

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		02/05/2019	
		N/A / attached		<b>Consultation Expiry Date:</b>		06/04/2019	
<b>Officer</b>				<b>Application Number(s)</b>			
Charlotte Meynell				2019/1190/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Flat Upper 87 Burghley Road London NW5 1UH				See draft 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>							
Alterations to the rear elevation at first floor level, including the creation of a roof terrace above two storey closet wing enclosed by new timber balustrade, and replacement of existing first floor window with a door.							
<b>Recommendation(s):</b>		Refuse planning permission					
<b>Application Type:</b>		Full Planning Application					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	0	No. of responses	0	No. of objections	0
<b>Summary of consultation responses:</b>		A site notice was displayed on 13/03/2019 and expired on 06/04/2019. No responses were received from neighbours.					
<b>Kentish Town Neighbourhood Forum comments:</b>		The Kentish Town Neighbourhood Forum have no comments to make in relation to this application.					

## Site Description

The site comprises of a three-storey plus lower ground floor mid-terrace building situated on the north-western side of Burghley Road. The property has been divided into two flats; a flat at lower ground and ground floor level and a two-bed flat at first and second floor levels.

This proposal relates to the flat at first and second floor levels only, which does not have access to the rear garden.

The building is not listed and the site does not fall within a conservation area. The site lies within the Kentish Town Neighbourhood Area.

## Relevant History

### 87 Burghley Road

**2018/2229/P** – Alterations to the rear elevation at first floor level, including the creation of a roof terrace above two storey closet wing enclosed by new timber balustrade and privacy screens, and replacement of existing first floor window with aluminium framed doors. **Planning permission refused 29/09/2018**

### Reasons for refusal:

1. The proposed development, by reason of its siting, scale, bulk, materials and detailed design would appear incongruous and would fail to respect and preserve the original design and proportions of the building and would harm the visual integrity of the group of buildings of which it is a part, harming the character and appearance of both the host building and the surrounding area. As such, the proposal is contrary to Policy D1 (Design) of the London Borough of Camden Local Plan (2017) and Policy D3 (Design Principles) of the Kentish Town Neighbourhood Plan (2016).
2. The proposed development, by reason of its location and proximity to the upper level windows at No. 85 Burghley Road, would result in a detrimental loss of privacy and sense of intrusion to this neighbouring property, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

**PEX0200108** – The addition of a dormer window and one 'velux style roof light at the rear and two 'velux' style roof lights to the front elevation of roof. **Planning permission granted 02/07/2002 (Permission was not implemented)**

**CTP/E11/22/20/30167** – Change of use to a self-contained flat on the ground floor with a self-contained maisonette above, including works of conversion. **Planning permission granted 25/04/1980**

### 89 Burghley Road

**2011/3642/P** – Erection of single storey rear/side extension at ground floor level with balcony above, including installation of balustrade to dwelling house (Class C3). **Planning permission granted 13/09/2011**

### 91 Burghley Road

**2006/0161/P** – Erection of a metal railing over the parapet of the existing single-storey rear extension for use as a terraced area. **Planning permission granted 20/03/2006**

### 61 Burghley Road

**CTP/E11/22/5/30234/D** – Erection of a third-storey, eleven feet in depth, to the existing rear two-storey addition to provide additional living accommodation and a balcony. **Planning permission granted 27/05/1980**

## Relevant policies

### National Policy Planning Framework (2019)

### London Plan (2016)

### Draft London Plan (2017)

### Camden Local Plan (2017)

- G1 – Delivery and location of growth
- A1 – Managing the impact of development
- D1 – Design

### Camden Planning Guidance

- CPG Altering and extending your home (2019) – Sections 2 (Design excellence for houses and flats), 4 (Roofs, terraces and balconies)
- CPG Amenity (2018) – Sections 2 (Overlooking, privacy and outlook) and 3 (Daylight and sunlight)

### Kentish Town Neighbourhood Plan (2016)

- D3 – Design Principles

## Assessment

### 1.0 Proposal

1.1 Planning permission is sought to create a roof terrace with a length of 3.8m and a width of 2.5m above the existing two-storey rear closet wing. The proposed terrace would be set in from the rear boundary of the closet wing by 2.0m and set up from the eaves by 0.6m. The main features of the proposal comprise:

- Cutting into the mono-pitched roof slope to a maximum depth of 1.2m from the highest point of the roof adjacent to the neighbouring closet wing at No. 85 Burghley Road, and raising the height of the roof by 0.2m at its lowest point, to create a timber decked flat roof;
- The erection of a 1.3m high slatted red cedar timber balustrade with a length of 3.8m along the northern boundary of the proposed terrace;
- The erection of a slatted red cedar timber balustrade with a length of 2.4m to the rear boundary of the proposed terrace, increasing from a height of 0.05m adjacent to the southern boundary of the terrace to a height of 1.3m adjacent to the northern boundary of the terrace;
- The installation of fixed planters and benches with a height of 0.4m and maximum depth of 0.5m along the full length of the south-western side boundary and western rear boundary of the proposed terrace;
- The replacement of the rear second floor timber-framed sash window with a new timber-framed door and the installation of two timber steps with a height of 0.2m to enable access onto the proposed terrace below.

### Comparison to previous application

1.2 The proposal has been amended from the scheme previously refused in application ref. 2018/2229/P on 29/09/2018 to reduce the size of the proposed roof terrace and remove the proposed privacy screening to the north-eastern boundary of the proposed terrace. The design of the proposed door to replace the existing second floor window has also been amended since the previous application. However, the amendments are not considered to be sufficient to overcome the previous reasons for refusal.

## **2.0 Assessment**

2.1 The principle considerations material to determining this application are as follows:

- Design (the impact of the proposal on the character and appearance of the host property, as well as that of the wider area);
- Amenity (the impact of the proposal on the residential amenity of neighbouring occupiers).

## **3.0 Design and Appearance**

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building.

3.2 CPG Altering and extending your home paragraph 4.12 advises that terraces should complement the elevation upon which they are to be located and consideration should be given to the detailed design to reduce the impact on the existing elevation, careful choice of materials and colour to match the existing elevation, and the possible use of setbacks and screens or planting to prevent overlooking. Paragraph 4.13 goes on to state that the dimensions of the roof should be sufficient to accommodate a terrace without adversely affecting the appearance of the roof or the elevation of the property.

3.3 CPG Altering and extending your home paragraph 4.1 further states that roof extensions and alterations are likely to be acceptable where there is an established form of roof addition or alteration to a terrace, or where alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form.

3.4 Policy D3 (Design Principles) of the Kentish Town Neighbourhood Plan insists upon high quality, sustainable design which is based on a comprehensive understanding of the site and its context, and complements and enhances local character and the existing palette of materials in the surrounding buildings. All proposals must be well-integrated into their surroundings and must identify and draw upon key aspects of character, or design cues from the surrounding area. Appropriate design cues include grain, building form, scale, height and massing, alignment, modulation, architectural detailing, materials, public realm and boundary treatments.

3.5 Pairs of two-storey closet wings are a predominant feature of the rear building line along this side of Burghley Road. The proposed rear roof terrace would be created through cutting into the existing mono-pitched roof of the closet wing and increasing the height of the roof slope to the north by 0.2m, to form a flat roof above and within the existing roof. The entirety of the middle section of the roof slope would be removed, including the section adjacent to the rear building line, and only a 0.6m strip of slate tiled roof slope above the eaves and a 2.0m strip to the rear of the closet wing would retain the original mono-pitched roof form.

3.6 Although the proposed roof terrace has been reduced in size in comparison to the roof terrace which was refused in the previous application ref. 2018/2229/P, it is considered that the proposal would still result in the loss of the overall integrity of the existing roof form, contrary to paragraph 4.1 of CPG Altering and extending your home guidance. The proposed roof terrace is considered to be an unsympathetic and incongruous alteration to the roofline, which would be out of keeping with the original architectural features of the host building and would disrupt the pattern and form of the rear building line of the terrace. The rear closet wing of the host building forms a pair with the rear closet wing at No. 85 Burghley Road, and the symmetry of the roof forms within this pair and between the neighbouring pair of closet wings at Nos. 89 and 91 Burghley Road would be removed by the proposal, to the detriment of the character and appearance of the rear building line of these buildings.

