

3 King's College Road NW3 3ES 2019/0834/P



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Photo 1 (above): View of rear ground and upper ground floors with installed staircase



Photo 2 (above): View of privacy screen on boundary with no. 1 King's College Road

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date: 08/02/2019	
		N/A		Consultation Expiry Date: 13/01/2019	
Officer			Application Number(s)		
Josh Lawlor			2019/0834/P		
Application Address			Drawing Numbers		
3 King's College Road London NW3 3ES			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of spiral staircase to rear (Retrospective application)					
Recommendation:		Grant Conditional Planning Permission			
Application Type:		Householder Planning Permission			
Conditions or Reasons for Refusal:		Refer to Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	1	No. of objections	1
Summary of consultation:		<p>Site notices were displayed from 21/02/2019. The application was publicised in the Ham & High newspaper from the 15/02/2018 to the 11/03/2019</p> <p>1 Kings College Road raised the following comment:</p> <ol style="list-style-type: none"> The location of the staircase causes direct overlooking into my kitchen/living area. A privacy screen should be installed to mitigate this impact. <p><i>Officer response: Over the course of this application the applicant has installed a privacy screen which is considered to adequately prevent overlooking between the neighbouring properties. The privacy screen is not</i></p>			

	<p><i>included for consideration within the current application, and as such, an informative would be added to the decision notice reminding the applicant that the privacy screen requires planning permission.</i></p>
<p>CAAC/Local groups* comments: *Please Specify</p>	<p>The Belsize CAAC raised the following objection:</p> <ol style="list-style-type: none"> 1. Object to a retrospective planning application 2. The central location of the staircase is harmful to the appearance of the building 3. The central location of the staircase is harmful to outlook from within the building. <p><u>Officer response:</u></p> <ol style="list-style-type: none"> 1. <i>Although the staircase has been installed without consent and retrospective permission is sought, the fact that the staircase is already installed is not a material consideration in the determination of the application. There is no legislation which prevents the submission of a retrospective planning application, although carrying out development without the benefit of planning permission is done at the owner's risk.</i> 2. <i>The spiral staircase is a simple and elegant design which relates well to the contemporary host building.</i> 3. <i>The outlook from the building would not be significantly compromised given the lightweight design of the staircase. The outlook from the rear windows and daylight levels would not be compromised to such an extent as to warrant refusal of the planning application.</i> <p><i>In addition to the above responses, please see the design (section 3) and amenity (section 4) of this report for a more detailed assessment.</i></p>

Site Description

The application site is a modern building on the east side of King's College Road with a basement, ground and first floor. The property is in use as a single-family dwelling and is located within the Belsize Conservation area but is not listed.

Consent for the construction of the building was granted at appeal in 2015 following refusal of the application by the LPA (see history section).

Relevant History

2014/0586/P - Erection of building comprising basement, ground and first floor for use as a single-family dwelling. Allowed at appeal (ref. APP/X5210/W/14/3000546) dated 28/04/2015.

The Inspector concluded in their reasons for granting permission:

*Effective use of land in a highly accessible location and contribution of housing provision.
The proposal would preserve the character and appearance of the conservation area and be in keeping with the street scene without adverse impact on surrounding residents or on the adjoining trees*

2018/1088/P - Amendments to the internal layout for the erection of a two storey (plus basement) single family dwellinghouse allowed at appeal (ref. APP/X5210/W/14/3000546) on the 28/04/2015 following the refusal of planning application 2014/0586/P dated 14/07/2014 (no external changes proposed) Granted 03/07/2018

Officer comment – the spiral staircase was removed from the above non-material minor amendment application as it was not considered to be non-material and would require planning permission.

Relevant policies

National Planning Policy Framework 2019

London Plan 2016 and Draft London Plan 2018

Camden Local Plan 2017

A1 Managing the Impact of Development

D1 Design

D2 Heritage

Camden Planning Guidance (CPG):

CPG Design 2019

CPG Amenity 2018

Belsize Conservation Area Appraisal and Management Strategy 2003

Assessment

1. Background to the proposal

- 1.1. The proposal is a retrospective application for an external black painted metal spiral staircase to the rear of the property. The staircase provides access from the upper ground floor level to basement level and has been installed to meet Building Regulations requirements to provide a secondary means of escape.
- 1.2. Planning permission for the host building was granted on appeal (ref. APP/X5210/W/14/3000546 dated 28/04/2015).

2. Assessment

- 2.1. The principal considerations material to the determination of this application are as follows:

- The impact on the character and appearance of the host property and conservation area (design)
- The effects on the residential amenities of neighbouring occupiers (amenity)

3. Design

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. 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 – in this case, the Belsize Park Conservation Area.
- 3.2. The external black metal staircase provides access from upper ground floor to basement level. The staircase is a simple and unobtrusive addition which sits comfortably at the rear of the building. The staircase is not visible from the public realm and does not harm the appearance of the building or impact the character and appearance of this part of the conservation area. As such, the proposed staircase is considered acceptable in design terms, in accordance with policies D1 and D2 of the Local Plan.
- 3.3. Considerable importance and weight has been attached to the harm and 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 3.4. Standard of residential accommodation
- 3.5. Policy D1 of the Local Plan seeks to secure a high standard of accommodation for new residential development, with outlook being one of the considerations. The rear elevation is largely glazed and given the lightweight appearance of the spiral staircase, it does not significantly impact the outlook from the rear windows or access to daylight.

4. Neighbouring Amenity

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, daylight and sunlight, artificial light spill, as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely affected from noise or vibrations.
- 4.2. The staircase and associated balcony at upper ground floor level are not designated as a terrace or outdoor amenity space, and the balcony was previously shown as an external planter on the drawings approved at appeal. Due to the requirement for a secondary means of escape, the previously approved planter has been replaced with an external platform to provide access to the staircase. It is acknowledged the staircase is circulation space so is more likely to result in an increased perception of overlooking rather than actual overlooking as users are unlikely to dwell and spend time on the staircase or the balcony given its small size (4.3sqm) and narrow width (78cm). Nevertheless, a privacy screen has been installed above the boundary wall with no. 1 which is considered to adequately prevent potential overlooking between the neighbouring properties.

5. Conclusion

- 5.1. The proposed development is considered acceptable in terms of design and impact on neighbouring residential amenity. The development is deemed consistent with the objectives and policies identified above.

6. Recommendation

- 6.1. Grant Planning Permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members' Briefing panel on Monday 13th May 2019, 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: 2019/0834/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Date: 8 May 2019

Development Management
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Square Feet Architects
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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

3 King's College Road
London
NW3 3ES

Proposal:

Installation of spiral staircase to rear (Retrospective application)

DECISION

Drawing Nos: Cover Letter, Proposed site Plan_1534_L_010, Site Location Plan_1534_L_010, Proposed Section B-B_1534_L_141, Proposed Section H-H_1534_L_147, Proposed basement Plan_1534_L_124, Proposed upper ground floor plan_1534_L_122, Proposed Lower ground floor plan_1534_123

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 shall be carried out in accordance with the following approved plans: Proposed site Plan_1534_L_010, Site Location Plan_1534_L_010, Proposed Section B-B_1534_L_141, Proposed Section H-H_1534_L_147, Proposed basement Plan_1534_L_124, Proposed upper ground floor plan_1534_L_122, Proposed Lower ground floor plan_1534_123.

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

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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 You are reminded that the privacy screen that has been installed on the boundary with no. 1 King's College Road requires planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning