

Application ref: 2023/4867/P
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Date: 25 March 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Phone: 020 7974 4444

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Mr George Omalianakis
86-90 Paul Street
London
EC2A 4NE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

259 Goldhurst Terrace
London
NW6 3EP

Proposal:

Creation of a terrace at rear first floor level and installation of railings, new rear terraced area and the replacement of all windows with new windows to match the existing.

Drawing Nos: Design, Access and Heritage Statement; 2220F00; 2220F01; 2220F11; 2220F02; 2220F12; 2220F03; 2220F13; 2220F04; 2220F14; 2220F05; 2220F15; 2220F06; 2220F16; 2220F07; 2220F17; 2220V08; 2220F18; 2220F09; 2220F19

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:

Design, Access and Heritage Statement; 2220F00; 2220F01; 2220F11; 2220F02; 2220F12; 2220F03; 2220F13; 2220F04; 2220F14; 2220F05; 2220F15; 2220F06; 2220F16; 2220F07; 2220F17; 2220V08; 2220F18; 2220F09; 2220F19

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 first use of the rear terrace hereby approved, details of a privacy screen to prevent unacceptable overlooking into neighbouring properties shall be submitted to and approved in writing with the Local Planning Authority. The rear terrace shall not be used or accessed, other than for emergency egress, until the approved privacy screen has been fully installed and the approved privacy screen 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 London Borough of Camden Local Plan 2017

Informative(s):

- 1 Reasons for granting permission:

The property is not listed but is located within the South Hampstead conservation area. The application seeks to erect a roof terrace over the existing ground floor rear extension.

The installation of railings and rear access door to create an external rear entrance to the roof terrace is considered acceptable in design, as the new door will be in a matching style and materiality to the rest of the building. The creation of a 3m deep first-floor rear roof terrace is not considered to create any additional harm to the host building or wider conservation area as no historic fabric is being altered as part of the proposal. Further, the use of metal balustrades is appropriate for the age and style of host building and considered acceptable.

Whilst it was considered that the proposed terrace would generate some overlooking impact on the neighbouring properties, officers do not consider these impacts would be significant enough to warrant a refusal considering the abundance of terraces currently in existence at neighbouring properties offering a similar outlook. Given the footprint of the proposed terrace, officers

consider that the use may generate some level of increased noise and disturbance; however, not to a degree that would be materially harmful level that would harm neighbouring amenity. A privacy screen is conditioned to protect the amenity of No.237 Goldhurst terrace due to the presence of a window on the side elevation of this property.

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.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the listed building and surrounding 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.

The other elements of the scheme, including the terraced area below, and the new windows, are in line with those approved under application 2022/5628/P dated 22/06/2023 and are thus considered acceptable.

As such, the proposed development is in general accordance with policies A1, D1, and D2 of the Camden Local Plan 2017. The proposed development also accords with 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 2023.

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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer