

Application ref: 2024/2931/P
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Development Management
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Frederik Herweijer
26 Princess Road
Primrose Hill
London
NW1 8JL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**31 Spencer Rise
London
Camden
NW5 1AR**

Proposal:

Erection of ground floor and part first floor rear extension with green roof, enlargement of existing rear dormer, alterations to front elevation windows.

Drawing Nos: Location Plan; Sedum & Wildflower Green Roof; 2024-01-01; 2024-01-03; 2024-01-04; 2024-01-02

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; 2024-01-01; 2024-01-03; 2024-01-04; 2024-01-02

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.

- 4 Detailed drawings of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works, including:

a) Plan, elevation and section drawings of all new external joinery associated with all new windows at a scale of 1:10 with typical glazing bars details at 1:1

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 and the DC1, DC2, DC3 and DC4 of the Dartmouth Park Neighbourhood Plan 2020 .

- 5 The green roof shall be fully installed in accordance with drawings "Sedum & Wildflower Green Roof" and 2024-01-02 prior to first use of the extension and thereafter retained and maintained in accordance with the approved scheme for the duration of the development.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies A3 and CC3 of the Camden Local Plan 2017 and DC1, DC2 and DC3 of the Dartmouth Park Neighbourhood Plan 2020

Informative(s):

- 1 Reasons for granting permission.

Design:

The proposal includes a part single storey, part 2 storey rear extension to the existing building. Generally, properties on the north side of Spencer Rise do not present with an intact uniform pattern of rear elevations. To the rear, the erection of a full width ground floor and part first floor-extension is considered acceptable in height, massing, and design and would result in a proportionate addition that would not cause harm to the character of the building, the terrace of which it forms a part and the conservation area.. A number of other properties in the immediate area feature two-storey rear extensions (including the immediate neighbour at No.33 under application ref 2011/3873/P and approved in September 2011), and the rear elevation alignments and scale have been modelled on the development at no. 27 which was granted permission in October 2004 (under application ref: 2004/3614/P). Therefore

the part full width single storey 6m extension and part first floor 4m deep extension is accepted. The extension will feature a matching painted brick facade, green roof, and aluminum doors at ground floor level to allow for level access to the rear garden and timber framed windows to the upper floors. Overall, the rear extensions would not be considered harmful to the character and appearance of the building or the wider terrace and would preserve the character and appearance of the conservation area.

Generally, the Council discourage alterations to the structural size of window openings on the front elevation of buildings that are identified as positive contributors. However, in this instance it is noted that there is varied detailing in buildings along Spencer Rise which is also acknowledged in the Dartmouth Park Conservation Area Appraisal and Management Plan. Taking this into consideration, the replacement of the existing single-glazed timber windows in the front elevation with wider windows with more traditional fenestration is considered acceptable within the context of the property and within the wider conservation area. No details have been submitted regarding the details of all new proposed windows. As the property is within a conservation area the details of these would be conditioned to ensure the character and appearance of the conservation area is preserved.

The proposed enlarged rear dormer would be set down from the ridge and eaves of the roof and is not considered to be a dominant addition within the roof slope. It is noted that dormers of this scale and siting at the rear are not out of keeping with the prevailing pattern of development within the street. The proposed materials would match the existing which is acceptable. The proposed dormer in terms of its size and bulk would appear as a subordinate and proportionate addition within the roof slope.

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.

Amenity:

No. 33 Spencer Rise features windows in the side elevation of the 2 storey closet wing, the ones on the ground floor are secondary to the kitchen and the first floor window is obscurely glazed. It is not considered that the proposed extension would have an unacceptable impact on these windows. No. 33 Spencer Rise features a window in the rear elevation which would be adjacent to the proposed extension, however the extension would not breach an imaginary 45 degree line in terms of its elevation, and it is therefore considered that this window would receive sufficient daylight. Outlook towards the rear amenity space would be unaffected by the proposal.

- 2 No. 29 Spencer Rise features an adjacent window to the proposed extension, this is assessed to be a window to the internal stairs and there would be no impact to habitable sunlight/daylight to this window.

Given the scale, location, and massing of the proposed rear extension and rear dormer they are not anticipated to impact any neighbouring residential

occupiers with regards to loss of daylight/sunlight, outlook, or privacy. There are no windows in the side elevations of the proposed extension ensuring that there would be no direct views over the gardens of neighbouring properties.

It is noted that No.33 Spencer Rise has a number of high level windows in the side elevation of the ground floor rear extension along this boundary. These high level windows are secondary windows that serve the ground floor accommodation within the extension. There are also full height double glazed sliding doors that provide access into the garden that allow light into this space. The proposed ground floor extension would be set away from the high level windows by 0.37m to ensure that these windows still receive some sunlight/daylight to this room, additionally these windows have been confirmed to not be single aspect windows. Due to this set back it is not anticipated to unduly impact the availability of daylight to the neighbouring dwelling. As the side windows are high level windows and the fenestration on the ground floor rear elevation face onto the rear garden the proposed extension would not have an impact on the outlook to this ground floor room.

Sufficient garden space would be retained, and a green roof is proposed, which mitigates against any loss of garden space and results in positive visual effects. A condition has been attached requiring the green roof to be installed in accordance with the details submitted. 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 planning history of the site was taken into account when coming to this decision. Two objections were received citing concerns associated with historical development, design issues and amenity issues. The objections are further outlined and officer responses provided in the associated consultation summary.

As such, the proposal is in general accordance with policies A1, A3, G1, CC1, CC2, CC3, D1 and D2 of the Camden Local Plan 2017 and policies DC1, DC2, DC3 and DC4 of the Dartmouth Park Neighbourhood Plan 2020. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework 2023

- 3 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).
- 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.

- 5 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