

2024/3529/P – 188 Goldhurst Terrace



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Photos and Plans – 188 Goldhurst Terrace



Figure 1 Aerial view of 188 Goldhurst Terrace

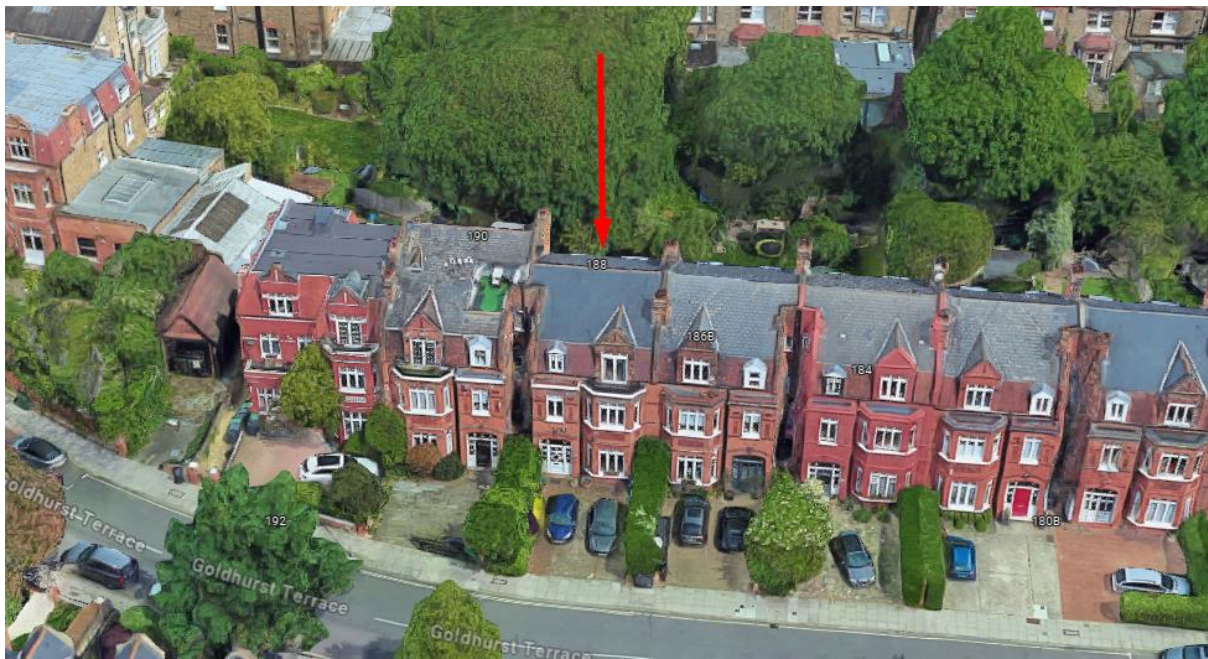


Figure 2. second aerial view of property



Figure 3. Rear elevation



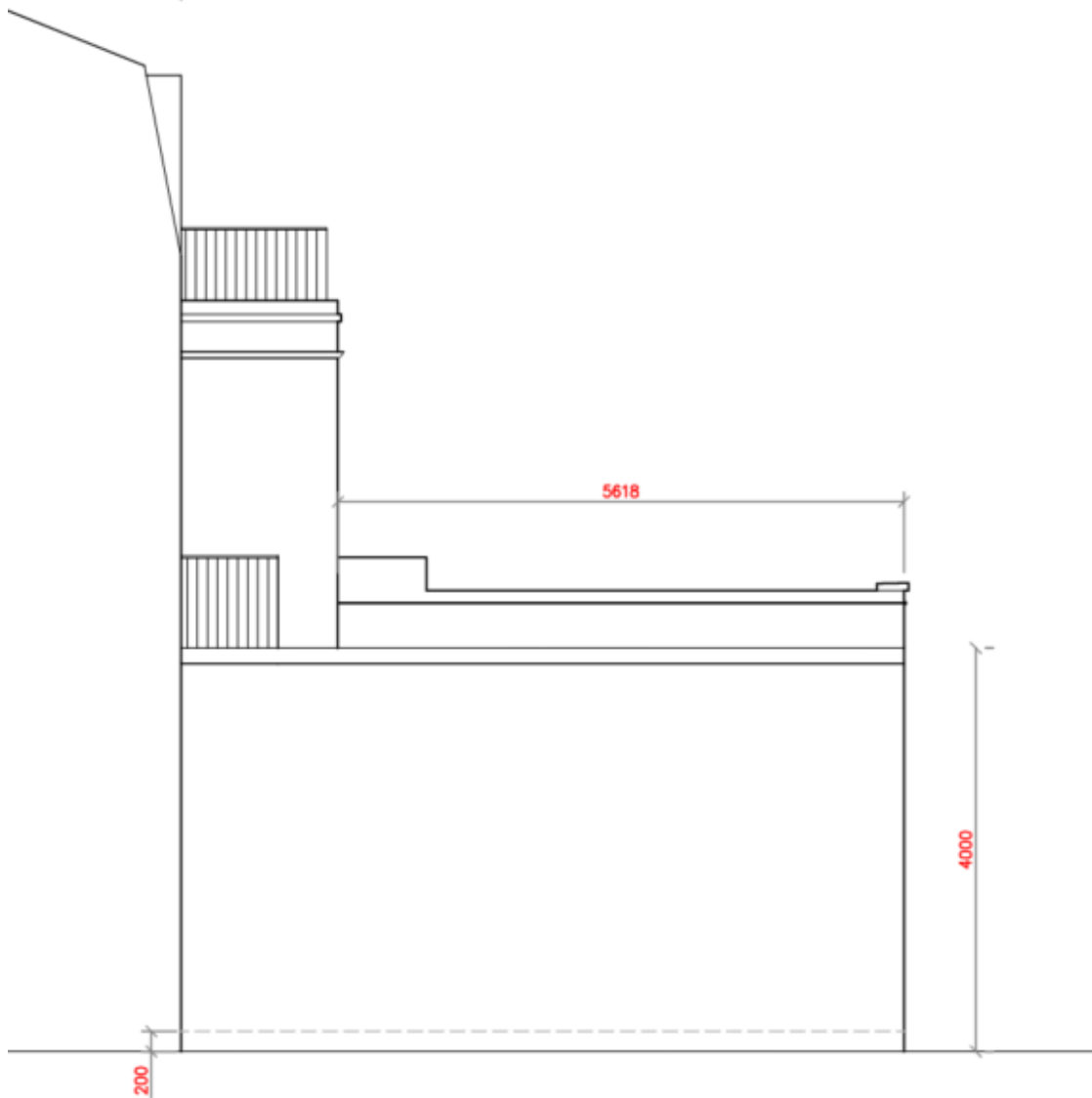
Figure 4. Rear elevation 2



Figure 5. Rear elevation existing



Figure 6. Rear elevation proposed



PROPOSED SIDE ELEVATION

Figure 7. Side elevation proposed

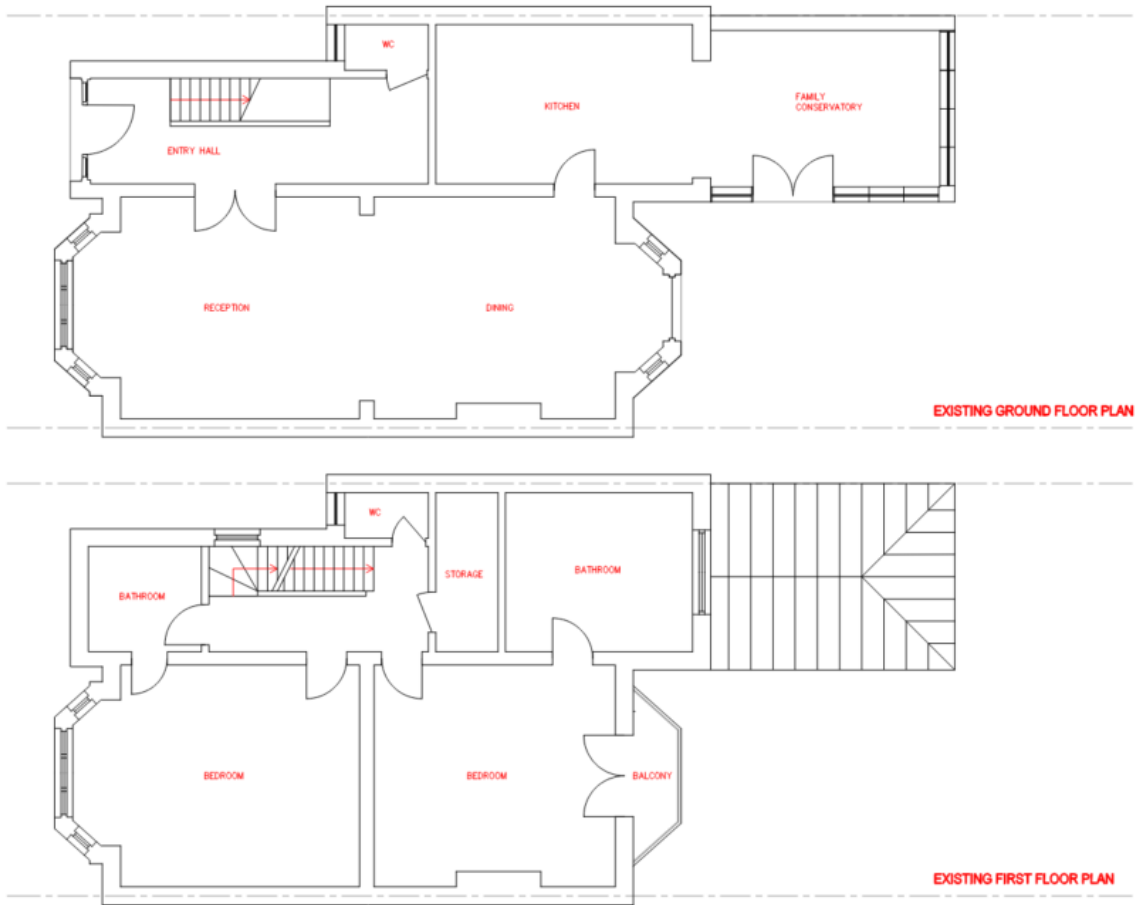


Figure 8. Existing ground and first floor plan

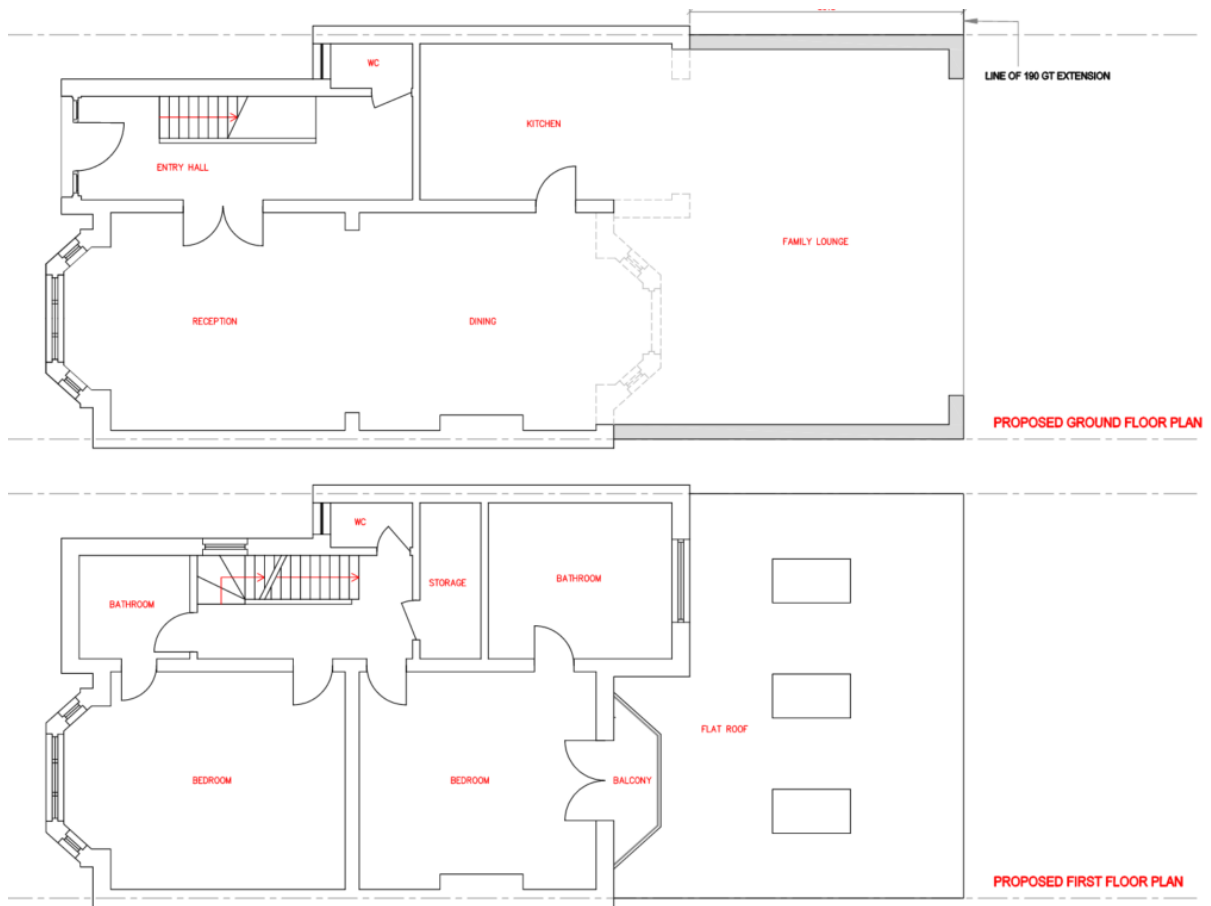


Figure 9. Proposed ground and first floor plan

Delegated Report		Analysis sheet	Expiry Date:	30/10/2024
(Members Briefing)		N/A / attached	Consultation Expiry Date:	06/10/2024
Officer			Application Number(s)	
Blythe Smith			2024/3529/P	
Application Address			Drawing Numbers	
