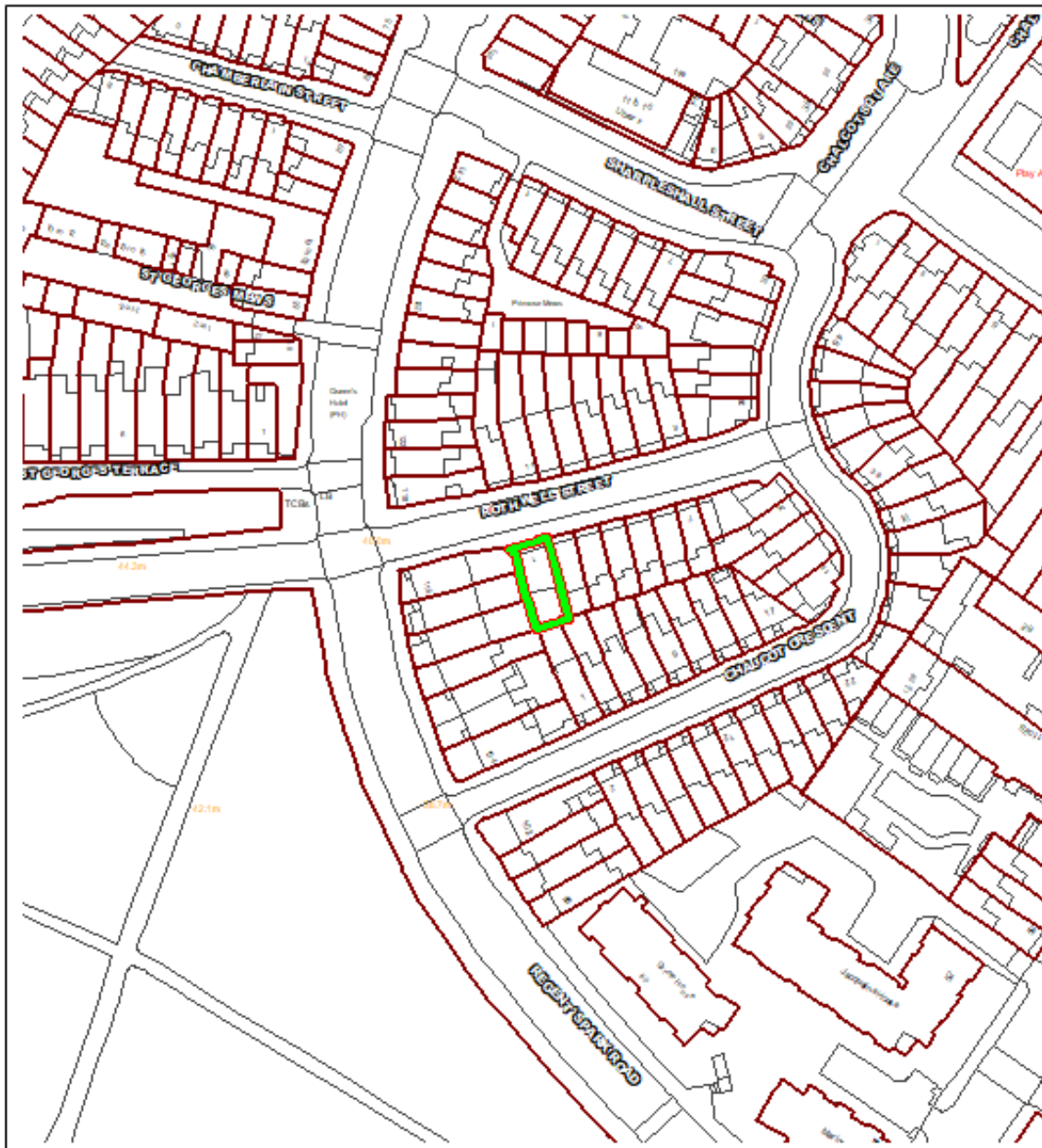


**2023/3134/P & 2023/3965/L – 1 Rothwell Street, London,
NW1 8YH**



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

2023/3134/P & 2023/3965/L

1 Rothwell Street, NW1 8YH



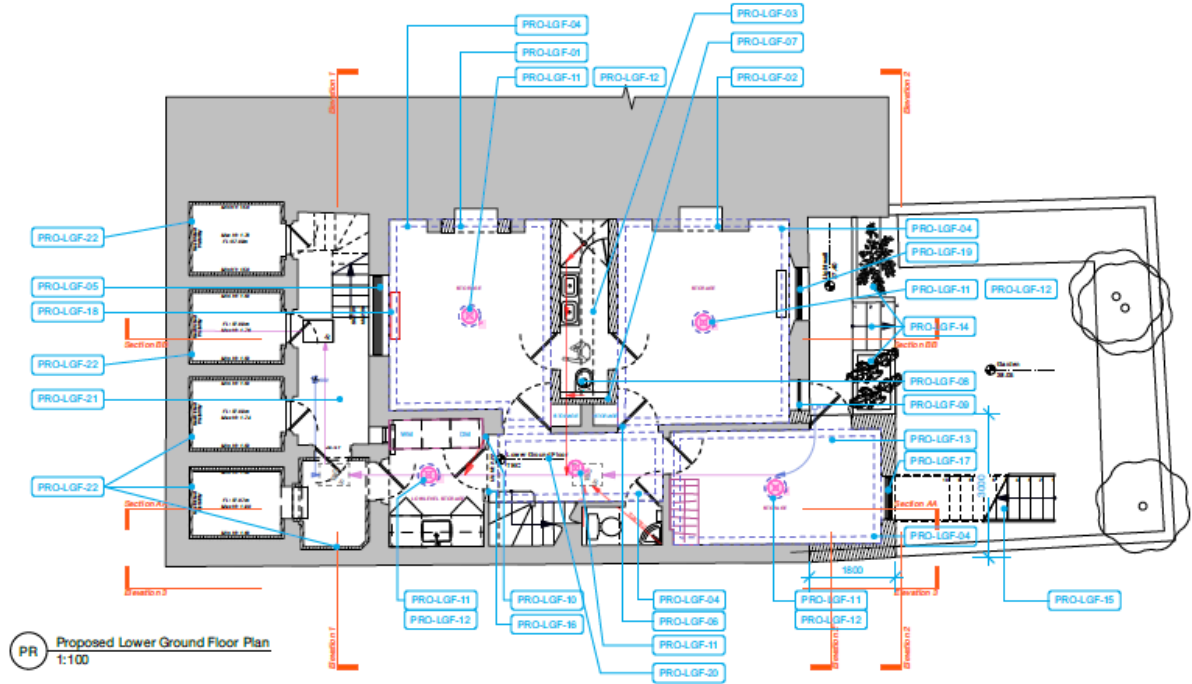
Front of 1 Rothwell Street



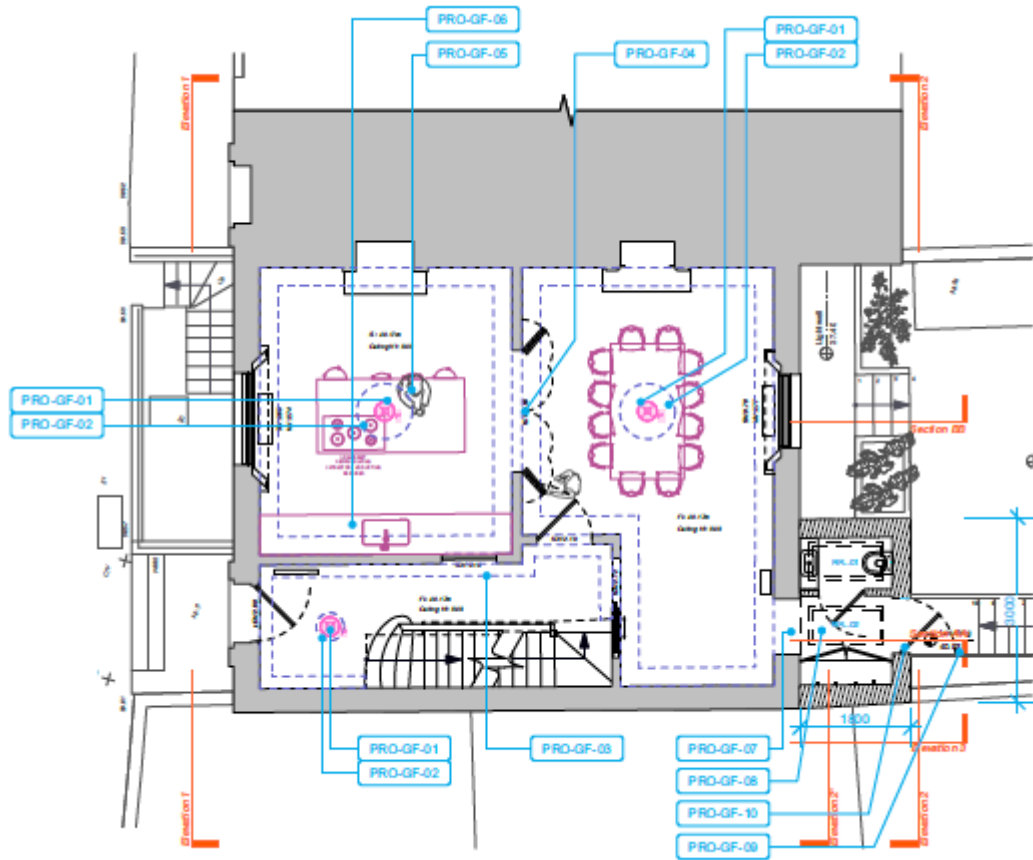
Aerial view of rear of 1 Rothwell Street

