

Mr Elie Osborne  
4D Planning  
86-90 Paul Street  
3rd Floor  
London  
EC2A 4NE

Application Ref: **2015/7112/P**  
Please ask for: **Kristina Smith**  
Telephone: 020 7974 **4986**

9 February 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**45 Lisburne Road**  
**London**  
**NW3 2NS**

Proposal:  
Installation of a second floor rear roof terrace (retrospective)  
Drawing Nos: LR01BP; A-00-00 Rev B; A-0S-01 Rev B; A-01-01 Rev B; A-0L-00 Rev B; A-0L-01 Rev B; A-0L-02 Rev B; A-0R-00 Rev B; A-0R-01 Rev B; A-0R-02 Rev B; A-76-00 Rev B; A-76-01 Rev B; A-77-00 Rev B; A-77-01 Rev 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 [and DP25 if in CA] 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: LR01BP; A-00-00 Rev B; A-0S-01 Rev B; A-01-01 Rev B; A-0L-00 Rev B; A-0L-01 Rev B; A-0L-02 Rev B; A-0R-00 Rev B; A-0R-01 Rev B; A-0R-02 Rev B; A-76-00 Rev B; A-76-01 Rev B; A-77-00 Rev B; A-77-01 Rev B

Reason:

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

- 4 The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

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.

- 4 The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

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 Reasons for granting permission.

The terrace at second floor level is subordinate in scale to the host building and is considered to be of appropriate design. It is located on the rear elevation and is not visible from the public realm. There are several other terraces at the same level on surrounding properties on Lisburne Road, Mackeson road and Constantine Road.

It is considered that the retention of the terrace would not significantly harm the amenity of any adjoining residential occupiers. The terrace would not enable further

views into gardens than existing terraces and windows. Without leaning over the balustrade to look down it is not possible to see into the area of garden nearest to the house. An obscure glazed balustrade of 1.3m would be installed to sit below the eaves on one side to protect the privacy of the second floor bedroom at no.47. Due to the angle of vision from the terrace and the position of the eaves in relation to the terrace, the installation of a higher privacy screen is not considered appropriate.

Neighbouring occupiers were consulted on the application. Two objections were received prior to making this decision which has been duly taken into account. The application site's planning history and relevant appeal decisions were taken into account when coming to 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, 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 2011; and paragraphs 14, 17, 56 -66 and 126-141 of the National Planning Policy Framework.

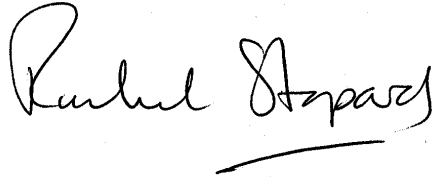
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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-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.
- 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).

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

A handwritten signature in black ink that reads "Rachel Stopard". The signature is written in a cursive style with a horizontal line underneath the name.

Rachel Stopard  
Director of Culture & Environment