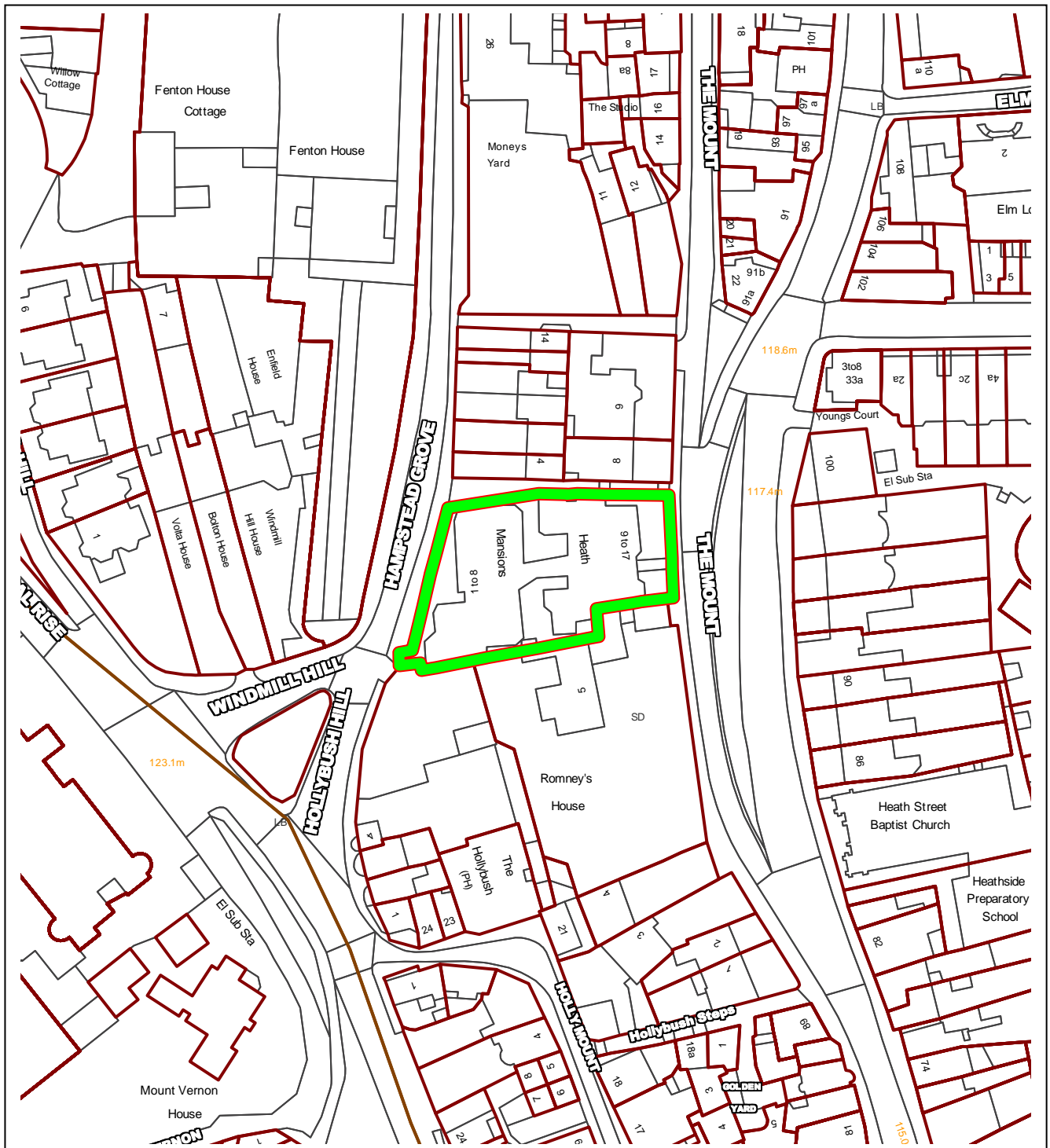


Heath Mansions, The Mount NW3 6SN



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Photo 1- View from The Mount looking south



Photo 2- View from Hampstead Grove looking south



Photo 3- View from Hampstead Grove



Photo 4- View from The Mount



Photo 5- View from Heath Street



Image 1- Taken from Bing aerial maps showing flat roof area

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	31/07/2015
		N/A		Consultation Expiry Date:	06/08/2015
Officer			Application Number(s)		
Tessa Craig			2015/3158/P		
Application Address			Drawing Numbers		
Heath Mansions The Mount London NW3 6SN			See decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of metal railings at the perimeter of the roofs of the building and use as a roof terrace.					
Recommendation(s):		Grant Planning Permission			
Application Type:		Planning Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	37	No. of responses	03	No. of objections	02
Summary of consultation responses:	One comment in support has been received from Flat 9, Heath Mansions. One objection has been received from 4 The Mount, objecting to the proposal on overlooking and noise pollution. These matters are dealt with under points 2.4 to 2.5 below.					
CAAC/Local groups* comments: *Please Specify	<u>Heath and Hampstead Society:</u> Objection - We always object to the creation of roof terraces at roof level. This is a particularly offensive example. - Very large areas of terrace would result with extensive and intrusive overlooking of properties on all sides. <i>These comments match the comments made under the expired permission 2010/0015/P.</i> Hampstead CAAC: No response					

Site Description

The four storey brick residential mansion block containing a number of flats has frontages on Hampstead Grove and The Mount. The site is within the Hampstead Conservation Area and a number of the surrounding buildings are listed. Heath Mansions are not listed but are a positive contributor to the conservation area.

The building has two flat roof areas (east and west) connected by an external staircase. The higher level is located on the west side closest to Hampstead Grove and the lower level to the east side looking onto The Mount. The roof has an existing access from the main internal landing area. As existing, the roof is bounded for the most part by a low parapet. Areas without a parapet have an iron metal rail with mesh and some areas have both.

Relevant History

Approved applications

2005/3809/P (Granted 02/12/2005): The erection of new metal railings over the existing parapet walls on the perimeter of the main flat roof, to allow for the use of the roof as a roof terrace, and installation of decking on the flat roof to the residential block of flats.

2010/0015/P (Granted 27/04/2010): Installation of metal railings to perimeter of flat roof to self contained residential units (Class C3).

Refused and withdrawn applications

2004/3853/P (Withdrawn 07/04/2005): Installation of new railings over parapet walls at perimeter of flat roof of residential building and replacement of other existing metal railings with upright centres.

2005/2365/P (Refused 05/08/2005): Erection of new metal railings to perimeter of flat roof and replacement of other existing metal railings with new metal railings to allow for the use of the roof as a roof terrace, and installation of decking.

Reason for refusal: The proposed use of the roof as a roof terrace is likely to result in unreasonable overlooking to the detriment of the amenity of the occupiers of No.8 Hampstead Grove contrary to policies EN1 (General environmental protection and improvement), EN19 (Amenity for occupiers and neighbours) and DS5 (Visual privacy and overlooking standards) of the London Borough of Camden Unitary Development Plan 2000.

2005/3750/P (Withdrawn 21/09/2005): Erection of new metal railings over parapet walls to the perimeter of the main flat roofs, to allow for the use of the roof as a roof terrace, and installation of decking.

Relevant policies

National Planning Policy Framework 2012

London Plan 2015 (consolidated with alterations since 2011)

Camden LDF Core Strategy 2010

CS5 Managing the impact of growth and development

CS14 (Promoting high quality places and conserving our heritage)

Camden Development Policies 2010

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance (updated 2013)

CPG 1 Design

CPG6 Amenity

Hampstead Conservation Area Statement October 2001

Assessment

1.0 Proposal

- 1.1 Permission is sought to formalise the two flat roof areas as a roof terrace with 1.1m high black metal railings around the perimeter of the roof. The railings would be black wrought iron, 1.1m high and fixed to the inside of the parapet wall or flat roof on the sections where there is no parapet. The terrace would have tiling or timber flooring laid as part of the formalising of the area.
- 1.2 Planning permission was previously granted on 02/12/2005 (2005/3809/P) and again on 27/04/2010 (2010/0015/P) for the same development, however both permissions subsequently lapsed without implementation. The principle of a roof terrace at this location has therefore already been established.
- 1.3 The officer assessing the application in 2010 concluded that the amenity of occupiers and neighbours would be preserved and that the character and appearance of the host property, the neighbouring listed buildings and the conservation area would be maintained. The policies and guidance used to assess planning applications have subsequently been updated (the LDF Core Strategy and Development Policies were in draft at the time of assessment) and altered and therefore a full assessment of the proposal has been made again below.

