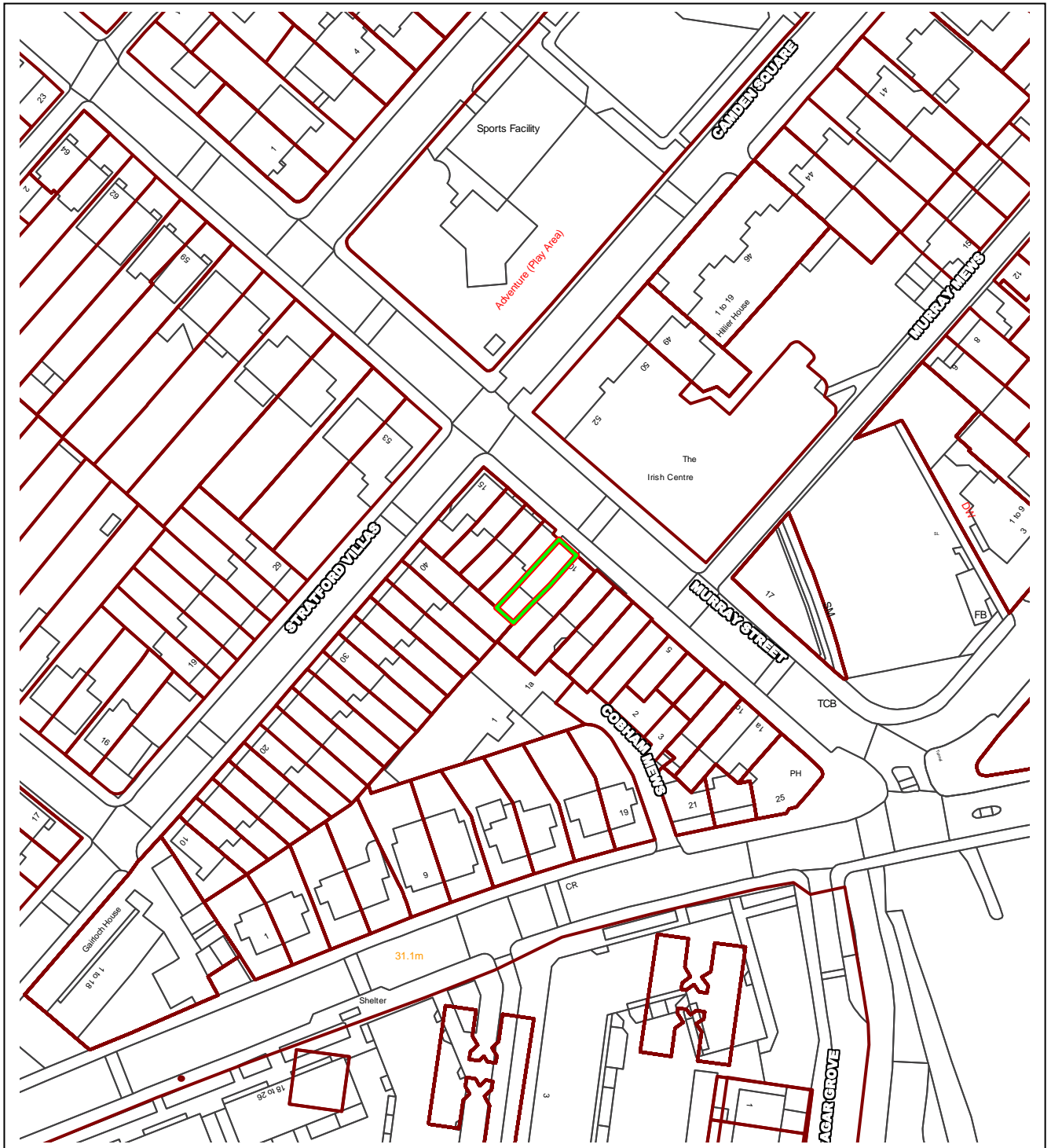


2024/4393/P – 11 Murray Street



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2024/4393/P – Photos and drawings

