

Mr William Pottinger  
Savage & Pottinger Design  
11, Eton Garages  
Lancaster Grove  
NW3 4PE

Application Ref: **2016/2771/P**  
Please ask for: **Helaina Farthing**  
Telephone: 020 7974 **3303**

11 January 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**65 Gray's Inn Road**  
**Camden**  
**WC1X 8TL**

Proposal:  
Creation of first floor level terrace to the rear of the existing flat and establishment of access (Class C3).  
Drawing Nos: 1516/TP2/01r1=2; 1516/TP2/02r2; Design and Access Statement

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 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 1516/TP2/01r2; 1516/TP2/02r2; Design and Access Statement.

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 buildings 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.

Informative(s):

- 1 Reasons for granting permission.

The proposed roof terrace is 2m in depth and 3m in width, occupying a third of the existing first floor level roof. This has been reduced in size from the original proposal, which occupied the entirety of the roof. The size and scale of the proposed roof terrace, whilst larger than the adjoining roof terrace at no. 67; is considered to be of an acceptable location and size. The use of metal railings is consistent with the neighbouring roof terrace at no. 67 and will not impact adversely on the host property or the conservation area.

The size, simple design and materials of this terrace are sympathetic to a rear setting and will not harm the appearance of the listed building nor the conservation area.

The creation of the new access by lowering the cill to the existing sash window is considered to be an acceptable alteration to the listed building. The existing sash window is a replacement (nb: no listed building consent has been granted for this replacement, it has been assessed and considered acceptable) and is not an original window and as such the lowering of the cill will not impact adversely on the host building.

Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, and to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013

The proposed terrace will provide direct outlook onto the rear flats along N Mews. In this instance, the terrace will be overlooking a stairwell and a kitchen window of the flats along N Mews. However, through the proposed screening and distance of separation (approximately 6m) it is considered that the impacts of overlooking are mitigated to an acceptable level. To the adjoining properties either side, the reduced terrace would not adversely compromise their outlook due to its position and the proposed screening. In consideration of the above it is viewed that harm resulting from overlooking has been mitigated to an acceptable level and therefore there is minimal harm to the amenity of any adjoining residential occupiers in terms of loss of daylight, sunlight, outlook and privacy.

No objections have been raised in relation to the works. The application site's planning history and relevant decisions were taken into account when coming to this decision.

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 2016; and the provisions of paragraphs 14, 17, 56-66 and 126-141 of the National Planning Policy Framework 2012.

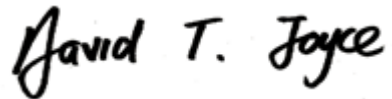
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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 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.

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 "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Executive Director Supporting Communities