

Mr. Jack Schneider
Schneider Designers
Lower Ground Unit
15 Eldon Grove
London
NW3 5PT

Application Ref: **2015/3184/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

30 July 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
44 Queen's Grove
London
NW8 6HH

Proposal: Erection of two storey lower ground floor rear extension to existing side extension, erection of part one/part two storey lower ground floor rear extension including terrace at upper ground floor level, alterations to fenestration and roof of existing three storey lower ground floor rear extension, installation of air conditioning units to roof of existing side extension and alterations and excavation of lower ground floor rear patio area.

Drawing Nos: XPL-101-00, XPL-102-00, XPL-103-00, XPL-104-00, XPL-201-00, XPL-202-00, APL-100-00, APL-101-00, APL-102-00, APL-103-00, APL-201-00, APL-202-00, APL-300-00, APL-301-00, Design and Access statement, Air Conditioning Technical Data by Daikin, Arboricultural Report by Tom Wawman dated 22nd December 2014, and Tree Constraints and Tree Protection Plan by MWA Arboriculture.

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 policies DP24 and DP25 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: XPL-101-00, XPL-102-00, XPL-103-00, XPL-104-00, XPL-201-00, XPL-202-00, APL-100-00, APL-101-00, APL-102-00, APL-103-00, APL-201-00, APL-202-00, APL-300-00, APL-301-00, Design and Access statement, Air Conditioning Technical Data by Daikin, Arboricultural Report by Tom Wawman dated 22nd December 2014, and Tree Constraints and Tree Protection Plan by MWA Arboriculture.

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

- 4 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the tree constraints and tree protection plans, Arboricultural Report by Tom Wawman dated 22nd December 2014, and Tree Constraints and Tree Protection Plan by MWA Arboriculture.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 5 A 1.8 metre high screen across the entire depth of the roof terrace hereby approved shall be erected on the western boundary of the trafficable terrace area prior to commencement of use of the roof terrace and shall be permanently retained.

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.

- 6 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 7 No part of the flat roof area hereby approved, other than those specifically marked as balcony on the approved drawings, shall be used as a roof terrace, and any access out onto these areas shall be for maintenance purposes only.

Reason: In order to prevent detrimental overlooking and noise impacts on neighbouring premises in accordance with the requirement 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 Reasons for granting permission.

While the proposed rear extensions are large in scale, many of the houses on the street have modern extensions with similar dimensions. Permission has been granted for similar extensions at the adjoining/nearby properties No. 43 (2010/6736/P - not taken up), No. 45 (2008/2073/P - built) and No. 46 (2006/5895/P - built). While the area became a conservation area after two of these adjoining extensions were approved, the St John's Wood Conservation Area Appraisal Management Statement does not explicitly refer to such large rear extensions as being antithetical to the character of the area. A previous permission established the principle of modern openings on the rear elevation of the subject building (2014/7969/P). The rear elevation has limited visibility due to the garages and vegetation on the rear boundary and as such it would have a limited impact on the character and appearance of the streetscene. The large size of the rear garden also ensures that the extensions would not result in a disproportionate loss of garden amenity.

The contemporary windows and roof alterations are considered to be in-keeping with the modern design of rear extensions on adjoining and nearby buildings. The air conditioning units are small in size relative to the roof area and would not be prominently visible as they are set well back behind the parapet walls of the existing side extension.

As such the proposed extensions, alterations to fenestrations to rear and side elevation, rear garden and patio area, are considered subordinate in scale and location to the four storey host building, and to preserve the character of the conservation area.

While the rear extensions are quite deep along the boundary with No. 43, the rear elevation of No. 43 is behind that of the subject building and as such the apparent depth of the proposed rear extensions will be less. The highest part of the rear extension will be set back over 2m from No.43, reducing its impact on that property. No. 45 has similar rear extensions and as such the proposal will not have a disproportionate impact on the amenities of this property. A condition is included requiring that the proposed roof terrace have a 1.8 metre high screen to the entire depth of the roof terrace to protect the amenity of the adjoining property. A condition is also included requiring that other flat roof areas not be used as terraces to protect the amenity of adjoining properties. A condition is included requiring that the proposed air conditioning plant operate suitably below background noise levels. As such, the size and location of the proposed extensions and terrace are not considered likely to materially harm the amenity of any adjoining residential occupiers in terms of the loss of natural light, outlook, privacy, light spill, added sense of enclosure, noise or the like.

The excavation to the rear of the site to accommodate the rear extensions and rear sunken terrace area is not considered to be of a scale requiring a basement impact assessment.

The proposal requires the removal of three trees. The loss of these trees is considered to be acceptable due to their relatively small size and poor condition and the presence of several other large trees in the rear garden. A condition is included ensuring all other trees are retained and protected from damage in accordance with the submitted arboricultural report and protection plan.

No objection was received prior to making this decision. The site's planning history, pre-application advice letter were taken into account when coming to this decision.

- 2 Considerable importance and weight has been attached to the harm and 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.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan 2015 consolidated with alterations since 2011; and paragraphs 14, 17, and 56 -66 and 126-141 of the National Planning Policy Framework.

- 3 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).

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 You are advised that the appropriate standards for tree work are set out in BS 3998: 2010. Failure to ensure that the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 6 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 Noise and Licensing Enforcement Team, 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-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



Ed Watson
Director of Culture & Environment