

# **CHRISTOPHER WICKHAM ASSOCIATES**

## **Town Planning Consultancy**

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Your ref:  
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Date: 15<sup>th</sup> January 2015

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London Borough of Camden  
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Town Hall  
Judd Street  
London WC1H 8ND.

### **VIA THE PLANNING PORTAL ONLY**

Dear Sir or Madam,

**TOWN AND COUNTRY PLANNING ACT 1990  
S.73 MMA APPLICATION BY MR LUKE HERSHESON  
SITE AT FLAT 1, 100 FELLOWS ROAD, LONDON NW3 3JG  
PLANNING PORTAL REFERENCE: PP-03895466**

This letter accompanies the S.73 application by Mr Luke Hersheson for minor material amendments to planning consent 2014/5327/P granted on 21<sup>st</sup> November 2014. The application seeks a variation to condition 3 of the planning consent to allow for the approval of amended plans incorporating an enlarged terrace and a privacy screen.

The revisions, the subject of this application, are shown on submitted drawings 1155.01.12(D), 1155.02.11(H) and 1155.03.11(D).

### ***The Application Site***

The application site is located on the north side of Fellows Road within the Belsize Conservation Area. The property at 100 Fellows Road has been sub-divided into self-contained flats, and the application relates to Flat 1 which occupies part of the upper ground and lower ground floor of the building. The flat is adjoined by residential accommodation to each side including the attached dwelling at number 100A to the west.

Flat 1 incorporates a lower ground floor single storey rear extension and an upper ground floor terrace on part of the roof of the extension. External stairs lead down to the garden from the terrace. These stairs adjoin the boundary with 100A which also includes a terrace at upper ground floor level. Flat 2, which adjoins Flat 1 to the east, also includes an upper ground floor terrace.

### ***The Approved Development***

Planning permission was granted on 21<sup>st</sup> November 2014, under reference 2014/5327/P, for the following development:-

*'Erection of rear extension at ground floor level with terrace. Installation of doors to lower ground floor and spiral stair from terrace to garden of flat.'*

Condition 3 of the planning consent requires the approved development to be carried out in accordance with the approved plans listed in the body of the condition.

The approved development relates to the construction of a single storey rear extension at upper ground floor level in place of the existing terrace, and the formation of a terrace with stair access on part of the roof of the existing lower ground floor extension. The new terrace would be full-width, and would have a depth of circa 800mm except where it adjoins the boundary with Flat 2 where it would be full-depth to provide access to new spiral stairs leading down to the garden. No privacy screens would be provided to the flanks of the terrace.

### ***The Proposed Minor Material Amendments***

The application seeks consent to vary condition 3 (approved drawings) of planning permission 2014/5327/P to allow minor material amendments to the approved scheme. The application seeks to vary condition 3 so as to include reference to the amended drawing numbers, as lodged with this application.

The proposed minor material amendments do not require the variation of any other conditions attached to the consent.

The proposed minor amendments to the approved scheme involve the enlargement of the roof terrace to provide a consistent depth of 2 metres across its width (except where access is provided to the spiral staircase), and the construction of a timber screen to provide privacy between the new terrace at the application site and the existing terrace at 100A Fellows Road. The screen would have a height of circa 1800mm, and its detailed design, appearance and permanent retention could be controlled by condition(s).

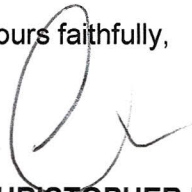
The approved scheme incorporates a full width terrace, albeit of restricted depth, that would permit unrestricted and direct overlooking of the terrace at number 100A. Similarly, users of the existing terrace at number 100A would have an open view of the terrace and habitable accommodation at Flat 1. The proposed privacy screen would overcome these problems, and would provide privacy for occupiers of both properties. It would appear inequitable that the terrace to Flat 1 should be restricted in size while the property at 100A Fellows Road has the benefit of a deeper full-width terrace. The proposed enlargement of the approved terrace to Flat 1 would not cause any material planning harm, and is considered to be wholly justified, not least given that the applicant is proposing to erect a privacy screen for the mutual benefit of both parties.

The proposed privacy screen would be a simple structure of modest size. Its suggested timber construction would be visually appropriate for its domestic garden setting, and its presence would cause no loss of daylight or outlook for the occupiers of number 100A given that there are no windows in this property close to the party boundary. The incorporation of a screen is consistent with the advice at paragraph 5.24 of CPG1.

In conclusion, it is my view that the proposed changes can be regarded as minor in scope and extent. They do not result in a substantially different form of development to that which has been recently approved under 2014/5327/P, and are considered to be entirely acceptable in visual amenity and heritage terms. Furthermore, the proposed privacy screen would offer a clear-cut residential amenity benefit in comparison to the approved scheme.

I look forward to discussing these proposals with the case officer, and to the early and favourable determination of the application. If any additional information is required, please contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C. Wickham', written over a faint horizontal line.

**CHRISTOPHER M. WICKHAM**