

Delegated Report		Analysis sheet	Expiry Date:	25/11/2020
		N/A	Consultation Expiry Date:	26/10/2020
Officer			Application Number(s)	
Josh Lawlor			2020/3537/P	
Application Address			Drawing Numbers	
Flat C 69 Gascony Avenue London NW6 4ND			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Alterations to rear elevations and roof levels to enable use of 2 nd floor flat roof as a terrace.				
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:	<p>Two site notice was displayed outside the site on Gascony Avenue and a second site notice was displayed near 91 Messina Avenue. The site notices are displayed from the 02/10/2020 (expiring 26/10/2020)</p> <p>No comments or objections were received.</p>					
Local Amenity Groups	<p>A letter was sent out to the Kilburn Neighbourhood Forum on 30/09/2020</p> <p>No comment was received</p>					

Site Description

The application site is a mid-terrace 3 storey building that is located on the north side of Gascony Avenue. The building is in use as three self-contained flats (Class C3), the application relates to the top floor flat over second and third floor.

The surrounding area is characterised by dwellings of similar style and character. The application site is not within a conservation area and the building is not listed.

Relevant History

Relevant Planning History:

24/02/2017 Installation of 4 rooflights within front roofslope and 5 rooflights within the rear roofslope. 24/02/2017

2017/6211/P Erection of rear dormer including juliette balcony and five rooflights on front roofslope. **Granted** 06/02/2018

No.65

2013/0819/P Installation of new staircase and balustrade to provide access to a roof terrace on the roof of the two storey rear extension, replacement of existing window with door and increase to height of parapet wall in association with the existing self-contained flat (Class C3) **Refused** 15/04/2013

2013/5528/P Installation of rear dormer, fire escape stair from ground to third floor level on the rear elevation and rooflights in the front roof slope all in association with conversion of the building from single family dwelling to 2 x1 bedroom and 1 x 3 bedroom flats (Class C3). **Refused** 26/11/2013

2017/4583/P Formation of terrace above existing rear outrigger with associated 1.8m privacy screen **Withdrawn** 26/09/2017

No. 83

2017/3496/P - Erection of rear dormer window with juliet balcony and installation of 3x rooflights to front roofslope **Granted** 10/08/2017

No. 75C

PWX0302144 - The erection of a rear dormer window, with the insertion of 1 x rooflights within the front and rear roof pitches, for additional habitable accommodation to the top floor flat. **Granted** 16/06/2003

Enforcement History

No. 83 Gascony Avenue

EN21/0025 Installation of rear terrace, works not in accordance with approved plans
Investigation ongoing

Relevant policies

The National Planning Policy Framework 2019

London Plan 2016

London Plan 2020 published version

Camden Local Plan 2017

- Policy D1 Design
- Policy A1 Managing the Impact of Development

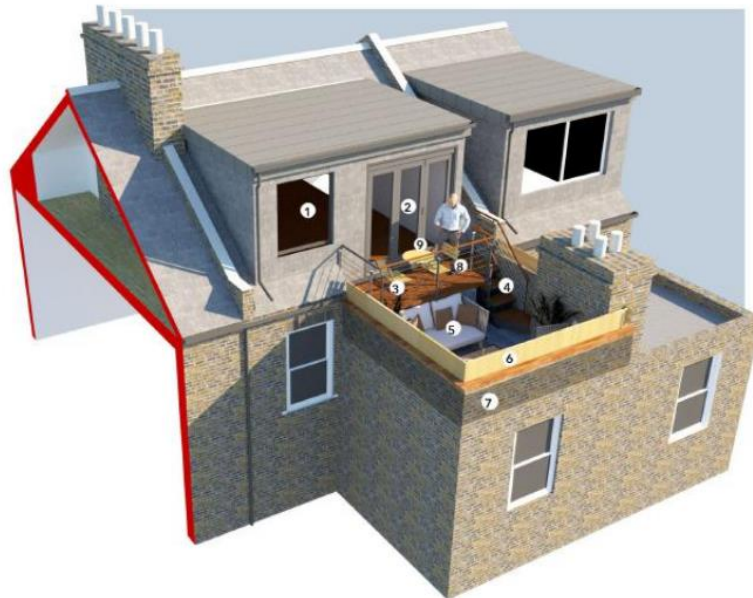
Camden Planning Guidance (CPG)

- CPG Design (March 2019)
- CPG Altering and Extending your Home (March 2019)
- CPG Amenity (March 2018)

Assessment

1. Proposal

- 1.1. Planning permission is sought for alterations to the in order to accommodate the use of the 2nd floor flat roof as a terrace. The new amenity space would be formed at two levels – an upper level deck at the same floorlevel as the loft room, and a lower level accessed via steps adjacent to the upper level deck. The proposals involve:
- 1.2. Installing three new bi-fold doors to provide access onto a 400mm timber deck with a stainless steel wire balustrade.
- 1.3. installation of stairs with a balustrade leading down from the dormer bi-fold doors to the lower terrace
- 1.4. The rear closet wing would be built up by 900mm in London stock brick with a 400mm timber panel above. A lounge set would be installed to the lower terrace and a table and chairs to the upper terrace.



