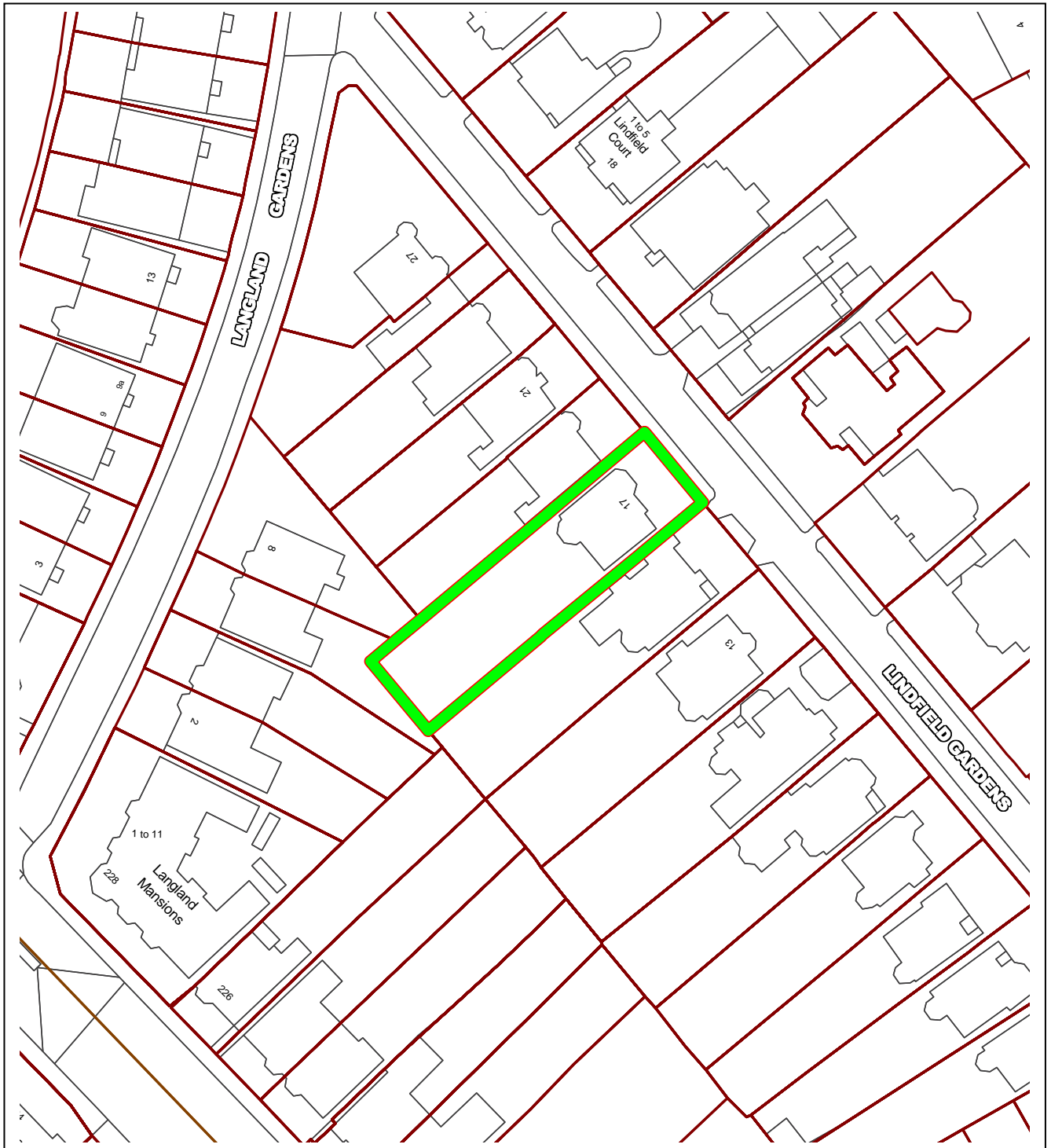


2015/3270/P - Flat D 17 Lindfield Gardens



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2015/3270/P - Flat D 17 Lindfield Gardens



17 Lindfield Gardens – existing rear elevation



Looking east towards nos. 13 and 15 Lindfield Road



Flat D 17 Lindfield Gardens - existing dormer window

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	30/12/2015
		N/A		Consultation Expiry Date:	03/12/2015
Officer			Application Number		
Anna Roe			2015/3270/P		
Application Address			Drawing Numbers		
Flat D 17 Lindfield Gardens, London, NW3 6PX			Please refer to draft decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal					
Creation of rear balcony at second floor level including enlargement of opening to create doors and metal railings.					
Recommendation:		Grant conditional planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	20	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>Advertisement in Ham & High, expired 03/12/2015.</p> <p>Site notice displayed 04/11/2015, expired 25/11/2015.</p> <p>Initial consultation period 05/11/2015 – 26/11/2015.</p> <p>The owner/occupier of 17B Lindfield Gardens commented on the application:</p> <ol style="list-style-type: none">1. Providing that a reputable/registered surveyor asserts, in writing, that the construction of a balcony will be safe and secure and will not damage the overall structure of the house, I will not object.2. I would like to add that the way no. 17 is positioned, it already overlooks adjacent properties and gardens and the noise pollution will be limited to the construction period. <p><i>Officers response:</i></p> <ol style="list-style-type: none">1. <i>Construction would only be temporary in nature and would not be likely to lead to undue harm due to the nature and scale of the proposed development. Noise and construction would be governed by environmental health regulations.</i>					
CAAC comments:	<p>The Heath and Hampstead Society objected to the application on the following grounds:</p> <ol style="list-style-type: none">1. This proposed balcony/terrace, some 3x2 metres in extent, at a height above ground level of at least 8 metres, would lead to overlooking of adjoining properties and gardens, loss of privacy, and noise pollution. Policy DP26. Please refuse. <p><i>Officers response:</i></p> <ol style="list-style-type: none">1. <i>Please refer to section 4 (amenity) within the main body of the report (below).</i>					

Site Description

The application site is a large detached Victorian property located on the southern side of Lindfield Gardens which has been divided into four flats; 17D is located on the second floor.

