

CONSULTATION SUMMARY

Case reference number(s)

2015/4026/P

Case Officer:

Rob Tulloch

Application Address:

8 Dennington Park Road

London

NW6 1BA

Proposal(s)

Variation of condition 3 (approved plans) of planning permission 2014/5515/P dated 29/09/2014 (for the erection of a single storey rear extension), namely alterations to stairs and balustrading.

Representations

Consultations:	No. notified	16	No. of responses	1	No. of objections	1
					No of comments	0
					No of support	0

Summary of representations

The owner/occupier of Flat 2, 8 Dennington Park Road have objected to the application on the following grounds:

The plans do not match the works already carried out and the railings terminate directly in front of their bedroom window.

(Officer response(s) in italics)

The applicant originally installed a metal balustrade which was right in front of the neighbour's window. This resulted in an enforcement complaint, however an application for a minor material amendment was in the process of being validated.

The location of the balustrading was considered unacceptable and the application was revised to replace the metal railing with a solid wall, similar to the original, with a metal handrail above. The handrail would be curved so it rises in between the neighbour's windows rather than directly in front of them.

Flat 2 also claims that the external landing has been raised by 2 brick courses or 180mm (this is based on the assumption that imperial bricks are 3.5" or 889mm (sic)). They state that the increase in level will increase overlooking to their bedroom and is not necessary as the step down could be up to 220mm in line with the building regulations. If the landing was reduced to its original height there would be no need to comply with the building regulations as there would have been no alteration.

The applicant states that the landing has only been raised by just over one brick course or 100mm (and has submitted photographs showing that one brick and mortar is approximately 75mm). The applicant's states that the reason for raising the landing is to avoid having a large step directly outside the door, the railing is required to make the stair safe, and that both elements are required to comply with the Building Regulations. It is unclear exactly how much the landing has been raised, but it appears to be just over two brick courses or approximately 160mm.

The objector also states that the new design of the railing will have significant visual impact from the bedroom window and affect outlook, and that it would be contrary to policy and guidance for amenity and design.

Officer response

The main issues are how the proposed works to the landing and balustrade would affect the amenity of the adjoining occupier in terms of loss of privacy and outlook, and the design of the proposed balustrading.

The original level of the landing was approximately 950mm below the cill of the neighbouring window which allowed direct overlooking into the neighbouring property from the doorway of Flat 1 and from the landing. As mentioned above, it is considered that the landing has been raised by approximately 160mm. As direct overlooking will still be possible, it is not considered that the relatively small increase in height would significantly

increase overlooking from the landing and therefore the proposal is considered to lead to a loss of privacy contrary to policies CS5 (Managing the impact of growth or development) or DP26 (managing the impact of development on occupiers and neighbours).

In terms of outlook, the application has been revised so that railings have been replaced by a solid wall the same height as the original wall. A curved handrail is proposed above the wall which would be positioned between the windows of Flat 2 rather than in front of them. The handrail would be approximately 500mm high and extend from the rear wall by approximately 3m

Whilst the proposed balustrading would be visible from the windows of Flat 2 it is not considered that it would have a significant impact on outlook as the balustrading is a lightweight open design, it is not directly in front of the windows, and it would only be 350mm higher than the window cill. It would have no impact on daylight or sunlight, and specific views are not a material planning consideration.

In terms of design, following the revision to the balustrading the main difference between the approved scheme and the amendment is the introduction of the handrail. The design of the handrail has largely been determined by the need to comply with the Building Regulations, address safety concerns and reduce the impact of the handrail on the amenity of Flat 2.

This has led to a somewhat unconventional design, however the site is not within a conservation area, the handrail would not be visible from the public realm and due to its location at the rear would have limited visibility from neighbouring properties. Its lightweight construction would further reduce its visual impact, and a condition will require the handrail to be painted black to further minimise its impact.

Recommendation:-

Grant planning Minor Material Amendment