

CONSULTATION SUMMARY

Case reference number(s)

2019/0807/P

Case Officer:

John Diver

Application Address:

Flat 1st Floor
36 Mansfield Road
London
NW3 2HP

Proposal(s)

Creation of rear terrace for first floor flat (Use Class C3) to roof of existing single storey extension including installation of railings, decking and replacement of window with French doors.

Representations

Summary of consultation:	Multiple site notices were erected near to the site on the 17/04/2019 (expiring 11/05/2019). The application was also advertised in the local press on the 18/04/2019 (expiring 12/05/2019).				
Consultations:		No. of responses	2	No. of objections	2
Summary of representations:	<p>Two letters were received from the owners/occupiers of no.38 and the ground and first floor flat at no.34 Mansfield Road. The objection comments received can be summarised as follows:</p> <ol style="list-style-type: none"> 1. Loss of privacy to garden space and views permitted into neighbouring window and Velux; 2. A previous 2007 scheme was refused for similar grounds and should be upheld <p><u>Officers' response:</u> 1) Initially, officer's raised similar concerns, however, revisions were subsequently secured which addressed this concern. The depth of the terrace has been halved, and would now only occupy 50% of the roof with a maximum depth of 1.6m. In addition, plans have been updated to show that a fixed planter with a minimum width of 500mm is to be installed along the shared boundary no.38. These two alterations mean that the usable area of terrace is reduced so that there is only limited space for congregation, meaning that the level of activity seen to the terrace is capped. In addition, the depth of the terrace and the location and width of the planter have been specifically chosen so that they physically prevent clear views</p>				

towards neighbouring properties, in particular the rear gardens areas of no.38, 36 and 34 as well as the Velux windows of the adjacent extension and first floor rear window at no.38. These measures would mean that only oblique views towards neighbouring windows would be afforded that would not result in a detrimental loss of privacy. In order to ensure that no greater proportion of the roof area is used as a terrace, a condition is recommended. This would ensure that the extent of usable roof area remains enforceable.

2) Only four other applications have been registered at this site, all of which were granted permission. In 2007, an application was granted consent (ref.2007/4462/P) that included the formation of a new roof terrace at second floor level. While it is noted that a 1st floor terrace had been omitted from the scheme prior to determination, this had also proposed to occupy the entire first floor flat roof and so the initial concerns outlined above would have also been raised. In this case it was found that by securing revisions to reduce the extent of the terrace and to inhibit users from standing immediately along the shared boundary, the resulting impacts would not substantiate a reason for refusal, given the number of surrounding terraces and establish relationship of mutual overlooking from these and neighbouring properties.

Recommendation:-

Grant conditional planning permission