3.7 Whilst it is acknowledged that there are other existing roof terraces to the rear of the buildings along this side of Burghley Road, these are predominantly located at first floor level above single storey extensions. There is one example of an existing second floor roof terrace located above a two-storey closet wing at No. 61 Burghley Road which was granted planning permission in an historic application (see planning history section above); however, it is considered that this example clearly demonstrates the harm that the removal of the original roof form of the closet wing can cause harm to the character and appearance of both the host building and the neighbouring buildings within the terrace, and as such it should not be considered to act as a precedent for the proposed scheme at No. 89.

3.8 The proposed balustrades to be installed to the north-eastern and rear sides of the proposed terrace would be a solid and permanent feature on the rear of the property. Through being up to 1.3m in height and 3.8m long and positioned at second floor level, the balustrades would be visually prominent and would represent an overly dominant and incongruous feature on the property, to the detriment of the host building. The balustrades would also be visible from the neighbouring property No. 89 Burghley Road and their rear garden, and also in longer views from Ingestre Road to the north.

3.9 The proposed replacement of the existing second floor timber-framed sash window with a new timber framed door to facilitate access onto the roof terrace would lower the height of the rear opening. All of the rear openings to the host building and the adjacent neighbouring buildings are uniform in terms of size, materials and detailed design, which lends further symmetry to the rear building line of the terrace. Furthermore, the existing second-floor window contains detailed and intricate glazing bars, which match the detailed design of the adjacent window to the neighbouring property at No. 85, and CPG Altering and extending your home paragraph 2.19 advises that such original glazing bars should be retained and repaired. As such, it is considered that the replacement of the rear window with a new door with a different pattern of glazing bars would not be sympathetic to the host building and would appear as a visually intrusive alteration, which would unbalance the appearance of the rear of the terrace, to the detriment of the host building and the terrace of which it forms a part.

#### **4.0 Residential Amenity**

4.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes overlooking, outlook, noise, daylight and sunlight.

4.2 CPG Amenity paragraph 2.11 states that balconies and roof terraces should be carefully sited to reduce potential overlooking of habitable rooms of neighbouring residential buildings.

4.3 The proposed roof terrace would be located at second floor level and situated within close proximity to the neighbouring property No. 89 Burghley Road. It is considered that, given the location and size of the terrace, including fixed benches with a height of 0.4m above the floor level of the terrace, it would cause harm to the amenity of the neighbouring property at No. 89 through loss of privacy caused by direct overlooking into second floor side closet wing windows and rooflights serving habitable rooms. The proposal would also facilitate direct views into the third floor side closet wing window of No. 83 Burghley Road, which serves a habitable room and would thus also result in a loss of privacy for the occupiers of this property.

4.4 The proposal does not include the erection of any privacy screening to the sides of the proposed roof terrace. The roof terrace proposed in the previously refused application ref. 2018/2229/P included privacy screening along the north-eastern side and western rear boundaries of the terrace, in order to prevent a loss of privacy through overlooking into the habitable rooms of No. 89 Burghley Road. However, this was considered to be unacceptable in design terms, as it was considered that such screening would be detrimental to the appearance of the host building and the terrace of which it forms a part. Whilst the erection of privacy screening to both sides of the proposed roof terrace could normally be conditioned, in this instance it is considered that privacy

screening with a minimum required height of 1.8m to the north-eastern side boundary and a minimum required height of 0.4m above the existing closet wing parapet wall between the host building and No. 85, would be considered unacceptable in design terms for the same reasons set out in paragraph 3.8 above for the balustrades already proposed.

4.5 Owing to the siting of the proposed roof terrace, it is considered that it would not result in a loss of daylight or sunlight to habitable rooms of neighbouring properties.

## **5.0 Conclusion**

5.1 It is considered that the siting, scale, bulk and detailed design of the proposed roof terrace and its associated screening would appear incongruous and would have an adverse impact on the character and appearance of the host building, the terrace of which it forms a part, and the surrounding area. The proposed terrace would also lead to a loss of privacy through overlooking into second and third floor side windows and rooflights of the closet wings of the neighbouring properties Nos. 83 and 89 Burghley Road. As such, the proposal is considered unacceptable and contrary to policies A1 and D1 of the Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016.

## **6.0 Recommendation**

6.1 Refuse planning permission.