

Application ref: 2023/4120/P  
Contact: Brendan Versluys  
Tel: 020 7974 1196  
Email: [Brendan.Versluys@camden.gov.uk](mailto:Brendan.Versluys@camden.gov.uk)  
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**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)

ABP Architectural Services Ltd  
Unit 10  
1 Dyson Drive  
Uxbridge  
UB10 0GJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:  
**62-64 Churchway**  
**London**  
**NW1 1LT**

Proposal:  
Roof extension to provide an additional residential dwelling, including front facade alterations at third floor roof and ground floor.

Drawing Nos: P-1; P-2; P-3, rev A; P-4, rev A; P-5; P-6; P-7; P-8; P-9; P-10; P-11; P-12; P-13; Cover letter prepared by ABP Architectural Services Ltd, dated 20/09/2023

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 P-1; P-2; P-3, rev A; P-4, rev A; P-5; P-6; P-7; P-8; P-9; P-10; P-11; P-12; P-13; Cover letter prepared by ABP Architectural Services Ltd, dated 20/09/2023

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 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission.

The proposal involves a roof extension to infill the rear of the existing roof slope for the provision of a new one-bedroom flat. External alterations at ground floor (street elevation) include the removal of the existing, redundant commercial elements, specifically entrance doors to former commercial units, and replacing with new windows. The ground floor works are being undertaken in association with planning permission 2023/2988/P, dated 1/09/2023, which provided for the conversion of the existing ground floor commercial units to two self-contained residential units.

Internal reconfigurations are also proposed, such as converting the existing second floor two-bedroom flat into a one-bedroom flat. These internal reconfigurations do not provide for any additional units or constitute a change of use, and therefore do not require planning permission.

The proposed roof extension would retain the existing roof slope at the front of the building, including the existing dormers, with the exception of two new rooflights proposed. Only the rear portion of the roof will be infilled, which is less visible from the public realm. The flat roof would complement the flat roofs at neighbouring 66 Churchway and the flat roof proposed at 60 Churchway, consented under planning permission 2016/5266/P, dated 30/10/2020. The roof extension would therefore retain existing key roof features and respond to the roof arrangements in the neighbouring context.

The rooflights are modest in size and be a minimal intrusion at the existing front roof slope. The rooflights would also match the arrangement of the front slope roof lights proposed for 60 Churchway under planning permission 2016/5266/P, dated 30/10/2020.

The removal of the existing doors and replacement of windows at ground level is acceptable, with the arrangement of the windows matching those on other properties at ground floor along the same terrace.

The proposed third-floor flat, at 42m<sup>2</sup> internal floor area, would comply with the minimum 39m<sup>2</sup> for a one-bedroom, one-person dwelling. The dwelling is designed to provide adequate storage and would provide adequate sunlight and daylight access to habitable rooms.

A cycling contribution in lieu of a cycle space in compliance with the London Plan 2021, would be secured via a s106 agreement. The flat would also be secured as 'car-free' under a s106 agreement.

Given the nature and scale of the works, the proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy. In particular, the roof extension would not result in an unacceptable loss of sunlight or daylight to the development under construction at 60 Churchway (under planning permission 2016/5266/P).

One objection has been received from a resident of the building. The objection objects to the changes to communal spaces in the building and changes to the existing second floor flat, and cites amenity impacts from the noise of a new third floor flat and pressures on utility services. Fire safety and quality of construction works, as well as impacts on existing internal communal spaces, are not material considerations for this planning permission application. These items are governed by The Building Regulations 2010 .

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

- 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](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.

- 4 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 5 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).
- 6 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.
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

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>.

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