2023/3134/P & 2023/3965/L

1 Rothwell Street, NW1 8YH



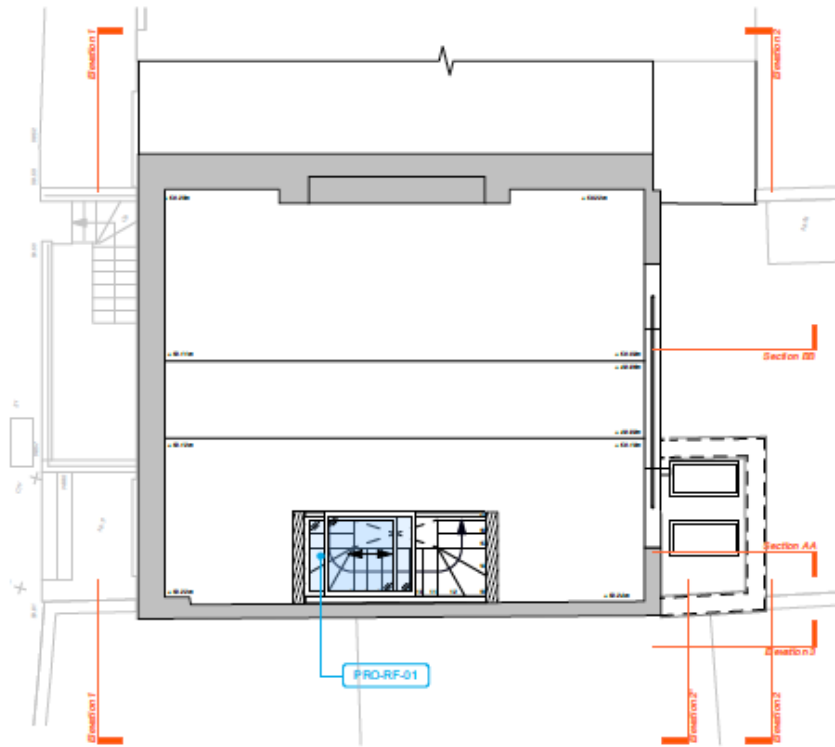
Proposed Lower Ground Floor Plan (new works shaded)



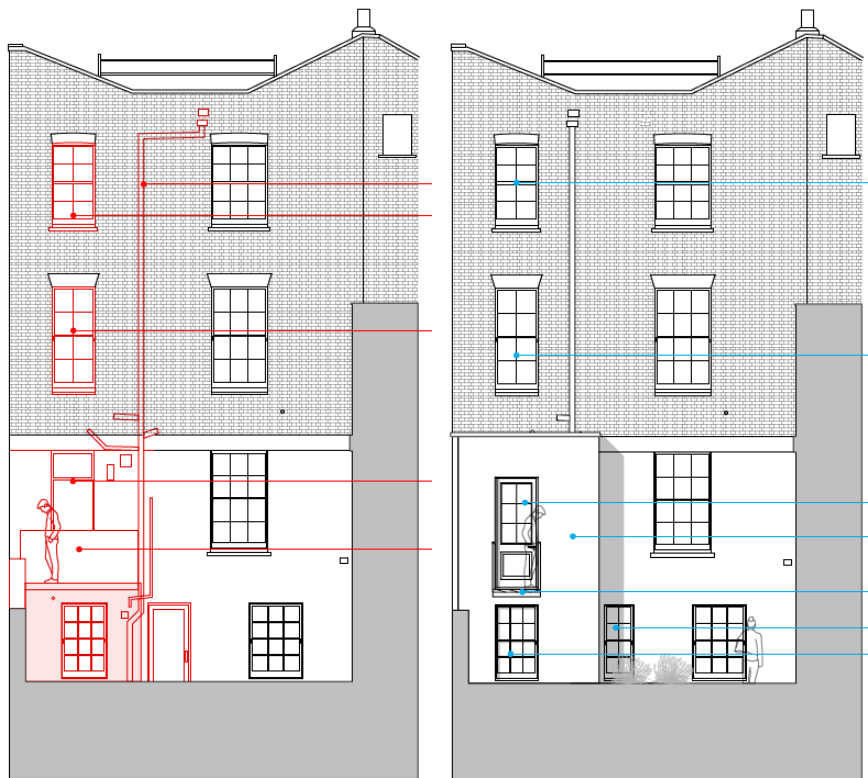
Proposed Ground Floor Plan (new works shaded)

2023/3134/P & 2023/3965/L

1 Rothwell Street, NW1 8YH



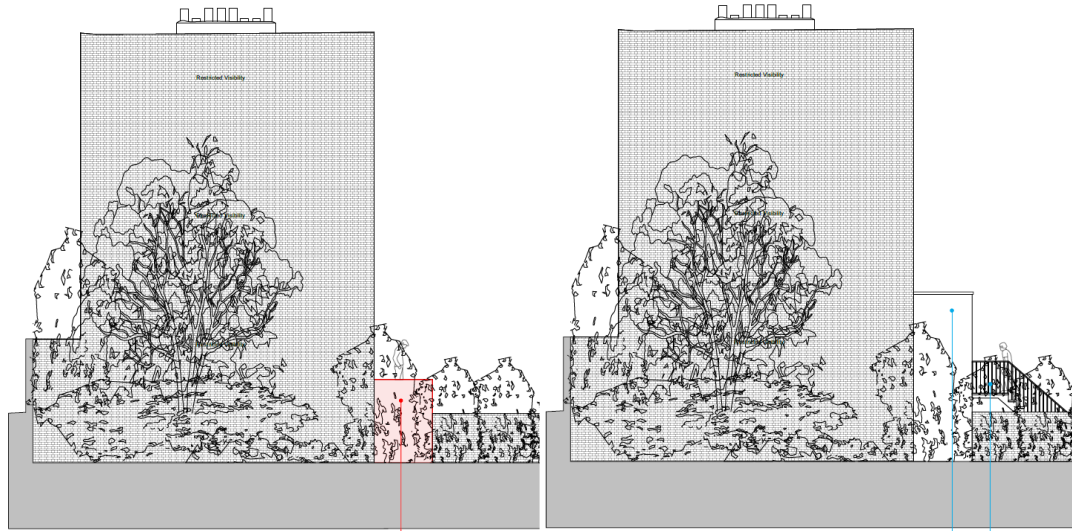
Proposed Roof Plan (new works shaded)



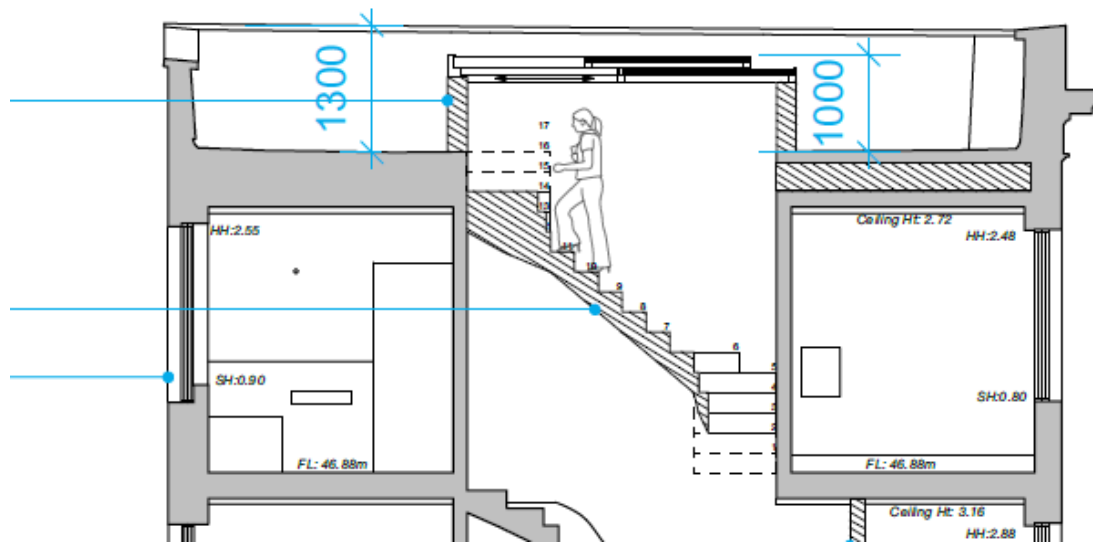
Existing (left) and Proposed (right) Rear Elevations (roof extension not visible)

2023/3134/P & 2023/3965/L

1 Rothwell Street, NW1 8YH



Existing (left) and Proposed (right) Side Elevations



Proposed Section Showing Height of Roof Extension

Delegated Report		Analysis sheet	Expiry Date:	i)26/09/2023 ii) 26/09/2023
(Members Briefing)		N/A / attached	Consultation Expiry Date:	i)22/10/2023 ii) 21/10/2023
Officer			Application Number(s)	
Christopher Smith			i)2023/3134/P ii) 2023/3965/L	
Application Address			Drawing Numbers	
1 Rothwell Street London NW1 8YH			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
i) Demolition of existing rear projection and erection of a two storey rear extension, upward extension to improve access to existing roof, other minor external works ii) Demolition of existing rear projection and erection of a two storey rear extension, upward extension to improve access to existing roof, other minor external works and internal alterations.				
Recommendation(s):		i) Grant Conditional Planning Permission ii) Grant Listed Building Consent		
Application Type:		i) Household Permission ii) Listed Building Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Press Notice: published 09/03/2023, expired 02/04/2023 Site Notice: displayed 08/03/2023, expired 01/04/2023</p> <p>3 objections have been received from neighbouring occupiers. The following points have been raised:</p> <ul style="list-style-type: none"> • Inappropriate design • Negative impact on local heritage • Loss of outlook • Loss of privacy • Increased noise disturbance • Inappropriate use of roof • Loss of planting/vegetation • Disturbance from construction works • Party wall impact <p>Officer's Response:</p> <ul style="list-style-type: none"> • <i>Design and heritage impacts of the proposed development are assessed in Section 3 below.</i> • <i>Amenity impacts, including the proposed use of the roof, removal of planting and impact from construction works, are assessed in Section 4 below.</i> • <i>Party wall issues are a private matter that must be dealt with by the parties concerned. An informative will be attached to the decision notice reminding the applicant of potential need for a Party Wall Agreement</i> 			
Primrose Hill CAAC:	<p>An objection was received by the Primrose Hill CAAC. Concerns arising from the objection are summarised below:</p> <ul style="list-style-type: none"> • Design of stairs could impact negatively on local heritage • Inappropriate detailed design, internally and externally • Design of glazed roof access box is inappropriate • Roof should not be used as a terrace <p>Officer's Response:</p> <ul style="list-style-type: none"> • <i>Design and heritage impacts of the proposed development are assessed in Section 3 below.</i> • <i>Amenity impacts, including the proposed use of the roof, removal of planting and impact from construction works, are assessed in Section 4 below.</i> 			

Site Description

The existing property is a four-storey (including lower ground level) end of terrace dwelling located on the southern side of Rothwell Street. It is located within the Primrose Hill Conservation Area and is Grade II listed. The overall significance of the building includes its architectural design and materials, floorplan, townscape value and its evidential value as a mid-nineteenth-century terraced building.