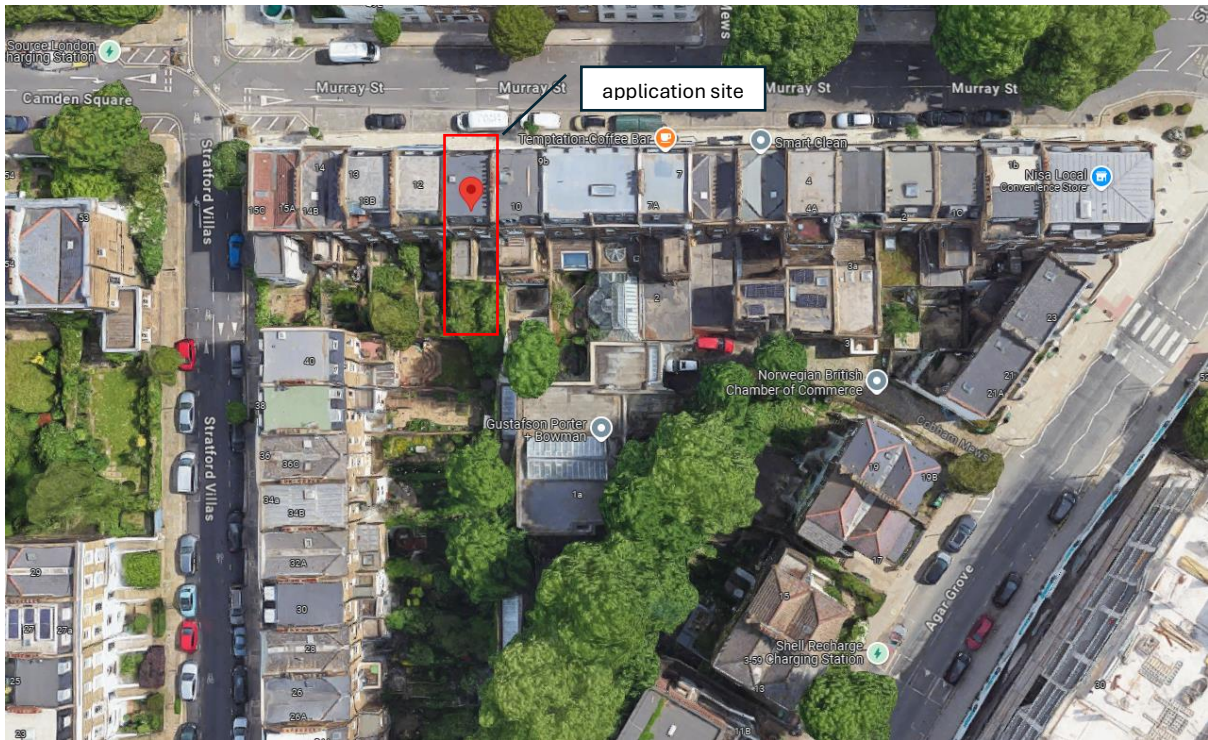


Figure 1: Aerial view of the site

Site photos



Figure 2 Rear elevation (Source: site visit)



Figure 3 Photo showing the distance between the existing rear extension and a garden tree (Source: site visit)



Figure 4 View towards No.12 Murray Street (Source: site visit)



Figure 5 View towards No. 10 Murray Street (Source: site visit)



Figure 6 View from rear garden towards No. 40 Stratford Villas (Source: site visit)



Figure 7 Front lightwell windows (Source: site visit)



Figure 8 Front lightwell access door (Source: site visit)

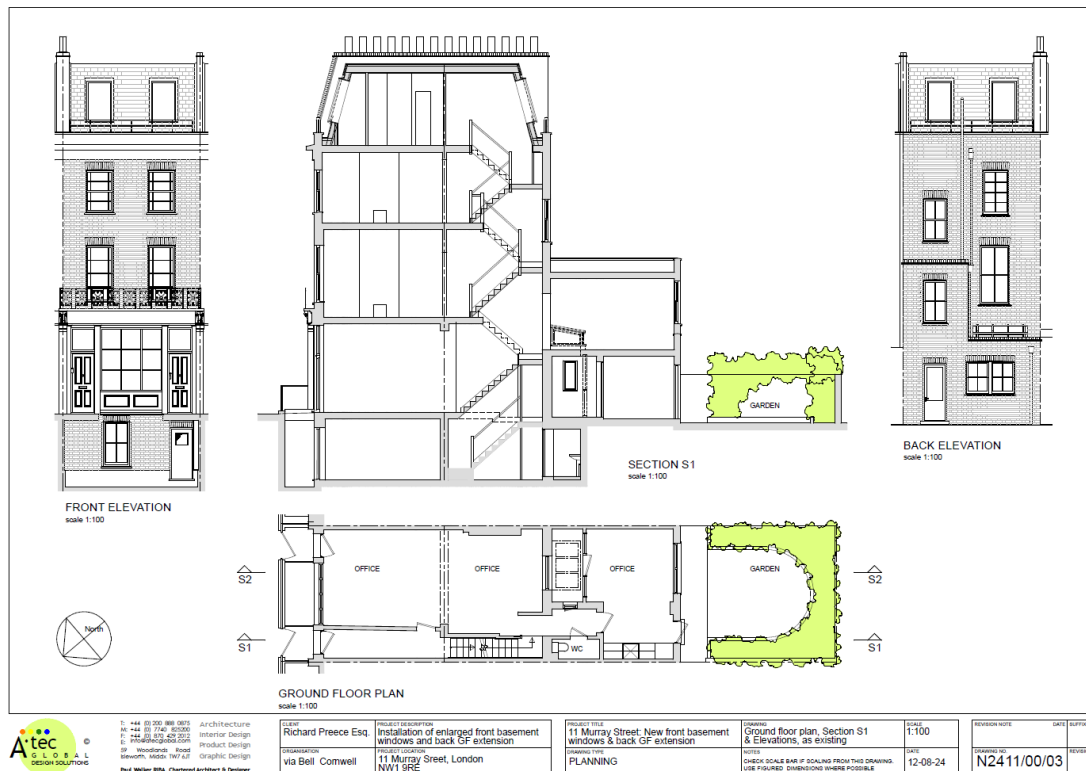


Figure 9 Existing floor plans, elevations and sections (Source: submitted drawings)

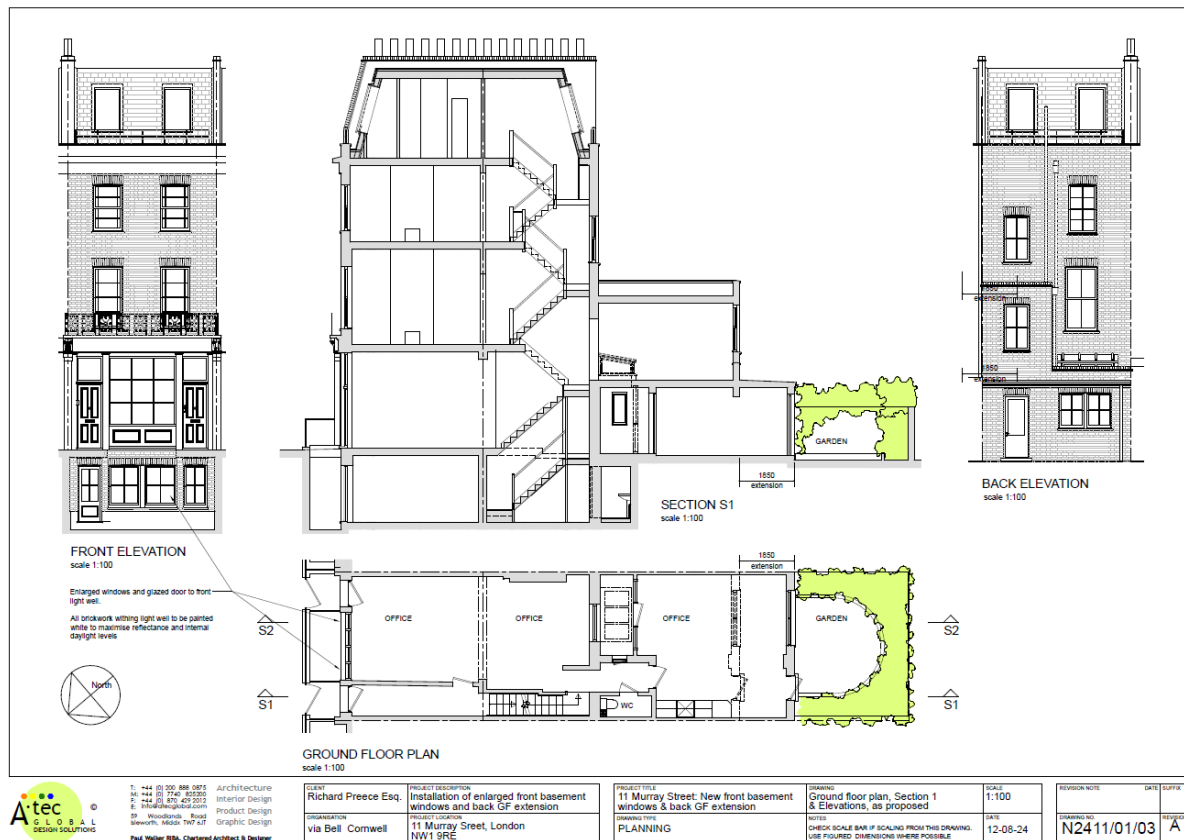


Figure 10 Proposed floor plans, elevations and sections (Source: submitted drawings)

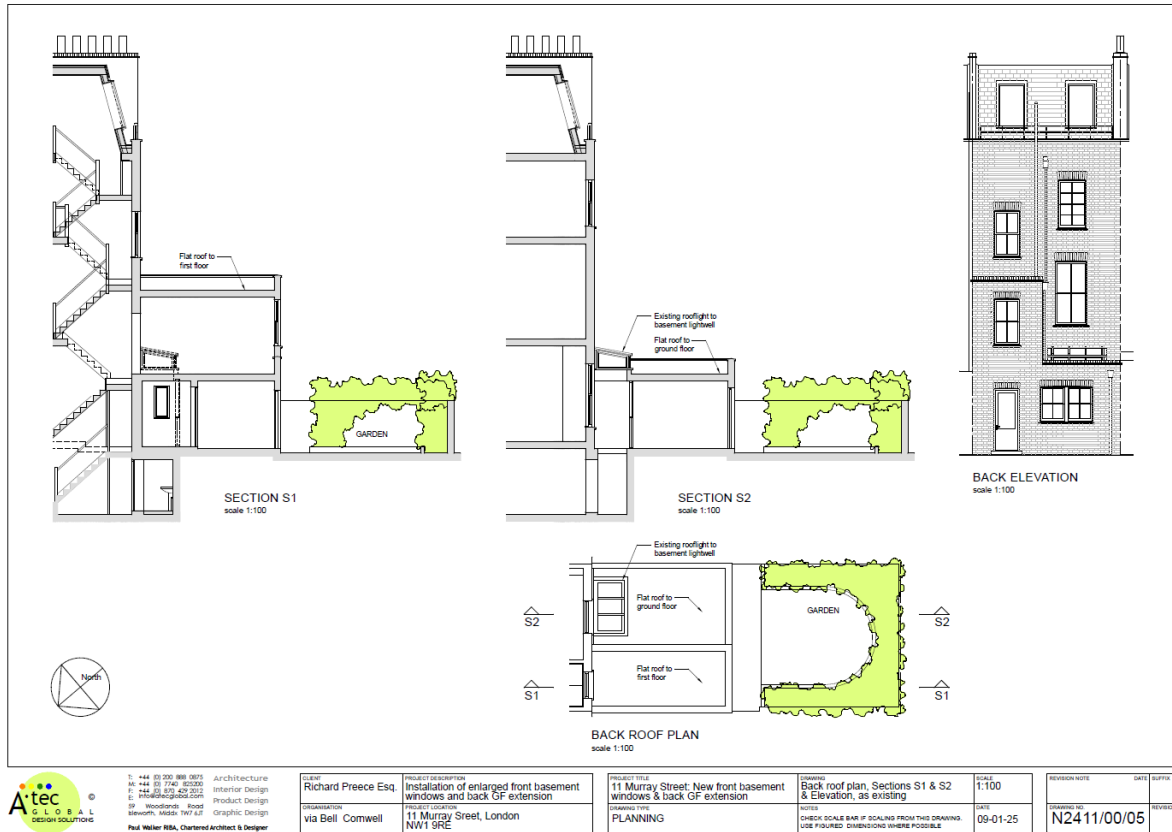


Figure 11 Existing sections and roof plans (Source: submitted drawings)

