

Application ref: 2024/0908/P
Contact: Matthew Kitchener
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Date: 5 June 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/planning

MR Partnership
41 Foley Street
London
W1W 7TS
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 7
14 Netherhall Gardens
London
Camden
NW3 5TH

Proposal:

Provision of roof terrace at third floor level to south side elevation

Drawing Nos: 3042A_210

3042A_204

3042A_350

3042A_006

3042A_012

3042A_001

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 3042A_210, 3042A_204, 3042A_350, 3042A_006, 3042A_006, 3042A_012, 3042A_001.

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.

Informative(s):

- 1 Reasons for granting permission.

The proposed roof terrace would be located on an existing third floor projecting wing, accessed via a doorway in the gable end of the roof. The property was originally approved in 2014 with amendments approved via a s.73 application in 2016. It is located adjacent to a school to the southern boundary and within the Fitzjohns/Netherall Conservation Area. The gable end that is the subject of the application already benefits from a glazed opening which affords some views. The introduction of a formal balcony would allow for some further overlooking given the nature of a terrace, but this would not be to a degree that it would cause harm to the amenity of the school or other neighbours, particularly given the aforementioned views that currently exist. Furthermore, the boundary between the property and the school has some established planting which intercepts views to the playground combined with the height and angle of the view, which all serve to mitigate the impact. There would also not be a loss of residential amenity due to the nature of the use of the neighbouring school building.

The proposed works due to their nature and position, and the location and presence of the existing balconies on the building, are not considered to cause any detrimental impact on amenity in terms of loss of light, outlook and noise disturbance.

The proposed balcony will be constructed on top of an existing flat roof at the side and will be enclosed with a metal balustrade. This will match the materials used in the existing balconies on the front and rear elevations of the building. The design of the balcony is considered acceptable and would not harm the character or appearance of the host property or the wider 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.

It is noted that the applicant has consulted the school and other building occupants. No objections were received prior to making this decision. The planning history of the site have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, D1 and D2 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2023 and the London Plan 2021.

- 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 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 centered on the page.

Daniel Pope
Chief Planning Officer