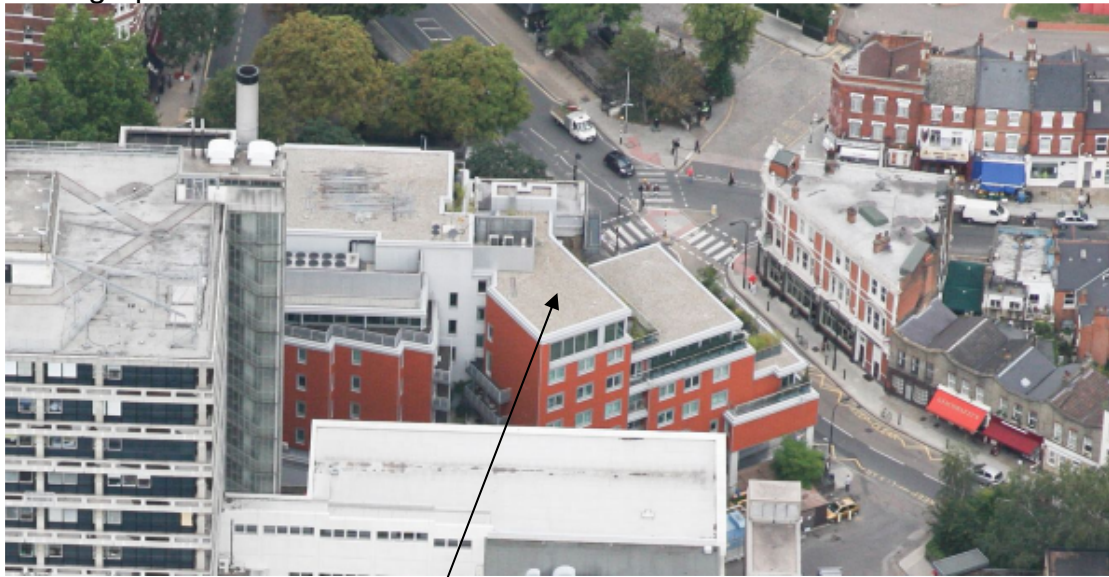




Photograph 1



Application site

Photograph 2 – view from Fleet Road



<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>25/02/2015</b>
<b>(Members Briefing)</b>		N/A	<b>Consultation Expiry Date:</b>	<b>29/01/2015</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Rachel English			2014/8033/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Apartment 36 12 Pond Street London NW3 2PS			See draft decision	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of roof extension with terrace and balustrade to existing penthouse				
<b>Recommendation(s):</b>		Grant conditional planning permission		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>56</b>	No. of responses	<b>23</b>	No. of objections	<b>23</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>Site notice displayed until 29/01/2015</p> <p>22 responses received from the following addresses:  12 Pond Street - Flats 1, 11, 12, 13, 15, 20, 24, 26, 27, 28, 29, 30, 31, 32, 35  Flat 2 of 83 Fleet Road and Flat 2 of 154A Fleet Road and 149 Elgin Crescent  Royal Free Hospital Foundation Trust</p> <p>Objections have been received with the following concerns:</p> <ol style="list-style-type: none"> <li>1) Noise</li> <li>2) Dust, vibration and disruption for existing residents</li> <li>3) We wish for building work to be carried out between 9am and 6pm only with minimal disruption to the lifts and common areas</li> <li>4) Loss of outlook from windows as a result of scaffolding</li> <li>5) Adverse impact on the security of the building as a result of scaffolding</li> <li>6) Residents will not be able to use the lifts</li> <li>7) There would be no access for disabled people during construction</li> <li>8) There may be damage to the communal areas such as lifts and garage</li> <li>9) Concern over structural damage</li> <li>10) The proposal will affect parking</li> <li>11) Increase in traffic and buses will be disrupted</li> <li>12) Impact on safety of residents and Royal Free Hospital</li> <li>13) Do not want air conditioning units moved</li> <li>14) 2014/0145/P and the current app should be considered as a complete redevelopment. Both 2014/0145/P and this app could be carried out at different times which would inconvenience residents</li> <li>15) Loss of privacy from the planned terrace</li> <li>16) The proposal would cause a loss of light to properties on Fleet Road, Flat 36 at 12 Pond Street and the Royal Free Hospital. A Daylight and Sunlight Assessment should be submitted.</li> <li>17) The approved development at 2014/0145/P is shown on the drawings.</li> <li>18) Would have a negative impact on the resale value of my property</li> <li>19) The applicant did not consult residents before submitting the application</li> <li>20) We were not consulted on the application on app 2014/0145/P</li> <li>21) The proposed scheme would harm the privacy of patients and staff at the Royal Free hospital</li> </ol> <p><u>Officer response</u>  1)-5) This is not a valid reason to refuse the application. Construction is for a</p>					

