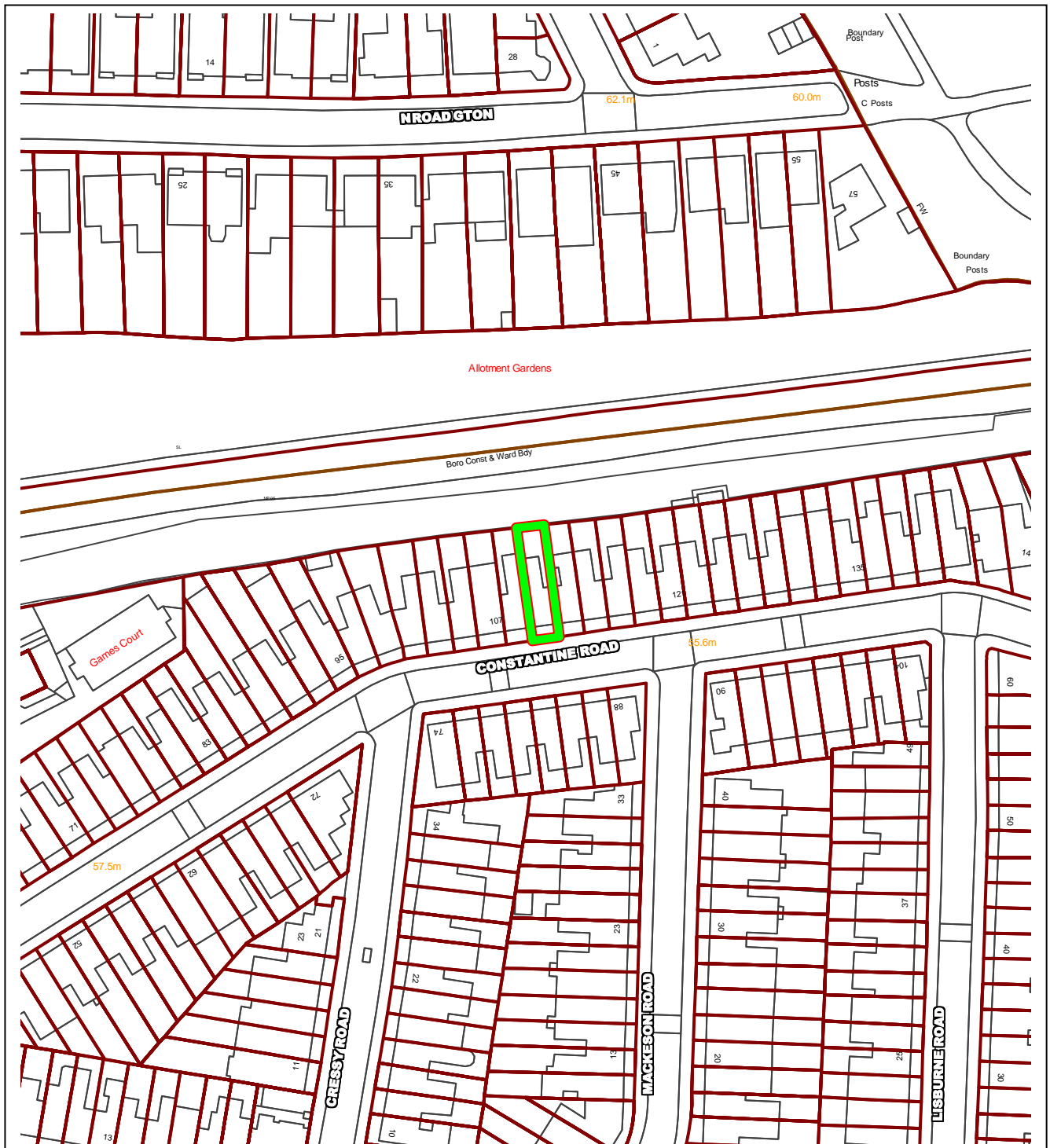
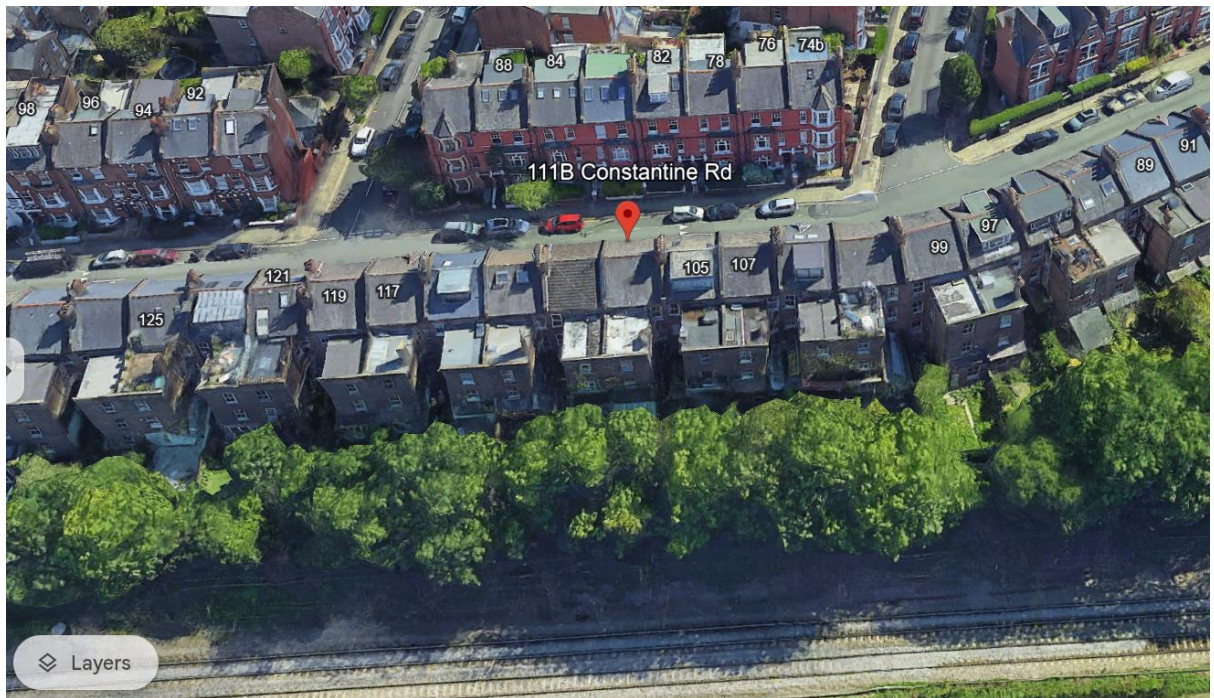


