

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>25/08/2015</b>	
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>		<b>03/08/2015</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Jennifer Chivers				2015/3681/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Endeavour House 179 -199 Shaftesbury Avenue London WC2H 8JG				LOC-01; LOC-02 RevA; EX - 11; EX - 10; SK10 Rev A; SK11 Rev A.			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Creation of external terraces with associated balustrades at 7th and 8th floor levels along New Compton Street elevation.							
<b>Recommendation(s):</b>		<b>Grant Planning Permission</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<b>Conditions or Reasons for Refusal:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							

## Consultations

Adjoining Occupiers:	No. notified	<b>60</b>	No. of responses	<b>3</b>	No. of objections	<b>3</b>
				No. Electronic	<b>0</b>	
<p>Summary of consultation responses:</p>	<p>Site Notice displayed 13/07/2015 - 03/08/2015</p> <p>Objections have been received from Lindsay House Residents Association, 30 New Compton Street and Flat 7 and 8, 30 New Compton Street. The issues referred to as follows:</p> <ul style="list-style-type: none"> <li>• Design and Access Statement is incorrect in stating that there are no residential neighbours in the immediate vicinity. There are residential properties at the adjacent premises (30 New Compton Street) specifically our property which are all residential in nature. <b>Officer's Response:</b> <i>The agent has updated the design and access statement and this statement has been removed. It is acknowledged that there are a number of adjacent residential properties surrounding the subject site.</i></li> <li>• There will be noise effects from the external roof terrace. We already experience noise effects from the adjacent roof terraces onto our roof terrace. <b>Officer's Response:</b> <i>The roof terrace is proposed to be utilised within office hours as a break out space for these offices. The use will be further restricted by condition restricting the hours of use.</i></li> <li>• There is no information on what the proposed hours of use will be of the terrace. <b>Officer's Response:</b> <i>The use is proposed to be ancillary to the office use and will be restricted to within office hours by way of condition.</i></li> </ul>					
<p>CAAC/Local groups* comments: *Please Specify</p>	<p><u>Covent Garden Community Association</u> comment-</p> <ul style="list-style-type: none"> <li>• The design and access statement is incorrect; there are residential properties within the immediate vicinity. These properties will be affected by an external roof terrace. The residential units directly across the road will be directly affected by the terrace. <b>Officer's Response:</b> <i>The agent has updated the design and access statement and this statement has been removed. It is acknowledged that there are a number of adjacent residential properties surrounding the subject site. .</i></li> <li>• If the Council is minded to approve the application, strict conditions must be included to protect the amenity of the many neighbouring residents. These should include limiting the hours of use (08.00 – 21:00), thus ensuring the terraces are only used for informal relaxation and lunch break space. No live or recorded music is permitted at any time and obscure glass to be installed particularly at the western end. <b>Officer's Response:</b> <i>These conditions have been accepted by the applicant and are incorporated as part of the decision notice. The terrace has also been reduced and pulled back from the edge nearest 30 New Compton Street with obscure glazing proposed.</i></li> </ul>					

## **Site Description**

The subject site is occupied by a nine storey commercial building with a retail unit at ground floor and office on all levels above. The building has a dual frontage, fronting both Shaftesbury Avenue and New Compton Street. The New Compton Street frontage is tiered away from the street from the 5<sup>th</sup> level, providing a flat roof section adjacent to each level.

The site is not located within a conservation area or subject to any other designations.

## **Relevant History**

2008/0588/P - Installation of one replacement air conditioning unit at roof level – Granted 19/02/2008

PSX0104473 - Installation of new condenser unit on roof top - Granted - 04/06/2001

## **Relevant policies**

### **National Planning Policy Framework**

**The London Plan March 2015, consolidated with alterations since 2011.**

### **LDF Core Strategy and Development Policies**

#### **Core Strategy**

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS9 Achieving a successful Central London

#### **Development Policies**

DP13 Employment sites and premises

DP24 Securing high quality design

DP26 Managing the impact of development on occupiers and neighbours

### **Camden Planning Guidance**

CPG 1 (Design) 2015

CPG 6 (Amenity) 2011

## Assessment

### 1.0 Proposal

1.1 The proposal involves the construction of external roof terraces with balustrades on the flat roof areas at 7<sup>th</sup> and 8<sup>th</sup> floor levels along the New Compton Road elevation.

1.2 The relevant dimensions:

- The seventh floor terrace would be approximately 2 metres in depth at the deepest point, for a width of 23 metres. The terrace would be set back 2 metres from the eastern end with a 1.7 metre obscurely glazed glass balustrade.
- The eight floor terrace would be approximately 1.7 metres in depth, for a width of 27 metres. The proposed terrace would have a glass balustrade of approximately 1.1 metres, where the final two metres would increase to a height of 1.7 metres incorporating additional obscured glass.

### 2.0 Assessment

2.1 Main issues for consideration are:

- Design
- Impact on Amenity

### 3.0 Design

3.1 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.

3.2 Camden Planning Guidance 2 (Design) states that in the case of a balcony or terrace, they should form an integral element in the design of elevations. 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 detailed design and impact on existing, materials, use of setbacks and screening.

3.3 The principle of roof terraces have been established within the immediate environment with a number of existing roof terraces located around the subject site, specifically located at 3-4 St Giles Piazza, Pendrall House (1-28 New Compton Street) and 167-177 Shaftesbury Avenue (30 New Compton Street).

3.4 The host building is a modern design with large proportions of glazing along both elevations. The proposed glass balustrades would therefore complement the design of the existing building. The glazed balustrade would also be transparent and would not add additional bulk to the building levels.

3.5 As the additional floor levels are tiered, the proposed terraces would not be visible when viewed from street level.

### 4.0 Amenity

4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be "designed to protect the privacy of both new and existing dwellings to a reasonable degree"

and states that the Council will “aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers

#### *Privacy*

- 4.2 Neighbours have objected to the proposal due to concerns with overlooking particularly on 30 New Compton Street. From the upper level windows at the eastern end of the host property, views are afforded over 30 New Compton Street (roof terrace) and Pendrall Street.
- 4.3 The proposed roof terrace has been reduced to address concerns of the residents. The terrace will be set back from this boundary by approximately 2 metres and screened by a 1.7 metre glazed screen. The windows of these flats do not face the proposed terrace and as such there would be no overlooking into habitable room windows. Therefore the proposal would be of no greater detriment in terms of overlooking than the existing arrangement.
- 4.3 It is not anticipated that further overlooking would be experienced by those residential units contained within 45 New Compton Street, given the existing views afforded from all levels of the existing building.
- 4.4 Given the size, floor level and proximity to neighbouring windows, the use of the terrace/balcony would not result in overlooking or noise disturbance to the detriment of the neighbouring occupiers. In addition, the building would be occupied within office hours, therefore its likely impact is further limited to periods of the day the flats are more likely to be vacant. The hours of operation will be controlled via condition to ensure that there are no adverse effects to surrounding properties.

#### *Daylight/Sunlight*

- 4.5 The proposed terrace is located within the existing tiered parts of the building. Further the proposed balustrade will be constructed of glass to a height of 1.1 metres. The structures will be lightweight in appearance and transparent. The proposal will not result in any loss of light to surrounding properties.

**Recommendation:** Grant Conditional Planning Permission

#### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 14<sup>th</sup> September 2015. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for ‘Members Briefing’.**