

Delegated Report		Analysis sheet	Expiry Date:	31/07/2020
		N/A / attached	Consultation Expiry Date:	26/07/2020
Officer			Application Number(s)	
Sofie Fieldsend			2020/2476/P	
Application Address			Drawing Numbers	
Flat 6, Atina Court 2 Belsize Grove London NW3 4UR			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Replacement of 2x front dormer windows with a door and window and erection of railings to create front roof terrace.				
Recommendation:	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	01	No. of objections	01
			No. electronic	00	No. of comments	00
Summary of consultation responses:	A site notice was displayed on the 01/07/2020 and the consultation period expired on the 25/07/2020. A press notice was advertised on 02/07/2020 and expired on 26/07/2020. One response was received from Flat 1, Atina Court. Their objection can be summarised as follows: <ul style="list-style-type: none">- Loss of privacy/outlook of the garden- Noise concerns- Property devaluation and set a precedent in the area					
Belsize CAAC/Community groups	Belsize CAAC were consulted and no response was received.					

Site Description

The site is a 4 storey semi-detached property on the east side of Belsize Grove. The property is recognised as a positive contributor within the Belsize Conservation Area but is not listed. The building is split into flats. There is an existing front dormer.

Relevant History

Application site

2014/2626/P- Replacement of dormer window with French doors and erection of railings to create roof terrace on front elevation. – **Refused 01/08/2014**

Reasons for refusal:

- The roof terrace with railings, by reason of its size and prominent location would be detrimental to the appearance of the host property and the character and appearance of the conservation area, contrary to policy CS14 (Promoting High Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing High Quality Design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.
- The roof terrace, by reason of its position and size, would result in harmful overlooking and loss of privacy to the occupiers of 4 Belsize Grove, contrary to policy CS5 (Managing the Impact of Growth and Development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the Impact of Development on Occupiers and Neighbours) of the London Borough of Camden Local Development Framework Development Policies.

2006/5539/P: Alterations to the approved planning permission dated 23/05/2003 (PWX0103126) for change of use from 12 self-contained units to 7 self-contained units (5 x two-bedroom and 2 x three-bedroom units) including remodelling of existing dormer windows/roof terrace/lift tower and the formation of a rear first floor balcony, namely to reconfigure the internal layout (3 x three-bedroom and 4 x two-bedroom units), alterations to fenestration on front, side and rear elevation, creation of additional balcony at rear first floor level, minor alterations to side and rear dormer windows and rear rooflights. **Granted 26/01/2007**

PWX0103126: The change of use from 12 self-contained flats to 7 self-contained flats, including a remodelling of existing dormer windows/roof terraces/lift tower and the formation of a rear first floor balcony. **Granted 23/05/2003**

Neighbouring properties:

20 Belsize Grove

2003/3216/P: Replacement of window with door to front dormer and creation of roof terrace to front elevation at roof level. **Refused 07/04/2004**

2006/3327/P: External alterations including replacement of entrance door, installation of canopy, widening of entrance steps, creation of new bin store enclosure, replacement of timber and bamboo fencing to the side and rear with railings, installation of railings to upper ground floor level window and replacement of timber balustrade to front dormer with metal balustrading. **Granted 25/09/2006**

6 Belsize Grove

2008/1030/P: Replacement of double doors with folding doors in front dormer and replacement of metal mesh balustrade with railings on front roof terrace. **Granted 23/05/2008**

52 Belsize Park Gardens

2009/3670/P: Enlargement of the front roof terrace. **Granted 06/10/2009**

PW9902123R1: The erection of a new front dormer and terrace and the installation of a velux rooflight to the side roofslope. **Granted 07/06/1999**

Relevant policies

National Planning Policy Framework (2019)

London Plan (2016)

London Plan intend to publish (2019)

Camden's Local Plan (2017)

A1 – Managing the impact of development

D1 – Design

D2 – Heritage

Supplementary Guidance

CPG Altering and extending your home (2019)

- Chapters 1, 2, 4

CPG Design (2019)

CPG Amenity (2018)

Belsize conservation area statement (2003)

- Pages 13 and 16

Assessment

1.0 Proposal

1.1 Planning permission is sought for the replacement of 2x front dormer windows with a door and larger sash window and erection of railings to create front roof terrace. The new fenestration will be timber.

1.2 Differences from the ref. **2014/2626/P** refused scheme:

- Terrace relocated away from the boundary with No.4 Belsize Grove
- Terrace reduced in scale from 2.86m wide x 1m deep (2.86sqm) to 3m wide x 0.65m deep (1.95sqm)
- Single door rather than French doors

2.0 Assessment

2.1 The main considerations in relation to this proposal are:

- The visual impact upon the character and appearance of the host property, streetscene and Belsize Conservation Area
- Impact on the amenity of adjoining occupiers

3.0 Design and Appearance

Policy background

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 requires extensions to consider the character, setting, context and the form and scale of neighbouring buildings; and the character and proportions of the existing building. Policy D2 states that Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. Camden Planning Guidance (CPG Altering and extending your home) states that "design should positively enhance the character of existing buildings on site and other building immediately adjacent and in the surrounding area".

3.2 CPG Altering and extending your home outlines that mansards, terraces, balconies and other roof alterations are likely to be acceptable where:

- There is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape;
- Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form;
- There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm.

3.3 The conservation area statement (CAS) specifically refers to the host property and neighbouring houses: 'inappropriate dormers and prominent roof terrace areas (i.e. at Nos. 2-6 Belsize Grove)'. The CAS identifies the pressures on the character and appearance of the Conservation Area. The majority of applications for planning permission within the Belsize Conservation Area involve minor alterations and extensions to existing dwellings. This can have a cumulative impact on elements that contribute to the character and appearance of buildings, streets and areas as a whole. The most noticeable changes within the area often result from:

- Roof extensions - particularly the addition of overly large, inappropriately proportioned dormers.
- Addition of roof terraces or balconies. The key issue being roof terraces with inappropriate railings that are prominent in the street scene.

3.4 CPG Altering and extending your home clearly states that a terrace will only normally be acceptable on the rear of properties. A terrace provided at roof level should be set back behind the slope of a pitched roof and any handrails required should be well set back behind the line of the roof slope, and be invisible from the ground.

3.5 The proposed roof terrace would be on the front of the property contrary to Camden Planning Guidance and furthermore the proposed terrace is a form of development identified as causing harm to the conservation area. The railings (set back 0.65 from the eaves) would cut into the roof and would be visible from street level adding to the prominence of the roof terrace. This dormer is already

oversized and the conservation area statement acknowledges its harmful impact. The proposed balustrade and new door would further increase its prominence.

3.6 Whilst it is acknowledged that there are other examples of roof terraces on the front elevation of properties on Belsize Grove and Belsize Park Gardens, these appear to be unauthorised or benefit from historic permissions. Existing developments that cause harm to their environment should not be used as a precedent for new proposals.

3.7 Several examples of permission relating to front roof terraces have been found (see planning history above). However, in these cases the roof terrace was granted planning permission as it was an improvement on the previous situation and therefore was viewed as an enhancement of the conservation area.

3.8 It is considered that this current proposal does not overcome the previous reason for refusal under planning ref. 2014/2626/P. The proposal does not appear materially different to the previously refused application. The proposed front terrace does not reflect the character and appearance of the terrace it sits within and appears out of proportion in relation to the host property and adjoining properties. This alteration would be highly visible from the Belsize Grove and Belsize Park Gardens.

3.9 The roof terrace with railings, by reason of its size and prominent location would be detrimental to the appearance of the host property and the character and appearance of the conservation area contrary to policies D1 and D2 of the Camden Local Plan 2017.

4.0 Amenity

4.1 Local Plan Policy A1 seeks to ensure that the amenity of neighbours is protected including visual privacy, outlook, sunlight, daylight and overshadowing.

4.2 CPG Amenity states that development should be designed in order to ensure that “the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers” and that where development is considered to have a detrimental impact upon levels of daylight, sunlight or overshadowing into neighbouring properties, the submission of further evidence of this impact may be required.

4.3 Camden Planning Guidance clearly states that roof terraces should not result in overlooking of habitable rooms of adjacent properties. The adjacent property (4 Belsize Grove) has a dormer with glazed sides and front. The glazed dormer provides a seating area within the bedroom of the neighbouring flat. The dormer projects further forward than the dormer at the host property providing access to the proposed roof terrace.

4.4 It is considered that the terrace is set further away from the boundary with No.4 and given the depth of 0.65m it is not considered to result in direct overlooking to this property's dormer window. It is considered that the previous overlooking reason for refusal in ref. 2014/2626/P has been overcome.

5.0 Recommendation

5.1 Refuse planning permission.