Flat C, 111 Constantine Road, NW3 2LR



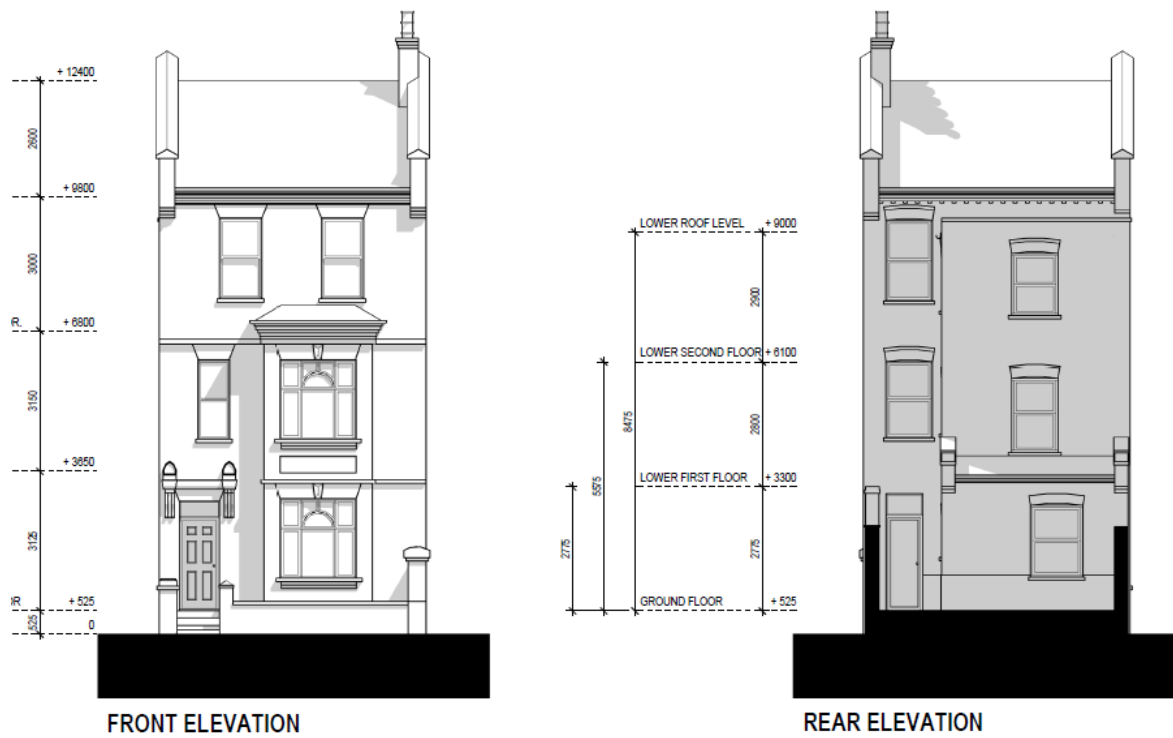
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Flat C, 111 Constantine Road





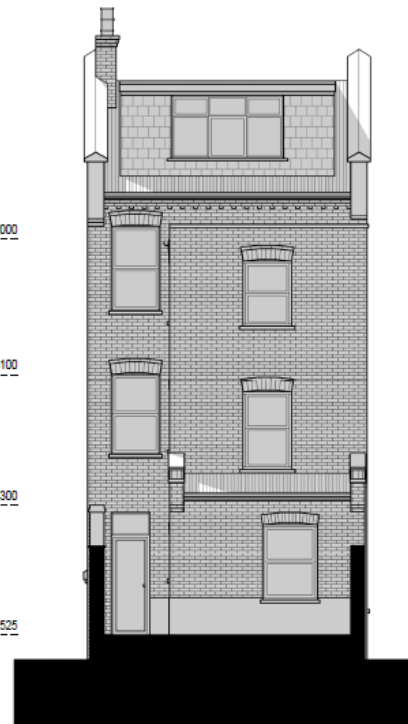
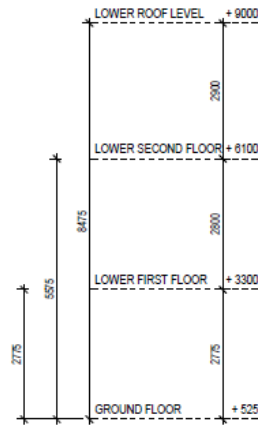
Existing Elevations:



Proposed elevations:



FRONT ELEVATION



REAR ELEVATION

- FibreCement Roof Tiles Slate Grey
- Torch-on Felt Flat Roof
- Proposed Window to be UPVC Double Glazed in white to Match Existing

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	22/11/2024
		N/A		Consultation Expiry Date:	27/10/2024
Officer			Application Number(s)		
Matthew Kitchener			2024/4165/P		
Application Address			Drawing Numbers		
Flat C 111 Constantine Road London NW3 2LR			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of loft conversion incorporating the erection of a rear dormer and two front rooflights.					
Recommendation(s):		Grant Conditional Planning Permission			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
	No. of responses	00	No. of objections	00	
Neighbour Consultation	Site Notice: posted 02/10/2024, expired 26/10/2024 Press Notice: published 03/10/2024, expired 27/10/2024 <i>No responses received.</i>				
Mansfield Conservation Area Advisory Committee	Mansfield CAAC objected to the application noting that notwithstanding historical examples nearby which pre-date the CA, this rear dormer is far too bulky to be acceptable to the CAAC. <i>The 'Relevant History' section shows proposals involving rear dormers that have been approved since the Mansfield conservation area was designated</i>				

	on 11th September 1990.
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Site Description

The subject site is a mid-terrace dwelling located on the northern side of Constantine Road. The property is comprised of three-storeys and has been subdivided into three individual flats, one of which (Flat C) relates to this application. It is noted that Flat C is located on the second floor level.

The property is not listed but is located within the Mansfield Conservation Area.

Relevant History

No relevant history for 111 Constantine Road.

Relevant planning history in Constantine Road:

2024/3800/P – 109 Constantine Road, Erection of a rear dormer, installation of front rooflight, creation of roof terrace at second floor over existing flat roof and associated erection of new parapet, installation of railings and privacy screen – **Approved 30/10/2024**

2023/5349/P - 59 Constantine Road, Erection of a front and rear dormer and two front conservation roof lights – **Approved 04/06/2024**

2023/4849/P – 87 Constantine Road, Alterations to rear roofslope to remove existing 2 x rooflights and insert an inset terrace with railing – **Approved 12/03/2024**

2023/3313/P – 12 Constantine Road, Erection of side rear infill extension and two rear dormers to main roof - **Approved 14/11/23**

2022/1316/P – 26 Constantine Road, Increase in roof ridge height and erection of dormer on rear roof slope – **Approved 25/07/2022**

2018/5632/P – 100 Constantine Road, Conversion of single dwelling house into 1 x 3 bed flat and 1 x 2 bed flat, erection of rear dormer and creation of roof terrace at third floor level) – **Approved 09/05/2019**

2015/4244/P - 123 Constantine Road, Loft conversion with rear dormer extension and new door onto existing roof terrace at 2nd floor level, new black iron balustrade around roof terrace and 2 x front rooflights – **Approved 29/09/2015**

2011/1068/P - 145 Constantine Road, Erection of a single storey ground floor rear extension, a new rear dormer and a new roof terrace enclosure at single dwelling (Class C3) - **Approved 09/05/11**

Relevant Policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance (CPG)

CPG Design (January 2021)

CPG Amenity (January 2021)

Mansfield Conservation Area Appraisal and Management Plan (2008)

Draft Camden Local Plan (2024)

The council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. Proposal

- 1.1. This planning application is for a loft conversion incorporating the erection of a rear dormer and two front rooflights. The rear dormer measures approximately 4.8m wide, 3.8m deep and 2m high and set back approximately 0.5m from the eaves height of the building and 0.5m in from either side of the roof boundary.

