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Application Ref: **2016/4897/P**
Please ask for: **Anna Roe**
Telephone: 020 7974 **1226**

7 March 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
37 & 39 Rudall Crescent
London
NW3 1RR

Proposal:

Identical external works to adjacent properties to include conversion of garages to provide additional habitable accommodation, erection single storey rear extensions, rear dormers, replacement of existing timber framed windows with aluminium, insertion of rear rooflights, erection of new front boundary walls to match existing and alterations to the front elevations.

Drawing Nos: 1083.00.01; 1083.01.01(F); 1083.01.02(C); 1083.01.03(C); 1083.01.04(B); 1083.02.01(B); 1083.02.02(A); 1083.03.02(B); 1083.03.03(B); 1083.01.22(I); 1083.01.23(J); 1083.01.24(K); 1083.01.25(H); 1083.02.21(D); 1083.02.22(D); 1083.03.12(E); 1083.03.13(H); FGD133 FDS1; FGD133 FPP1 R1; FGD133 PP1; 221019-PD-11a; Design and Access Statement Rev00.

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: 1083.00.01; 1083.01.01(F); 1083.01.02(C); 1083.01.03(C); 1083.01.04(B); 1083.02.01(B); 1083.02.02(A); 1083.03.02(B); 1083.03.03(B); 1083.01.22(I); 1083.01.23(J); 1083.01.24(K); 1083.01.25(H); 1083.02.21(D); 1083.02.22(D); 1083.03.12(E); 1083.03.13(H); FGD133 FDS1; FGD133 FPP1 R1; FGD133 PP1; 221019-PD-11a; Design and Access Statement Rev00.

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

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of the external doors and gates on the front elevation;

b) Sample panel of replacement front boundary wall brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be erected on site.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 5 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in

ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to the commencement of any works on site, evidence in the form of a report and photographs demonstrating that tree protection measures have been implemented in accordance with the approved details within Arboricultural Report 221019-PD-11a, by Tim Moya Associates, dated October 2012, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 8 The approved cycle storage facilities shall be implemented in accordance with the details hereby approved, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.

- 9 The flat roof external areas, hereby approved as part of the ground floor rear

extensions, shall not be used as roof terraces and any access out onto these areas shall be for maintenance purposes only.

Reason: In order to prevent any detrimental impacts of overlooking and/or noise disturbance of the neighbouring premises in accordance with the requirement of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1 Reasons for granting permission.

This application seeks to combine previously approved permissions at the two dwellings with the omission of the basements approved under application reference 2013/0824/P.

It should be noted that the original permission which approved the development of the properties in the 1970s was subject to a condition which removed permitted development rights.

Conversion of the garages into habitable accommodation

It is proposed to remove the existing integral garages to both dwellinghouses, as well as the potential for vehicles to park on the driveways. The removal of off-street parking is generally supported in line with paragraph 19.14 and policy DP19 of the LDF. In addition secure cycle parking is provided in the front garden. The design of the cycle parking is considered appropriate (covered and secure).

The removal of the garages and driveways will also result in the crossovers in front of the properties becoming redundant. As such, highways works to be secured via S106 Legal Agreement will remove these crossovers, which in-turn will enable residents parking bays outside the properties to be re-configured to provide additional on-street parking within the controlled parking zone. Future occupiers will be able to apply for on-street parking permits; it is not possible to seek to secure the development as 'car-free' (thereby restricting access to on-street permits) as the public transport accessibility level (PTAL) for the site is 3 (moderate). In line with CPG7, car-free can only be secured where the PTAL level is 4 (good) and above. As such, the removal of the garages and driveways will not cause difficulties for existing or future occupiers.

In addition to removing the vehicular crossovers adjacent to the site and the potential to reconfigure the on-street parking bays, as detailed above, a highways contribution will also be sought to repave the footway outside of the site. Given the level and nature of construction works, repaving the footways will ensure that any damage caused during construction is remedied. The applicant has indicated a willingness to enter into this via S106 Legal Agreement.

Erection of rear extensions

The proposed rear extensions, although full width, are relatively modest in scale measuring a little over 1m deep and would have a negligible impact on the neighbouring occupiers at nos. 35 and 41. The extensions are single storey and lightweight in design (glazed with aluminium framed sliding doors), in order to appear subordinate to the host buildings. The proposed works are considered to preserve the character and appearance of the host buildings and wider conservation area. In addition, the properties would retain suitably sized rear gardens.

Erection of rear dormers

An appeal was recently allowed and planning permission granted for the erection of a dormer extension on the rear roof slope of each property (appeal ref: APP/X5210/W/16/3149742). The inspector concluded that the principle of the roof additions was acceptable because there was no strong sense of uniformity in the roof form and appearance of the terrace. The design, scale and appearance of the dormers were also judged to be appropriate.

The applicant is now seeking to position the dormers centrally. It is also proposed to reduce the size of the dormer granted at no. 39 to match that approved at no. 37 which would help to reunite the rear roof slopes. Given the recent appeal decision and minor nature of the proposed change, this aspect of the proposal should be supported. Furthermore, the dormers are not considered to result in overlooking or loss of light and are thus considered acceptable in terms of their impact on neighbouring amenity.

2 Insertion of windows and rooflights

Permission was previously granted for the replacement of the existing timber framed single glazed windows with double glazed aluminium windows (application no. 2015/6896/P dated 02/03/16), as aluminium was judged to be appropriate to the design of the house and consistent with the neighbouring properties.

The enlarged windows would not increase overlooking as the buildings to the rear are over 24m away and the majority of the window increase would be below cill height. Furthermore, the enlarged openings would allow for greater levels of sunlight/daylight within the host building.

The rooflights in the rear roofslope would not be visible from the public realm and would have no impact on the amenity of any adjoining occupiers as they do not increase overlooking.

Dismantling and re-building front walls and gates

Permission is sought to re-build the front boundary walls as existing and replace the existing front gates. The proposed boundary treatment would match the existing front walls and others nearby and are considered appropriate in terms of their scale, design and choice of materials.

Alterations to the front façades

The alterations to the front façades largely concern the ground floor levels. The existing windows on the east end of each property would be retained and upgraded, the existing central entrances would be reconfigured to form windows, whilst the existing garage doors would form timber clad entrance doors. At first floor

level the timber cladding, windows and fascia boards would be redecorated to match the neighbouring properties. The proposed alterations are considered to have been sensitively designed and would preserve the character and appearance of the host properties and neighbouring dwellings.

Access ramps

The proposed ramped entrances would provide step free access into the dwellings. The ramps are considered suitable for their intended purpose and would be largely concealed behind the front boundary wall and gates.

To conclude, one objection was received prior to making this decision. The 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 the London Plan 2016 and the National Planning Policy Framework.

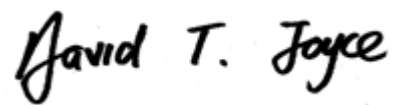
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 4 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 style with a large initial 'D' and 'J'.

David Joyce
Director of Planning and Regeneration