

Application ref: 2021/1895/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Email: Elaine.Quigley@camden.gov.uk
Date: 15 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

Bidwells
25 Old Burlington Street
London
W1S 3AN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**12 Netherhall Gardens
London
NW3 5RN**

Proposal:

Erection of single storey extension at roof level to infill the valley roof, incorporating vent stacks and rooflights, plus installation of new dormer to rear elevation and window to front gable, all in association with the provision of additional classroom space to existing school building

Drawing Nos: 628_E001; 628_E002; 628_E003; 628_E004; 628_E100; 628_E101; 628_E102; 628_E103; 628_E200; 628_P001; 628_P002; 628_P003 rev B; 628_P004 rev C; 628_P100 rev B; 628_P101 rev B; 628_P102 rev B; 628_P103 rev B; SK087; Ventilation options by RCDC dated 26/09/2022; Street views of no. 12 (south) by Sarah Wigglesworth Architects dated June 2022; Daylight and sunlight report by Lumina dated 12/04/2021; Transport Note by i-Transport dated 14/04/2021.

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:

628_E001; 628_E002; 628_E003; 628_E004; 628_E100; 628_E101;
628_E102; 628_E103; 628_E200; 628_P001; 628_P002; 628_P003 rev B;
628_P004 rev C; 628_P100 rev B; 628_P101 rev B; 628_P102 rev B;
628_P103 rev B; SK087; Ventilation options by RCDC dated 26/09/2022;
Street views of no. 12 (south) by Sarah Wigglesworth Architects dated June 2022; Daylight and sunlight report by Lumina dated 12/04/2021; Transport Note by i-Transport dated 14/04/2021.

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 No lights, flues, vents or pipes, telecommunications equipment, alarm boxes, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the roof.

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.

- 5 Before the relevant part of the work is begun, detailed drawings, and annotated photos of samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Details (scale 1:10) of all new roof materials including the wind-catcher vents.
b) Manufacturer's specification details of all new roof facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 6 The total number of children receiving instruction at the school shall not at any time exceed 264 pupils.

Reason: To ensure that the development hereby approved does not adversely

affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies A1, A4 and T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The proposal would include the creation of two additional classrooms within the new roof structure. The supporting documents confirm that the number of children attending the school will not increase as a result of the proposal and the additional rooms are to be intended to provide the school with new classrooms that meet the current space standards and provide enhanced dedicated and specialist facilities for the school. Any intensification of the use, including an increase in the number of pupils attending the school, could lead to adverse impacts on residential amenity and the local highway network. This would be principally related to additional movements of people at certain times of the days, creating additional noise, increasing traffic movements and generating additional on-street parking pressures. In order to ensure the proposal would not result in a significant increase in pupil numbers above the existing, a condition would be attached to ensure the pupil numbers are not increased above the existing number currently receiving instruction at the school.

The existing valley roof will be infilled to create the additional floorspace. The roof would have a visible pitched roofslope on the north side, and 7 rooflights and 2 ventilation stacks on the flat roof. In addition, a new dormer window would be installed on the rear east-facing roofslope and a new window would be installed on the front west-facing elevation within the gable roof. Following discussions with the applicant, the drawings have been revised to address concerns relating to the size of the dormer window and the new window in the front gable roof and to reduce the size of the infill extension and provide alternative options for the new classroom ventilation.

The proposed rear dormer would be considered subordinate within the roof in terms of its size and height. It is centrally located within the roof and is set below the eaves and in from the ridge of the roof. It is traditional in its design with a pitched roof with appropriately proportioned windows which respect the established hierarchy of the fenestration. The facades of the dormer would be tiled with timber shingles and the roof would be finished with re-used clay tiles from the existing roof which is considered acceptable. A modestly sized window would be installed within the front elevation of the front gable roof would not alter the character or appearance of the building and would be considered acceptable.

The length of the valley infill extension has also been revised and would be set back 1.3m from the northern side elevation to minimise its appearance from the street. Its height would remain below that of the existing gables and would be tiled with timber shingles. The extension would be visually unobtrusive and largely screened in views from the street by neighbouring buildings. The proposed rooflights would be set back from roof ridges and flush with the flat roof and would not project above the ridge of the roof, which would be

considered acceptable.

The proposals also include the need for ventilation, resulting in the installation of 2 wind-catcher vents projecting at roof level. The vents would be partially visible in views from the street and conservation area and will introduce an element of visual clutter. The applicants have explored a number of options and have provided justification for the vents as they are required to allow natural ventilation of the additional rooms and the vents cannot be relocated or reduced in size.

2 Reasons for granting (continued)

The character and appearance of this part of the conservation area is largely defined by large detached or semi-detached properties, many of which are now in educational use. Whilst there is an architectural coherence, most buildings were individually built and designed, giving the sense of variety to the streetscene. Many of the buildings have been extended and altered at roof level, whilst still preserving the character and appearance of the area.

In this instance, the vents will be no higher than adjoining chimney stacks and are well set back from the roof edges and side gaps adjoining neighbouring buildings so that they will be minimally visible, if at all, from street level. The overall impact on the character and appearance of the conservation area will be minimal, given the individual nature of this and neighbouring properties. A condition would be attached to ensure that no additional vents or pipes would be installed within the infill roof without planning permission to ensure that there is no additional visual clutter at roof level. A condition would also be attached requiring the submission of all roof materials to ensure they are sympathetic to the character and appearance of the building and have an appropriate finish. Overall, the proposal is considered to preserve the character and appearance of the building and this part of the South Hampstead Conservation Area and would be considered 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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

A daylight and sunlight assessment has been submitted which demonstrates that the Vertical Sky Component (VSC) levels comply with the BRE guidelines. The nearest residential dwellings are located to the north of the site at no. 14 Netherhall Gardens which includes flats. One of the 25 windows at ground floor level in the side of no. 14 would experience a negligible reduction in VSC values; however, it would still fall within acceptable BRE levels and would be considered acceptable. Three side bedroom windows within the basement of the basement and ground floor maisonette have existing VSC values below the required minimum levels. In this instance it has been demonstrated that the daylight to these windows would fall within the acceptable BRE levels. The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers in terms of daylight and sunlight.

There are a number of windows in the side elevation of no. 14 that serve

habitable rooms (bedrooms and living / dining rooms) whose outlook are already compromised by the existing school building. The majority of the side windows within the flats are secondary windows and these flats have unobstructed primary windows that face west (looking out towards Netherhall Gardens) and east (looking out over the rear gardens). Given that the roof extension would be set back 1.3m from the side elevation of the main building, it is considered that there would be no harmful loss of outlook to the flats within the neighbouring building.

The proposal would not result in any harmful overlooking of neighbouring properties and would be considered acceptable.

3 Reasons for granting (continued)

Due to the sensitive location of the site, a construction management plan (CMP) would be required to be secured to minimize the impact on the highway infrastructure and neighbouring community. A CMP, CMP implementation support contribution of £3,920 and a Construction Impact Bond of £7,500 would be required and secured as part of the section 106 legal agreement in accordance with Policy A1.

It should be noted that the site is located in an area with multiple schools, and is within the Frogna/Fitzjohns Neighbourhoods of the Future Healthy School Street Zone. Therefore the delivery hours should be restricted to 09.30 - 15.00, with possible recommencement between 15.30 - 16.30 depending on school hours. An informative would be added to advise the applicant of the preferred delivery hours.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, T1, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 4 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.
- 5 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).

- 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) 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.

- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 You are advised that the site is located in an area with multiple schools, and is within the Frogna/Fitzjohns Neighbourhoods of the Future Healthy School Street Zone. Therefore the delivery hours should be restricted to 09.30 - 15.00, with possible recommencement between 15.30 - 16.30 depending on school 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