

CONSULTATION SUMMARY

Case reference number(s)

2020/3776/P

Case Officer:

Obote Hope

Application Address:

Flat 9 Merlin House,
Oak Hill Park
London
NW3 7LJ

Proposal(s)

Enclosure of existing terrace to south east corner of existing first floor flat.

Representations

Consultations:	No. notified	0	No. of responses	1	No. of objections	1
					No of comments	0
					No of support	0

Summary of representations

(Officer response(s) in italics)

The owner/occupier of No 7 Merlin House have objected to the application on the following grounds:

1. Visual impact of proposed development:- The proposed alteration will change exterior look and feel of the building when viewed from public road (Oak hill Park road leading to Oak Hill Lodge). The proposed design is to enclose the terrace/balcony to make it part of living space and this will alter the exterior view of the building to the detriment of other residents in this building so should not be allowed to go ahead.

2. The building is located in a conservation area (Hampstead) and a higher standard of design is expected in a Conservation Area.

Councils are under a legal duty to have particular regard to the desirability of preserving or enhancing the character and appearance of a Conservation Area. The council should not give permission to this application as it will make building out-of-scale or out of character in terms of its appearance compared with existing flats above this resident on that elevation.

3. The letter from the police recommending enclosure as submitted with the application is irrelevant when it comes to applying planning permission rules. The police have no jurisdiction on the planning permission process. In any case, their recommendation is flawed as there is no evidence or guarantee that this alteration will future proof any burglary incidents.

4. All previous alterations to terraces by Flat 9 on the other elevation was done by previous owner without any prior planning permission. Previous violations that have gone unnoticed by the Council are unfortunate but this situation should not be allowed to deteriorate and planning permission rules should be upheld with this application setting a perfect example for any future attempts by other residents to change the Building exterior visually.

Officer's comments are as follows:

- *Planning permission (E5/9X/B/30782) was granted in the 1980 for similar enclosure of the first floor and in the 1990's for the fourth floor terrace (9401261) enclosure. Therefore, the principle of this type of development has been considered previously for this site.*
- *The proposed window enclosure is suitably sized to match the other window enclosures on the host building and its introduction would relate well to other existing fenestration and the building as a whole. Special attention has been paid to the desirability of preserving the character and appearance of the Belsize Conservation Area.*

Consideration of how crime, disorder and fear of crime can be addressed is an important element in good design. This can create safe and attractive places to live and work, reduce the opportunity for crime and allow for better maintenance and management of buildings and spaces. The Council will require all developments to incorporate appropriate design, layout and access measures to help reduce opportunities for crime, the fear of crime and to create a more safe

and secure environment.

Recommendation:-

Grant planning permission