	<p>temporary period. Hours of construction are controlled via Environmental Health legislation and the applicant will be advised of this through an informative. Any scaffolding would be a temporary measure and the extension would not lead to a permanent loss of outlook</p> <p>6)-9) This is a management issue for the host building and informative has been added advising the applicant that the proposals may be subject to control under Building Regulations</p> <p>10) and 11) There may be some temporary disruption to parking and local public transport however this is not a reason to refuse the application</p> <p>12) This is not a material planning consideration</p> <p>13) These will form part of a separate planning application</p> <p>14) These applications have come forward separately and it would be a management issue for the host building to ensure that disruption for existing residents is kept to a minimum</p> <p>15) and 16) See amenity section 3 below</p> <p>17) The drawings have been revised and no longer include the roof extension approved at flats 34 and 35 (ref 2014/0145/P)</p> <p>19) Whilst Officers would encourage applicants to discuss proposals with neighbours before submitting an application this is not a statutory obligation.</p> <p>20) Consultation on application 2014/0145/P was carried out in full accordance with the Council's Statement of Community Involvement</p> <p>21) See paragraph 3.3</p>
<p><b>CAAC/Local groups* comments:</b> *Please Specify</p>	<p>N/a</p>

## Site Description

The application site is part of a contemporary mixed use development on the corner of Fleet Road and Pond Street and adjacent to the Royal Free Hospital. The residential building, known as "The Panoramic" was developed in the mid 2000's and comprises of 48 flats over eight floors with a commercial unit on the ground floor.

The site does not lie within a conservation area however lies close to the Mansfield conservation area and the Hampstead conservation area.

## Relevant History

Planning permission was granted on 05/09/2003 for the demolition of the former cinema and single storey retail unit to provide a three to eight storey building comprising a neighbourhood retail store and 51 residential units together with associated basement car parking and servicing areas (reference PEX0100337).

Permission was granted on 27/09/2004 to vary the original permission by reducing the number of proposed residential units from 51 to 48 (reference 2004/2996/P).

Permission was granted on 08/04/2014 for erection of a roof extension with front roof terrace and balustrade at 9th floor level in connection with 2 residential flats. (reference 2014/0145/P).

## Relevant policies

### Core Strategy (2010)

- CS1 (Distribution and growth)
- CS5 (Managing the impact of growth and development)
- CS13 (Tackling climate change through promoting higher environmental standards)
- CS14 (Promoting high quality places and conserving our heritage)
- CS16 (Improving Camden's health and well-being)

### Development Plan Policies

- DP22 (Promoting sustainable design and construction)
- DP23 (Water)
- DP24 (Securing high quality design)
- DP26 (Managing the impact of development on occupiers and neighbours).
- DP32 (Air quality and Camden's Clear Zone)

### Camden Planning Guidance

- CPG1 (Design) 2013
- CPG6 (Amenity) 2011

### NPPF 2012

### London Plan 2011

## Assessment

### 1.0 Proposal

1.1 Planning permission is sought for the erection of a roof extension to the existing flat (number 36) and new terrace/balcony with glass balustrade. The extension would be fully glazed to match the existing building. It would be located at 8<sup>th</sup> floor level and would be 3.2metres high. The extension would have a green roof.

