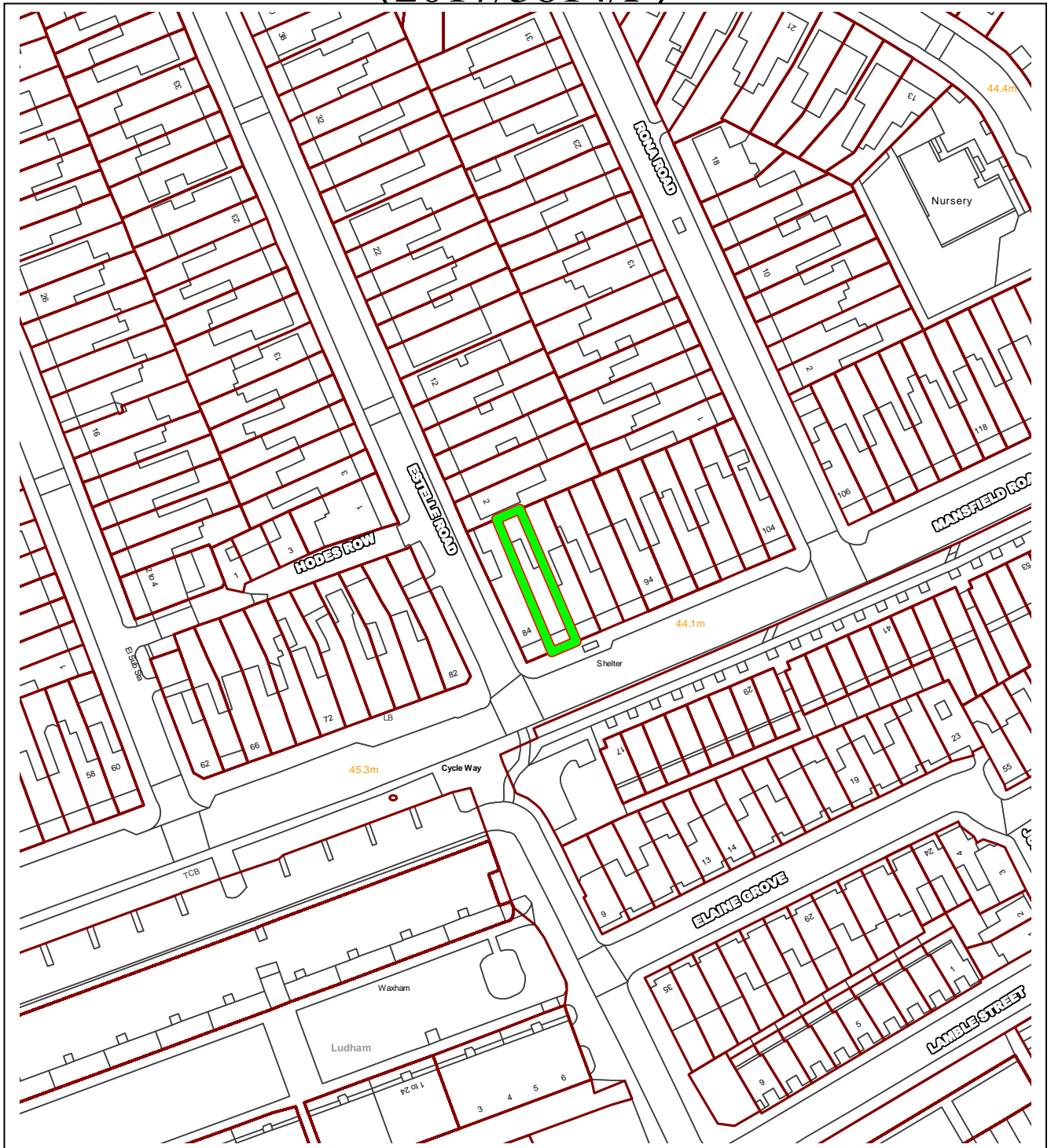


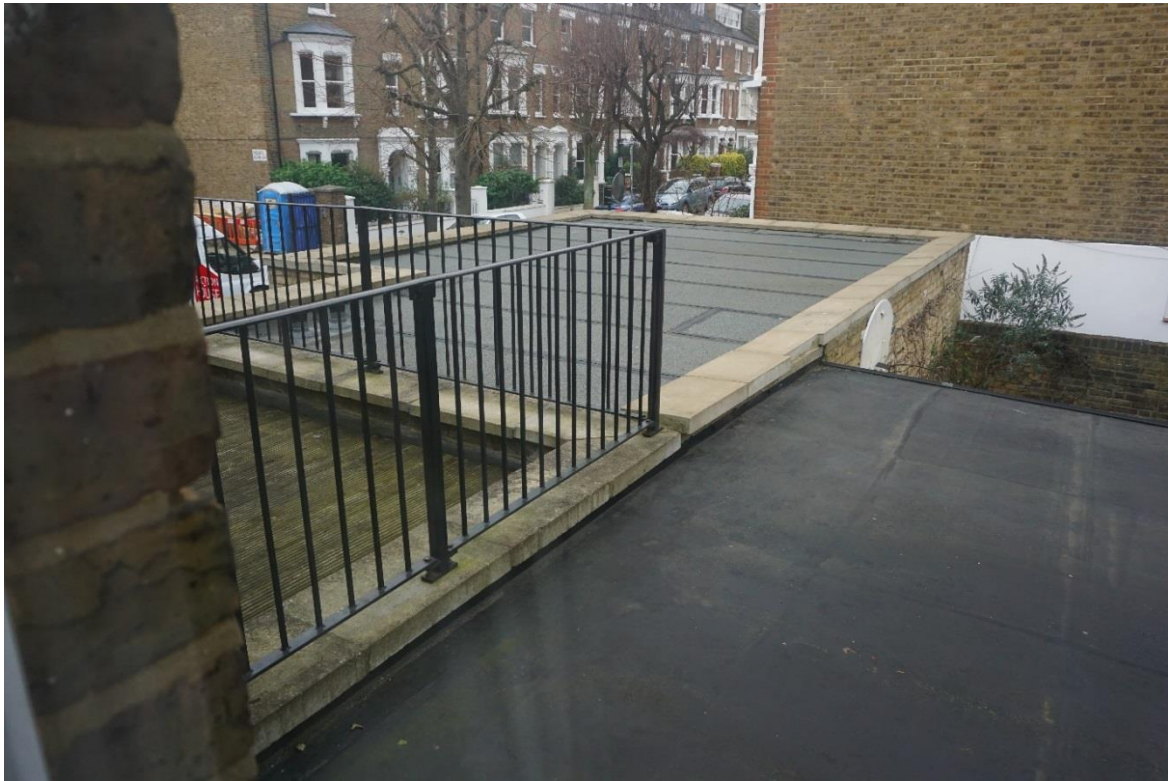
Flat 1st Floor, 86 Mansfield Road (2017/3814/P)



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Site photographs

1. View from existing rear window of No.86 looking onto flat roof of ground floor extension and neighbouring terrace at No.84



2. Neighbouring terrace at No.84



3. Existing second floor terrace at No.88



4. Existing first and second floor roof terraces at No.84



5. Existing roof terrace at No.2 Estelle Road overlooking rear gardens on Mansfield Road.



6. View of terrace at 2 Estelle Road from rear window of No.86



7. Aerial view of site and existing roof terraces in the area

Nos. 88, 86, 84 Mansfield Road

2 Estelle Road



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		18/09/2017	
		N/A		Consultation Expiry Date:		21/12/2017	
Officer				Application Number(s)			
Patrick Marfleet				2017/3814/P			
Application Address				Drawing Numbers			
Flat 1st Floor, 86 Mansfield Road London NW3 2HX				Please refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Use of existing ground floor rear extension roof as a first floor amenity terrace area with associated metal balustrade.							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. of responses		11		No. of objections	
						11	
Summary of consultation responses:		<p>Site notice: displayed from 25/07/2017 - 15/08/2017 Press notice: displayed from 27/07/2017 - 17/08/2017</p> <p>Site notice republished: 24/11/2017 - 15/12/2017 Press notice republished: 30/11/2017 - 21/12/2017</p> <p>8 objections were initially received in response to the original proposal which included a first floor rear extension that has now been completely removed from the plans. The remaining 3 objections were received following the re-consultation on the current proposal for the first floor rear roof terrace area.</p> <p>The objections received from neighbouring residents at First floor flat, 84 Mansfield Road, Chalet Cannelle, Suvay, 88B Mansfield Road, Hoylake Crescent, Ickenham, Flat 1, 12 Estelle Road, 88A Mansfield Road, Ground floor flat, 88 Mansfield Road to the original proposal and further objections from 86 Mansfield Road, 88B Mansfield Road and the freeholder of 86 Mansfield Road raised the following concerns:</p> <p>1. The proposed extension and terrace would lead to unacceptable</p>					

levels of noise and disturbance.

2. The proposed extension would lead to loss of light and outlook and cause overshadowing of neighbouring windows and balconies.
3. The proposed roof terrace would lead to unacceptable levels of overlooking to neighbouring properties and gardens.
4. Proposed extension is not in keeping with conservation area and would lead to overdevelopment of the site.
5. No structural evidence to show existing flat roof can withstand an extension above it.
6. Proposed development would decrease value of neighbouring properties.

Officer Comment

1. *The proposed extension has been completely removed from the application, the amenity impact of the proposed terrace is discussed in paragraph 2.3 of this report.*
2. *The proposed extension has been completely removed from the application.*
3. *The proposed extension has been completely removed from the application.*
4. *The proposed extension has been completely removed from the application.*
5. *The proposed extension has been completely removed from the application. Notwithstanding this, matters relating to the structural implications of a development would be dealt with separately if planning permission was granted.*
6. *The potential implications of a proposed development on the value of neighbouring properties would not warrant a reason for the refusal of a planning application.*

Mansfield CAAC
(object)

1. While this will have little effect on the CA it will result in the usual amenity issues of loss of privacy.

Officer Comment

1. *The amenity impact of the proposal is discussed in paragraph 2.3 of this report.*

Site Description

The application site is located on the northern side of Mansfield Road, close to its junction with Estelle Road, and relates to the first floor flat of a 3 storey property that has been converted into separate dwellings. The host property has been previously altered in the form of front and rear dormers, rear extensions and a roof terrace at second floor level.

The application site is located within the Mansfield Conservation Area; the host building is not listed but is identified as making a positive contribution to the character and appearance of the conservation area.

Relevant History

Application site - 86 Mansfield Road

2003/3614/P - The conversion of 1st, 2nd and 3rd floors to provide two self-contained flats, installation of new door and railings to rear roof terrace at second floor level (**approved 13/02/2004**).

Neighbouring sites

84 Mansfield Road

2006/5507/P - Change of use from single dwellinghouse to 3 self-contained flats (Class C3), together with ground floor extension with terrace over, rebuilding of second floor extension with access onto roof terrace and installation of dormer windows to front and rear (Use Class C3) **(approved 19/01/2007)**.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance 2011/2015

CPG1 (Design)

CPG6 (Amenity)

Assessment

1 PROPOSAL

1.1 Planning permission is sought for the creation of first floor roof terrace area to the rear of the site to provide outdoor amenity space for the occupants of the first floor flat. The proposal includes the enlargement of the closet wing rear window to form a doorway out on to the proposed terrace and the installation of 1.1m high black painted metal railing around its perimeter. No other external alterations are proposed.

1.2 Revisions

The plans initially submitted with the application included the erection of single storey, first floor rear extension at the site with associated first floor roof terrace. However, following officer advice regarding the design impact of the proposal, the extension was completely removed from the proposed plans. The current application therefore solely relates to the creation of a first floor roof terrace at the site.

2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- Design and Conservation;
- Amenity of neighbouring residential occupants

2.2 Design and conservation

2.2.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.2.2 The only external manifestation of the proposed terrace area would be the enlargement of the existing rear window to create a new doorway and the installation of a black metal railing around the perimeter of the terrace.

2.2.3 The enlargement of the existing first floor rear window and installation of French doors is considered to represent a minor alteration that would not have a significant impact on the character of the host property or the appearance of the surrounding conservation area. Similarly, the installation of a simple black metal balustrade around the terrace would match a number of surrounding balustrade treatments in the area and is considered appropriate given the sites location in a conservation area and would not cause harm to its character or setting.

2.2.3 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, design and limited visibility of the proposal would ensure no undue harm is caused to the character of the conservation area as a result of the development.

2.3 Amenity of neighbouring residential occupants

2.3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.

2.3.2 Officers note that objections have been raised from the neighbouring residents of the ground

floor flat at the application site and the occupants of the adjoining property at No.84 with regard to the increased overlooking of rear garden areas and rear windows that would occur as result of the proposed roof terrace area.

2.3.3 During the site visit officers noted a number of existing roof terraces that were located to the rear of both the application site and neighbouring properties. These included: A second floor roof terrace area at No.86 (approved under ref: 2003/3614/P) and first and second floor roof terraces area to the rear of the adjoining property at No.84 (approved under 2006/5507/P). There is also an existing terrace to the rear of No.88 at second floor level and No.2 Estelle Road which is located immediately beyond the rear boundary of the site and overlooks several rear garden areas along this part of Mansfield Road. These do not appear to benefit from formal planning permission but are lawful due to the length of time they have been in situ.

2.3.4 Therefore given the above, the rear garden areas of the application site and adjoining sites are already overlooked by several rear roof terrace areas at first and second floor levels, and the creation of a similar sized first floor roof terrace area at No.86 is not considered to lead to an unacceptable loss of privacy or exacerbate current levels of overlooking at the site.

2.3.5 Furthermore, the neighbouring occupiers at No.84 Mansfield Road have raised concerns over the ability of people using the proposed terrace to see through the existing rear French doors that provide access to their first floor terrace area. However, officers note the condition that was attached to the decision notice approving the roof terraces at No.84 (ref: 2006/5507/P), which required details of a privacy screen to be submitted to and approved by the Council to prevent loss of privacy to the occupiers of No.86. During the site visit it was clear that this condition had not been complied with and the privacy screen had not been installed.

2.3.6 Therefore, in order to prevent the unreasonable overlooking of windows to the rear of No.84 a similar condition has been attached to the decision notice for this application requesting a privacy screen to be erected along the boundary with No.84 prior to the commencement of the use of the terrace. Furthermore, in order to prevent any loss of light to the adjoining property at No.84, details of the size and design of the privacy screen will need to be submitted to and approved by the Council prior to the use of the terrace.

3 Recommendation

3.1 Grant conditional planning permission

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 2nd July 2018, 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'

Application ref: 2017/3814/P
Contact: Patrick Marfleet
Tel: 020 7974 1222
Date: 27 June 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
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planning@camden.gov.uk
www.camden.gov.uk

AsB Architecture Ltd
54 Keith Road
Hayes
UB3 4HP

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Flat 1st Floor
86 Mansfield Road
London
NW3 2HX

DECISION

Proposal:

Use of existing ground floor rear extension roof as a first floor amenity terrace area with associated metal balustrade.

Drawing Nos: 86 001, 86 002 Rev 1, Location Plan

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 86 001, 86 002 Rev 1, Location Plan.

Reason:

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

- 4 A 1.8 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the boundary with 84 Mansfield Road prior to commencement of use of the roof terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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

David Joyce
Director of Regeneration and Planning

DRAFT

DECISION