

Application ref: 2022/4691/P  
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Date: 20 April 2023

**Development Management**  
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NG20 0RX  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**Flat A**  
**35 Marquis Road**  
**London**  
**NW1 9UD**

Proposal:  
Erection of a single storey extension to the rear at ground floor level.  
Drawing Nos: 01; 02; 03 REVB 04 REVA; 05 REVA; 06; 07, 08 REVA and Design and Access Statement dated March 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- 01; 02; 03 REVB 04 REVA; 05 REVA; 06; 07, 08 REVA and Design and Access Statement dated March 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 Prior to commencement of development , full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include :

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The flat roof of the development hereby approved shall not be used as a roof terrace and shall be accessed for maintenance purposes only.

Reason: Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:-

The proposed single storey rear extension is considered acceptable in terms of scale, design and materials and would not appear incongruous within the setting of the host residential building or its surrounding neighbours and wider area. The proposed extension would be set back from the neighbouring rear extension at no.33 and would be of a similar scale to no.25 Marquise Road which forms part of the same terrace which was approved planning permission in 2014 (ref 2014/6861/P). The extension would project approximately 3.5m from the rear wall, would be approx. 5.5m in width and constructed with a parapet wall measuring 2.8m in height. The extension would be constructed with a flat roof and a green roof is proposed.

The houses on this side of the street have been altered at the rear with a range of extensions nearby. Given that the proposed extension is single storey in height and has limited visibility from any public vantage points it would not have a harmful impact on the character and appearance of the conservation area. Two rooflights are proposed on the roof of the rear extension that would project slightly above the roof. However, the roof lights would not project higher than the proposed parapet wall. Thus, the rooflights would not be overly visible, even in long views and are therefore considered to be acceptable. 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The proposed extension would accommodate ancillary residential floorspace for an office/bedroom and would be separated from the kitchen/dinning room by an internal window which would provide through light into the space to the rear via the bifold door which would provide natural light into the space. Notwithstanding this, the rooflights would provide natural air circulation into the proposed space.

Given the position of the extension to the rear of the property, the single storey extension would marginally extend within the 45 degree line taken from the central point of the ground floor rear window of the neighbouring property. Due to the location of the extension to the south of the neighbouring property as well as the modest amount that would fall within the 45 degree line no further studies would be required and the proposal is considered acceptable in terms of its impact on the daylight to the ground floor room of the neighbouring occupier at no 33 Marquis Road.

## 2 Reasons for granting permission (continued)

Two objections have been received from the owners of Flat B 35 Marquise Road who object to the size and height of the proposed roof lights, the potential impact for overlooking/privacy and potential restrictions to future development. There are no windows in the side elevations of the extension so no potential harm would be created for additional overlooking from the extension itself. The proposed rooflights would be below the sill of the first floor window of the flat above and would not create potential for any additional overlooking. The extension would include a flat roof. Any use of the roof for seating would result in direct overlooking into the windows of the first floor flat and neighbouring gardens. A condition would be attached to ensure that the roof of the extension would only be accessible for maintenance purposes. In terms of the outlook from the neighbouring property, this would not be harmfully compromised as views would still be possible over the rear garden. The owner/occupier of the first floor flat has raised concern regarding impact on the future development at the building. Future development which requires planning permission would be assessed on its own merits. Thus, cannot be considered as a material consideration in this instance.

The roof of the extension would include a green roof. This would be designed to improve insulation but would also help to improve the biodiversity and overall visual appearance of the extension. A condition would be attached requiring

the details of the green roof to be submitted prior to any works starting on site. Concern was raised by neighbouring occupiers about the lack of maintenance of the green roof. The condition would include the requirement to submit a maintenance plan prior to the rear extension being constructed to ensure the green roof is properly maintained.

The planning history of the site and neighbouring sites have been considered when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A3, D1, D2, CC1, CC2 and CC3 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 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 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).
- 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.
- 6 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](http://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.


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-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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope  
Chief Planning Officer