

Application ref: 2023/2578/P
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Date: 10 November 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

Malathy Design
Studio 33, Oxgate House
Oxgate Lane
Brent Cross
NW2 7FQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
12 Westbere Road
London
NW2 3SR

Proposal:

Increase in height of the rear garden fence and installation of metal railings with obscured glazed screen to the flank (east) elevation for the use of the rear first floor flat roof as a terrace and installation of a glaze balustrade for a Juliet balcony to the front first floor elevation.

Drawing Nos: 2327 P-02; 2327 P-01; Site location plan by Terra Quest dated June 2023 and Reasonable Exception 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 plans: 2327 P-02; 2327 P-01; Site location plan by Terra Quest dated June 2023 and Reasonable Exception 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 policy D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The host building is a contemporary development consisting of a part two and part three storey building with a flat roof construction with a terrace to the roof of the two storey element. No.12A would have a pitched roof similar to that of the existing building consisting of large windows to the front elevation at first-floor level is constructed with louvred privacy screens, and the doors at ground floor level bounded by a glass balustrade.

Planning permission is sought for the replacement of the existing window with sliding door and installation of a Juliet balcony to the front elevation at first floor level and the installation of metal railing, new sliding door with metal railing and obscured screening for the use of the flat roof to the rear at first floor level as a roof terrace. The proposed works to the front elevation would create a door opening with a glazed Juliet-style balustrade for access from the 2nd-floor bedroom at the first floor for additional amenity space, and given the existing window is full length and fully glazed, the installation of the glazed balustrade to provide access to the Juliet balcony is not considered harmful. Thus, the proposal would not detract from the design and appearance of the host building.

The use of the flat roof on the first floor as a roof terrace is acceptable in principle, given the host building consists of an existing terrace to the rear elevation at second floor level. Thus, the proposal is not considered to be an incongruous addition. The proposed railings would be metal in material and would be appropriate to the architectural style of the dwelling to the rear. The proposed rear roof terrace would consist of glazed privacy screens to the east elevation of approximately 1.8m in height and the height of the rear boundary fence would be increased by 550mm.

Overall, the alterations would appear to be in keeping with the general appearance of fenestration treatments at the rear and it is also noted that the ground floor positions of the proposed works at the rear of the property are not widely visible, except from within restricted private views. As such, the proposal would preserve the character and appearance of the host property and wider area. The fenestration alterations to the front elevation would not detract from

the design and appearance of the host building, considering the existing fenestration treat that consists of full length glassed windows.

There are no amenity concerns because of this proposal, given the minor nature of the alterations to existing window openings towards the rear of the property, given there is a roof terrace at second-floor level. Thus, the proposals would therefore not give rise to a greater loss of privacy through increased overlooking over and above the existing situation, and the proposals would also not have a significant impact on the amenity of neighbouring occupiers in terms of loss of daylight, sunlight, outlook or light pollution through light spillage from the new roof light.

The site's planning and appeal history has been considered when coming to this decision. No objections have been received in relation to the proposals following statutory consultation.

As such, the proposal is in general accordance with policies A1 and D1 of the Camden Local Plan 2017, the works would abide by policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015; the London Plan 2021 and the National Planning Policy Framework 2023.

- 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-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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer