

Delegated Report		Analysis sheet		Expiry Date:	28/01/2021
		N/A		Consultation Expiry Date:	07/02/2021
Officer			Application Number(s)		
Adam Greenhalgh			2020/5635/P		
Application Address			Drawing Numbers		
Flat 3 79 Aberdare Gardens London NW6 3AN			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Replacement of a sash window with French doors, and the erection of black metal railings in order to allow a flat roof space to be used as a roof terrace at 2nd floor level (rear)					
Recommendation(s):		Refuse planning permission			
Application Type:		Full planning permission			
Conditions or Reasons for Refusal:		Refer to Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	1	No. of objections	1
		No. electronic	0		
Summary of consultation responses:		Site notice: 13/01/2021 – 06/02/2021 Press notice: 14/01/2021 – 07/02/2021			
CAAC/Local groups comments:		<u>Combined Residents' Associations of South Hampstead:</u> The property in question is located at the junction of Aberdare Gardens and Fairhazel Gardens. The rear of the property is visible from the public realm. CRASH would prefer to see the proposed terrace partly-obscured by the use of opaque glass or planting rather than open metal railings. <u>Planning Officer comment:</u> See 'Design and effects on character and appearance of Conservation Area' below.			
Site Description					

The site comprises a three-storey detached dwelling containing 3 separate flats. It is located on the north side of Aberdare Gardens, at the junction with Fairhazel Gardens. The flat which this application concerns is Flat 3, located on the second floor.

The site lies within the South Hampstead Conservation area. The buildings in Aberdare Gardens are of a similar type, style and design and nos. 1 -79 (odd) and 2 – 70 (even) are all noted as being 'positive contributors' in the South Hampstead Conservation Area Character Appraisal and Management Strategy (SHCACAMS). The application site forms part of the group of properties on the north side of Aberdare Gardens (1-79 (odd)).

The application property is not listed. The building has a part single storey/part two storey rear extension; the application property (Flat 3) adjoins the roof of the two storey extension.

Relevant History

No previous planning history at the site

The Planning Statement reference previous applications including roof terraces in Aberdare Gardens including the following:

2011/5650/P – Flat 4 70 Aberdare Gardens - Alterations at roof level including installation of a roof light hatch and railings to the rear roof level in connection with use as a roof terrace for the existing second floor flat (Class C3) – allowed on appeal

2016/6954/P – Flat 4 4 Aberdare Gardens - Creation of roof terrace with installation of railings and skylights – allowed on appeal

Relevant policies

National Planning Policy Framework (2019)

The London Plan March 2016 (Publication version December 2020)

Camden Local Plan 2017

Policy A1 Managing the impact of development
Policy D1 Design
Policy D2 Heritage

Camden Planning Guidance

CPG1 Design (2019) – Section 3: Heritage
CPG Alteration and extending your home (March 2019) – (Windows – Page 10; Roof level terraces – Page 20)
CPG Amenity (March 2019) – (Overlooking, privacy and outlook – page 4)

South Hampstead conservation area character appraisal and management strategy 2011

Alterations to existing buildings – page 37

Assessment

1.0 PROPOSAL

1.1 Planning permission is sought for the replacement of a window on the rear elevation at roof level with a larger set of French windows, the formation of a roof terrace on the existing flat roof of the two storey rear extension and the installation of 1.1m high metal railings around the terrace. The application is for flat 3 in the roof.

2.1 ASSESSMENT

The material considerations for this application are summarised as follows:

- Design and effects on character and appearance of Conservation Area
- Amenity of neighbouring residential occupants
- Quality of amenity space and access
- Other matters

2.2 Design and effects on character and appearance of Conservation Area

2.2.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.2.2 'Alterations to Existing Buildings' in the SHCACAMS notes: 'Alterations and extensions can have a detrimental impact either cumulatively or individually on the character and appearance of the area. An Article 4 Direction was introduced to control loss of historic features, original details and verdant front gardens in 2010 however other elements which currently need planning consent and have marred the character of the area are:

Inappropriate roof level extensions - particularly where these interrupt the consistency of a uniform terrace or the prevailing scale and character of a block, are overly prominent in the street.