The site is within the Environment Agency's Flood Zone 1 which equates to a low risk of flooding. It is also within a Local Flood Risk Zone.

Relevant History

2016/4633/L. Replacement of existing French doors to the rear at basement level with timber framed double glazed French doors. **Listed building consent granted 3rd November 2016.**

2008/3391/P. Replacement of existing door at basement level to the rear with enlarged door and replacement of existing timber balcony at ground floor level to rear with a balcony with glass balustrade and metal grille floor, to existing dwelling house. **Permission granted 3rd September 2008.**

2008/3920/L. Replacement of existing door at basement level to the rear with enlarged door and replacement of existing timber balcony at ground floor level to rear with a balcony with glass balustrade and metal grille floor, to existing dwelling house. **Listed building consent granted 4th September 2008.**

8700280. External alterations including the addition of a rear extension at first-floor level as shown on drawing number 740/001. **Permission granted 25th March 1987.**

8770093. Alterations including the removal of some areas of the existing basement wall and the rear chimney breasts at second and third-floor levels together with the addition of an extension at first-floor level as shown on drawing number 740/001. **Listed building consent granted 25th March 1987.**

Relevant policies

The National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

A3 Biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

Camden Planning Guidance

Amenity CPG (2021)

Biodiversity CPG (2018)

Design CPG (2021)

Energy efficiency and adaptation (2021)

Home improvements (2021)

Water and flooding (2019)

Primrose Hill Conservation Area Statement (2000)

Draft Camden Local Plan

The Council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. Proposal

- 1.1. The application proposes to demolish an existing rear projecting balcony at ground level and erect a two storey rear extension at ground and lower ground levels and a new staircase accessing the rear garden is proposed. An upward extension of the existing staircase is proposed at roof level, along with other minor external works such as replacement of windows and a door with windows to match the existing house.
- 1.2. Further internal alterations are also proposed as part of the listed building consent application which includes removal of internal walls and installation of new partitions, amongst other minor alterations.
- 1.3. The scheme has been amended to remove the residential bedrooms from the lower ground floor.

2. Assessment

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

Design and Heritage
Residential Amenity
Flood Risk

3. Design and Heritage

- 3.1. Policy D1 states that the Council will seek to secure high quality design in all cases. This policy states that in order to demonstrate high quality, developments should meet several criteria including: respecting local context and character; being sustainable and durable; and comprise details and materials that are of high quality and complement the local character. It continues to state that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policy D2 states that the Council will preserve and enhance Camden's heritage assets and their settings.
- 3.2. Sections 16, 66, and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") provide a statutory presumption in favour of the preservation and enhancement of the character and appearance of conservation areas, and the preservation and enhancement of listed buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.
- 3.3. The Primrose Hill Conservation Area Statement (PHCAS, 2000) advises that rear extensions should be as unobtrusive as possible, should not adversely affect the character of the building or the Conservation Area, and should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of building. The PHCAS also states that roof extensions and alterations which change the shape and form of the roof are unlikely to be acceptable.
- 3.4. The proposal is for the construction of a rear two-storey closet wing extension and new steps

to garden, facilitated by the demolition of an existing rear balcony projection. Other external alterations include a proposed new access structure to the roof, that would replace the existing access hatch, and the installation of new windows to replace existing windows and doors. Internally, refurbishment works are proposed on all floors which includes the remodelling of some spaces facilitated by the removal of internal walls and the construction of new internal partitions, and the re-instatement of historic detailing and features (such as fireplaces, architraves, skirting, etc).

