

Delegated Report		Analysis sheet	Expiry Date:	09/11/2017
		N/A / attached	Consultation Expiry Date:	25/10/2017
Officer			Application Number(s)	
Kristina Smith			2017/5123/P	
Application Address			Drawing Numbers	
10 Wiblin Mews LONDON NW5 1BW			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of glazed balustrade to provide rear terrace at first floor level				
Recommendation(s):		Refuse		
Application Type:		Householder Application		
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice		
Informatives:				
Consultations				
Adjoining Occupiers:		No. of responses	02	No. of objections
		No. electronic	00	02
Summary of consultation responses:		<u>2 site notices were displayed near to the application site between 04/10/2017 and 25/10/2017</u> <u>No's 11 (on behalf of College Lane residents) and 16 College Lane objected on the following grounds:</u> <ul style="list-style-type: none"> • Planning Inspector stated that the use of flat roofs for amenity purposes would be intrusive and therefore applied condition to prevent flat roofs being used as such. • Would lead to overlooking into bedrooms of College Lane houses • Terrace would lead to noise issues 		
CAAC/Local groups* comments: *Please Specify		N/A		

Site Description

The site refers to a mid-terrace three-storey townhouse within a modern development comprising 20 units across two blocks. The two blocks are laid out in four terraces of four units. Access to the units is possible from Little Green Street and College Lane.

The site itself is not located within a conservation area, but is situated on the edge of the Dartmouth Park Conservation Area.

Relevant History

WIDER DEVELOPMENT

PEX0100663 - Demolition of vacant clubhouse building and the construction of twenty houses arranged in terraces of two and three storeys with lower ground levels and a block of ten flats comprising studio, 2 and 3 bedroom units. The provision of underground car parking with ramped access from the existing site entrance off Little Green Street. **Refused 31/10/2002**

Granted on appeal under ref APP/X5210/A/1097183 dated 23/06/2003

APPLICATION SITE

2017/2546/P - Erection of single storey rear infill extension at upper ground floor level. **Granted 03/07/2017**

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework 2012

The London Plan March 2016

Camden Local Plan 2017

Policy D1 Design (paragraph 7.2)

Policy A1 Amenity (paragraph 6.4)

Camden Planning Guidance 2011/2015

CPG1 (Design) – Chapter 5

CPG6 (Amenity) - Chapter 7

Kentish Town Neighbourhood Plan (2016) – Policy D3 (design principles)

Assessment

1.0 Proposal

1.1 The proposal seeks to convert the flat roof of a ground floor level extension (granted on 03/07/2017 under planning permission ref 2017/2546/P) into a terrace area with associated glazed balustrade. It would measure 2.4m x 2.4m and provide an additional 5.5sqm of private amenity space.

2.0 Assessment

2.1 The planning considerations material to the determination of this application are as follows:

- Design
- Amenity

Design

2.2 The terrace would be located between the closet wing of the application site and the closet wing of the neighbouring property on the flat roof of the ground floor extension. It would comprise an glazed balustrade of 1.1m.

2.3 The terrace would introduce an incongruous feature at first floor level that is out of character with the pattern of development at this level along the row of which the property forms a part of, as well as the wider development of similar properties on the adjacent rows. This would be contrary to paragraph 5.23 of CPG1 which requires terraces to form an integral element in the design of elevations.

2.4 The development has been designed as a complete architectural composition and the introduction of a terrace would erode the integrity of the building group contrary to Policy D1 of the Camden Local Plan, which requires development to consider the composition of elevations and its impact on existing rhythms, symmetries and uniformities.

2.5 Whilst a number of infill extensions have been consented at ground floor level across the development, these alterations were considered acceptable as they are located in non-prominent locations that are not easily read from the streetscene. The terrace would be read from surrounding properties on Wiblin Mews and from the adjacent College Lane properties which are located within the Dartmouth Park Conservation Area. The terrace will inevitably accumulate various objects related to its use as a domestic amenity space which will lead to further visual clutter, making the terrace more prominent.

2.6 In terms of the detailed design, the conversion of a window to door in this location is considered acceptable given it would not be a prominent alteration that would lead to harm of the appearance or composition of the building and building group. Whilst glazing is often resisted as a balustrade material especially at above ground level, it is more appropriate for a modern property and therefore this will not constitute a reason for refusal.

Amenity

2.7 The two objections to the application refer to the inclusion of a condition on the appeal decision of Wiblin Mews (ref: APP/X5210/A/1097183) to prevent the flat roof areas being converted into amenity areas for reasons of protecting the privacy of surrounding occupiers. Given the terrace would be located on the flat roof of a non-original ground floor level extension, this condition is not considered to be relevant to this application.

2.8 The terrace would introduce a new opportunity for overlooking at a level where currently there are two small windows, which afford only limited views to the surrounding area. CPG6 (Amenity) requires a minimum distance of 18m between the windows of habitable rooms (or closest points on each building) of different units that directly face each other. The most sensitive areas to overlooking are:

- Living rooms;
- Bedrooms;
- Kitchens; and
- The part of a garden nearest to the house.

The impact on the surrounding properties is considered to be as follows:

7 Wiblin Mews (property opposite)

2.9 The terrace would introduce additional views into the rear garden of no.7, which although overlooked to an extent by surrounding windows, these views are limited. The terrace would result in more intense, closer views at a distance of 8m which officers consider would lead to an unacceptable additional loss of privacy.

2.10 At present, planting prevents direct views into the large windows of the ground floor living room of no.7 Wiblin Mews which is located 16m away. If the planting were to die or be removed then it is considered that an unacceptable loss of privacy would result as the living room is located less than the 18m recommended by policy and is directly opposite (albeit at a level below).

2.11 There is only a 13m distance between the proposed terrace and the first floor bedroom window of no.7 opposite; however, the bedroom window is very narrow and allows views to only a small proportion of the room so the impact on this room is considered acceptable

9 Wiblin Mews (property next door)

2.12 The terrace would be located directly adjacent to the garden of the adjoining property at no. 9 Wiblin Mews and would afford views into most of the garden. Although the garden is overlooked to an extent at present from first floor windows of properties on College Lane and smaller 'above ground' windows of surrounding Wiblin Mews properties, the terrace would result in more intense views at closer quarters which officers consider would lead to an unacceptable loss of privacy.

No.15 and no.16 College Lane

2.13 The distance between the terrace and the front elevation windows of the properties at no.15 and 16 College Lane is 14 m which does fall short of the 18m distance recommended by CPG6 (Amenity); however, because the views would be oblique rather than direct and because the terrace would not project beyond the rear building line and is screened on the west side by the closet wing wall, the impact on the College Lane properties is considered to be acceptable.

2.14 The terrace would provide additional private amenity space for the property; however, the property already enjoys a private rear garden at ground floor level. It is therefore not considered that the benefit in terms of residential amenity for this unit would outweigh the adverse amenity impact to surrounding neighbours.

3.0 Recommendation

3.1 Refuse planning permission