2. Planning Considerations

- 2.1. The material considerations in the determination of this application are as follows:

- Design and Heritage
- Amenity
- Biodiversity

3. Design and Heritage

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance.

- 3.2. In terms of the proposed rear dormer, the dormer is set away from the sides by 0.5m and set up

from the eaves by 0.5m resulting in a respectfully scaled dormer that is not the full width of the roof slope. The dormer roof is level with the ridge of the property and is therefore considered to respect the height of the original roof. The dormer window will not be able to be viewed from the front of the property. On balance, the design and appearance of the dormer is considered acceptable and it therefore preserves the character of the conservation area. The front roof lights are only two in number and do not clutter the front roof slope. Overall these are acceptable and will be conditioned to be conservation roof lights. A number of front rooflights can be seen within the vicinity and the proposed rooflights align with the windows at lower levels. As such, they are acceptable in this instance and location.

3.3. A similarly designed dormer window was recently approved on the adjoining property at 109 Constantine Road, and it is considered that this proposal will therefore not look out of place when viewed in combination with that recent planning permission.

3.4. The property backs onto an established line of trees and beyond this a railway line. It is therefore not considered that the dormer would be overly visible in views from the public realm and the proposal is not considered to have a negative impact on the character or appearance of the conservation area.

3.5. There is no objection to the materials used as they are similar to the existing roof and would preserve the character of the conservation area.

3.6. Special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

3.7. Overall the proposal complies with policies D1 (Design) and D2 (Heritage) of the 2017 Local Plan.

4. Amenity

4.1. Policy A1 (Managing the impact of development), supported by Camden Planning Guidance (Amenity), seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission for development that would not harm the amenity of communities, occupiers, and neighbouring residents.

4.2. Given its location on the rear roofscape, which faces out towards a line of trees and a railway line, it is not considered that the dormer window would have a detrimental impact on neighbouring amenity in terms of loss of light or outlook and the development is considered to adhere to Policy A1. The rooflights to the front would introduce significant opportunities to overlooking into neighbouring properties given the established distances.

5. Biodiversity

5.1. Biodiversity Net Gain (BNG) became mandatory in England on 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990, and requires developers to provide a BNG of 10% unless the proposal is exempt. This proposal is exempt from BNG requirements as it is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero).

and less than 5 metres in length of onsite linear habitat). Informatives are attached to the decision notice for further guidance.

6. Recommendation

6.1. Grant Conditional planning permission.

Application ref: 2024/4165/P
Contact: Matthew Kitchener
Tel: 020 7974 2416
Email: Matthew.Kitchener@camden.gov.uk
Date: 6 November 2024



4D PLANNING
86-90 Paul Street
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EC2A 4NE

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

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat C
111 Constantine Road
London
NW3 2LR

Proposal:

Installation of loft conversion incorporating the erection of a rear dormer and two front rooflights.

Drawing Nos: Planning & Heritage Statement, 4D-512 E 01, 4D-512 P 01, 4D-512 E 02, 4D-512 P 02, 4D-512 E 03, 4D-512 P 03, 4D-512 E 04, 4D-512 P 04, 4D-512 E 05, 4D-512 P 05, 4D-512 E 06, 4D-512 P 06, 4D-512 E 07, 4D-512 P 07.

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:

Planning & Heritage Statement, 4D-512 E 01, 4D-512 P 01, 4D-512 E 02, 4D-512 P 02, 4D-512 E 03, 4D-512 P 03, 4D-512 E 04, 4D-512 P 04, 4D-512 E 05, 4D-512 P 05, 4D-512 E 06, 4D-512 P 06, 4D-512 E 07, 4D-512 P 07.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The proposed front roof lights as shown in drawing 4D-512 P 02 shall be conservation style. These shall be permanently retained as such thereafter.

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 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).
- 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) 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 Biodiversity Net Gain (BNG)

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available this permission will not require the approval of a BGP before development is begun because the planning permission is a minor application within exemption threshold.

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements.

The BGP must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The LPA can only approve a BGP if satisfied the adverse effect on the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 and a BGP was approved in relation to the previous (parent) planning permission ("the earlier BGP") there are circumstances when the earlier BGP is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

5 + Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

[https://www.gov.uk/appeal-planning-decision.](https://www.gov.uk/appeal-planning-decision)

Yours faithfully

Chief Planning Officer