

Re: 4 Frognal Close, London, NW3 6YB

2017/Appeal

Grounds of appeal

27/09/2018

The proposed development which has been refused is for the introduction of clear glass guarding to the length of the rear first floor roof area, and for a short return section of an obscure glazed screen on the boundary with the adjoining semi-detached dwelling house (to afford continued privacy)

Clearly there is absolutely no adverse impact on the appearance or character of the building frontage. Indeed the proposed balustrading is not at all visible from the public realm. As a consequence, the essence of the character and appearance of the Redington / Frognal Conservation Area remains entirely intact, all in accordance with the policy objectives pertaining to the treatment of any proposed development in this Conservation Area

With regard to (reason for refusal) **Policy D1** requirements the situation is as follows:

- a) The proposed modern style balustrading is entirely compatible with the modern host building
- b) Refer D2 comments below for compliances
- c) The development is on an existing site making use of existing amenities
- d) The proposed materials are all highly durable
- e) The proposed materials are of high quality and are also complimentary to the local (modern) character of the houses in the cul-de-sac
- f) Not applicable
- g) Not applicable
- h) Not applicable
- i) The proposed installation will be secure, and will also comply with the relevant Building Regulations
- j) Not applicable
- k) Not applicable
- l) The proposal facilitates the use of a private flat roof space as a private outdoor amenity area, thereby enhancing the quality of life for the occupants without detriment to the amenity or privacy of any adjoining owner
- m) Not applicable
- n) As above the proposal creates an additional high quality amenity zone
- o) Not applicable

Summary: The proposal complies with all relevant criteria

With regard to relevant (reason for refusal) **Policy D2** requirements, the situation is as follows:

Conservation Area requirements:

- e) The proposal has no meaningful impact on the character of the conservation in that it occurs out of sight of the public realm, and cannot be "appreciated" in a manner which in any way affects the overall quality of the environment in this Conservation Area
- f) Not applicable
- g) Not applicable
- h) Not applicable

Summary: the proposal complies with all relevant criteria

Further comments (with regard to the specific reasons for refusal)

- 1) The scale of the balustrading is entirely compatible with the scale of the host building. It is a minor element in a large property
- 2) The siting of the balustrading to the rear of the property means that it cannot actually impact on the public realm, as it is not at all visible from the public realm
- 3) The proposed materials are of a modern type, to be compatible with, and enhance the appearance of the modern host building
- 4) The proposed materials are not incongruous, having an affinity with the modern large (approved) glazed windows leading onto the roof area
- 5) There is no perception of bulk as the balustrading is almost entirely of clear translucent (hence minimalist!) glass. The end screen is also glazed (although obscured). The whole installation will therefore exhibit a simple light, and modern feeling.
- 6) As stated above, there is, in actuality, absolutely no harm to the character and appearance of the Redington / Froggnal Conservation area

Summary

- 1) The proposal does not contravene any relevant Council Policy for development in the Redington / Froggnal Conservation Area.
- 2) The Council grounds for refusal are erroneous and misplaced
- 3) The addition of the proposed balustrading will provide an enhancement to the quality of life for the building occupants
- 4) The design of the proposed balustrading is entirely appropriate in the context of the building to which it will apply
- 5) The alternative solution proposed by the Council (to match the guarding on the nearby property in the cul-the-sac) would not meet current Building Regulations Standards, and therefore cannot be considered as a viable alternative.