

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	24/05/2018
		N/A		<b>Consultation Expiry Date:</b>	01/06/2018
<b>Officer</b>			<b>Application Number(s)</b>		
Ben Farrant			2018/1486/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Flat 3rd & 4th Floor, 85 Jamestown Road London NW1 7DB			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Installation of double doors and Juliet balcony at fourth floor leading to flat roof; installation of railings to flat roof (retrospective)					
<b>Recommendation(s):</b>		Refuse Planning Permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>00</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
Summary of consultation responses:	<p>A site notice was displayed on 11/05/2018 requiring representations by 01/06/2018.</p> <p>One letter of objection was received as summarised below:</p> <p><b><u>60 Gilbey House, 38 Jamestown Road</u></b></p> <ul style="list-style-type: none"> <li>• The retrospective scheme has lost the opportunity for improvement of the site</li> <li>• Poor design</li> <li>• Disregard for planning process</li> <li>• Maintenance can be completed without the need for handrails</li> <li>• Characterful cornice has been lost on these plans and should be reinstated</li> <li>• The windows should be as approved at appeal on the original scheme, the plate glass windows are unacceptable</li> <li>• The Juliet balcony is unnecessary and out of keeping</li> </ul> <p><u>Officer Comments:</u>  <i>The comments regarding the overall design, and design of the Juliet balcony are noted. The 'disregard' of the planning process of the applicant is not a material planning consideration and this retrospective application is assessed in the same way as a prospective application. It is noted that alternative maintenance methods to a handrail could be implemented. The windows referenced (i.e. serving the remainder of the flat) are subject to a separate refused planning application (Ref: 2017/5170/P dated 07/02/2018) and enforcement case (Ref: EN17/0067).</i></p>					
Camden Town Conservation Area Advisory Committee (CAAC)	<p>“We object to all construction work that has been done without permission since the Appeal decision and that is not in the information that was provided to the Planning Inspector. We object to the proposed omission of works that were shown to the Planning Inspector as being proposed”</p> <p><u>Officer Comments:</u>  <i>This application concerns the balustrade, double doors and Juliet balcony only. The remaining works referenced (including the installation of aluminium windows to the remainder of the flat) are subject to a separate refused planning application (Ref: 2017/5170/P dated 07/02/2018) and enforcement case (Ref: EN17/0067).</i></p>					

## Site Description

The application site is a four storey building (plus mansard roof addition) on the junction of Jamestown Road and Oval Road.

The property is outside of a conservation area, however it is adjacent to the Regents Canal and Primrose Hill Conservation Areas and is locally listed as is the adjoining block of terraced properties along Jamestown Road, and the adjoining block of terraces on Oval Road, and is adjacent to the Grade II Listed Gilbey House.

## Relevant History

The site has a long planning history, below is the most relevant history to this application:

**2017/5170/P** - Installation of 1 x window at third floor level; double glazed aluminium framed windows to third and fourth floors; increase height of party wall chimney stack; installation of 1 x roof light (Retrospective) – **Refused with Warning of Enforcement Action to be taken 07/02/2018**

**2014/4058/P** - Mansard roof extension to create additional floor to 3rd floor flat and infill extension at side – **Refused 08/09/2014 – Appeal allowed 10/04/2015 (Ref: APP/X5210/W/14/3000701)**

**2014/0635/P** - Change of use of part ground floor from B1 office to self-contained studio flat and three storey side infill extension to extend residential flats on 1st, 2nd and 3rd floor levels and associated use of basement vault as cycle storage – **Granted 10/06/2014**

## Relevant policies

### National Planning Policy Framework 2018

### The London Plan March 2016

### The Camden Local Plan July 2017

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

### Camden Planning Guidance

CPG1 Design (2015, updated 2018)

CPG Amenity (2018)

## Assessment

The application proposes minor alterations to the previous application (Ref: 2014/4058/P dated 08/09/2014) which was refused and subsequently allowed at appeal (Ref: APP/X5210/W/14/3000701 dated 10/04/2015) to form a mansard roof extension and infill extension to the side. Proposed here is the replacement of an approved sash window, with Juliet balcony, with openable balcony on to the flat roof of the adjacent extension, as well as the installation of a balustrade around the perimeter of the adjacent flat roof. The application is retrospective with the works already substantially complete.

Local Plan Policy D1 states that the Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage.

Para 5.7 of the CPG 1 Design (updated March 2018) states that roof alterations are likely to be acceptable where: Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form.

The double doors and Juliet balcony leading to the flat roof appear as incongruous additions to both the host building and wider areas. Aluminium framed fenestration is unacceptable; fenestration should be timber in keeping with the architectural and historic context of the locally listed group and surrounding area. This material finish specifically is noted within para. 16 of the Planning Inspector's report of the previous application (Ref: APP/X5210/W/14/3000701 dated 10/04/2015) that: "*These characteristics, together with the use of traditional materials would, I find, ensure that the proposal would appear sympathetic to its surroundings.*" It was further noted that conditions controlling materials were "*necessary to protect local character*", with details required under condition 4 of the allowed appeal; no details were submitted to the Local Planning Authority. The proposed works (including aluminium framed double doors) therefore fail to respect the local context or to preserve and enhance the locally listed group, the character and appearance of the adjoining conservation areas or the setting of the Grade II listed building opposite, contrary to Local Plan Policies D1 and D2.

Similarly the steel railings would add to the visual clutter of the roof failing to be architecturally sympathetic to the age and character of the building. They would also add to the overall scale of the previously approved addition. The previous scheme had a stepped approach with the more subordinate side extension to the main corner building, the proposed balustrade serves to distract from the host property, as well as increasing the bulk of the addition on the boundary, projecting above the adjoining run of locally listed terraced properties.

The alterations presented here are considered to be unsympathetic and incongruous additions to the building which fail to preserve or enhance its character, appearance or historic interest. The additions would represent detrimental harm to the character and appearance of this heritage asset and is therefore unacceptable.

Whilst it is acknowledged that the proposal would include a Juliet balcony (with associated balustrade), this would be openable allowing access to a large proportion of the flat roof. The flat roof could therefore be used without impediment as a balcony, roof garden or similar amenity area in the future, leading to noise and overlooking impacts. Given the height of the roof and position of the balustrades, this has the potential to result in significant overlooking to neighbouring properties, most notably the upper floor windows of nos.14, 16 and 18 Oval Road, unduly impacting on their residential amenities. For this reason the proposal is considered to be contrary to policy A1 of the Camden Local Plan (2017).

Given the above assessment, the proposed development is contrary to policies D1, D2 & A1 of the London Borough of Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2018.

### **Recommendation**

Refuse planning permission with warning of enforcement action