

CONSULTATION SUMMARY

Case reference number(s)

2020/5068/P

Case Officer:

Ben Farrant

Application Address:

85 Jamestown Road
London
NW1 7DB

Proposal(s)

Formation of roof terrace at roof level with associated balustrades and privacy screen.

Representations

Consultations:	No. of responses	1	No. of objections	1
			No of comments	0
			No of support	0
Summary of representations	<p>The owner/occupier of no. 60 Gilbey House has objected to the application on the following grounds:</p> <ol style="list-style-type: none">1. I would ask the Council that any consideration of this application is deferred until such time as all outstanding Enforcement Notices have been complied with.2. The applicant in this case has ignored all previous Notices, and we suspect they are using this new application as yet another attempt to obtain retrospective permission for something that already exists.3. The windows on the top floor are still plate glass, not the Georgian style sash windows that were approved, the proposed window on the terrace side remains a double French door, and the top band has never been replaced - it remains a large blank concrete eyesore.4. We have serious objections to the so-called 'formation of a roof			

terrace', not least because this roof terrace already exists, albeit without permission and larger than the proposed.

5. The applicant makes much of the fact that screens will be installed to protect the privacy of people in Gloucester Crescent, yet makes no reference whatsoever to the invasion of privacy of those living opposite in Gilbey House.
6. Over the past three years we have been subjected to nuisance committed by people using the terrace, music until quite late, smoky barbecues and frequent unsightly washing hung out. This is a property which is rented to a variety of people, often for short term, and as such they have no connection to the community and hence very little respect for neighbours. This application does little to address the issue of anti-social nuisance, and should be rejected.

Officer Response:

1. *It would not be reasonable for the Local Planning Authority to refuse to determine an application in this instance on the basis of the outstanding enforcement concerns.*
2. *The roof terrace as shown on the plans does not exist at present. The balustrade which is visible on site was previously allowed consent following an appeal by the applicant to the Planning Inspector.*
3. *The windows and rendered band are subject to separate enforcement action. No changes are proposed to these elements as a result of this application.*
4. *The current unlawful use of the flat roof as a terrace would not prevent the applicant from applying for planning permission as proposed under this application.*
5. *There is a separation distance of approximately 20m across Jamestown Road towards the front (street facing) elevation of Gilbey House. At such a distance, which is over the minimum 18m recommended by CPG guidance to prevent overlooking, the proposal is considered not to constitute undue harm to the residential amenities of occupiers of Gilbey House and refusal is not warranted on this basis.*
6. *The approval of this application would allow the terrace to be used as residential external amenity space as shown on the plans. Given the scale of the terrace and residential nature of the property, this is unlikely to result in large gatherings of people or unduly harmful levels of noise of a non-domestic nature. Noise concerns can be directed*

	<i>towards the Council's Environmental Health department.</i>
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Recommendation:-

Grant planning permission