

2023/2895/P - 45 Redington Road



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Site Photos:



Figure 1 (above): Aerial view of the site in context (source: Google 3D)



Figure 2 (above): Aerial view of the rear of the site (source: Google 3D)



Figures 3 & 4 (above): Photos showing the full rear elevation of the property.



Figure 5 (above): Drawing of the rear elevation as existing and also including the (as yet unbuilt) single storey rear elevation that does not require planning permission and was confirmed as permitted development as part of lawful development certificate application ref. 2014/2102/P.



Figure 6 (above): Drawing of the proposed scheme, which differs from Figure 5 in that it features a glass balustrade and the window behind the balustrade has been replaced by a door.

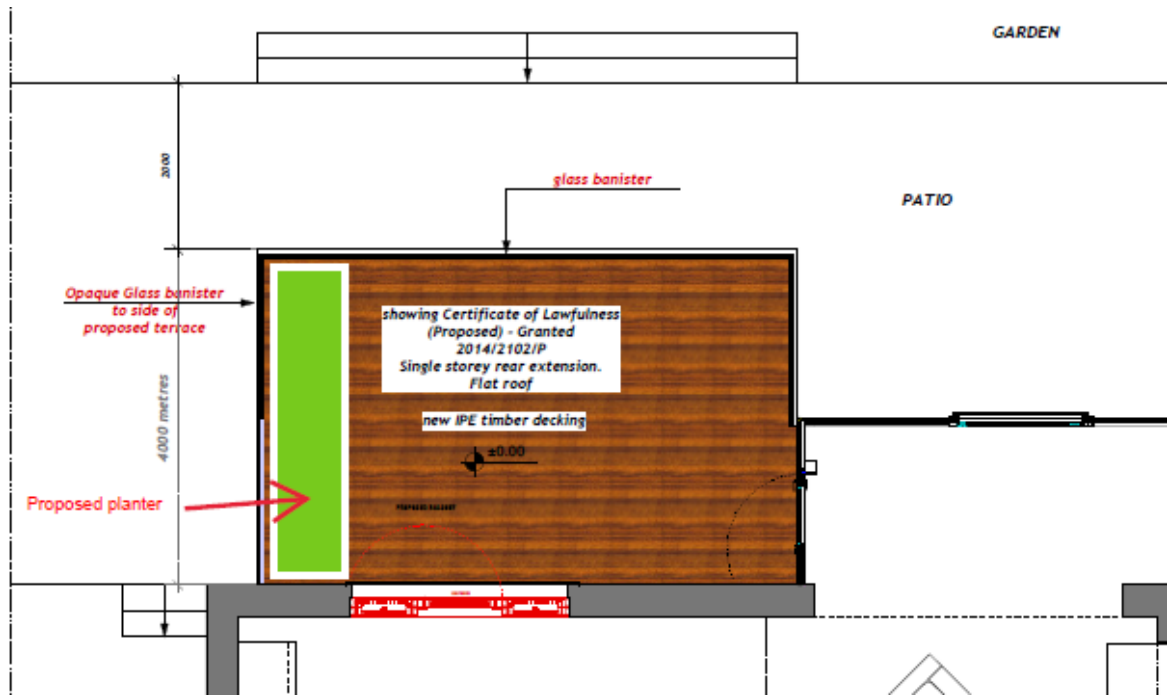


Figure 7 (above): Drawing of the first floor layout which shows the proposed balcony and deck, including the glass balustrades and planter.

Delegated Report (Members' Briefing)		Analysis sheet N/A	Expiry Date: 08/09/2023	Consultation Expiry Date: 17/09/2023
Officer Chris Smith		Application Number(s) 2023/2895/P		
Application Address 45 Redington Road London NW3 7RA		Drawing Numbers Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Creation of a roof terrace on the flat roof of the previously approved single storey rear extension at lower ground floor level (2014/2102/P) and associated glass balustrade, and the installation of a door at rear first floor level to single family dwelling house (Class C3).				
Recommendation(s):		Grant Conditional Planning Permission		
Application Type:		Householder Application		
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice		
Informatives:				
Consultations				
Adjoining Occupiers:		No. of responses	0	No. of objections
				0
Summary of consultation responses:		A site notice was displayed from 16th August 2023 (expiry date 09/09/2023) A press advert was published on 24th August 2023 (expiry date 17/09/2023). <ul style="list-style-type: none"> No responses received from local residents. 		

Local Group comments:

The Heath and Hampstead Society **objected** as follows:

- Noise and overlooking from first floor terrace.

Officer Response:

Any noise and overlooking would not be excessive for a residential location. Amenity is discussed in section 4 of the report

The Redington Frogna! Neighbourhood Forum **objected** as follows:

- Noise and light pollution particularly in relation to local ecology.

Officer Response:

Any noise and light would not be excessive for a residential location. Amenity is discussed in section 4 of the report.

- Recommend that a planted screen would improve visual amenity, enhance biodiversity and reduce noise pollution.

Officer Response:

Applicant has amended plans to provide a planter. Biodiversity is discussed in section 5 of the report.