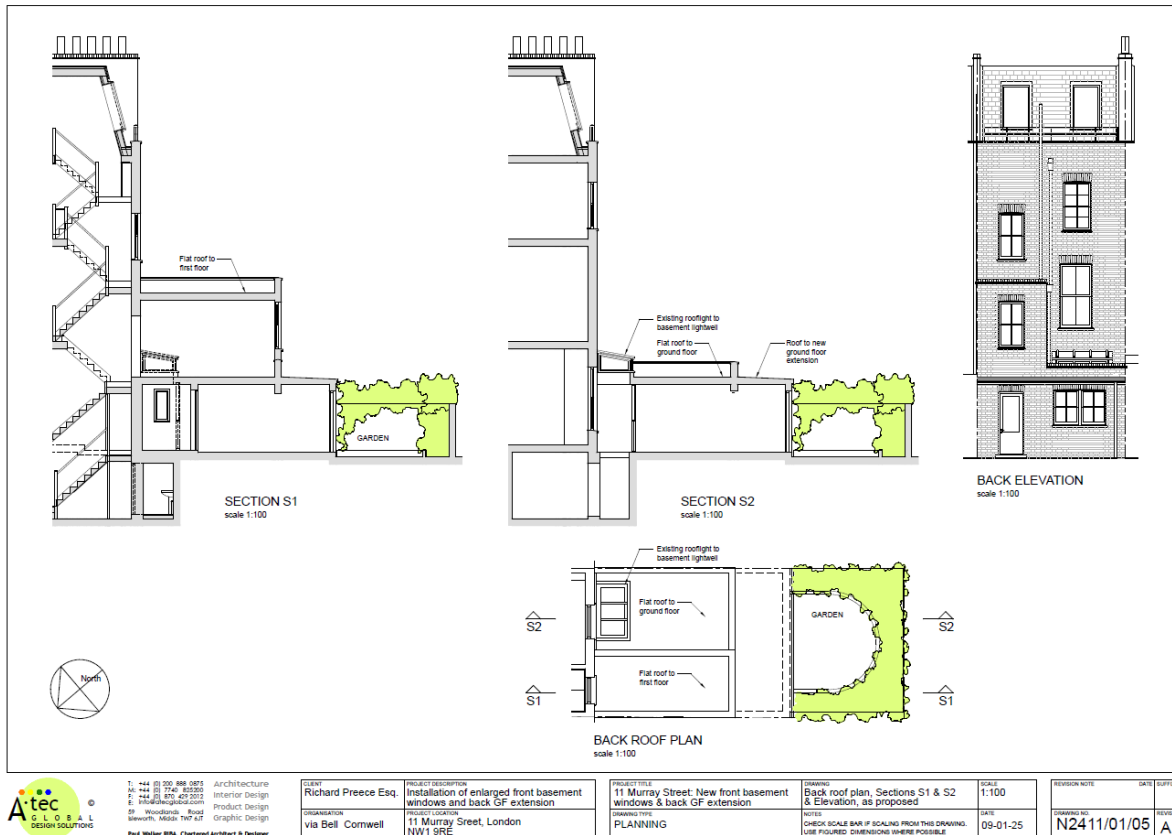


Figure 12 Proposed sections and roof plan (Source: submitted drawings)

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	05/12/2024
		N/A / attached	Consultation Expiry Date:	10/11/2024
Officer			Application Number(s)	
Gary Wong			2024/4393/P	
Application Address			Drawing Numbers	
11 Murray Street London NW1 9RE			Refer to draft decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a single storey rear extension and alterations to the windows and doors in the front lightwell.				
Recommendation(s):		Grant conditional full planning permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	A site notice was displayed on 16/10/2024 and expired on 09/11/2024.			
	A press notice was published on 17/10/2024 and expired on 10/11/2024.			
Adjoining Occupiers:	No. of responses	05	No. of objections	05

Summary of consultation responses:

Five letters of comments and objections were received from neighbours including 10 Murray Street, 40 Stratford Villas and 45 London Road. Their responses can be summarised as follows:

Design issues

- The heritage report does not take into account that the extension is projecting beyond the existing building line at the rear. The proposed extension will be peculiar to it.
- The existing first floor plan does not show the extent of the new roof.
- The rear elevations in the proposed drawings do not show the proposed building. The existing garden wall is also not shown in the drawings and it is unclear where the proposal sits in relation to the neighbouring buildings.

Officer's response:

- *The proposal will extend the existing closet wing and ground floor infill extensions slightly further and the rear fenestration arrangement will remain the same as the existing. Therefore, the proposed rear elevation is considered to show this accordingly.*
- *Revised drawings have been submitted to include the existing and proposed roof plans and they are considered sufficient for full assessment on the proposal.*
- *Please refer to Section 2 for assessment on design and heritage impact.*

Amenity issues

- Potential overlooking into neighbouring properties.
- Causing potential loss of light and garden views to neighbouring properties including a basement flat at 10 Murray Street.
- The existing flats on the first floor of this property are rented by students who illegally use the existing flat roof as a terrace. The proposed extension will encourage this further and allow them to have direct views into neighbouring properties and cause potential noise disturbance.

Officer's response:

- *The proposal does not involve any works which facilitate the use of the flat roof as a terrace. Any use of it as a terrace would be at the applicant's own risk and might be at risk of planning enforcement action. A condition will be added to restrict the use of the flat roof as a terrace.*
- *Please refer to Section 3 for assessment on amenity impact.*

Other issues

- Existing tree(s) likely need cutting back and removing and there is no mention of replacement. The loss of tree(s) will reduce space/ ability for water dissipation in event of heavy rain.
- Murray Street has a high surface/ flash flooding risk and reductions in open space and foliage without addressing will increase that risk.
- The submitted information does not include adequate details regarding the partition wall between No.10 and 11 Murray Street. The proposed extension would require part of the wall at 10 Murray Street to be demolished.