1.2 A similar application for a roof extension to flats 33 and 34 at 9<sup>th</sup> floor level was approved on 08/04/2014.

1.3 This application is assessed in terms of design and impact on the amenity of existing occupiers.

### 2.0 Design and impact on the host building

2.1 The proposed extension would front Fleet Road and would be located at 8<sup>th</sup> floor level. The extension would be subordinate to the host building and would ensure that the building would remain smaller than the adjacent Royal Free hospital which is at least 4 storeys taller.

2.2 Policy DP24 requires all developments to consider the character, setting, context and form and scale of neighbouring buildings. Whilst the height and bulk of the existing building is considered to be appropriate on this site, given the greater scale of the hospital in its immediate surroundings it is considered that one additional storey would not appear excessively over-dominant. There are limited viewpoints of the site from Fleet Road, South End Green, Constantine Road and Pond Street however the additional storey would be in keeping with the existing buildings by using matching materials and design.

2.3 It is considered that the proposed extension, further above the existing 'top' of the building would appear appropriate adjacent to the presence of the Royal Free Hospital, which is more dominant.

2.4 The proposals involve the need for the existing rooftop air conditioning units to be moved. The applicant has removed these from the proposals and intends to reapply within a separate application.

2.5 It is recommended that a condition is added that requires full details of the green roof to be submitted prior to commencement of works.

### 3.0 Impact on the amenity of existing occupiers

3.1 Concerns have been raised from properties on Fleet Road about loss of light. These are 2-3 storey residential buildings on the corner of Fleet Road. Due to its distance away and it being at 8<sup>th</sup> floor level the proposed extension would not give rise to an inappropriate impact on the residential dwellings in terms of loss of light or overshadowing. The occupier of flat 35 has also concerns about a loss of light to the terrace of flat 35 and a bedroom window at 7<sup>th</sup> floor level. The extension would be directly on top of the roof at number 36 therefore would not give rise to any loss of light. The Royal Free Hospital considers that there should be a daylight and sunlight report submitted with the application. The proposed extension would be single storey only and is located over 10metres away from any windows of the Royal Free Hospital therefore would not have an unacceptable impact on the hospital in terms of loss of light.

3.2 Concerns have been raised by existing residents about a loss of privacy. The proposal would not have an unacceptable level of overlooking. There are existing windows on the side façades and the addition of another floor with terrace would not have an unacceptable impact on the hospital building or nearby residential occupiers. The additional floor would be directly above the existing flat at number 36. The applicant proposes to install obscurely glazed panels on the southeast façade to ensure that the occupiers of the existing flat are not overlooked by the offices at the Royal Free Hospital. It is

recommended that a condition is added to ensure that the green roof is accessed for maintenance only and not used as a terrace.

3.3 The Royal Free Hospital has objected to the application on the grounds of loss of privacy to the existing office users and patients at the hospital. As set out above there would be opaque glass panels on the southeast elevation which would ensure that there was no new overlooking as a result of the proposals.

