

Application ref: 2022/5599/P  
Contact: Fast Track GG  
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Date: 7 June 2023

**Development Management**  
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Hawthorn Business Park  
165 Granville Road  
London  
NW4 2AZ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**38 Ingham Road  
London  
NW6 1DE**

Proposal:

New balcony with door and a glass balustrade to existing rear dormer (Retrospective).

Drawing Nos: GA 01 01 Revision A; GA 01 02 Revision A; GA 03 01 Revision A; GA 03 100 Revision A; GA 03 101 Revision A; GA 03 102 Revision A; GA 03 103 Revision A; GA 05 03 Revision A; GA 05 04 Revision A (Rear Elevation As Built); GA 05 04 Revision A (Side Elevation As Built); Design and Access Statement dated December 2022.

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 shall be carried out in accordance with the following approved plans: GA 01 01 Revision A; GA 01 02 Revision A; GA 03 01 Revision A; GA 03 100 Revision A; GA 03 101 Revision A; GA 03 102 Revision A; GA 03 103 Revision A; GA 05 03 Revision A; GA 05 04 Revision A (Rear Elevation As Built); GA 05 04 Revision A (Side Elevation As Built); Design and Access Statement dated December 2022.

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

- 2 A 1.7 metre high privacy screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the western boundary of the balcony. The balcony shall not be used until the privacy screen has been approved and installed on site. The privacy screen shall be maintained and retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The works have already been implemented on site and therefore, they are retrospective.

The proposal includes the erection of a second-floor balcony with an aluminium door to allow access to it. The proposal also includes the erection of a wooden decking and obscured glass stainless steel balustrade.

Planning permission was granted for No. 36 Ingham Road (next door) for a balcony with a similar width (2016/6886/P).

Furthermore, given the varying styles of rear fenestration along this part of Ingham Road/Weech Road the proposals would not be out of character.

Overall therefore, the proposals are considered acceptable as they would not cause demonstrable harm to the appearance of the building or the character of the area.

Roof terraces and balconies can give rise to impact on neighbour amenity in terms of overlooking, noise and disturbance. The balcony is close to an existing balcony at no. 36, however the existing privacy screen of the balcony at no. 36 prevents overlooking. There is an existing window at roof level and the rear outrigger at first floor level at the adjacent property of No. 42. The terrace does result in overlooking into these windows and therefore, a condition is imposed to install a privacy screen on the western boundary of the terrace. A privacy screen would not appear out of context as one already exists at no. 36. Given the modest scale of the balcony it would not result in noise and disturbance which would impact residential amenity.

The site's planning and appeals history has been taken into account when coming to this decision. No objections have been received following statutory consultation.

As such, the proposal is in general accordance with policies A1, CC1 and D1 of the Camden Local Plan 2017, Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan, 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](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-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

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer