

Application ref: 2022/4979/P
Contact: Charlotte Meynell
Tel: 020 7974 2598
Email: Charlotte.Meynell@camden.gov.uk
Date: 30 June 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

4D PLANNING
86-90 Paul Street
3rd Floor
London
EC2A 4NE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 1

47 Netherhall Gardens

London

NW3 5RJ

Proposal: Erection of single storey rear extension with roof terrace above and associated alterations.

Drawing Nos: 4D-311 E00 Rev. A; 4D-311 E01; 4D-311 E02; 4D-311 E03; 4D-311 E04; 4D-311 E05; 4D-311 P01 Rev. A; 4D-311 P02 Rev. A; 4D-311 P03 Rev. A; 4D-311 P04 Rev. A; 4D-311 P05 Rev. A; 10148-D-AIA Tree Protection Plan; Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan (prepared by Hayden's Arboricultural Consultants, dated 09/03/2023).

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: 4D-311 E00 Rev. A; 4D-311 E01; 4D-311 E02; 4D-311 E03; 4D-311 E04; 4D-311 E05; 4D-311 P01 Rev. A; 4D-311 P02 Rev. A; 4D-311 P03 Rev. A; 4D-311 P04 Rev. A; 4D-311 P05 Rev. A; 10148-D-AIA Tree Protection Plan; Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan (prepared by Hayden's Arboricultural Consultants, dated 09/03/2023).

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

- 4 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with approved Tree Protection Plan. The protection shall then remain in place for the duration of works on site and works should be undertaken in line with the approved arboricultural method statement, unless otherwise agreed in writing by the local authority.

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 London Borough of Camden Local Plan 2017.

- 5 The roof terrace hereby approved shall not be used or accessed, other than for emergency egress, until the privacy screens shown on 4D-311 P03 Rev. A, 4D-311 P04 Rev. A and 4D-311 P05 Rev. A have been fully installed. The approved privacy screens shall thereafter be retained for the duration of the development.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with policy A1 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposed single storey flat roofed rear extension would extend the existing three storey outrigger into the garden by 3m at ground floor level. The proposed parapet height would match that of the existing neighbouring rear extension (No. 47b), and the extension would be a subordinate addition to the host building in terms of bulk, height and scale and would not be visible in any public views. It would be constructed in brick to match the host building

and the detailed design of the proposed white-painted timber glazing to the rear and new door to replace a window at first floor level is considered acceptable. The proposed roof terrace would be secured with black painted metal balustrades to the rear and timber trellis privacy screens to each side. The proposed privacy screens would be lightweight additions and could accommodate planting, and are considered acceptable in design terms. It is considered that the proposal would respect and preserve the design and proportions of the host building and the character and appearance of the Fitzjohns Netherhall Conservation Area.

The occupier of the adjacent neighbouring property No. 47b Netherhall Gardens has raised objections to the proposals in terms of loss of light to the side window of the existing ground floor rear extension, and to the potential for overlooking into habitable rooms from the proposed roof terrace. Whilst it is acknowledged that the proposed extension would have an impact on light received to the existing extension's side window, the side window is in an unneighbourly position facing the boundary wall with Flat 1, and the room that it serves also benefits from a number of other windows which wrap around the rear of the extension. The loss of light and outlook to this room is therefore not considered to be significant. The design of the proposed roof terrace has been revised to incorporate timber trellis privacy screens with a total height of 1.7m above floor level to both sides of the terrace, to ensure that there is no loss of privacy through overlooking into any neighbouring habitable rooms.

The Council's Tree and Landscape Officer has reviewed the submitted Arboricultural Impact Assessment. The removal of the existing Japanese maple in the rear garden to facilitate construction of the rear extension is acceptable as it is not a significant tree. The protection and method statement for the trees to be retained is adequate to protect those trees during the construction, and a condition will be added to ensure compliance with the tree protection measures.

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 Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

No objections other than those noted above from No. 47b Netherhall Gardens were received prior to making this decision. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A2, A3, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and of 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