Officer's response:

- *Further details with regard to the potential impact on an existing garden tree have been submitted and reviewed by the Council's Tree Officer for assessment. Please refer to Section 4 for assessment on biodiversity.*
- *The application site is not within any area of flood risk. Given the proposed scale and footprint of the extension, it is unlikely to cause any undue increase in flood risk.*
- *Issues involving partition walls would be civil matters which are not planning material considerations.*

Camden Square CAAC

An objection was received from the Camden Square CAAC and can be summarised as follows:

- This application has inadequate information about critical areas but an excess of hardly relevant generic documentation in the Planning and Heritage Statement. It is not possible to judge how the proposed lengthening of the current extension would relate to adjacent properties since they do not appear in elevation or section
- The Statement falsely claims that this is a Grade 2 listed building – apart from the telephone kiosk on Murray Street, there are no listed buildings in the Camden Square Conservation Area. Clearly much of the Statement was copied from another project without adequate editing.
- Numerous assertions of compliance are made in the Statement but not substantiated. The 'existing' and 'proposed' rear elevations appear identical; this conflicts with the plans and sections.
- No justification is given for extending the current extension over a metre beyond the nearby extensions.
- The proposal gives inadequate information to judge whether it would affect the privacy of nearby properties.
- The proposed additional fenestration to the covered front basement lightwell is shown in detail and appears acceptable.

Officer's response:

- *The applicant has clarified the proposal will extend the existing further rearward and the rear fenestration arrangement will remain the same to the existing. Therefore, the proposed rear elevation is considered to show this accordingly.*
- *Please refer to Section 2 for assessment on design and heritage impact.*
- *Please refer to Section 3 for assessment on amenity impact.*

Site Description

The application building is situated on the southwestern side of Murray Street and comprises 5 storeys including a basement and a mansard roof extension. The site has an existing 2 storey closet wing rear addition at ground and first floor and a closet wing infill at ground floor level with rooflight above.

The host building is not listed but is a positive contributor to the Camden Square Conservation Area. The proposal is related to an office premises at ground and basement level.

Relevant History

Application site

2019/5514/P – Use as office (Class B1) on basement and ground floor levels – **Granted Certificate of Lawfulness (Existing) on 18/12/2019**

PE9900561 - Change of use of ground floor and lower ground floor from A1 to residential, and the conversion of the whole property to a single dwelling house, and associated alterations to the elevations, as shown on drawing numbers: 886/10, 886/11 and 886/12 – **Refused planning permission on 28/09/1999**

PE9900304 - Change of use of ground floor and basement from retail to residential and external alterations to rear. As shown on drawing numbers 886.01, 02 and 03. – **Refused planning permission on 22/06/1999 and appeal dismissed on 02/12/1999**

8802009 - Erection of a roof extension at third floor level and a part one/ part two storey rear extension alterations to shopfront and reinstatement of front basement wall in connection with the use of the basement and ground floor as a shop and the upper floors as a 3 bedroom maisonette as shown on drawing no`s.590/1A 2A 3C 4C and as revised on 18th April 1988. – **Granted planning permission on 12/05/1988**

8400411 - The use of the basement as a self-contained 1 bedroom flat together with the opening up of the front basement area and its enclosure by metal railings and gate to a height of 1.25m with metal staircase access to the basement. (As shown on submitted plans existing proposed and elevations) – **Refused planning permission on 15/05/1984**

Neighbouring sites

10 Murray Street

2012/4068/P - Erection of an outbuilding in the rear garden in connection with residential flat (Class C3). – **Granted planning permission on 01/10/2012**

2006/1820/P - Change of use of basement and part ground floor from retail use (Class A1) to residential use (Class C3), and conversion to provide 4 x self-contained flats, involving erection of a mansard roof extension, basement and ground floor rear extension, excavation of a front lightwell, alterations to the shopfront and reinstatement of first floor front balustrade. – **Granted planning permission subject to a Section 106 Legal Agreement on 26/06/2006**

8903636 - The installation of a new shopfront and replacement of metal railings at first floor level as shown on drawing nos M15/09. – **Granted planning permission on 24/01/1990**

8802442 - Erection of an extension at rear ground floor level to existing shop including a staircase and a small extension at first floor level to accommodate the new internal staircase to the residential unit above as shown on drawing No.s M15/01 and M15/02. – **Granted planning permission on 20/12/1988**

12 Murray Street

8903605 - Change of use and works of conversion to provide a self-contained maisonette on the basement and ground floor and two self-contained flats on the upper floors including the erection of a mansard roof extension and 2 storey rear extension for residential use as shown on drawing nos. 01 02 03. revised on 27.09.89 06.02.90 19.12.90. – **Refused planning permission on 12/02/1991**

Relevant policies

National Planning Policy Framework (2024)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development
- A3 Biodiversity
- D1 Design
- D2 Heritage

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Trees (2019)

Camden Square Conservation Area Appraisal and Management Strategy (2011)**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. The proposal**

- 1.1. The applicant is seeking permission for the erection of a single storey rear extension with a flat roof and alterations to the windows and doors in the front lightwell.
- 1.2. The proposed extension would extend rearward approximately 1.85m. The extension will be built with bricks that match the existing facades.
- 1.3. The proposed fenestration alterations to the front elevation within the lightwell include making additional openings for two new windows and moving the existing access door from right to left, and replacing the door with another new window. The proposed windows and doors will be timber framed with double glazing. The proposed alterations are only for the basement front elevation and this basement would remain closed over by the existing grille on ground floor street level.
- 1.4. Revised drawings were received during the course of the application to include the existing and proposed roof plans of the proposed single storey rear extension. No change was made to the elements of the proposal seeking planning permission.

2. Design and Heritage

- 2.1. 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 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets, including conservation areas.
- 2.2. CPG Design states that good design should respond appropriately to the existing context by ensuring the scale of the proposal overall integrates well with the surrounding area and carefully responding to the scale, massing and height of adjoining buildings and the general pattern of heights in the surrounding area. The Council will only permit development within conservation areas and development affecting the setting of conservation areas, that preserves and where possible enhances the character and appearance of the area.
- 2.3. The Camden Square Conservation Area Appraisal and Management Strategy advises that high quality design and high quality execution will be required of all new development at all scales, and opportunities for enhancement and further revealing the significance of the conservation area should be taken.
- 2.4. The application site is within the Camden Square Conservation Area, wherein the Council has a statutory duty, under section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.5. There is an existing single storey rear extension that measures approximately 4.9m x 4.7m. The proposed rear ground floor extension will project 1.85m further from the existing rear addition to create more functional space to the office premises. The proposed extension is considered modest in scale and the height of the proposed extension will not be higher than the existing rear closet wing infill. The extension will be built with brickwork matching the existing building facades which is considered acceptable. It is noted that there are a variety of rear extensions in different sizes along this part of Murray Street. Given its location at the rear of the site, the visual impact resulting from the extension will be limited and will not cause any detrimental impact to the appearance and character of the host property and the conservation area.
- 2.6. The proposed fenestration alterations within the front lightwell will include timber framed sash windows and doors and have the same materials (which are also timber) to other existing windows within the host building. The new windows and doors will provide an improved appearance to the host building even though they are easily seen from the public realm, and will provide more daylight into the basement office unit. Overall, the proposed

fenestration alterations are considered acceptable, and they will not cause an adverse impact to the appearance and character of the host building and the wider conservation area.

- 2.7. The application premises currently benefits from a small rear garden of approximate 28.46sqm. Whilst the proposed extension would regrettably take up more of the existing rear garden space, the increase in footprint would be approximate 9sqm and is not considered disproportionate to the site. A reasonable rear garden space of nearly 20sqm would still remain for use by the occupiers of the application office premises only. Given the modest increase in footprint and sufficient remaining rear garden space, on balance, it is not considered that the proposed extension would be detrimental to the appearance and character of the host building and the wider conservation area.
- 2.8. Overall, the visual impact from the proposed single storey rear extension and fenestration alterations to the front lightwell are considered acceptable and are not considered to be detrimental to the appearance and character of the host property or the conservation area. The proposed development is considered to be in accordance with Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

3. Amenity

- 3.1. 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, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.
- 3.2. Objections were raised regarding potential harm on amenity to the neighbouring properties. These include potential overlooking and noise disturbance from the flat roof of the proposed extension being used as a roof terrace by the upper floor occupiers and loss of light and garden views to neighbouring occupiers.
- 3.3. A daylight/ sunlight assessment has been submitted in accordance with BRE guidelines. The report assesses the impacts on the windows and rear garden space including 8, 10 and 12 Murray Street and 40 Stratford Villas. According to the report, all relevant windows and rear garden space pass the BRE daylight and sunlight tests in excess of 80% of their current values and therefore comply with the BRE guidelines.
- 3.4. Overall, the proposed scheme would have an acceptable impact on daylight and sunlight to the neighbouring residential properties in accordance with the methodology recommended in the BRE guidelines.
- 3.5. In terms of outlook, it is acknowledged that the proposed extension would cause some loss of outlook to the adjacent properties in particular to No. 12 Murray Street, which does not appear to have benefited from any rear extensions. However, the outlook of this neighbour is already limited to a large extent by the existing part one/ two storey rear extensions to its southern boundary. The proposed rear extension is not considered to cause any unacceptable increase in loss of outlook to this neighbour given its modest depth of 1.85m. To No. 10 Murray Street, it appears this neighbour has benefited from a part one / two storey rear extensions which are a similar depth to the existing extension at No. 11 Murray Street. Given the existing arrangement and the modest depth of the proposed extension to No. 11, it is not considered to result in any undue loss of outlook to this neighbour.
- 3.6. In terms of privacy, there are no new side windows proposed, and the rear fenestration of the extension will match the existing. The proposed fenestration alterations to the front are limited to basement level and not close to any windows of the neighbours. As such it is not considered there will be any harmful increase in overlooking resulting from the proposal.
- 3.7. A condition would be imposed to restrict the use of the flat roof of the extension to prevent it being used as an amenity roof terrace in order to avoid any potential amenity impact in terms of noise disturbance and overlooking to the neighbouring occupiers.
- 3.8. Overall, the amenity impact in terms of loss of light, outlook, privacy and noise disturbance is considered acceptable and in accordance with Policy A1 of the London Borough of Camden Local Plan 2017.

4. Biodiversity

- 4.1. Policy A3 seeks to protect and secure additional, trees and vegetation. The Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation. Replacement trees or vegetation are expected to be provided where the loss of significant trees or vegetation or harm to the wellbeing of these trees and vegetation has been justified in the context of the proposed development.
- 4.2. It is noticed there is an existing garden tree in close proximity to the proposed rear extension which appears to have been poorly pruned over time and past its best condition. The Council's Tree Officer has reviewed it and recommended that a condition be attached seeking a replacement tree for this existing garden tree to ensure the verdant character and appearance of the conservation is maintained. Overall, the proposed development is not considered to cause unacceptable impact on biodiversity terms.

5. Conclusion

5.1. The proposed development is in general accordance with Policies A1, A3, D1 and D2 of the Camden Local Plan 2017, the London Plan 2021, and the National Planning Policy Framework 2024.

6. Recommendation

6.1. Grant conditional full 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 27th January 2025, 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: 2024/4393/P
Contact: Gary Wong
Tel: 020 7974 3742
Email: gary.wong@camden.gov.uk
Date: 16 January 2025

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

Bell Cornwell LLP
164-180 Union Street
London
SE1 0LH

DRAFT
DECISION

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Full Planning Permission Granted

Address:
11 Murray Street
London
NW1 9RE

Proposal: Erection of a single storey rear extension and alterations to the windows and doors in the front lightwell.

Drawing Nos: Planning and Heritage Statement ref. 4021 dated October 2024 prepared by Bell Cornwell LLP; Daylight and Sunlight Assessment Issue No.4 dated December 2024 prepared by T16 Design; N2411/00/01; N2411/00/02; N2411/00/03; N2411/00/04; N2411/00/05; N2411/00/06; N2411/00/07; N2411/01/01 Rev.A; N2411/01/02 Rev.A; N2411/01/03 Rev.A; N2411/01/04 Rev.A; N2411/01/05 Rev.A; N2411/01/06 Rev. A; N2411/01/07 Rev.A.

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 and Heritage Statement ref. 4021 dated October 2024 prepared by Bell Cornwell LLP; Daylight and Sunlight Assessment Issue No.4 dated December 2024 prepared by T16 Design; N2411/00/01; N2411/00/02; N2411/00/03; N2411/00/04; N2411/00/05; N2411/00/06; N2411/00/07; N2411/01/01 Rev.A; N2411/01/02 Rev.A; N2411/01/03 Rev.A; N2411/01/04 Rev.A; N2411/01/05 Rev.A; N2411/01/06 Rev. A; N2411/01/07 Rev.A.

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 Between the November and March following the completion of construction, an single-stemmed *Amelanchier lamarckii* tree (snowy mespilus) with a stem circumference of 12-14cm at 1m above the base of the stem shall be planted in the rear garden of the property no less than 750mm from any structure and shall be planted and maintained in accordance with BS8545:2014 unless otherwise agreed with the council in writing. Should the tree die or become seriously diseased within five years of planting it shall be removed and replaced in accordance with this condition.

Reason: In order to ensure the verdant character and appearance of the conservation area is maintained in accordance with Policies A2, A3 and D2 of the London Borough of Camden Local Plan 2017.

- 5 The flat roof of the extension hereby approved shall not be used at any time as a roof terrace, and any access out onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 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 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.

Based on the information available, this will not require the approval of a BGP before development is begun because 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).

- 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 the post-development value of the onsite habitat, or 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.

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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>

Yours faithfully

Chief Planning Officer

DECISION