

Delegated Report		Analysis sheet		Expiry Date:		07/08/2019	
		N/A / attached		Consultation Expiry Date:		13/07/2019	
Officer				Application Number(s)			
Josh Lawlor				2019/3030/P			
Application Address				Drawing Numbers			
115 Torriano Avenue London NW5 2RX				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of spiral staircase and balcony to two storey rear extension, French doors created from existing window, replacement of existing multi-paned door with clear glass window, removal of existing garden stair							
Recommendation(s):		Refuse Planning 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	00	No. of objections	00
Summary of consultation responses:		A site notice was displayed outside the site on the 19/06/2019 <ul style="list-style-type: none"> No comments were received 					
Local Community Groups and neighbourhood forums:		A consultation letter was send to the Kentish Town Neighbourhood Forum on the 14/06/2019 <ul style="list-style-type: none"> No comments were received 					

Site Description

The site is a four storey building located on the western side of Torriano Avenue. The site is in use as two self-contained residential units, with a flat at lower ground floor and a flat over upper ground, first and second floor. Each unit is self-contained and operates as a distinct residential unit. The site is not located within a conservation area nor is it a listed building. The site is located within the Kentish Town neighbourhood area.

Planning History:

9401107 - Conversion to form a one bedroom flat at garden level and a three bedroom maisonette plus erection of a rear extension and external staircase – Granted 14/07/1995

113 Torriano Avenue

F13/8/11/32540 - The change of use and works of conversion, including the enlargement of the rear extension at ground floor level and the erection of a spiral staircase to rear first floor level, to provide two self-contained flats and a self-contained maisonette. Granted 06/08/1981

Relevant policies

The National Planning Policy Framework 2019

London Plan 2016, consolidated with alterations since 2011

Draft New London Plan showing Minor Suggested Changes (published 13th August 2018)

Camden Local Plan (July 2017)

- D1 Design
- A1 Managing the impact of development

Kentish Town Neighbourhood Plan (September 2016)

- D3 Design principles

Supplementary Guidance - Camden Planning Guidance

- CPG1 Design (March 2019)
- CPG Altering and extending your home (March 2019)
- CPG6 Amenity (March 2018)

Assessment

1. Proposed Development

1.1 The proposal is for a spiral staircase and balcony located to the rear of the two storey rear extension. The balcony would have an area of 1.4 sq. m, the staircase would have a height of 3.3m and width of 1.6m

2. Assessment

2.1. The material considerations in the determination of this application relates to the impact of the proposed staircase on:

- The appearance of the host building and the wider area (Design)
- The impact of the staircase on neighbouring residents privacy, outlook, access to light (Amenity)

3. Design

3.1 Policy D1 of the Local plan requires a high standard of design for all new development, details should be high quality and complement the local character. Policy D3 Kentish Town Neighbourhood Plan requires proposals to reinforce and enhance local character, in line with paragraph 64 of the NPPF.

3.2 The proposed spiral staircase would protrude out and clutter the appearance of the rear elevation. The proposed staircase is considered more harmful to the appearance of the building than the existing staircase, which is discretely tucked away on the side elevation of the rear extension.

3.3 It is noted that there is an existing spiral staircase and balcony at no. 113; however, this was granted over 38 years ago and is therefore not considered to be a precedent for a similar form of development. It is considered that the in situ spiral staircase next door clutters the appearance of this property's rear elevation. Existing harm would not justify further harm in this instance.

4. Residential Amenity

4.1 Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents.

4.2 The proposed staircase and terrace area would cause an unacceptable loss of privacy to neighbouring occupiers. The staircase and balcony would be positioned 1m away from the existing terrace at no. 113. The proposed staircase and balcony would lead to direct overlooking of the garden of no. 113. The balcony is sufficiently sized to linger and be used as an amenity space. The balcony is less than 2m away from this properties garden and would therefore cause a significant loss of privacy to these neighbouring occupiers. The existing staircase (that would be removed) does not cause direct overlooking to no. 113, it is considered that there is no justification for the loss of privacy that would be caused to the occupiers of this property. As noted above the staircase and balcony at no. 113 was granted planning permission over 38 years ago. It is considered that this form of harmful development should not be replicated.

4.3 It is considered that the development would increase harmful overlooking to no. 117 when compared with the existing situation. The position of the existing staircase ensures that

users look onto the pitched roof of the single storey side extension at no. 117 rather than rear windows and doors. The proposed staircase and balcony would come forward from the existing and increase rather than reduce potential for views back onto the rear windows and doors of no. 117. The more central location of the staircase and terrace would cause a more invasive level of overlooking towards the garden. The proposed side window at upper ground floor also has the potential to increase the sense of overlooking when compared with the existing multi-paned door.

4.4 The spiral staircase would also increase overlooking and result in disturbance into the lower ground floor flat at no. 115. It is considered that overlooking to this flat would be increased with the use of a spiral staircase with overlooking occurring when travelling up and down the staircase. It would also cause disturbance with people using the metal stair immediately adjacent to a rear facing window. The existing staircase only leads to overlooking when moving from garden level to upper ground floor. It is therefore considered that the proposed spiral staircase would cause more invasive overlooking to the lower ground floor flat when compared with the existing situation.

9. Recommendation

Refuse planning permission