

Delegated Report		Analysis sheet	Expiry Date:	18/1/2016
		N/A	Consultation Expiry Date:	17/12/2015
Officer			Application Number(s)	
Tania Skelli-Yaoz			2015/5056/P	
Application Address			Drawing Numbers	
2 Oakhill Avenue London NW3 7RE			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Variation of condition 3 (approved plans) of planning permission 2013/6162/P granted on 09/03/2015 (for the basement excavation and extensions to rear and side in connection with conversion of existing single family dwelling into 2 x 3 bedroom maisonettes), namely to create a roof terrace with privacy screens on rear top flat roof.				
Recommendation(s):		Refuse planning permission		
Application Type:		Minor Material Amendment (Section 73 application)		

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
			No. electronic	00		

Summary of consultation responses:	<p>PN advertised on 26/11/15 SN displayed 25/11/13 to 16/12/15</p> <p>3 objections were received from local residents and these concerns the main issues as categorised below:</p> <p><u>Design & conservation:</u></p> <ul style="list-style-type: none"> - Development out-of-keeping with character of area - Harm to charter and appearance of conservation area <p><u>Residential amenity:</u></p> <ul style="list-style-type: none"> - Loss of privacy to adjoining gardens - Loss of sunlight to adjoining gardens - Loss of daylight and sunlight to rooms within no. 4 - Noise pollution amplified from this level
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CAAC/Local groups comments:	<p><u>Redington / Frogna CAAC:</u> No response received.</p> <p><u>Heath & Hampstead Society:</u> Objection.</p> <p>Overlooking impact despite glass screens. Noise pollution amplified from this (higher – TSY) level.</p>
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Site Description

The site is a 3-storey contemporary 1970's residential building which forms part of a set of 3 connected buildings (terraced) on the north-western side on Oakhill Avenue. To its side, a single-storey small garage is attached. The site benefits from a long garden to its rear.

The house is not listed and lies within the Redington / Frogna CA.

The site is known as no. 2 with 2c to its north followed by 2b. No. 4 Oakhill lies to its south.

Relevant History

Site:
Original pp for this group **1970**.

8804124 Planning permission refused Jan 1989 for the rebuilding at no. 2 including a new flank wall and an extra storey at third floor level on grounds of proposed roof extension and general proportion of building having an adverse effect on the appearance and visual amenity, large overbearing flank wall and unnatural jump in roof lines etc.

2013/6162/P planning permission granted on 09/03/2015 for basement excavation and extensions to rear and side in connection with conversion of existing single family dwelling into 2 x 3 bedroom maisonettes (Class C3).

2015/5055/P Variation of condition 3 (approved plans/MMA) of planning permission 2013/6162/P granted on 09/03/2015 (for the basement excavation and extensions to rear and side in connection with conversion of existing single family dwelling into 2 x 3 bedroom maisonettes), namely to widen the lower ground rear extension.

No. 2b:

8905456 Planning permission for extension with additional floor granted Jan 1990.

Relevant policies

NPPF 2012

Paragraphs 14, 17, 30, 49, 56-66, 126-141 and 173

The London Plan March 2015

Policies 7.4, 7.6 and 7.8

LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

CPG1 Section 5

CPG6 Sections 4, 6 and 7

Conservation Area Statement Redington/ Frognal – January 2003

Assessment

1.0 Proposal

1.1 Permission is sought for the creation of a roof terrace at roof level with screens to 3 sides. This includes an access hatch/window opening within the existing tiled roof. This is in association with the conversion of existing single family dwelling into 2 x 3 bedroom maisonettes (as previously approved).

1.2 The screens are proposed of frosted glass and range in height between 1.2m-1.9m. The proposed roof terrace area is 5.1m x 5.1m (26sqm area).

1.3 Issues regarding land use, basement excavation, living standards, transport, trees and biodiversity have been assessed previously and are not affected by this minor material amendment application. The main issues of consideration with this application are design and amenity.

2.0 Design & Conservation

2.1 The proposed roof terrace is located to the rear of the existing tiled roof, on an area of flat roofing. The screens on all 3 perimeters are designed to follow the existing front roof profile in height and pitch and therefore ascend to 1.9m high and then drop to 1.5m at the rear elevation. However, the proposed glass is not considered to be in keeping with the prevailing style of the street and with these perimeter 'walls' will create the impression of a 'solid' roof extension. Due to large gap between no. 2 and no. 4 Oakhill Avenue, this roof 'extension' will be highly visible from the public realm. The tiled roof here reads as a shallow modest termination to this 3-storey property and the addition of an additional element to its rear results in an obtrusive and bulky addition that is uncharacteristic to the streetscape and to the host building and thereby is harmful to the character and appearance of the Hampstead Conservation Area.

3.0 Amenity

3.1 Privacy: the height of the lowest area of the glazed screen is 1.2m and is positioned across from the 1st floor bedroom window at no.4 Oakhill Avenue. The proposed height of the screen is such that a

person could look from the terrace into the habitable window at 1st floor level (side window of bedroom). As such it is considered that the development results in overlooking to the occupiers. The room above, at 2nd floor level, is not considered to be affected similarly due to its use as office/storage/gym and due to its opening positioned further along the flank wall. Furthermore, users of the proposed terrace could look into this room from its northern boundary, where the screen height is 1.5m, but those views would not be direct and are more likely to be orientated towards the garden.

3.2 Other concerns were raised over loss of privacy to gardens. As mentioned above, users of the roof could look into the adjoining garden areas. However, due to the height of the proposed terrace and the 1.2m screen at its northern-most elevation, it is considered that views would be directed further afield and not directly into the garden areas most close to the houses and as such no loss of privacy is considered to result from this proposal.

3.3 Outlook: CPG 6 sections 7.8-7.11 discusses outlook. Whilst the site's flank wall is in close proximity, the majority of view from 1st floor and 2nd floor windows is already enclosed by the existing flank wall and therefore the additional built up area (by obscure glass) is not considered to add to a sense of enclosure that is detrimental to the occupiers' amenity. This is especially so since both affected rooms on 1st and 2nd floors benefit from another (main) window facing north-east towards the garden. The CPG also states that specific views from a property cannot be protected.

3.4 Daylight & Sunlight: the proposed terrace is located to the north-east of no. 4 Oakhill, which would be the most affected property with regards to the above. Given the height of the existing building on site at no. 2 Oakhill Avenue, which is already taller than no. 4 Oakhill Avenue, the size and bulk of the proposed development and its orientation, no loss of daylight & sunlight is considered to result to the occupiers at no. 4 Oakhill Avenue.

3.5 Noise pollution: Concerns were raised over noise at the proposed terrace's level would be amplified and result in noise disturbance to adjoining occupiers. Whilst such amplification may occur, it is considered that the noise generated from a 25sqm residential terrace which serves a dwelling of 3-bedrooms would be of normal domestic scale and not unreasonable. As such, it is not considered that the development would result in noise disturbance to adjoining occupiers.

4.0 Summary

4.1 The proposed roof alterations connected with the creation of a roof terrace are considered to create a bulky and obtrusive element detrimental to the character and appearance of the host building, streetscene and the conservation area. The proposed development is also considered to result in overlooking into rooms at no. 4 Oakhill Avenue and thereby result in loss of privacy which is harmful to the amenities of its occupiers. Consequently, the proposal is contrary to policies DP24, DP25 and DP26.

5.0 Recommendation

5.1 Refuse planning permission.