

2019/2973/P - Ground Floor Flat, 26 Adamson Road. NW3 3HR



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2019/2973/P - Ground floor flat, 26 Adamson Road - Site Photos



1. Birdseye view



2. Rear view



3. View towards terrace at no. 24



4. View towards rear garden of lower ground flat

Delegated Report		Analysis sheet		Expiry Date:	23/07/2019
(Members Briefing)		N/A		Consultation Expiry Date:	04/08/2019
Officer			Application Number(s)		
Thomas Sild			2019/2973/P		
Application Address			Drawing Numbers		
26 Adamson Road London NW3 3HR			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of balustrade to form a roof terrace at upper ground floor level; Alteration of rear window to form access door					
Recommendation(s):		Grant conditional planning permission			
Application Types:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	7	No. of objections	7
Summary of consultation responses: <i>Officer response in italics</i>	Site notice displayed from: 05/07/2019 until 29/07/2019 Press notice printed from: 11/07/2019 until 04/08/2019 7 x responses including Flats 1, 3 and 5 within no. 26 Objections relating to: <ul style="list-style-type: none">Noise nuisanceProposed screens would be detrimental to surroundingsOverlookingSize of terrace is too largePrevious refusal for terrace in 1988Reduce value of propertyImpact on structural integrity of extension belowDisruption from construction <i>The proposals have been revised to significantly reduce the size of terrace, and omit the proposed screens. Please see sections on Design and Amenity for further information in response to the above.</i>			
Belsize Society and Belsize CAAC	Belsize Society objects to the proposals due to the historic planning decision in 1988 8803766 <u>Officer response:</u> <i>The 1988 enforcement was in relation to a previous siting of a terrace. No drawings exist for these proposals to ascertain the terrace’s extent and design. There has been other development in the surroundings in the intervening period including the appearance of other roof terraces. As such the assessment of this current planning application must be taken on its merits, based on current policy and in relation to the existing situation.</i> Belsize CAAC objects to the reduced version due to considerable overlooking to adjoining properties. <u>Officer response:</u> <i>See section on Amenity.</i>			

<p>Councillor Steve Adams</p>	<p>Support for policy that prevents loss of amenity through overlooking.</p> <p><u>Officer response:</u></p> <p><i>See section on Amenity</i></p>
<p>Councillor Tom Simon</p>	<p>The proposed balcony would impact on the privacy/amenity of the garden flat and possibly other homes in the immediate vicinity. I am concerned that both the garden and the conservatory at no.26 would be overlooked by even the reduced balcony size. I am also concerned about noise from the balcony. I am aware that there are other similar balconies on nearby properties, but understand that in each of these cases the balcony is part of a maisonette flat over the first two floors of the building.</p> <p><u>Officer response:</u></p> <p><i>See section on Amenity</i></p>

Site Description

26 Adamson Road is a 5-storey end of terrace Victorian house, subdivided into 5 flats. This application relates to the flat located at raised ground floor level. The house has been extended at lower ground floor level and through the addition of dormers and a roof terrace at 4th floor level. The house is noted as making a positive contribution to the surrounding Belsize Conservation Area.

Relevant History

No. 26

1987 – Permission granted for change of use and works of conversion into five self-contained units including the formation of front rear and side dormers and the erection of a single storey rear extension (ref 8700697)

Ground Floor Flat

1988 – Planning permission refused for retention of French doors and the erection of railings around the flat roof of the rear ground floor extension to form a terrace, (ref 8803766). Reason for refusal “The proposed roof terrace would result in unreasonable overlooking and loss of privacy to the adjoining residential properties to the detriment of the amenities of residents” and enforcement action was taken.

Lower Ground Floor Flat

2010 – Permission granted for the erection of a single storey rear extension and a garden outbuilding to the existing flat following the demolition of an existing single storey conservatory and existing garden shed. (ref 2010/5595/P). **Permission not implemented**

No. 24

2008 – Permission granted for the erection of a balcony at rear ground floor level with access stair to the garden and replacement of kitchen window at rear ground level with doors in connection with ground floor/ lower ground floor flat (ref 2008/2471/P)

Relevant policies

National Planning Policy Framework 2019

London Plan 2016

Camden Plan 2017

A1 Managing the impact of development
D1 Design
D2 Heritage

Other Planning Policies / Guidance

CPG Altering and extending your home (2019)
CPG Design (2019)
CPG Amenity (2018)

Belsize Conservation Area Statement (2003)

Assessment

1. Proposal

- 1.1. Planning permission is sought for the erection of railings to form a roof terrace at upper ground floor level above an existing lower ground floor level extension. The terrace area would measure 1.4m (min) / 2.1m (max) deep x 5.3m wide and provide outdoor amenity space for the occupants of the raised ground floor flat. Proposals include the alteration of the central window within a bay to form timber French doors.