188 Goldhurst Terrace London NW6 3HN			See Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Demolition of existing conservatory and construction of a single storey rear extension				
Recommendation(s):		Grant conditional planning permission		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>Site notices were displayed near to the site on 06/09/2024 (consultation end date 30/09/2024).</p> <p>The development was also advertised in the local press on 12/09/2024 (consultation end date 06/10/2024).</p> <p>A letter of objection was received from nearby neighbours. The objection can be summarised as follows:</p> <ul style="list-style-type: none"> - Overdevelopment of the property - Impacts to amenity/sunlight - Loss of green space - Out of keeping to the local area - Loss of privacy - Impact to flood risk <p>Officer response:</p> <ul style="list-style-type: none"> - The size of the development and its suitability is discussed in section 3 - Impacts to neighbours sunlight/amenity/privacy is assessed within section 4 - Impact to the garden size is discussed within section 3 - Impact to the local conservation area is assessed within section 3 - The property is not located within a flood zone and the proposed development is not considered to significantly impact flood risk 					
C.R.A.S.H comments:	<p>The Combined Residents Associations of South Hampstead (C.R.A.S.H) object on the following grounds:</p> <ul style="list-style-type: none"> • <i>Removal of heritage feature to the rear</i> • <i>The development would not preserve/enhance the conservation area and is against planning policy for rear extensions</i> • <i>Development not in accordance with Camden's Guidance for rear extensions</i> <p>Officer response: Design and heritage are material planning considerations and are discussed in section 3 below</p>					

Site Description

The application site comprises of a three storey terraced property located on the north side of Goldhurst Terrace and is located within the South Hampstead Conservation Area.

Although the property is not listed, the South Hampstead Conservation Area Appraisal and Management Strategy identifies the property as making a positive contribution to the character of the conservation area.

Relevant History

No relevant history on site

Relevant policies

The London Plan (2021)

The National Planning Policy Framework (2023)

Camden Local Plan (2017)

D1 Design

D2 Heritage

A1 Managing the impact of development

Camden Planning Guidance (CPG)

CPG Design (2019)

CPG Amenity (2018)

CPG Home Improvements (2021)

South Hampstead Conservation Area Statement (2011)

Assessment

1. Proposal

- 1.1. Planning permission is sought for a single storey ground floor rear extension with three rooflights. The proposal also includes the demolition of the existing bay window to the rear of the property at ground floor along with the existing conservatory.
- 1.2. The proposed materials include matching brick work, painted timber window and a flat roof.

2. Considerations

- 2.1. Key planning issues to be considered are as follows:
 - Design & Heritage
 - Neighbouring Amenity
 - Biodiversity

3. Design & Heritage

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation areas that fails to preserve or enhance the character and appearance of that conservation area.
- 3.2. Several properties along this side and area of Goldhurst Terrace have been extended with rear extensions of different sizes. These now form part of its character. It is acknowledged that the rear extension is large, however taking into consideration the presence of existing rear extensions, and the size, design and scale of the proposed rear extension, it is considered that the rear extension would be in keeping with the pattern of development in this location. The proposed materials would match the existing dwelling house are appropriate and sympathetic to the host dwelling and wider conservation area and would not adversely impact upon the character of the conservation area.
- 3.3. The proposal is not dissimilar in depth to what was approved for its immediate neighbour's no. 186 and 190 Goldhurst Terrace (app refs **2016/1112/P** and **2024/1724/P** respectively).
- 3.4. The proposal would result in the removal of the rear bay window and whilst this is a feature which adds to the character of the building currently, the removal of this is not considered to harm the overall appearance of the host property or the conservation area.
- 3.5. The development would retain over 50% of the existing garden space and therefore retain the open character of the conservation area.
- 3.6. The works are considered to respect and preserve the existing property and its appearance. 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 3.7. Overall, the proposal is not considered harmful to the character or appearance of the host building, street scene or the South Hampstead Conservation Area and is thus in accordance with policies D1 and D2 of the Camden Local Plan 2017.

4. Neighbouring Amenity

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting

permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacted upon by virtue of noise or vibrations.

- 4.2. The single storey nature of the extension, plus both immediate neighbours featuring single storey rear extensions at similar depths, the proposed extension would not cause harm to the adjoining neighbours with respect to loss of light, overshadowing or sense of enclosure. No windows are proposed to either neighbouring boundary and a condition has been attached to restrict the use of the flat roof as a terrace to protect neighbour amenity and privacy.
- 4.3. The rooflight, given its nature and scale, would not result in any undue amenity related effects.
- 4.4. Based on the above, the proposal is considered to comply with Policy A1 of the Local Plan as it would sufficiently protect the quality of life of occupiers and neighbours. It is considered that the proposed development would not cause unacceptable harm to amenity.

5. Biodiversity and Sustainability

- 5.1. As set out in policies CC1 and CC2, the Council requires development to incorporate sustainable design and construction measures. Policy A3 encourages developments to protect and enhance biodiversity and nature conservation.
- 5.2. It is noted that the Biodiversity Net Gain (BNG) requirement came into effect for small sites on 2nd April 2024. However, there are a number of statutory exemptions and transitional arrangements which mean that the BNG condition does not always apply. These are summarised by way of an informative attached to this decision.
- 5.3. This application is exempt as it is a Householder Application.

6. Recommendation

- 6.1. Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 18th November 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2024/3529/P
Contact: Blythe Smith
Tel: 020 7974 3892
Email: Blythe.Smith@camden.gov.uk
Date: 13 November 2024

Development Management
Regeneration and Planning
London Borough of Camden
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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

188 Goldhurst Terrace
London
NW6 3HN

Proposal:

Demolition of existing conservatory and construction of a single storey rear extension
Drawing Nos: 188GT/ENG/P/10; 188GT/ENG/P/11; 188GT/ENG/P/12 Rev A;
188GT/ENG/P/13

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

188GT/ENG/P/10; 188GT/ENG/P/11; 188GT/ENG/P/12 Rev A; 188GT/ENG/P/13

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 The flat roof above the extension hereby approved shall not be used as a roof terrace, sitting out area or other amenity space.

Reason: To protect the amenity of adjoining occupiers and the area in accordance with policies A1 and D1 of the 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) Informative (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 (“1990 Act”) is that planning permission granted in England is 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, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because the application is a Householder Application.

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
 - It is not “major development” and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - 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).
 - The application is a Householder Application.
 - It is for development of a “Biodiversity Gain Site”.
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).

- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2)

5 Biodiversity Net Gain (BNG) Informative (2/2):

+ 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-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

Chief Planning Officer

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DECISION