1. Existing Loft Extension Window
2. New 3 Panel Bi folding doors / Anthracite Gray
3. 10mm Stainless Steel Wire Balustrade / Anthracite Gray with timber hand rail
4. 10mm Stainless Steel Wire Staircase Balustrade with Timber stair treads
5. Outdoor Lounge set TBC
6. 400mm Timber atten fence panel / Cedar
7. 900mm London Brick to match Existing Building
8. Timber Deck
9. 2 Seater Bistro Set
10. Marchalls Casarta Slate Textured Silver Gray Paving Slabs 400 x 400
11. Render Blockwork with London Brick Top

Figure 1: Visual of proposed terraces

2. Assessment

The assessment of this application relates to:

- The impact on the character and appearance of the host building and the wider area.
- The impact on neighbouring residential amenity

3. Design

- 3.1. Local Plan policy D1 outlines that the Council will seeks to secure high quality design in all development and ensure development responds to local context. It also explains that the Council will resist development that would cause harm to the appearance of the area.
- 3.2. The application flat has recently installed a rear roof dormer with Juliette balcony which was granted under ref. 2017/6211/P dated 06/02/2018. This approval did not permit the use of the rear closet wing as a terrace and the plans state that this roof shall only be accessed for maintenance purposes.
- 3.3. CPG Altering and extending your home states that roof dormers should be designed sensitively so they do not dominate the roof plane. Dormers should sit within the middle of roof slope so that the overall structure of the existing roof form is maintained. The guidance states that a 500mm gap is usually required between the dormer and the ridge as well as from the party walls and eaves in order to maintain an adequate separation.
- 3.4. The proposed upper terrace with deck and staircase would extend over the eaves line of the existing roof which would have the effect of merging the dormer with the raised rear closet

wing. The dormer would no longer be read as a separate and subordinate extension to the host building as the separation from the eaves would be lost. The dormer would no longer relate to the elevation below as it would essentially sit level with the raised rear closet wing. The visual impact would be to add excessive bulk to the rear elevation, undermining the composition of the rear elevation.

- 3.5. It is noted that the Council has not granted permission for similar roof terraces on Gascony Avenue and similar applications have been refused at No 65 (see planning history). Indeed the rear of this particular terrace remains relatively unaltered and retains much of its architectural integrity. The application property and neighbouring property have rear closet wings with no alterations at roof level.
- 3.6. CPG Altering and extending your home March 2019 para. 4.11 states that balconies and terraces should complement the elevation upon which they are to be located. Para 4.13 states that *'any handrails required should be well set back behind the line of the roof slope, and be invisible from the ground'*. The formation of the upper terrace and the lower terrace would involve the installation of considerable amounts of visual clutter. Indeed the raised parapet of the closet wing, timber, deck, stairs, metal balustrade, timber panel and seating would all serve to create a cluttered and incongruous appearance which would detract from the host building. To overcome overlooking from the terrace to the dormer windows of 67 Gascony Avenue it would be necessary to install 1.8m privacy screen. This would add additional bulk and visual clutter which add to the harmful appearance of the development.
- 3.7. The proposal would harm the character of the roofscape along the terrace. It is noted that three nearby properties appear to have built terraces without permission. One site is subject to enforcement investigations (see planning history). The terraces at no.75C Gascony Avenue and 78 Messina Avenue have been in place for more than four years and therefore likely to be exempt from enforcement action. These three terraces were constructed without planning permission and cannot be considered as justification for a similar form of harmful development.

4. Amenity

- 4.1. Policy A1 of the Local Plan states the Council will seek to ensure that the amenity of neighbours is protected from development. The factors the Council will consider the impact on daylight/sunlight, noise, overlooking, outlook, and artificial light levels (light spillage). To ensure privacy, CPG Amenity (2018) suggests a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed development.
- 4.2. The proposed terrace would lead to direct overlooking to the dormer windows at of 67 Gascony Avenue. Indeed users of the terraces would have direct views backwards towards next door's rear dormer window from a distance of approximately 5m. To overcome this overlooking it would be necessary to install a 1.8m privacy screen. However as discussed above this would add unwanted visual clutter to the building and cannot be supported in design terms.
- 4.3. There is already a degree of mutual overlooking between the rear windows of properties on Gascony Avenue and those on Messina Avenue. Based on the location plan submitted with the application the distance between the rear closet wing of the host building and the rear windows of no.72 Messina Avenue is only 11.8m. The terrace would project further beyond the rear elevation of the building and therefore enable a more direct line of sight into the windows, terraces and rear gardens of nos. 70, 72 and 74. Whilst it could be argued that there is already a degree of overlooking between the properties and also from the rear garden, it is considered that the terrace would afford more opportunity for views directly into the neighbouring windows, thereby enabling clearer views than exist at present. This would result in the loss of privacy as the perception of being overlooked would increase. The overall effect of the proposal would

lead to an unacceptable level of overlooking, contrary to policy A1, and the proposals are refused on that basis.

5. Recommendation

Refuse planning permission.