The property is not listed but falls within the Redington and Frognal Conservation Area.

Relevant History

Application Site

2003/1777/P - The renewal of planning permission dated 22/10/1998 (Planning Ref. PW9802529/R1) for alterations at rear second floor level to form a roof terrace above existing bay window, including provision of balustrading. Granted 24/10/2003.

PW9802529R1 - Alterations at rear second floor level to form a roof terrace above existing bay window, including provision of balustrading. Granted 22/10/1998.

Neighbouring Properties

2009/5670/P - Replacement of existing metal balustrade with glass balustrade to rear second floor roof terrace to dwelling house (Class C3), 13 Lindfield Gardens. Granted 25/01/2010.

2003/1777/P - The renewal of planning permission dated 22/10/1998 (Planning Ref. PW9802529/R1) for alterations at rear second floor level to form a roof terrace above existing bay window, including provision of balustrading. 7 Lindfield Gardens. Granted 24/10/2003.

PWX0002745 - Retention of new windows in the front dormers, doorway onto rear roof terrace, velux window and renewed rooflights. 10 Lindfield Gardens. Granted 09/03/2001.

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework 2012

The London Plan 2015, consolidated with amendments 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

CPG1 Design, 2015

CPG6 Amenity, 2011

Redington and Frognal Conservation Area Appraisal and Management Strategy (adopted July 2009)

Assessment

1.0 Proposal

1.1 The proposal involves the creation of rear balcony at second floor level, no wider than the existing dormer opening, with associated wrought iron railings in the traditional style.

1.2 The existing dormer window would be replaced with a new French style window.

2.0 Assessment

2.1 The principle considerations material to determining the application are as follows:

- Design – the impact of the proposal on the character of the host property as well as that of the wider Redington and Frognaal Conservation Area); and
- Amenity (the impact of the proposal on the amenity of adjoining occupiers).

3.0 Design

3.1 Policy CS14 aims to ensure the highest design standards for developments. Policy DP24 states that the Council will require all developments to be of the highest standard of design and respect character, setting, form and scale of neighbouring properties and character and proportions of the existing building.

3.2 CPG1 (Design), paragraph 5.7, states that roof alterations are likely to be acceptable where there are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm. By virtue of the existing terraces at nos. 7, 13 and 15 Lindfield Gardens, the proposed terrace is deemed acceptable in this instance, as it would introduce a level of symmetry with the adjoining properties.

3.3 The proposed terrace would be secondary to the building being extended, in terms of form, scale and proportions and would respect and preserve the properties existing architectural features. The proposed French windows would match the fenestration details of the property and the wrought iron railings would also be consistent with the character of the host building; railings are a common feature in the prevailing pattern of development.

3.4 The proposed terrace would be located on the rear roof slope and would only be visible from limited views in the surrounding area. The proposal would preserve the character and appearance of the conservation area, as it would be subservient to the main dwelling and would be in keeping with the adjoining properties.

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. 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.

4.2 It is not considered that the proposal would materially increase opportunities to overlook adjoining occupiers or result in a significant loss of privacy because the terrace would be setback and not cover the entire available roof space. Furthermore, the rear terrace meets the recommended good practice guidelines due to the fact that it does not directly overlook neighbouring habitable rooms.

4.3 With a floor area of approximately 9sqm, the terrace is unlikely to accommodate a large number of people. It is not considered that noise levels are likely to increase, and the potential for noise disturbance is not considered sufficient enough to justify refusal on these grounds. Furthermore, roof terraces are common within the surrounding area and are not out of keeping in a dense, urban

environment such as this.

5. Conclusions

- 5.1 It is considered that the proposed development would be compatible with the host and surrounding properties and preserve the character and appearance of the wider Redington and Frognal Conservation Area, whilst ensuring that the living conditions of the neighbouring occupiers are not materially harmed by way of overlooking, loss of privacy or noise and general disturbance.

DISCLAIMER

Decision route to be decided by nominated members on *Monday December 7th, 2015*. For further information please go to www.camden.gov.uk and search for 'members briefing'

Mrs Selina Box
17D Lindfield Gardens,
London,
NW3 6PX

Application Ref: **2015/3270/P**
Please ask for: **Anna Roe**
Telephone: 020 7974 **1226**

25 November 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Flat D 17 Lindfield Gardens
London,
NW3 6PX

Proposal: Creation of rear balcony at second floor level including enlargement of opening to create doors and metal railings.

Drawing Nos: MAR15/NW3/EPRE-A; MAR15/NW3/EPPS-A; Site Location Plan Scale 1:1250; Design and Access Statement dated October 2015.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 policy 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: MAR15/NW3/EPRE-A; MAR15/NW3/EPPS-A; Site Location Plan Scale 1:1250; Design and Access Statement dated October 2015.

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

Informatives:

- 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.

Yours faithfully

Director of Culture & Environment