Application ref: 2024/2394/P
Contact: Matthew Kitchener
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Date: 31 July 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

Katinka Achrafie
3 Fortess Grove
Greater London
NW5 2HE
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
3 Fortess Grove
London
Camden
NW5 2HE

Proposal:
Removal of an existing butterfly style pitched roof and replacment with a roof terrace with access from the existing first floor and erection of a single storey infill extension at rear
Drawing Nos: 303 P03
302 P02
Design and Access Statement
103 P01
102 P01
101 P01
100 P01
Location Plan

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: 303 P03, 301 P03, 302 P03, Design and Access Statement, 103 P01, 102 P01, 101 P01, 100 P01, Location Plan.

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 if in CA] of the London Borough of Camden Local Plan 2017.

4 The use of the roof as a terrace shall not commence until the metal balustrades as shown on the approved drawings, have been installed. The balustrades shall be permanently retained thereafter and no other part of the roof shall be used as amenity space.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

The application site occupies a secluded location which has limited visibility from the public realm. As such, the replacement of the existing valley roof with a flat roof is considered acceptable as it would not alter the appearance of the property in views from Fortress Grove or the wider area. Furthermore, the proposed 1.1m high front balustrade would be set well back from the front elevation of the property whilst the rear balustrade would only be seen in limited private views, thus preserving the character and appearance of the host property and surrounding conservation area. Similarly, the proposed access rooflight would have no visibility from the street and is considered acceptable as a result.

The majority of the properties in the terrace directly facing the application site have roof terraces. The current proposals are therefore not considered to exacerbate current levels of overlooking to properties to the front of the site, particularly given the distance between both rows of properties in the street and the set back of the front balustrade for the proposed terrace at No.3. The properties to the rear of the terrace are set back a similar distance to those at the front and therefore will not be unduly overlooked by the terrace. The proposals would not cause harm to neighbouring amenity in terms of loss of light or outlook.

It is also proposed to infill a small courtyard at the rear in order to create an internal residential space. A flat roof will be installed above the yard to enclose it and a new rooflight inserted in an existing flat roof adjacent to this to provide light to the existing rear extension. This rear location cannot be viewed from the public realm and it is not considered that the proposal will have any impact on the character or appearance of the conservation area.

One email of support for the application was received following statutory consultation. Kentish Town Neighbourhood Forum responded to say that they have no comment on the application. The site's planning history was taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing 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.

As such, the proposal is in general accordance with policies D1, D2 and A1 of the Camden Local Plan 2017. The proposed development also accords with the policies of the Kentish Town Neighbourhood Plan, the London Plan 2016 and 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.

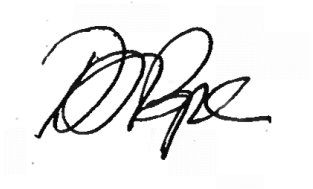
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

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



Daniel Pope
Chief Planning Officer