

3 Lisburne Road, London, NW3 2NS

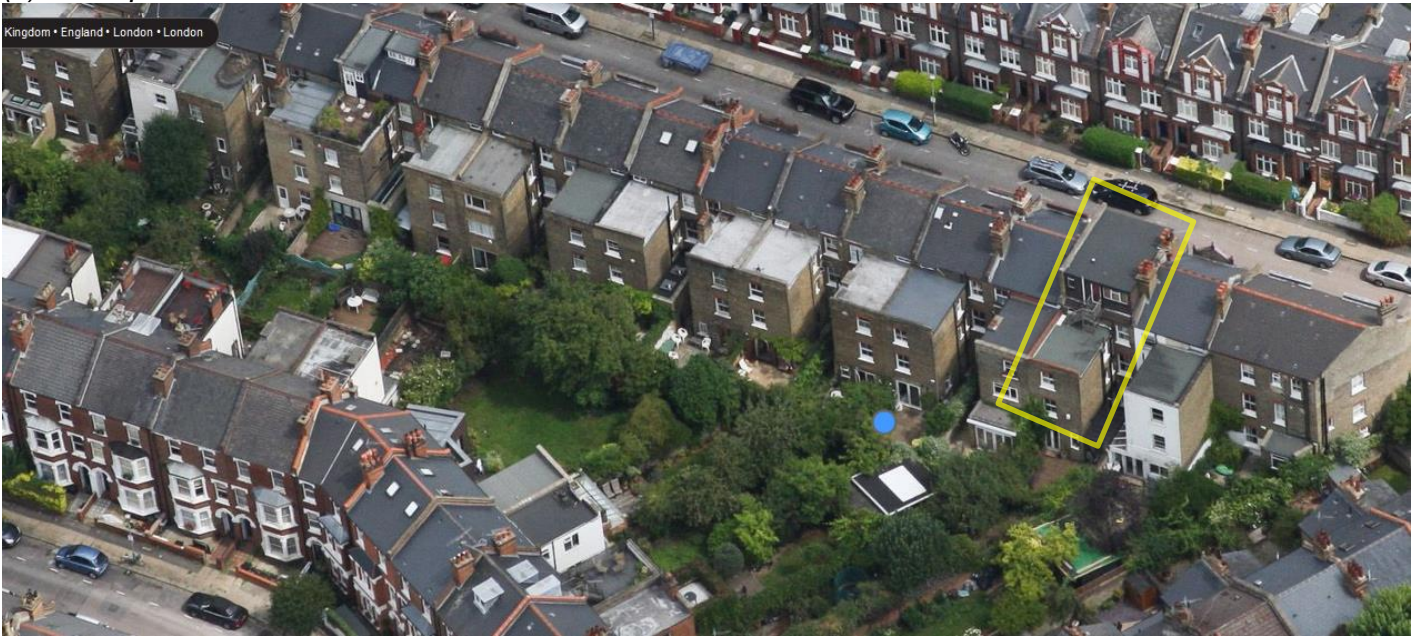
2016/4495/P - Site Location Plan



Radlett House, Radlett Place, NW8 6BT

Site Photos

(1) Aerial photo 1



(2) Aerial photo 2



(3) Aerial photo 3



(4) Front Elevation of dwelling



(5) Rear elevation of dwelling



(6) View from existing flat roof (looking North)



(7) View from existing flat roof (looking West)



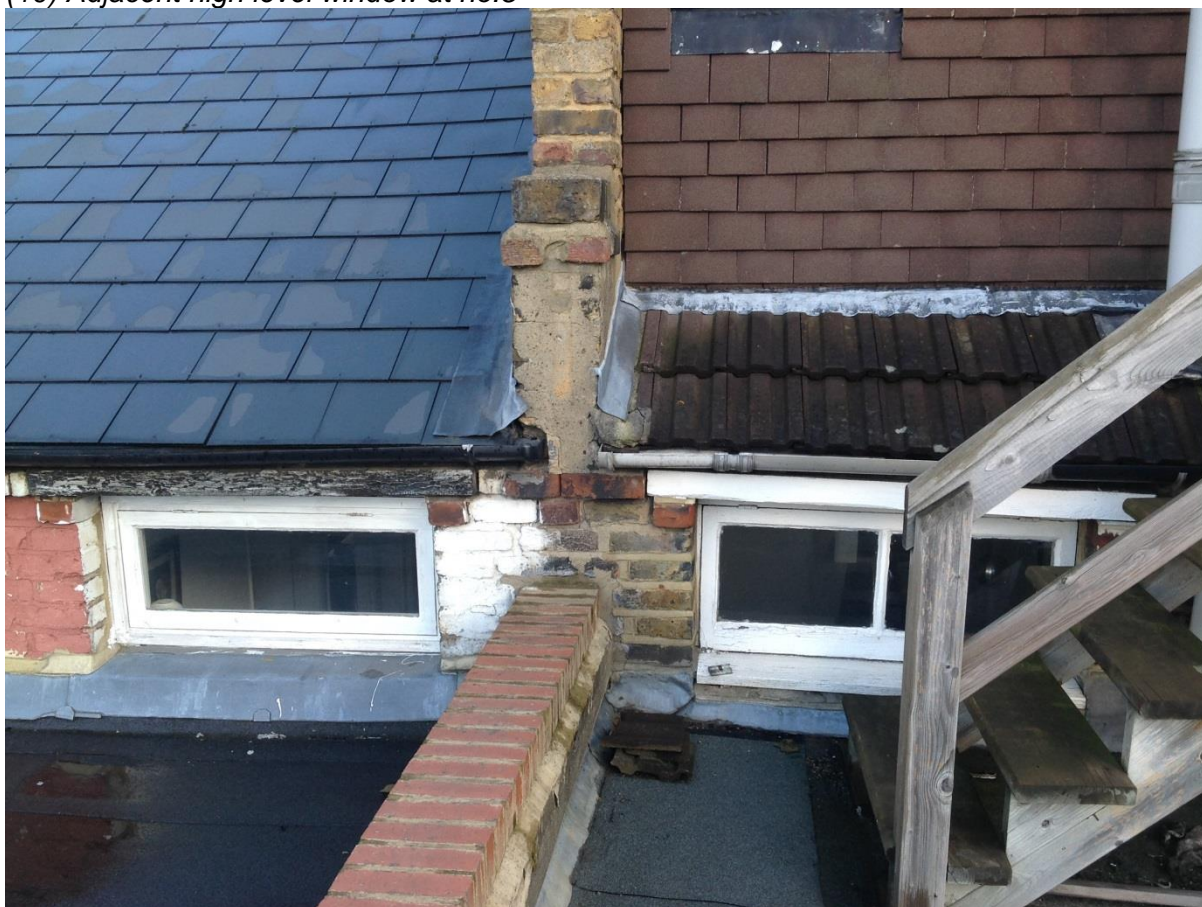
(8) View from existing flat roof (looking South)



(9) View from existing flat roof (looking towards no.1)



(10) Adjacent high level window at no.5



(11) Existing access to flat roof.



Delegated Report		Analysis sheet		Expiry Date:		07/10/2016	
(Members Briefing)		N/A / attached		Consultation Expiry Date:			
Officer				Application Number			
John Diver				2016/4495/P			
Application Address				Drawing Numbers			
3 Lisburne Road London NW3 2NS				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal							
Continued use of roof terrace with new metal railings, access door and decking.							
Recommendation:		Grant Conditional Planning Permission					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	11	No. of responses	00	No. of objections	00
Summary of consultation responses:		<p>A site notice was posted from the 02/09/16 until the 23/09/16. The proposal was advertised in the local press between the 08/09/16 and the 29/09/16.</p> <p>No comments were received in relation to the proposed development.</p>					
CAAC/Local groups comments:		<p>A letter of objection was received from the Mansfield CAAC. Their comments can be summarised as follows:</p> <ul style="list-style-type: none"> Given the unattractive pre-existing rear dormer and timber stair to terrace, the new access is not objectionable. Do however object to the raising of the level of the terrace, as this will exacerbate over-prominence of the new railings <p><i>Officer's response: Please see paras 3.5 - 3.6.</i></p>					

Site Description

This application relates to a 3 storey (plus loft) mid terrace, single family dwelling house. The property is not listed but is situated within the Mansfield Conservation area. Aside from the large roof extension granted at appeal (see below), the property is typical for the area; sharing many of the same features and architectural detailing as other properties in the local vicinity including a flat roofed two storey rear outrigger.

Relevant History

There is no history of planning applications for the site, however the following appeal decision is of relevance to the assessment:

Following the erection of roof extension and the creation of a rear raise terrace, a subsequent enforcement notice was appealed and permission was granted.

Planning Inspectorate reference: T/APP/C/B7/X5210/3/P6

Date: 17/11/1987

Type: Appeal Decision

Description: Erection of a roof extension

Decision: Enforcement Notice Quashed and Planning Permission Granted.

Relevant policies

NPPF (2012)

The London Plan March 2016

LDF Core Strategy and Development Policies (2011)

LDF Core Strategy (2010)

CS1 - Distribution of Growth

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

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 (2013)

Mansfield Conservation Area Appraisal 2008

Assessment

1. Introduction

1.1. Planning permission is sought for the continued use of the roof terrace to the rear as well as the installation of new metal railings to enclose, alterations to the access door and stair and the installation of decking. The existing access door and timber stair would be removed and replaced with a central window and new access door at the same level as the terrace close to the party wall with No.5 Lisburne Road. The proposal also includes the installation of black metal railings painted black to enclose the terrace as well as the installation of timber decking with a height of 300mm above the existing flat roof.

2. Revisions

2.1. It should be noted that following an initial assessment, the applicant was notified that the submitted scheme was likely to be considered unacceptable for the following reason:

- The initial scheme featured a large panel of obscure glazing running along the side return of the terrace (along the boundary with no.5) with a height of 1.8m. Although the protection of the neighbouring amenity is paramount, in this instance the screen was judged to not be necessary as it would only obscure views into a high level window serving a landing at no.5. This screen would have been extremely prominent in long views from a large number of properties due to its height and appearance and would have appeared as an incongruous addition to the roofscape/skyline.

2.2. In response, the applicant submitted a revised scheme which made the following alterations:

- Removal of the glazed panel and its replacement with a metal railing painted black.

3. Assessment

3.1. The principal considerations material to the determination of this application are as follows:

- The visual impact upon the character and appearance of the host property, streetscene, local area and the Mansfield Conservation Area (Design and Conservation)
- The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity).

Design and Conservation

3.2. 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.

3.3. CPG1 design guidance recommends alterations take into account the character and design of the property and surroundings; windows, doors and materials should complement the existing building. A roof alteration or addition is likely to be unacceptable in the following circumstances where there is likely to be an adverse effect on the skyline, the appearance of the building or the surrounding street scene (para 5.8).

3.4. The Mansfield Conservation Area Appraisal advises that the conservation area retains its clearly visible historic rooflines, and that fundamental changes to the roofline, insensitive alterations, poor materials, intrusive dormers or inappropriate windows can harm the historic character of

the roofscape and will be resisted (page 28).

- 3.5. Due to the highly regular pattern of development in this area of the conservation area, most properties along Lisburne and Mackeson roads feature two storey, flat roofed rear outriggers. As set out in the submitted Design and Access Statement, a very large number of these flat roofs have since been converted into terraces via the installation of an access door as well as metal railing enclosures. It is considered that these raised terraces and their associated metal railings are now a characteristic feature of properties within the area, evidenced by the several recent approvals for proposed or retention of such terraces (i.e. 2015/7112/P - 45 Lisburne Road; and 2016/0451/P- 31 Mackeson Road). The hereby proposed use of the flat roof as a terrace and installation of railings (with a height of 0.9m above the level of the rear parapet) are thus considered to remain in accordance with the established character of the local area.
- 3.6. In terms of the addition of decking to the existing flat roof (the point of contention for the local CAAC); the only visible impact of this addition from outside of the site would be the fact that users of the terrace would be 0.3m higher than the existing level. Whilst this does mean that the resulting height of the metal railing must also be increased to accord with building regulation standards; it is not considered that the resulting height of these railings (0.9m above the rear parapet) would lead to overall design forming any visual overbearing impact upon the rear elevation of the property. The decking is therefore not considered to be objectionable in design and conservation terms.
- 3.7. The proposed works would not be visible from any public space and would therefore not impact upon any streetscene. Due to the combined width and depth of the outriggers of both the application property as well as that of No.5, the newly proposed access door would additionally be concealed from the vast majority of private views. Whilst the proposed material for this door (uPVC) would normally be objectionable in a conservation area; because of this concealed location as well as the fact that this is the existing material of the access door, it is not considered to cause a significant enough impact upon the character of the conservation area to substantiate a reason for refusal.
- 3.8. Overall the proposed works are not considered to lead to a detrimental upon the character and appearance of the host dwelling or streetscene in accordance with policy DP24. The proposed works are thus considered to preserve the special character and appearance of the Mansfield Conservation Area in accordance with policy DP25.

Residential Amenity

- 3.9. 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 that the Council will "aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers."
- 3.10. 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."
- 3.11. Although the existing flat roof is not fully enclosed, it has been accessible and usable via the timber stair for approximately 30 years. It is therefore considered that the use of this terrace has been long established. Notwithstanding this, it is not considered that the continued use of the

terrace would lead to a significant loss of amenity to any neighbouring occupier.

- 3.12. In terms of views towards the rear of properties along Mackeson Road or rear gardens along Lisburne Road, those afforded from the terrace are not considered to be considerably worse than those afforded from the rear windows/stair of the existing roof dormer. In terms of view back towards the property, views would be afforded into a high level window at no.5 however this serves a stairs landing and is therefore not considered to lead to a significant loss of privacy. At No.1, fenestrations at 1st and 2nd floor levels on the opposite flank wall are obscure glazed. Views would be afforded into two rear facing clear glazed windows at 1st and 2nd floor levels on the recessed rear elevation, however because of the comparative heights and building lines, these afforded views would be oblique and would not be considered to lead to a significant loss of privacy.
- 3.13. Whilst the enclosure of the flat roof would mean that it would become more usable it is not considered that the continued use of the roof would lead to a significant intensification of use by virtue of the fact that the property remains a single family dwelling house. For this same reason it is not considered that the continued use of the terrace would lead to any significant issues in terms of noise or disturbance. The erection of the proposed railings would not lead to a reduction in outlook or lead to an overbearing visual impact upon any neighbouring resident.
- 3.14. Overall the use of the roof terrace is considered to be established by virtue of the fact that it has been in situ for approximately 30 years. Notwithstanding this, it is not considered that its continued use following the proposed works would lead to any impact upon the amenities any neighbouring resident to a level of detriment.

4. Recommendation

- 4.1. Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Supporting Communities. Following the Members Briefing panel on Monday 24th October 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Elie Osborne
4D Planning
3rd Floor
86-90 Paul Street
London
EC2A 4NE

Application Ref: **2016/4495/P**
Please ask for: **John Diver**
Telephone: 020 7974 **6368**

13 October 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
3 Lisburne Road
London
NW3 2NS

DECISION

Proposal: Continued use of roof terrace with new metal railings, access door and decking.

Drawing Nos: 3LR01, 3LR02, 3LR03, 3LR04, 3LR05, 3LR06, 3LR07, 3LR08, 3LR09, 3LR10; Design and Access statement Rev A (all received 13/10/16).

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

Executive Director Supporting Communities



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: 3LR01, 3LR02, 3LR03, 3LR04, 3LR05, 3LR06, 3LR07, 3LR08, 3LR09, 3LR10; Design and Access statement Rev A (all received 13/10/16).

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Executive Director Supporting Communities