

Application ref: 2022/2090/P
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Date: 6 April 2023

Development Management
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William Tozer Associates
42-44 New House
67-68 Hatton Garden
London
EC1N 8JY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
15 Dartmouth Park Avenue
London
Camden
NW5 1JL

Proposal: Proposed lower ground floor rear extension.

Drawing Nos: A/01/107, A/02/100, A/02/101 rev F, A/02/105 rev F, A/02/106 rev E, A/02/107 rev E, A/02/111 rev A, Arboricultural Report Site: 15 Dartmouth Park Avenue, London NW5 1JL by Frank Parsons Arboriculturalist dated 20/02/2023.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: A/01/107, A/02/100, A/02/101 rev F, A/02/105 rev F, A/02/106 rev E, A/02/107 rev E, A/02/111 rev A, Arboricultural Report Site: 15 Dartmouth Park Avenue, London NW5 1JL by Frank Parsons Arboriculturalist dated 20/02/2023.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The flat roof of the lower ground floor rear extension shall not be used as a roof terrace, sitting out area or other amenity space, and any access out onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Report Site: 15 Dartmouth Park Avenue, London NW5 1JL by Frank Parsons Arboriculturalist dated 20/02/2023. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan.

Informative(s):

- 1 Reasons for granting permission.

The proposed rear extension is considered to be subordinate in size and scale and would not harm the character and appearance of the host building, which is listed as a positive contributor in the Dartmouth Park Conservation Area, the terrace of which it is a part, or the wider conservation area. The extension would be finished in white render and glazing and would therefore be distinguished from the host building and read as a later addition. The proposed extension is similar in design to other rear extensions on the same terrace at nos 9 and 11. It would not be visible from the public realm and therefore any harm caused to the conservation area is limited.

The topography of the site is such that the garden slopes down from the front of the house to the back of the site. The rear extension, although at lower ground floor, is raised up by just under a metre in order to limit the internal level change. In response to an objection the design has been revised to lower the height of the extension against the adjoining boundary with no 13, with a 0.45m lowering of the fascia. The orientation of the site means that the new extension would be north of neighbouring no 13, which reduces any negative impact in terms of sunlight. The side elevation facing no 17 has also been revised to omit initially proposed full height glazing which in its raised position would have looked on to the bay window and garden of adjacent no 17. The revised design instead has a solid wall facing no 17 with a high-level clerestory style window.

Against the original rear wall of the house a rooflight spans the width of the new roof to let natural light further into the interior. An element of the rooflight continues on the side elevation at high level but will be obscurely glazed to hide fittings and upstand. The rooflight does not directly look into any neighbouring windows and therefore is not an amenity concern. With the revised fascia design and glazing on the side elevation restricted to high level, the scheme is not considered to result in any material harmful loss of amenity in regard to daylight, outlook or overlooking.

One objection was received during the course of the application which has been addressed by a design revision and also in the consultation summary. The planning history of the site has been taken into account when coming to this decision.

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.

The proposed development is in general accordance with policies DC3 and DC4 of the Dartmouth Neighbourhood Plan, A1, D1 and D2 of the Camden Local Plan 2017, the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation

will be granted until the Construction Management Plan is approved by the Council.

- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope
Chief Planning Officer