Site Description

45 Redington Road is a two storey detached property with habitable roof space located on the south-western side of Redington Road.

The property is not listed; however, is situated in the Redington Frogna! Conservation Area to which it makes a positive contribution. The site is located within the Redington Frogna! Neighbourhood Plan area.

Relevant History

Application site:

2018/4602/P. Installation of glass balustrade to the flat roof of the previously approved rear extension at lower ground floor level to create a roof terrace and replacement of the existing window with new door. **Granted 22-01-2019.**

2014/5930/P. The installation of a swimming pool at lower ground floor level, following the approval under planning permission 2014/2054/P for: creation of lower-ground floor under the footprint of the original property. **Refused 16-02-2015. Appeal Allowed 27-11-2015.**

2014/4119/P. Creation of a roof terrace on the flat roof of the previously approved single storey rear extension at lower ground floor level and associated glass balustrade, and the installation of a door at rear ground floor level to single family dwelling house (Class C3). **Granted 01-08-2014.**

2014/2054/P. Internal floor level alterations at lower ground floor. **Granted 28-04-2014.**

2014/2102/P. Single storey rear extension. **Granted 22-05-2014.**

2014/1718/P. Installation of four rooflights to rear roofslope. **Granted 24-03-2014.**

Relevant policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

A1 - Managing the impact of development

A4 – Noise and vibration

A3 - Biodiversity

D1 - Design

D2 - Heritage

Redington Froggnal Neighbourhood Plan (2021)

SD2 – Redington Froggnal Conservation Area

SD5 – Dwellings: Extensions and Garden Development

BGI1 – Gardens and Ecology

BGI3 – Lighting

Camden Planning Guidance

CPG Home improvements (2021)

CPG Amenity (2021)

CPG Design (2021)

CPG Biodiversity (2018)

Redington/Froggnal Conservation Area Character Appraisal and Management Plan (2022)

Assessment

1. Proposal

1.1. Planning permission is sought for the following works:

- Creation of a roof terrace on the flat roof of the previously approved single storey rear extension at lower ground floor level (2014/2102/P) and associated glass balustrade, and the installation of a door at rear first floor level to single family dwelling house (Class C3).

1.2. During the course of the application assessment process, the following revisions have been made to the proposals:

- A planter has been added to the first-floor terrace area.

2. Assessment

2.1. The planning considerations material to the determination of this application are as follows:

- Design and Heritage
- Amenity
- Biodiversity

3. Design and Heritage

3.1. The proposal is identical in many respects to the development that received planning permission on 22nd January 2019 (ref. 2018/4602/P). Works for this development were not commenced within the required three-year period and as such the applicant is required to resubmit for planning permission.

3.2. Since that previous planning permission was granted the Redington Froggnal Neighbourhood Plan (2021) has been adopted, as has the Redington/Froggnal Conservation Area Character Appraisal and Management Plan (RFCA CAMP, 2022). The Council's Local Plan (2017) policies remain the same as for the previously granted development.

3.3. Policies D1 and D2 of the Camden Local Plan are relevant in assessing design and heritage considerations. To summarise, policy requires extensions to respond positively and sympathetically to existing rhythms, proportions, height, scale, massing and materials of surrounding buildings and when in conservation areas must have regard to the relevant Conservation Area Appraisal and Management strategies.

3.4. The Redington/Froggnal Conservation Area Character Appraisal and Management Plan states that extensions should be subservient in height, scale and massing, and should be unobtrusive and complementary to the landscape and townscape character of the area. It also states that extensions should usually be no more than one storey in height.

3.5. Policy SD2 of the Redington Froggnal Neighbourhood Plan states that new developments must preserve or enhance the green garden suburb character and appearance of the conservation area. Policy SD5 of the same document states that extensions to existing buildings should be designed to complement the character of the original building and context. Materials should either match the existing building or be contrasting, where this would help to maintain the original composition of the building. The massing and scale of the extension should ensure that it is subordinate to the main building. Extensions into garden space should be minimised.

- 3.6. It is noted that the ground floor element of the proposal could be constructed without the requirement for planning permission under permitted development regulations. This was confirmed in May 2014 (under an application for a Lawful Development Certificate ref. 2014/2102/P). As such, this application refers principally to the installation of a glass balustrade at first floor level, and the replacement of an existing first-floor window with a door to allow access to a roof terrace. The glass balustrade, new door and use of the roof area as a terrace were all elements of the previously granted planning permission (ref. 2018/4602/P).
- 3.7. The new Neighbourhood Plan policies and guidance provided by the RFCA CAMP do not prohibit the use of glazed materials or the provision of terraces. The materials of both the balustrade and the new door would match those on the existing house (which already features a glazed rear projection with an upper-level glass balustrade). The works would therefore be unobtrusive given the existing character of the main house. Given this existing character, the proposed glazed balustrade is considered acceptable in this instance and location and would be in keeping with previously approved proposals at this site. They would be subordinate to the main house and would not extend further into the garden area than the existing rear patio, therefore retaining the green garden suburb character of the conservation area. The doors would be similar in design and appearance to the existing windows on the rear elevation and thus would be sympathetic additions.
- 3.8. The detailed design is therefore considered to be sensitive to the property and 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.
- 3.9. Overall, the proposed works are considered to be in accordance with policies D1 and D2 of the Local Plan, SD2 and SD5 of the Redington Froggnal Neighbourhood Plan and the supporting RFCA CAMP conservation area guidance and as such would not result in harm to the character and appearance of the Redington Froggnal Conservation Area.

4. Amenity

- 4.1. Policy A1 of the Camden Local Plan seeks to ensure that development does not cause adverse amenity impacts upon neighbours, in terms of loss of light, outlook, overlooking. Policy A4 ensures that development does not lead to unacceptable harm from noise or vibration.
- 4.2. Policy BGI3 of the Redington Froggnal Neighbourhood Plan states that external lighting should have no significant impact on local amenity.
- 4.3. The proposed roof terrace is set 3 metres away from the boundary with no. 43 Redington Road and the side panel on the proposed glass screen would be of opaque glass which would reduce the potential for overlooking towards that neighbour. The siting of a planter on the south-eastern side of the balcony further reduces the potential for overlooking by allowing for planting to obscure views and by preventing use of the balcony space closest to that neighbouring property. A condition is attached to the decision notice to ensure that the planter is erected and retained thereafter. Overlooking towards no. 47 Redington Road would be significantly restricted by the siting of the existing two storey rear projection at the property. The existing terrace at second floor, the rear patio and garden areas already provide some opportunity for sitting out and noise creating activities, and these are considered to be characteristic of a residential property and not out of keeping with the surroundings. The proposed balcony at first floor would not significantly increase the site's existing potential for noise and overlooking and as such there would not be significant noise disturbance or loss of privacy created by the development for this reason.

4.4. There is no external lighting proposed as part of the development. It is noted that the balustrade is of glazed materials and the new door would have a larger area of glazing than the existing. However, this would not significantly increase light spill into local back gardens. A condition will be added to the development to ensure no new external lighting would be installed to the terrace area.

4.5. Therefore, it is considered that the proposal would not harm the amenity of any adjoining residential occupiers in terms of loss of privacy, outlook, or day/sunlight, nor from increased noise disturbance or light spill in accordance with policies A1 and A4 of the Local Plan and policy BG13 of the Redington Frognaal Neighbourhood Plan.

5. Biodiversity

5.1. Policy A3 of the Local Plan states that the Council will protect and enhance designated areas of nature conservation and biodiversity and will grant permission for development unless it would result in the loss or harm to a designated nature conservation site or adversely affect priority habitats and species.

5.2. Policy BG11 states that unbuilt areas within development sites should be designed to enhance ecological and wildlife values through protecting trees, maximising soft landscaping and planting, and minimising hard surfaces.

5.3. As confirmed by previously granted planning applications at this site (notably application ref. 2014/2102/P) the ground floor element of this proposal could be built without planning permission under permitted development regulations. Furthermore, it would be erected on top of an existing patio which has a very low biodiversity value. This proposal would increase native species planting by installing a new planter onto the first-floor balcony area. This would ensure an increase in ecological activity and biodiversity at the site and is therefore supported. Further details of the planter are secured by condition.

5.4. The development would not significantly increase light spill into local back gardens and therefore would not excessively impact on local ecology.

5.5. As such, it is considered that the development would be acceptable in terms of its impact on ecology.

6. Recommendation:

6.1. Grant Conditional Planning Permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 20th November, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2023/2895/P
Contact: Christopher Smith
Tel: 020 7974 2788
Email: Christopher.Smith1@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

Doyle Town Planning & Urban Design
86 to 90 Paul Street
Shoreditch
London
EC2A 4NE

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**45 Redington Road
London
NW3 7RA**

DECISION

Proposal:

Creation of a roof terrace on the flat roof of the previously approved single storey rear extension at lower ground floor level (2014/2102/P) and associated glass balustrade, and the installation of a door at rear first floor level to single family dwelling house (Class C3).

Drawing Nos: 01, 02, 04 (as amended), 05, 06, 07, 08, 09.

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: 01, 02, 04 (as amended), 05, 06, 07, 08, 09.

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 and policies SD2 and SD5 of the Redington Frogal Neighbourhood Plan 2021.

- 4 No lighting shall be installed to the external walls or the balcony area of the development hereby approved.

Reason: In order to protect the amenity of local residents and to minimise the impact on ecology in accordance with policies A1 and A3 of the London Borough of Camden Local Plan 2017 and policies BGI1 and BGI3 of the Redington Frogal Neighbourhood Plan 2021.

- 5 The planter on the terrace, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected prior to commencement of use of the roof terrace and shall be permanently retained.

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 and policy SD5 of the Redington Frogal Neighbourhood Plan 2021.

DECISION

Informative(s):

- 1 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).
- 2 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.
- 3 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

Chief Planning Officer

DECISION