2. Revisions

- 2.1. Timber screening was omitted and the balustrades changed from timber slats to metal railings to better complement the age and character of the host building. The terrace area was reduced in size to address issues of direct overlooking to the sides and conservatory below.

2.2. Assessment

Design and heritage

- 2.3. Local Plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Through Local Plan policy D2, the Council will seek to preserve and, where appropriate, enhance Camden's conservation areas.
- 2.4. CPG Design states that balconies and terraces should complement the elevation upon which they are to be located. Consideration should therefore be given to detailed design to reduce visual impact on the existing elevation including the choice of colour and materials.
- 2.5. The proposed black painted metal balustrade would be simple and unobtrusive in design. These would form a visually recessive addition to the existing single storey extension roof top which is considered appropriate to the building's age and architectural style.
- 2.6. Balconies and terraces are characteristic of the surroundings. There is an existing rear facing balcony noted at 4th floor level within no. 26, adjoining terraces at raised ground level at nos. 22 and 24 and balconies across the rear face of the adjacent Adamsfield flats. Nos. 24-30 Crossfield Road which face the site to the side and rear enjoy front facing roof terraces at 1st floor level. As such the principle of a roof terrace is considered acceptable in design and heritage terms.
- 2.7. The alteration of raised ground floor sash windows to form French doors would be seen from the adjoining building 24 Adamson Road and from Crossfield Road. The proposed alteration of the window to form French doors would require the sill to be dropped by 0.3m, however the character and general proportions of the window opening would not be adversely affected. The proposed doors would be timber and in an appropriate style to the building.
- 2.8. Overall the proposals would not result in harm to the building's appearance or character, nor

that of the surroundings.

- 2.9. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Neighbour amenity

- 2.10. 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.
- 2.11. CPG Amenity states that the Council will expect development to be designed to protect the privacy of the occupants of both new and existing dwellings to a reasonable degree and the extent of overlooking will be assessed on a case-by-case basis.
- 2.12. 26 Adamson Road sits within a high density urban environment with adjacent building heights of up to 6-storeys. Roof terraces and balconies are highly characteristic of the surroundings. Adjacent, rear facing roof terraces are noted at 4th floor level within no. 26 itself and at 4th floor levels at nos. 18 and 20. The proposed terrace area would itself sit alongside an existing similar sized terrace space at raised ground floor level at no. 24 Adamson Road, which in turn adjoins a similar terrace area at no. 22. The adjacent flats at Adamfields enjoy rear facing balconies/terraces from lower ground up to 4th floor levels.
- 2.13. The existing rear windows and 4th floor balcony within no. 26 and the windows, balconies and terraces at both the adjoining no. 24 and Adamson Flats enable direct overlooking to the rear garden of the lower ground floor flat at no. 26. As such this garden space is currently highly overlooked in its character.
- 2.14. The proposed terrace area would be set back 1.7m from the edge of the lower ground floor extension closest to the conservatory roof. The remaining area would be set back 1m from the rear facing edge. This would mitigate close range overlooking to the conservatory and immediate garden space of the lower flat. Views into the habitable room windows of the lower ground floor flat would not be possible.
- 2.15. The existing privacy screen alongside no. 24's terrace would mitigate direct overlooking to this space and the rear windows at first floor level, and the set in and separation gap from Adamsfield would mitigate direct views into these flats.
- 2.16. As noted in the history section, a roof terrace was created unlawfully on the roof space c1988 and enforcement action was taken and the terrace removed. Given the setback and change likely within the last 31 years the impact on amenity has been assessed on its merits based on the current situation.
- 2.17. A planning condition would be attached restricting use of the remaining areas of the roof for maintenance purposes only.
- 2.18. Given the situation with very high levels of existing overlooking and an obvious character of balconies and roof terraces in the immediate surroundings, the addition of the proposed roof terrace area would not result in a significant change in amenity impact.

3. Recommendation

Grant conditional 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 12th August 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: 2019/2973/P
Contact: Thomas Sild
Tel: 020 7974 3686
Date: 5 August 2019

Development Management
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Eveleigh Designs
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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Ground Floor Flat
26 Adamson Road
London
NW3 3HR

DECISION

Proposal:

Erection of balustrade to form a roof terrace at upper ground floor level; Alteration of rear window to form access door

Drawing Nos: SV 01, SV02, SV03, GA 01 /A, GA 02 /A, GA 03 /A, GA 04 /A

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 must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: SV 01, SV02, SV03, GA 01 /A, GA 02 /A, GA 03 /A, GA 04 /A

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

- 4 The remaining flat roofed area of the extension beyond the area of terrace indicated on the approved plans shall not be used as a roof terrace, and any access out onto this area shall be for maintenance purposes only.

Reason: In order to prevent overlooking into the adjoining properties in accordance with policy A1 of the Camden Local Plan 2017.

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 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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