

Application ref: 2023/0603/P
Contact: Adam Greenhalgh
Tel: 020 7974 6341
Email: Adam.Greenhalgh@camden.gov.uk
Date: 28 April 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Chassay+Last Architects
Berkeley Works
Berkley Grove
London
NW1 8XY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Flat 2nd Floor
73 Haverstock Hill
London
Camden
NW3 4SL

Proposal:
Addition of 600mm to boundary fence with 71 Haverstock Hill and provision of planting/balustrade in association with use of 2nd floor flat roof as a terrace.

Drawing Nos: 73HH: 1, E1, E2, E3, EE1, EE2, EE3, P1B, P2B, P3B, Design & Access & Heritage Statement

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 drawings/document:

73HH: 1, E1, E2, E3, EE1, EE2, EE3, P1B, P2B, P3B, Design & Access & Heritage Statement

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 Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the use of the terrace, the 1.7m high opaque glass screen shown on the proposed plans and elevations (1B, 2B and 3B) (hereby approved) shall be provided. The 1.7m high opaque glass screen shall be permanently retained thereafter.

Reason: To prevent overlooking of neighbouring residential rooms and gardens in the interests of the amenity of neighbouring occupiers in accordance with Policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application relates to the roof of the two storey rear 'outrigger' at the site, which has been adapted to provide a terrace with a door in the rear elevation of the main building to give access thereto. A 1.2m high frosted glass screen has been erected on the sides of the terrace.

The two storey rear outrigger abuts an approximately 7.75m high brick wall at the rear on the boundary with 5 Steele's Mews South. The boundary with 71 Haverstock Hill is formed by a 3.3m high brick wall which has a 2m high slatted timber fence on it.

The site is located in the Eton Conservation Area and together with the other buildings in the terrace it is noted as being a 'positive contributor' in the Eton Conservation Area Statement 2002.

Due to the limited public views of the roof terrace, the proposed development (i.e. 1.7m high opaque glass screens and additional 600mm of fencing on the existing fence on the boundary with no. 71 Haverstock Hill) would not be visually intrusive or unduly harmful to the heritage or townscape quality of the Conservation area.

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 letters of objection which were received both mention the potential for undue overlooking and loss of privacy at neighbouring properties.

However, the proposal was amended during the course of the application with a 1.7m high opaque glass screen being shown on the side next to 71 Haverstock Hill and a similar screen at the rear (this one set back 1 - 2m from the boundary).

The opaque glass screen, which would be required and retained in accordance with a planning condition, would prevent any overlooking of any neighbouring rooms or gardens and mitigate against any loss of amenity to the living conditions of any adjoining occupiers.

Due to the size and residential use of the terrace (and the boundary screen) there would be no undue noise disturbance for any adjoining occupiers.

The opaque glass screen and additional 600mm on the fence on the boundary with no. 71 Haverstock Hill would not result in any significant loss of outlook or aspect from any of the neighbouring properties. All neighbouring properties would retain a similar level of outlook.

There would be no undue overshadowing of any neighbouring rooms or gardens.

Two letters were received in response to statutory consultation on the application. All the matters which were raised are addressed in the Consultation Summary.

The planning history of the site and surrounding area has been considered when determining this application.

As such, the proposed development is in general accordance with Policies D1, D2, and A1 of the London Borough of 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.

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



Daniel Pope
Chief Planning Officer