2.2.3 Within the Heritage section of the Council's Design CPG it is noted that '*The Council will only permit development within Conservation Areas that preserves and where possible enhances the character and appearance of the area*'. For non-designated heritage assets such as the application building, '*The Council will protect non-designated heritage assets. The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset*'.

2.2.4 There is a distinctive pattern to the rooftop fenestration on the north side of Aberdare Gardens. The vast majority of the buildings having symmetrical pairs of sash windows at roof level at the rear. Certainly this is the case for a long run of buildings at the eastern end on the north side of the road. The sash windows are prominent and they are a key feature of the buildings and the Conservation Area. The application building is the only building within the terrace that has a first floor rear extension.

2.2.5 The site occupies a prominent location as a corner building on the junction of Aberdare Gardens and Fairhazel Gardens where the rear elevation, and the rear elevation of the neighbouring buildings can be viewed from longer views along Fairhazel Gardens. From Fairhazel Gardens it is possible to view the rear elevation of 4 of the buildings within the group of positive contributors.

2.2.6 The proposal to replace the existing sash window with a set of French windows with a different glazing pattern and to install metal railings on the two storey rear extension would be an inappropriate development which would detract from the heritage and townscape value of the building, as well as its harmful impact on the terrace of buildings of which it forms a part and would harm the character and

appearance of the Conservation Area.

2.2.7 The proposed French windows and metal railings would cause unacceptable harm to the character and appearance of the host building. The metal railings would add visual clutter at this upper floor level and would undermine the contribution to the townscape of the positive contributor and it would detract from the established character and architectural appearance of the terrace of properties of which the application site forms a part. There are no public benefits which would result to off-set the harm which would be caused to the heritage assets.

2.2.8 The roof terraces referred to in the application Planning Statement are on the other side of Aberdare Gardens and both have completely different design to the application proposal. They were for roof terraces on the main buildings, not on a rear extension and existing sash windows on the buildings were retained. Both cases were allowed appeal. In both cases the Inspector noted that the roof terraces and associated railings would be set back and of minimal visual impact in the Conservation Area. The application proposal is different from these two cases in that the proposed roof terrace is more prominent (being on a rear extension, on a corner plot), the railings would not be set back and it would involve the replacement of a uniform sash window with a pair of non-matching French windows that is a feature of all of the properties along this part of the terrace.

2.2.9 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. For the combination of reasons set out above the proposed development would fail to preserve or enhance the character and appearance of the wider Hampstead Conservation Area.

2.3 Amenity of neighbouring residential occupants

2.3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG - Amenity provides specific guidance with regards to privacy, overlooking and outlook.

2.3.2 The proposed roof terrace would be no nearer to any private rooms or gardens than the existing upper floor windows in the existing building and it would not result in any more significant overlooking of any rooms or gardens than as existing. Additionally, the proposal would be unlikely to result in excessive noise or disturbance at any adjoining sites or for the occupiers of the flats below given its residential nature. Notwithstanding the comments on the impacts on the character of the Conservation area (above) the proposal would not result in any undue overshadowing or loss of outlook from any neighbouring rooms or gardens and there would be no loss of security for any neighbouring occupiers.

2.3.3 It is concluded that the proposal would not result in any undue loss of amenity for the occupiers of any surrounding properties, contrary to policy A1 of the LB Camden Local Plan.

3.0 CONCLUSION

3.1 The proposed French windows and metal railings, by way of their design and siting, would represent inappropriate features which would detract from the heritage and townscape value of the building and the terrace of which is forms a part and would harm the character and appearance of the Conservation Area. The proposal is therefore contrary to policy D1 (Design) and policy D2 (Heritage) of the LB Camden Local Plan 2017.

4.0 RECOMMENDATION

4.1 Refuse planning permission