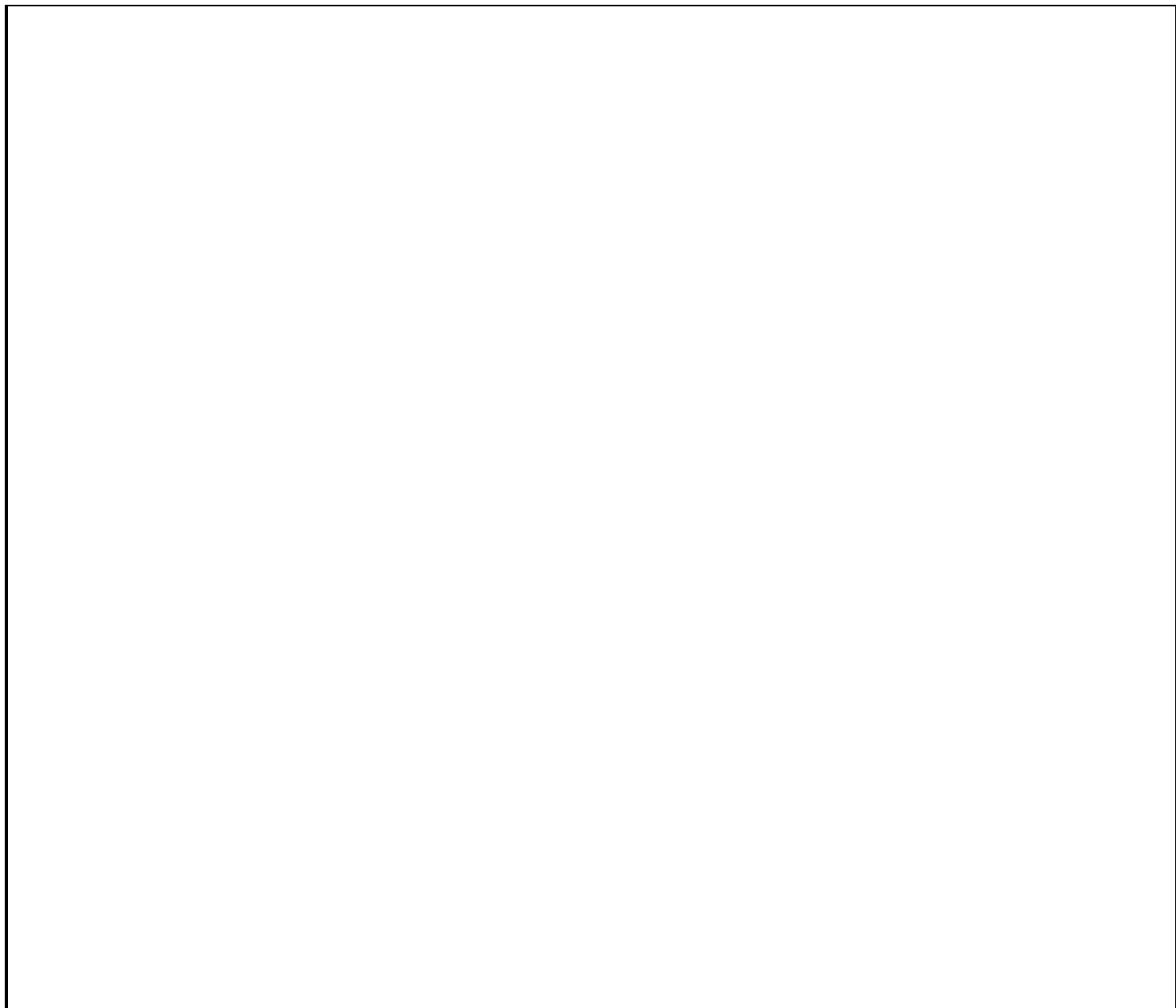
#### **4.0 Recommendation**

4.1 It is recommended that the application is approved with conditions.

#### **DISCLAIMER**

Decision route to be decided by nominated members on Monday 23rd February 2015. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.





Mr John Kerr  
JOHN KERR ASSOCIATES LIMITED  
62 Camden Road  
LONDON  
NW1 9DR  
United Kingdom

Application Ref: **2014/8033/P**  
Please ask for: **Rachel English**  
Telephone: 020 7974 **1343**

19 February 2015

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:  
**Apartment 36**  
**12 Pond Street**  
**London**  
**NW3 2PS**

# DECISION

Proposal:  
Erection of roof extension with terrace and balustrade to existing penthouse  
Drawing Nos: (453/EX/) 01, 02, 03, 04, 05/A, 06/A, 07/A, (453/PA/) 03/A, 04/B, 05/B, 06/B,  
07/B, 09/B.

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 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: (453/EX/) 01, 02, 03, 04, 05/A, 06/A, 07/A, (453/PA/) 03/A, 04/B, 05/B, 06/B, 07/B, 09/B.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The extension shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The proposed green roof shall be accessed for maintenance only and must not be used as a terrace.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

#### Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website

[http://www.camden.gov.uk/ccm/content/contacts/council-](http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en)

[contacts/environment/contact-the-environmental-health-team.en](http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

**DRAFT**

**DECISION**