- 3.5. The property was originally built without a closet wing at rear. It is considered that there are reasonable grounds for the introduction of a closet wing in the proposed location. This is principally that modern facilities can be introduced on the ground floor without requiring the related harm of subdividing the rear main room. The footprint of the proposed closet wing would mirror that of the existing rear projections at neighbouring properties and would be a storey shorter (two rather than three storeys) and would read as a subservient addition to the host building and an acceptable amount of useable garden amenity space would be retained. It would also be finished in white render materials, giving it a similar appearance to the closet wing projections visible to the rear of the neighbouring properties (specifically nos. 2 to 5 Rothwell Street).
- 3.6. The proposed closet wing would be located close to the middle lower ground floor window in the rear elevation but is otherwise not considered to cause heritage harm. Any limited harm caused by this close proximity is outweighed by the positive heritage impact of removing the architecturally incongruous existing metal balcony with glass balustrade. The reintroduction of lost architectural features and elements is supported as the overall significance of the building will be enhanced.
- 3.7. The rear door and stairs that form part of the proposed extension would not be atypical for a property of this residential typology, where the main living space is at ground floor and there is a garden at lower ground level. Furthermore, there are existing rear metal stairs visible in the local area, for example to the rear of no. 3 Rothwell Street, that provide access to the lower ground garden area at that neighbouring property. The proposed stairs would be finished in metal which would accord with the historic aesthetic of the host property. The proposed door at ground level would also fit with this historic aesthetic.
- 3.8. The applicant has submitted sectional drawings with the application that show the proposed roof extension, which would improve access to the roof of the property, would not be greater in height than the existing building parapet (1 metre in height compared to 1.3 metres in height). As such, it would not be visible from the surrounding area and would not affect the appearance or historic character of the host property or the local area.
- 3.9. The Council's Conservation Officer has been consulted on these proposals and is supportive of them, subject to conditions relating to details of proposed key heritage features.
- 3.10. The proposed works are therefore considered subordinate in scale to the existing property and would not adversely affect its special listed character or appearance. The historic character and significance of the Primrose Hill Conservation Area would be preserved.
- 3.11. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and listed building, under s.72, s.66 and s16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 3.12. Overall, the proposed external works would be of a high-quality design and would not be harmful to the character or appearance of the listed host building, street scene or the Primrose Hill Conservation Area, in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017, subject to conditions.

4. Residential Amenity

- 4.1. Policy A1 of the Local Plan seeks to ensure that development does not cause adverse amenity impacts to neighbours in terms of sunlight, daylight, privacy and overlooking, noise, vibration, and odour. Policy A3 states that features with nature conservation value, including gardens, shall be protected where possible. Policy A4 states that the Council will not grant permission for developments with unacceptable noise impacts.
- 4.2. The proposed development would replace an existing ground floor extension and infill the space below it. It would be separated from neighbouring properties by at least 4 metres. As such, no loss of day/sunlight or outlook to neighbours is anticipated. In replacing an existing balcony, the new extension including rear steps would not significantly increase overlooking to an extent beyond that which already occurs at the property, noting that a degree of mutual overlooking already exists between properties in the local area. As such, neighbouring amenity would be protected in terms of day/sunlight, outlook and privacy.
- 4.3. The new roof extension would improve access to the existing roof. The roof can already be accessed if required via the existing hatch. It is considered that any increase in human activity at roof level that this extension could facilitate would not be beyond the scope of acceptability for a residential property. As such, the proposal is also considered acceptable in terms of noise disturbance.
- 4.4. Part of the western boundary wall measuring 1.8 metres wide would be removed to facilitate the proposed development. This would be replaced by the side wall of the proposed rear extension. The building works would likely result in the removal of some foliage from the host site and also from the gardens of the neighbouring properties of 112 and 114 Regent's Park Road. However, alterations to such foliage could be undertaken by property owners on either side without the need for planning permission. Furthermore, this area is not a designated nature conservation area. As such, the loss of some planting in this area is not considered to be a reason for refusal in this case.
- 4.5. Some impact on neighbouring properties from demolition and construction works is to be expected from any development project. Given that the proposal is for the extension and refurbishment of a single family dwelling house only it is considered that disturbance from construction works would be within reasonable limits and would not substantiate a reason for refusal. An informative will be added to the decision notice which limits hours of construction.
- 4.6. As such, it is considered there would be no detrimental impact on neighbouring amenity from the proposal and it would be in accordance with Policies A1 and A4 of the Camden Local Plan 2017.

5. Flood Risk

- 5.1. Policy CC2 of the Local Plan states that development should not increase surface water run-off, whilst policy CC3 states that development shall not increase flood risk through harm to the water environment and shall not locate vulnerable development in flood-prone areas.
- 5.2. The site is within the Environment Agency's Flood Zone 1 (low risk of flooding) and a Local Flood Risk Zone (LFRZ). LFRZs are discrete areas that the Council considers are susceptible to local flooding.
- 5.3. No excavation work is anticipated to occur at lower ground level other than for a 5.4sqm area of new development. This relatively limited amount of new construction work is considered not to impact significantly on local flood risk. The proposal would extend the floor area at lower ground level, which the plans show would be used for storage. This part of the property would have the potential to be used as habitable space, including as sleeping accommodation. The siting of new habitable accommodation below ground level within LFRZs is discouraged. However, as the lower ground floor is part of the existing dwelling house and given that no new unit of accommodation is being created in this area, the Council cannot oppose this

application on grounds of increased flood risk to occupants at lower ground level as the lower ground floor of the existing property could be used sleeping accommodation without the requirement for planning permission.

5.4. As such, it is considered that the proposal is acceptable in terms of its impact on flood risk.

6. Recommendation

6.1. i) Grant conditional planning permission

6.2. ii) Grant conditional listed building consent.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 19th February 2024, 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: 2023/3134/P
Contact: Christopher Smith
Tel: 020 7974 2788
Email: Christopher.Smith1@camden.gov.uk
Date: 13 February 2024

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

Miltiadou Cook Mitzman Architects Llp
3rd Floor
10-12 Emerald Street
London
WC1N 3QA

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**1 Rothwell Street
London
NW1 8YH**

Proposal: Demolition of existing rear projection and erection of a two storey rear extension, upward extension to improve access to existing roof, other minor external works

Drawing Nos: 394-DWG-1002-P3, 394-DWG-1010-P2, 394-DWG-1025-P2, 394-DWG-1024-P2, 394-DWG-1026, 394-DWG-1030, 394-DWG-1021, 394-DWG-1020, 394-DWG-1005, 394-DWG-1007, 394-DWG-1003, 394-DWG-1004, 394-DWG-000, 394-DWG-1001 (all drawings rev. P1 unless stated).

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: 394-DWG-1002-P3, 394-DWG-1010-P2, 394-DWG-1025-P2, 394-DWG-1024-P2, 394-DWG-1026, 394-DWG-1030, 394-DWG-1021, 394-DWG-1020, 394-DWG-1005, 394-DWG-1007, 394-DWG-1003, 394-DWG-1004, 394-DWG-000, 394-DWG-1001 (all drawings rev. P1 unless stated).

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

DRAFT

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.

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

- 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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 2023.

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

Application ref: 2023/3965/L
Contact: Christopher Smith
Tel: 020 7974 2788
Email: Christopher.Smith1@camden.gov.uk
Date: 13 February 2024

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

Miltiadou Cook Mitzman Architects Llp
3rd Floor
10-12 Emerald Street
London
WC1N 3QA

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
1 Rothwell Street
London
NW1 8YH

DECISION

Proposal: Demolition of existing rear projection and erection of a two storey rear extension, upward extension to improve access to existing roof, other minor external works and internal alterations.

Drawing Nos: 394-DWG-1002-P3, 394-DWG-1010-P2, 394-DWG-1025-P2, 394-DWG-1024-P2, 394-DWG-1026, 394-DWG-1030, 394-DWG-1021, 394-DWG-1020, 394-DWG-1005, 394-DWG-1007, 394-DWG-1003, 394-DWG-1004, 394-DWG-000, 394-DWG-1001 (all drawings rev. P1 unless stated).

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 394-DWG-1002-P3, 394-DWG-1010-P2, 394-DWG-1025-P2, 394-DWG-1024-P2, 394-DWG-1026, 394-DWG-1030, 394-DWG-1021, 394-DWG-1020, 394-DWG-1005, 394-DWG-1007, 394-DWG-1003, 394-DWG-1004, 394-DWG-000, 394-DWG-1001 (all drawings rev. P1 unless stated).

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a) Plan, elevation and section drawings of the new garden stairs at a scale of 1:10, plus specifications of finishing materials.
- b) Plan, elevation and section drawings of all new fireplaces at a scale of 1:10.
- c) Plan, elevation and section drawings of all new joinery at a scale of 1:10.
- d) Plan, elevation and section drawings of all new floor finishes at a scale of 1:10.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 2 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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 2023.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

DRAFT

DECISION