

Application ref: 2024/2558/P
Contact: Gary Wong
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Date: 13 August 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

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:

Ground Floor
99 King Henry's Road
London
NW3 3QX

Proposal: Erection of a rear balcony over the flat roof of the single storey side and rear extension permitted under 2023/2649/P.

Drawing Nos: 1133-S2-01; 1133-AP2-01A; 1133-S2-02; 1133-AP2-02B; 1133-S2-05; 1133-S2-03; 1133-AP2-03A; 1133-S2-04A; 1133-AP2-04; Design, Access and Heritage Statement: Ref: 1133-AP2-DAH prepared by Brod Wight Architects dated 20 June 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-S2-01; 1133-AP2-01A; 1133-S2-02; 1133-AP2-02B; 1133-S2-05; 1133-S2-03; 1133-AP2-03A; 1133-S2-04A; 1133-AP2-04; Design, Access and Heritage Statement: Ref: 1133-AP2-DAH prepared by Brod Wight Architects dated 20 June 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

Permission is sought for the creation of a rear balcony to the ground floor flat. The proposed balcony would be constructed over the flat roof of the single storey side and rear extension permitted under reference 2023/2649/P to the lower ground floor flat. The application property is not listed but is a positive contributor to the Elsworthy Conservation Area.

The proposed rear balcony would be erected over the flat roof of a single storey side and rear extension which was approved under 2023/2649/P. Assessment was made and reasons for approval for this single storey side and rear extension were illustrated in the decision notice of the said application 2023/2649/P. The rear balcony would be the only proposed element in this current application.

The proposed rear balcony would be approximately 1.2m long and 2.4m wide with inward opening timber French doors matching the existing. The proposed metal balustrade would be in a traditional metal style. The proposed rear balcony with metal balustrade would be reasonable in size, limited to the rear elevation and would not be widely seen from street scene. It is noticed there are a number of similar rear balconies with metal balustrade in the immediate vicinity. Therefore, it is considered the proposal would not be harmful to the character and appearance of the host dwelling or the Elsworthy 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.

In terms of amenity, the proposed balcony would be located on top of the flat

roof of the single storey rear and side extension to the lower ground floor flat. The two rooflights over the flat roof of this extension would be opaque and therefore, it is considered there would not be any unacceptable increase in overlooking from the proposed balcony to the lower ground floor flat through the rooflights.

To the surrounding neighbours, it is noticed that similar rear balconies already exist such as Nos.97 and 101 at ground floor and first floor level. Therefore, an established degree of mutual overlooking is already in place and the proposed rear balcony to the ground floor flat at No.99 would not result in any undue increase in loss of privacy to the adjoining neighbours. Overall, the amenity impact resulting from the proposal is considered acceptable.

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.

As such, the proposed development is in general accordance with Policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017, 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 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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer