

Delegated Report		Analysis sheet	Expiry Date:	08/11/2016
		N/A	Consultation Expiry Date:	28/10/2016
Officer			Application Number(s)	
Nora-Andreea.Constantinescu			2016/5020/P	
Application Address			Drawing Numbers	
Flat B 59 Oseney Crescent London NW5 2BE			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Alterations to the rear elevation at second floor level, including creation of a roof terrace with two deck skylights and translucent screen on the two storey outrigger, and replacement of existing window with glazed door to top flat (Class C3).				
Recommendation(s):	Refuse planning permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	12	No. of responses	6	No. of objections Letters of support	4 2
Summary of consultation responses:	<p>The resident at nos 57A Oseney Crescent, 23C Cavenrsham Road, and another resident from Cavenrsham Roan objected to the proposed development on the following grounds:</p> <ul style="list-style-type: none"> -loss of privacy -noise and disturbance form building works -loss of outlook towards the garden -translucent screens an eyesore -translucent screens inappropriate for conservation area -roof terrace invasive upon the neighbour at no 57A -terrace not in keeping with the established buildings -it could set a precedent for unsuitable rear extensions -overlooking and overshadow to the neighbouring amenities <p>The resident at no 68 Bartholomew Road and no 24D Caversham Road supported the proposed development on the following grounds:</p> <ul style="list-style-type: none"> -proposal respectful to the neighbours privacy and amenity -improves the viability of a home for family living -proposal in accordance with Camden’s Development Policies -help support mixed and inclusive communities -terrace is an enhancement of the use of the building improving amenity for residents -view to the back gardens of Bartholomew Road and Patshull road shows 14 roof terraces -the proposal accommodates neighbour’s privacy concerns 					
Bartholomew CAAC	<p>The Bartholomew CAAC has been notified of the proposed scheme, however, no response has been received.</p>					

Site Description

The application site is located on the southern side of Oseney Crescent, and it is part of row of Victorian terraced properties. The building is a three storey residential mid-terrace that lies within part of Bartholomew Estate conservation area, and is identified as a positive contributor.

The proposed scheme is in relation to Flat B, which is a three bedroom maisonette located on the first and second floors of the mid-terrace building.

Relevant History

18952 – 59 Oseney Crescent - The change of use to one, one-bedroom flat and one, three bedroom maisonette, including works of conversion – Approved, July 1974.

2015/4022/P – Flat B 59 Oseney Crescent - Alterations to rear closet wing to include roof terrace with inset roof lights and French door replacing window, all at second floor level. – Refused 14/09/15

Reason for refusal:

The creation of a terrace at rear second floor level, by reason of its location and proximity to neighbouring properties would cause harmful overlooking and result in a loss of privacy to the occupiers of 57 Oseney Crescent, contrary to policy CS5 (Managing the impact of growth and development) the London Borough of Camden Local Development Framework Core Strategy; and Policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

Relevant policies

National Planning Policy Framework (2012)

The London Plan March 2016

LDF Core Strategy and Development Policies

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 2015

CPG1 Design (Section 5) 2015

CPG6 Amenity (Section 7) 2011

Conservation Area Appraisal Statement

Bartholomew Estate Conservation Area Appraisal and Management Strategy adopted January 2001

Assessment

Proposal

The proposed scheme is similar with the previous proposal under planning ref 2015/4022/P, with the following changes:

- The terraced proposed previously was projecting along the whole outrigger's roof, with a balustrade of 1.2m above the roof level.
- The current proposal would use a part of the roof and would be set back 1.5m from the outriggers rear wall, with a translucent screen of 1.8m high.

The main planning considerations are:

- Design and impact on the Conservation Area
- Neighbouring Amenity

Design and impact on the Conservation Area

Local Development Plan Policies CS5, CS14 and DP24 are to secure high quality design that considers the character, setting and form of neighbouring buildings. Policy DP24 notes that development should respect the character, setting, context and form and scale of neighbouring buildings. Supporting paragraph 24.5 notes that the design of development should take into account the pattern and size of blocks, gardens and streets in the surrounding area. CPG 1 also provides detailed advice on acceptable forms of development.

Policy DP25 stresses that the Council will seek to manage development in a way that retains the distinctive characters of conservation areas and will therefore only grant planning permission for development that preserves and enhances the special character or appearance of the area. It is added that the character of conservation areas derive from the combination of a number of factors, including scale, density, pattern of development, landscape, topography, open space, materials, architectural detailing and uses.

When applying the policies within the Local Development Plan to the proposed development, the character of the area comprises historic Victorian terraced properties with a two storey closet wings to the rear. Due to their traditional historic features the application site as well as terrace as a whole is considered to make a positive contribution to the Bartholomew Estate Conservation Area.

The current proposal aims to address the concerns raised in the previous refused scheme, in relation to the impact on the neighbouring property at no. 57 Oseney Crescent in terms of overlooking and loss of privacy. It is therefore proposed to install a 1.8m high translucent screen facing the rear garden and the neighbouring property at no 57 Oseney Crescent to prevent overlooking, and set back the terrace from the edge of the outrigger by 1.5m. Whilst the set back is welcomed, as it screens views of the terrace behind the gable end of the closet wing, the translucent screens appear as an incongruous addition to the rear elevation of the building.

The pattern and grain of the locality is consistent and there are no visible or previous records of rear roof terraces on the closet wing along Oseney Crescent. The Bartholomew Estate conservation area appraisal states that "roof terraces are not part of the established character of the conservation area". It is therefore considered that the proposed roof terrace, surrounded by the additional high translucent screens, would cause significant harm to the appearance of the host dwelling and the surrounding conservation area.

Neighbouring Amenity

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.

It is acknowledged that the proposed roof terrace has been reduced in depth in order to reduce its size along the closet wing and would be enclosed by 1.8m high screen. The impact on the neighbouring property at no. 57 Oseney Crescent would be reduced. However, by trying to overcome the impact on the neighbouring amenity, the proposed privacy screens would result in a harmful impact on the appearance of the host dwelling and conservation area.

Considering the guidance of CPG1 which advises that any proposed terrace should form an integral element in the design of elevations, it should complement the elevation upon which it is to be located and that possible use of screens or planting can prevent overlooking of habitable rooms or nearby gardens. It is therefore considered that the proposed screens would not form an integral part of the rear elevation of the building and would appear as an incongruous addition. The benefit to the amenity of the neighbouring occupiers would not outweigh the harm caused to the character and appearance of the building and the surrounding conservation area.

Recommendation: Refuse planning permission