

Application ref: 2024/0261/P
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Date: 20 August 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Phone: 020 7974 4444

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Studio Glyn
Unit 1 Iron Bridge House
3 Bridge Approach
Primrose Hill
NW1 8BD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

1 Benham's Place
London
NW3 6QX

Proposal:

Alterations to rear extension (including new roof access arrangement), boundary treatment and front garden

Drawing Nos: Location Plan; DWG-001-EXTG P1; DWG-002-EXTG P1; DWG-003-EXTG P1; DWG-004-EXTG P1; DWG-005-EXTG P1; DWG-006-EXTG P1; DWG-007-EXTG P1; DWG-010-DEMO P1; DWG-011-DEMO P1; DWG-012-DEMO P1; DWG-020-BLDG P3; DWG-021-BLDG P3; DWG-022-BLDG P2; DWG-025-BLDG P2; DWG-026-BLDG P2; DWG-027-EXTG P1; DWG-028-EXTG P1; Design and Access Statement and Heritage Statement (prepared by Studio Glyn, dated August 24).

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 Location Plan; DWG-001-EXTG P1; DWG-002-EXTG P1; DWG-003-EXTG P1; DWG-004-EXTG P1; DWG-005-EXTG P1; DWG-006-EXTG P1; DWG-007-EXTG P1; DWG-010-DEMO P1; DWG-011-DEMO P1; DWG-012-DEMO P1; DWG-020-BLDG P3; DWG-021-BLDG P3; DWG-022-BLDG P2; DWG-025-BLDG P2; DWG-026-BLDG P2; DWG-027-EXTG P1; DWG-028-EXTG P1; Design and Access Statement and Heritage Statement (prepared by Studio Glyn, dated August 24).

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.

This application seeks planning permission for alterations to the existing rear extension, boundary treatment, and front garden, including the erection of a bin store. The extension currently features a small void with a ladder that is used for access and the roof appears to have been used as a residential terrace for some time. The proposal would replace this void and ladder with internal stairs. A glazed box-like access rooflight will be installed with three solid sides to replace the current access arrangement via the rooflight. It is considered that the design and materials used would result in a less visually prominent structure from within the host building and would be screened from the road by the existing tall parapet.

Works are also proposed to the front garden including replacement boundary treatment between 1 Benham's Place front garden and the access passage. The new railings would be set into a brick plinth with coping stone to match the recently approved railings between the application site and on 2 Benham's Place (ref. 2023/1886/P). The existing concrete pavers replaced with new Portland Stone Pavers. It is considered that the proposed works to the front garden would preserve the character and appearance of the application site and would therefore not have a harmful impact on the setting of the grade II listed 1 Benham's Place or character and appearance of the Hampstead Conservation Area.

Given the nature of the works, it is not considered that the proposed development would cause any harm to the residential amenities of nearby and neighbouring properties. The additional internal floor area of the rear extension would be contained within the existing boundary walls. The continued use of

the flat roof to the rear of the residential property for ancillary residential purposes would not require permission, and the change of the existing access arrangements onto the roof is unlikely to have a significant detrimental impact on amenity, even if it doesn't encourage more frequent use.

No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposal would preserve the character and appearance of the conservation area overall. It would also preserve the special architectural or historic interest of the listed building(s). The council has had special regard to the desirability of preserving the character and appearance of the Conservation Area, and the listed building, its setting, and its features of special architectural or historic interest.

As the application relates to a householder development, the proposal is considered to be exempt from the Biodiversity Net Gain requirements set out within Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

The proposed development is in general accordance with Policies D1 and D2 of the London Borough of Camden Local Plan 2017 and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the provisions of 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 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.

- 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.

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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer