

Application ref: 2023/2649/P  
Contact: Jaspreet Chana  
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Date: 29 May 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](mailto:planning@camden.gov.uk)

[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Brod Wight Architects  
8a Baynes Mews  
Belsize Park  
NW3 5BH  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 1**

**99 King Henry's Road**

**London**

**NW3 3QX**

Proposal:

Erection of single storey side and rear extension, replacement windows and erection of single storey rear outbuilding

Drawing Nos: 1133-S01, 1133-S02, 1133-S03, 1133-S04, 1133-S05, Daylight & Sunlight Report May 2023, Tree Report prepared by John Cromar's Arboricultural Company Ltd, Sky Garden Sedum Blanket details, Product Data Sheet and Maintenance Guidelines produced by Sky Garden, 1133-AP01A, 1133-AP02A, 1133-AP03A, 1133-AP04A, 1133-AP05A, Schroedersbegg Chartered Surveyors Letter dated 02/05/2024.

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: 1133-S01, 1133-S02, 1133-S03, 1133-S04, 1133-S05, Daylight & Sunlight Report May 2023, Tree Report prepared by John Cromar's Arboricultural Company Ltd, Sky Garden Sedum Blanket details, Product Data Sheet and Maintenance Guidelines produced by Sky Garden, 1133-AP01A, 1133-AP02A, 1133-AP03A, 1133-AP04A, 1133-AP05A, Schroedersbegg Chartered Surveyors Letter dated 02/05/2024.

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 commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Method Statement and Tree Protection Plan by John Cromar's Arboricultural Company dated 13/06/2023 ref. S1113-J1-R-1. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 The green living roofs hereby approved shall be fully provided prior to the use of the development and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 7 Prior to commencement of any works on site, details of the layout and construction of the extension and the outbuilding in so far as these items may affect the integrity of the railway and its boundary, shall be submitted to and approved in writing by the local planning authority in consultation with Network Rail. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development does not impact on existing strategic transport infrastructure in accordance with the requirements of policies A1 and T1 of the Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission:

The proposal involves a single storey side extension and an amended part width single storey rear extension at lower ground floor level following removal of rear staircase. The side and rear extension would be constructed of brickwork to match the existing and would have rear aluminium fascia and bi-fold doors and a flat roof, which will incorporate three rooflights and a green roof. The proposed green roof is welcome and would be an attractive roof feature, which would increase biodiversity on the site. The details provided of the green roof would be considered acceptable.

The extension is considered subordinate in form, scale and design. The mix of materials combined with the extension projection would complement the existing building and would have a contemporary appearance, which is similar to other examples of rear/side extensions along this terrace and is therefore acceptable.

The proposal also involves a modest side extension to the existing lower ground bedroom side window. The window would project out by 0.60m and would have a glazed roof, this is to increase light into the front lower ground bedroom. An alteration is also made to the side entrance door, which is being moved and replaced with a larger door and a glass canopy over the top of the door. A black metal juliette balcony is proposed to be added to the rear ground floor double doors, in order to provide a guardrail where the existing staircase was. These alterations would be set back from the street and set down at lower ground and ground floor level and therefore would not be visible from the public realm and due to their modest nature would not be considered harmful alterations.

The proposed replacement windows to the front and side elevations will match

the existing and are considered acceptable.

The outbuilding would be located at the far end of the garden. A distance of over 14m would be left between the outbuilding and the rear elevation of the main dwelling. The outbuilding would be predominantly constructed from vertical timber panelled cladding, with powder coated aluminium fascia's and aluminium double glazed window frames. The materials and design are appropriate for the outbuilding. The scale is sufficiently modest and is subordinate to the garden size and it would not be visible from the public realm.

The proposed side and rear extension would project at length on the side boundary with No.97 King Henry's Road. The extension's height is 2.9m but the side party wall is to be re-built at the height of 3.4m with a separation distance of 1.4m to the sidewall of No.97. The side and rear extension is not considered to cause any significant impact to the adjoining properties in terms of loss of light, outlook and would not have an overbearing appearance.

Given siting of the outbuilding to the rear of the garden and its distance from neighbouring buildings, it is not considered the proposed outbuilding would have a detrimental impact on the amenities of the neighbouring properties in regards to loss of light, overbearing or overshadowing impacts.

There are trees within the rear garden, which would be close to the proposed outbuilding. The applicant has submitted an arboriculture method statement in support of the proposal. The scheme will require one tree to be removed and tree planting is proposed to mitigate its loss and all retained trees will be easily protected from harm during the project'. The Council's tree officer has reviewed the arboriculture report, has no objections to the scheme, and suggests a standard tree condition, a landscape condition and a green roof compliance condition, which would be added to this decision notice.

- 2 An objection has been received from Network Rail as the works could have an impact on the existing operational railway infrastructure and its boundary. A condition would be attached to secure the submission of further details of the extension and outbuilding in consultation with Network Rail to ensure the proposal would not interfere with the safety of the railway. The Belsize CAAC has no comments to make on the proposal. No further objections have been received prior to making this decision. The planning history of the site was 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 conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Therefore, it is considered that the proposed development would not significantly detract from the character and appearance of the subject dwelling or the surrounding conservation area. The proposal would be in general accordance with policies A1, A2, A3, D1, D2, CC1, CC2, CC3, and T1 of the London Borough of Camden Local Plan and is in general accordance with the London Plan 2021 and the NPPF 2023.

- 3 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).
- 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 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](http://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.

- 6 In association with condition 7 the applicant is advised to contact Network Rail's Asset Protection and Optimisation Team.

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.](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 in the upper left quadrant of the page.

Daniel Pope  
Chief Planning Officer