

Delegated Report		Analysis sheet	Expiry Date:	04/07/2022
		N/A / attached	Consultation Expiry Date:	24/07/2022
Officer			Application Number(s)	
Miriam Baptist			2022/1974/P	
Application Address			Drawing Numbers	
2-7 Whittlebury Mews West London NW1 8HS			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of obscure glass balustrade to rear of building, partial removal of lower portion of obscure glass to rear elevation windows and installation of new doorway to No.2.				
Recommendation(s):	Refuse Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. electronic	01		
Summary of consultation responses:	<p>Site Notices were displayed on 29/06/2022 expiring on the 23/07/2022 in the following locations:</p> <ul style="list-style-type: none"> - Skinny Dip House, Dumpton Place - 106 Gloucester Avenue - 96 Gloucester Avenue <p>A Press Advert was published on and 30/06/2021 and expired on 24/07/2022.</p> <p>1 objection was received from an occupier of Gloucester Avenue properties opposite which can be summarized as follows:</p> <ul style="list-style-type: none"> • All windows/glass must be obscured and must be changed so that they don't open out which is already contrary to the original planning permission. We are already overlooked. No doorways should be allowed. 					
Primrose Hill CAAC comments:	<p>An objection was received from the Primrose Hill CAAC on the following grounds:</p> <ul style="list-style-type: none"> • The obscured glazing to the rear windows was, with the set back of the upper storey, a reasonable mitigation of the overlooking from the new houses of the habitable rooms in Gloucester Avenue. The present proposal weakens this mitigation by effectively moving the set-back closer to the Gloucester Avenue houses, would allow use of the flat roof by residents, and further undermine the protection afforded by the obscure glazing to the rear elevation of the mews houses. This would be harmful to the amenity of the dwellings in Gloucester Avenue. It is critical for the character and appearance of the conservation area that new development respects the amenity of residents, and is not subsequently undermined: back-land development is characteristic of the CA but needs to respect the amenity of existing residents. 					

Site Description

The site is a two/three-storey mews building with basement for office/light industry and residential use, accessed from Dumpton Place. It is situated on a linear strip of backland between residential terrace 68-88 Gloucester Avenue and the railway tracks which run into Euston Station. It is not a listed building but lies within the Primrose Hill Conservation Area, the site is also adjacent to the borough boundary with the London Borough of Islington.

Relevant History

Application site:

2011/1603/P - Erection of three storey building with basement fronting Dumpton Place to provide a business unit (Class B1) and a terrace of 6 x two/three storey houses with basements (to provide 2 x 3-bedroom and 2 x 4-bedroom private units and 2 x 2-bedroom affordable units) (Class C3) following demolition of existing business premises. – *Granted 01/11/2011.*

2011/1604/C - Demolition of existing light industrial building (Class B1). – *Granted 01/11/2011.*

2021/2361/P – (3 Whittlebury Mews) Erection of second floor level extension to cover existing roof terrace. – *Granted 29/06/2021.*

2019/4468/P - (4 Whittlebury Mews West) Erection of second floor roof extension over existing terrace and front bay. – *Granted 04/11/2019.*

Relevant policies

National Planning Policy Framework 2021

London Plan 2021

Camden Local Plan 2017

Policy A1 – Managing the impact of development

Policy A3 – Biodiversity

Policy A4 – Noise and vibration

Policy D1 – Design

Policy D2 – Heritage

Policy CC2 – Adapting to climate change

Policy CC3 – Water and flooding

Camden Planning Guidance

Home improvements (2021)

Energy efficiency and adaptation (2021)

Design (2021)

Amenity (2021)

Primrose Hill Conservation Area Statement (2000)

Assessment

1 Proposal

1. Planning permission is sought for the removal of existing external obscured screens to roof terraces and the subsequent erection of a continuous run of obscured-glazed screening to rear third floor building line, removal of obscured glazing to third floor rear elevation windows, and installation of new doorway to no.2.

2 Assessment

- 2.1 The main considerations in relation to this proposal are:
 - Design and Heritage (the of impact of the proposal on the character and appearance of the host building and wider Primrose Hill Conservation Area);
 - Sustainability/ Biodiversity
 - Amenity (the impact of the proposal on the amenity of adjoining occupiers);

3 Design and Heritage

- 3.1 Policy D1 of the Local Plan requires proposals to consider the character, setting, context and the form and scale of neighbouring buildings; and the character and proportions of the existing building. Through Policy D2, the Council will seek to preserve and, where appropriate, enhance Camden's conservation areas.
- 3.2 The works proposed relate to the third floor roof area which looks onto the rear elevation of 68-88 Gloucester Avenue, Victorian properties which are identified in the conservation area statement as positive contributors to the conservation area. The two elevations are in close proximity to each other, approximately a 13m distance at second floor level and 14.5m at third floor level where the building line and roof terraces are set back. The rear terraces have 1.6m high obscured glass screens installed intermittently between the third floor elements of the building. A strip of green roof is closest to the Gloucester Avenue properties and acts as a buffer.
- 3.3 While 68-88 Gloucester Avenue is a Victorian terrace, the application site is of modern architecture: brick and glazing, the glazing some of which is obscured for protection of amenity. The proposal involves the removal of the existing obscured glass screens, which separate the private roof terraces from the strip of green roof, and erection of a continuous run of new obscure screening at the roof edge. The existing position of the glazed screens maintains and reinforces the setback building line at the third floor level of the building. The works would eradicate this set-back moving the screening closer to 68-88 Gloucester Avenue, and the screening would need to be increased in height slightly to ensure no loss of privacy to either party. The original permission included condition no.9 which restricts the use of the flat roofs of the buildings as roof terraces, and stated they should only be accessed for maintenance purposes.
- 3.4 The set back is considered a valuable design feature of the original permission, which softens the impact of the development on 68-88 Gloucester Avenue. The relocation of the obscurely glazed screens closer to the neighbouring terrace is considered to erode the current sensitivity of the development to the adjacent terrace and wider conservation area in terms of character, setting and context. It would introduce an alien and incongruous feature to the building that would detract from the original building design and cause harm to the character and appearance of the conservation area. The application is therefore contrary to Policies D1 (Design) and D2 (Heritage), and is recommended for refusal partly on this basis.

4 Sustainability/ Biodiversity

- 4.1 Policy CC2 of the Local Plan requires development to be resilient to climate change, through adopting measures such as incorporating bio-diverse roofs, while policy CC3 ensures that

development does not increase flood risk but reduces it where possible. Local Plan Policy A3 (Biodiversity) requires development to protect and enhance sites of nature conservation and biodiversity through seeking protection of features with nature conservation value and seeking to improve opportunities to experience nature, in particular where such opportunities are lacking. The supporting text notes that biodiversity can provide colour and contrast to the built environment and may be important to an area's character and amenity.

- 4.2 Policy A2 of the Local Plan seeks to protect and enhance green infrastructure. The supporting text to the policy notes that development can have a significant impact upon the amenity and character of the area.
- 4.3 The original permission for the development designated areas of green roof at second and third floor level, and condition no 4 was attached to protect to the green roofing and ensure its quality. The condition stipulates that the green roof is to be permanently retained and maintained hereafter to ensure the development undertakes reasonable measures to account for both biodiversity and the water environment.
- 4.4 The proposal involves the removal of the existing obscured glass screens, which separate the roof terraces from the strip of green roof, and erection of new glass screening at the building edge, which would mean the existing area of green roof would be enclosed within the individual properties' roof terrace boundaries, out of view from the surrounding properties- and essentially would become part of each dwelling's private amenity space.
- 4.5 Overall, the proposal is considered to threaten the long-term viability of the green roof, reducing the sustainability and biodiversity value of the development. The proposal is therefore contrary to Policy A3 (Biodiversity), CC2 (Climate change adaptation measures) and CC3 (Water and flooding) of the Camden Local Plan 2017, and is recommended for refusal partly on this basis.

5 Amenity

- 5.1 Policies A1 of the Local Plan seek to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight. Policy A4 of the Local Plan seeks to ensure that noise and vibration is controlled and managed.
- 5.2 As aforementioned, the approved design featured a set-back at third floor level. The original permission for the development of Whittlebury Mews West (ref 2011/1603/P) included condition no.9 which restricts the use of the flat roofs of the buildings as roof terraces outside of the screened areas between third floor projections of the building, and stated they should only be accessed for maintenance purposes. The original permission also included condition no.10 which ensures the projecting elements of houses 2 and 3 be fitted with obscure glazing to the height of 1.7m internally, to be permanently retained and maintained thereafter. Also attached was condition no.5, which restricts development within Class A of the GDPO 2008, or any successive orders, without first obtaining planning permission.
- 5.3 The application involves the removal of the obscure screens between the building elements at third floor level and the erection of a continuous run of glazed screening at the building's edge, and the subsequent removal of the internal obscure glazing. The proposed relocation of the obscured-glazed screening means overlooking would still be prevented, although a revision is likely to have been requested for an increase in height to maintain the current level of privacy in this new position. The removal of obscure glazing to the height of 1.7m internally would be considered to increase overlooking. However the overall impact on overlooking is likely be minor, in light of the external screening, and therefore this does not form part of the reason for refusal.
- 5.4 It is considered that condition 5, 9 and 10 were attached to the original planning permission to safeguard the amenity of the area (including protection of visual amenity) and prevent

overdevelopment by controlling any extensions and alterations, as the site is already reasonably constrained. As this proposal would introduce a continuous obscure glazed screen along the entire building, it would increase built form, albeit glazed, and result in an overbearing physical impact on the rear views from the buildings opposite. The proposal is considered to cause material harm to the amenity in terms of outlook to adjacent properties 68-88 Gloucester Avenue, it is therefore contrary to policy A1 and is recommended for refusal partly on this basis.

4 Conclusion

- 6.1 The proposal would have a negative impact on design and heritage, sustainability/biodiversity, and neighbouring amenity, and therefore is contrary to policies A1, A3, CC2, CC3, D1 and D2 of Camden's Local Plan 2017.

5 Recommendation

- 7.1 Refuse planning permission.