

Mr. Peter Phillips
Devilfish Design Limited
Canada House
272 Field End Road
Eastcote
HA4 9NA

Application Ref: **2014/7578/P**
Please ask for: **Yuyao Gong**
Telephone: 020 7974 **3829**

27 August 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Flat 5
34 Netherhall Gardens
London
NW3 5TP**

Proposal:

Erection of part single, part two storey rear extension with terrace at upper ground level and alterations to rear fenestration.

Drawing Nos: D007.50 Rev.B, D007.51 Rev.B, D007.52 Rev.B, D007.55 Rev.C, D007.56 Rev. B, D007.57 Rev.B, D007.58 Rev.B, D007.60 Rev.B, TYPICAL SECTION THROUGH PLATFORM, Case Study GS-CS-006, Method Statement for foundations in a root protection area, Letter from Harrisons Tree Service dated 10th November 2014, ARBORICULTURAL IMPACT ASSESSMENT REPORT dated 23rd June 2015

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 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 D007.50 Rev.B, D007.51 Rev.B, D007.52 Rev.B, D007.55 Rev.C, D007.56 Rev. B, D007.57 Rev.B, D007.58 Rev.B, D007.60 Rev.B, TYPICAL SECTION THROUGH PLATFORM, Case Study GS-CS-006, Method Statement for foundations in a root protection area, Letter from Harrison's Tree Service dated 10th November 2014, ARBORICULTURAL IMPACT ASSESSMENT REPORT dated 23rd June 2015

Reason:

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

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 approved protection details.

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 sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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 and DP25 of the London Borough of Camden Local Development

Framework Development Policies.

Informative(s):

1 Reasons for granting permission.

The proposal consists of the erection of a rear extension at lower ground and upper ground floor level (with demolition of lower ground floor rear wall as part of works). The proposed rear extension at the lower ground level would be constructed with cavity wall and external bricks finish matching the existing. There would be four proposed double glazed timber sash windows painted white and one new painted timber door with fanlight over on the rear elevation on the lower ground level. The proposed rear extension at the upper ground level would be constructed with new brick to form continuation of existing façade. The top of extension would have stepped brick banding detail to match existing. The existing metal balconies on the upper ground floor level would be removed. A new double glazed painted timber door would be installed on the side elevation on the upper ground level which provides access to the upper ground floor terrace. 0.32m high painted metal safety rail would be installed on top of the parapet walls around the upper ground floor terrace. The total height from terrace floor level would be 1.1m and is considered as a suitable height for safety. A window would be reinstated in position of the existing door on the upper floor level. On the first floor level, new windows would replace the existing staircase windows replicating detail of existing staircase window above. It is considered that the design and materials of the proposal would respect the character and appearance of the host building and Fitzjohns Netherhall Conservation Area and would be in general compliance with the advice in CPG1.

It is considered that the size and scale of the proposed extension is subordinate to the host building which has four storeys. The width of the proposed extension is less than the total width of the host building. The designs and fenestration of the proposed windows would match the existing windows and create a harmonious external appearance. The proposed rear extension would face the flank wall of the neighbouring property to the south of site which has no window directly facing the proposed extension. To the east of the proposed extension there is heavy vegetation between No. 34 and No. 36. The rear elevation of No. 36 is set back at least 6m from the rear elevation of No. 34. The gap between No. 34 and No. 36 is 4m. It is not considered that the proposed rear extension would have any adverse impacts upon neighbouring properties in terms of overlooking, loss of privacy or loss of light.

The planning history of the site has been taken into account when coming to this decision. One comment was received prior to making this decision.

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, policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies and CPG1 and CPG6 of the Camden Planning Guidance 2011. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56 -66 and 126-141 of the National Planning Policy Framework.

- 2 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).

- 3 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