2.0 Assessment

- 2.1 The main considerations in relation to this proposal are the impact on neighbours' amenity and the design and visual impact of the roof terrace.

Amenity

- 2.2 CPG6 Amenity states: "Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The most sensitive areas to overlooking are:
 - Living rooms;
 - Bedrooms;
 - Kitchens; and
 - The part of a garden nearest to the house."
- 2.3 The proposed roof terrace shall include a 3m setback on the northern side of the east roof terrace mitigating any direct overlooking of neighbouring number 8 The Mount and number 4 Hampstead Grove and a 2m setback on the northern side of a portion of the west roof terrace, intended to prevent overlooking of the top floor flat in Heath Mansion nearest to this section. A 1m setback is provided on the east side of the west roof terrace to limit overlooking into the existing courtyard of Heath Mansions. These setbacks will help to avoid any overlooking into residential properties. Due to the height of Heath mansions, which is greater than any surrounding properties, there are no residential windows at the same level adjacent to the roof terrace which would be directly

overlooked by the terrace.

- 2.4 When on the lower terrace looking back westwards towards the upper terrace there would be a degree of overlooking of the upper level flats within the application building. This would mainly be onto kitchens, obscure glazed bathroom windows and internal corridor spaces both communal and private. This relationship with the flat roof is existing and it is not therefore considered that this should form a reason for refusal. Given the size of the flat roof area it is unlikely that users of the roof would congregate in this small area and cause nuisance. In addition, the residents of the building would benefit from the increased amenity of formalised roof terrace area which provides views across London.
- 2.5 The various neighbouring buildings located along the south of the application site are a minimum of one full storey lower than the terrace and this combined with the orientation of windows and setback terrace implies that direct overlooking of habitable rooms would not occur. The noise generated from the use of the roof terrace would be from a residential property and would not cause significant nuisance. The proposal is therefore considered acceptable in terms of amenity.

Design

- 2.6 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.
- 2.7 CPG Design guidance advises terraces on flat roofs should be behind the parapet. The dimensions should be sufficient to accommodate a terrace without adversely affecting the appearance of the roof or the elevation of the property. Hand rails should be invisible from the ground and the terrace should not result in overlooking of neighbouring properties.
- 2.8 The Hampstead conservation area statement advises care should be given to locating roof terraces so that they do not have a detrimental impact on the street scene, surrounding buildings or on the architectural quality of the building. They can be successfully concealed, for example behind parapet walls. They should not result in an unreasonable amount of additional overlooking or impact on long views in particular.
- 2.9 Given the height of the building, the proposed railings would not be overly visible in the street scene. Whilst glimpses of the railings may be possible from further afield, the setbacks, the existing parapet and the sympathetic wrought iron railings consistent with the lower level balconies would reduce the visual impact of the terrace. It is considered that the character and appearance of the host property, the neighbouring listed buildings and the conservation area would be maintained.

3.0 Recommendation

- 3.1 Grant conditional planning permission.

DISCLAIMER

Decision route to be decided by nominated members on Monday 24th August 2015. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Rudy Fattal
RD&D Associates
22 Norrice Lea
London
N2 0RE
United Kingdom

Application Ref: **2015/3158/P**
Please ask for: **Tessa Craig**
Telephone: 020 7974 **6750**

11 August 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
**Heath Mansions
The Mount
London
NW3 6SN**

DECISION

Proposal:

Installation of metal railings at the perimeter of the main flat roofs of the building and use of part of the flat roof as a roof terrace.

Drawing Nos: OS map, Design & Access Statement, RF-HM-S01, RF-HM-S02, RF-HM-S03, RF-HM-S04, RF-HM-P01, RF-HM-P02, RF-HM-P03 and RF-HM-P04.

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 policies 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 map, Design & Access Statement, RF-HM-S01, RF-HM-S02, RF-HM-S03, RF-HM-S04, RF-HM-P01, RF-HM-P02, RF-HM-P03 and RF-HM-P04.

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

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.

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

DRAFT

DECISION