

Delegated Report (Refusal)		Analysis sheet		Expiry Date:		16/04/2019	
		N/A		Consultation Expiry Date:		07/04/2019	
Officer				Application Number			
Obote Hope				2019/0966/P			
Application Address				Drawing Numbers			
22 Belsize Grove London NW3 4TR				Refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal							
The installation of wrought iron balustrades associated with the use of the second floor flat roof as a terrace.							
Recommendation:		Refuse permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	0	No. of objections	0
				No. electronic	0		
Summary of consultation responses:		Site notice displayed from 14 th of March. . Press notice published on 14th of March. No comments or objections were received from neighbouring occupiers.					
CAAC/Local groups comments:		An objection was received from Belsize CAAC requesting details of the proposed railings.					
Site Description							
The application building is a substantial 3-storey (plus basement) semi-detached white stucco villa located on the southern side of Belsize Grove at the junction with Primrose Gardens. The property has a 3-storey flat-roofed side extension. The site is located within a residential street and the application building dates in the mid-19 th century. Although not listed, the property has been identified as making a positive contribution to the character and appearance of the Belsize Conservation Area in which it is located. The property is subdivided into 6 self-contained units. This application relates to a flat roofed area accessed from a flat at 2 nd floor level of the building.							
Relevant History							

2010/4215/P – Planning permission for the erection of railings to the second floor flat roof in association with use as a roof terrace was refused on 13/10/2010 and the appeal (APP/X5210/A/11/2145019) was dismissed on **26 April 2011**.

The Inspector stated:

'There is ambiguity on the submitted plans, with the elevations showing a simple railing, and the larger scale detail showing an intricate design. Whilst I saw a few examples of ornate railings in the vicinity, the majority of metalwork to upper floor balconies and terraces in the area is of much simpler design. I acknowledge that design is a subjective matter, and that the railing detail has been individually designed and crafted, with the aim of complementing the period of the building. However, given the prominence of the railings and their context, the style indicated would appear overly complicated and dominant. Whilst the simple vertical style shown on the elevations would be less complex, its location and expanse would be equally damaging to the appearance of the building and its setting'.

2018/2924/P – Planning permission for the installation of wrought iron balustrades associated with the use as the second floor flat roof as a terrace was refused on 21/12/2018.

Reason for refusal:

The proposed railings by reason of their location and detailed design would represent a highly prominent and incongruous addition that would add visual clutter and perceived additional bulk that would be harmful to the host building, the streetscape and the wider conservation Area. As such, the proposal is contrary to policies D1 (Design) and D2 (Heritage) of the Local Plan 2017.

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

The Camden Local Plan 2017

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

Camden Planning Guidance:

CPG – Design (March 2019)

CPG Altering and extending your home (March 2019)

CPG 6 – Amenity (July 2015 updated March 2018)

Belsize Conservation Area Statement (2003)

Assessment

1.0) Proposal

- 1.1) Planning permission is sought for the installation of metal railings associated with the use of the second floor flat roof as a terrace.
- 1.2) The proposed metal railings would have a design made up of tightly-spaced vertical bars. They would measure 1.1m in height and follow the irregular line of the existing parapet, which includes a corner turret.

2.0) Material Planning Considerations

- 2.1) The principal material planning considerations are the design of the railings, the impact on the character and appearance of the Conservation Area and the impact on neighbour amenity.

3.0) Design and impact on the character and appearance of the Conservation Area

Background

- 3.1) The Council's design policies are aimed at achieving a high standard of design in all developments and preserving the architectural quality of buildings. With particular reference to this proposal, the following points contained within Policy D1 and D2 are relevant. A development should:
- respect its site and setting;
 - preserve the architectural integrity of the building;
 - consider the character, context and the form and scale of neighbouring buildings;
 - improve the attractiveness of an area and not harm its amenity or appearance.
- 3.2) The Council's policies for developments in a Conservation Area are aimed at preserving or enhancing the special character and appearance of the area.

Local context

- 3.3) The existing side extension is one storey in height below eaves level. The appearance and architectural style of the extension indicates that it is not an original feature. However, no record exists of permission having been granted for it, and the extension would appear to have been constructed prior to the introduction of comprehensive planning control. The property is prominent from the front, side and rear in views, given its setting from Belsize Grove and Primrose Gardens. Although, the side extension is partially screened by mature trees to the front and rear of the property; the proposed metal railings would be highly prominent from the public domain.
- 3.4) The flat roof would be enclosed with railings and is currently accessed via a door from the second floor flat; the Belsize Park Conservation Area Statement draws attention to inappropriate prominent roof terraces as having a negative impact that erodes the character and appearance of the Belsize Conservation Area. The document states that new developments involving roof terraces could have a negative visual impact due to the inappropriate railings that are prominent in the street scene and advises that railings around roof gardens/terraces should be constructed from materials appropriate to the building and should not be visually prominent. In this instance the railing would be prominent in the street scene, and would have a negative impact on and erode the character and of the Conservation Area.
- 3.5) It is duly noted that there are examples of roof terraces in close proximity, including 9-11 Belsize Grove and other examples contained in the supporting Design and Access Statement. However, the examples given bear little resemblance to the scheme proposed here given the overall floor area combined with the setting and scale of the terrace proposed. Each application must be judged on its own merits and unique circumstances. It is also noted that any existing harm within the prevailing pattern of development does not justify further harm.

Proposed scheme

- 3.6) The proposed terrace would have an area of approximately 119sqm and the railings would follow the irregular line of the parapet, which includes a corner turret, given the size and irregular shape of the terrace being enclosed and the position of the railings close to the edge of the building. The proposal would appear unduly intrusive in the street scene. Thus, the proposed railings would fail to preserve or enhance the special character of the Belsize Conservation Area. Moreover, the proposal would undermine the architectural quality of the host building both in terms of additional perceived bulk and by virtue of the extensive floor area of the flat roof.
- 3.7) The proposed railings would be an incongruous addition given the size and prominence of the terrace, and its dominant location on the flat roof at second floor level. The railings would be clearly visible in long views, be a highly prominent and obtrusive addition. The installation of the proposed railings would result in additional visual clutter, the perceived additional bulk and the overall floor area of the flat roof.

4.0) Impact on amenity

- 4.1) Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and

neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG - Amenity provides specific guidance with regards to privacy, overlooking and outlook.

- 4.2) A site visit by officers suggests that the windows of the other flats within the building that are directly overlooked from this area are either obscure-glazed or non-habitable (e.g. communal stairs). Windows to habitable rooms to the rear of the side elevation are overlooked by the flat-roofed area; however, the angle at which they are overlooked means that views into the affected rooms are not deep. It is not clear whether the side dormer window above serves a habitable room. Nevertheless, due to the angle at which views upwards from the terrace would be afforded, such views would be in the direction of the ceiling of the room and not deep into the room. Views from the proposed terrace to neighbouring properties along Primrose Gardens would replicate existing views from the side extension of the property and would not have a detrimental impact with overlooking into these properties.
- 4.3) There would be no loss of daylight, sunlight or outlook to neighbours as a result of the proposal and the application is considered consistent with policy A1.

5.0) Recommendation: Refuse planning permission

