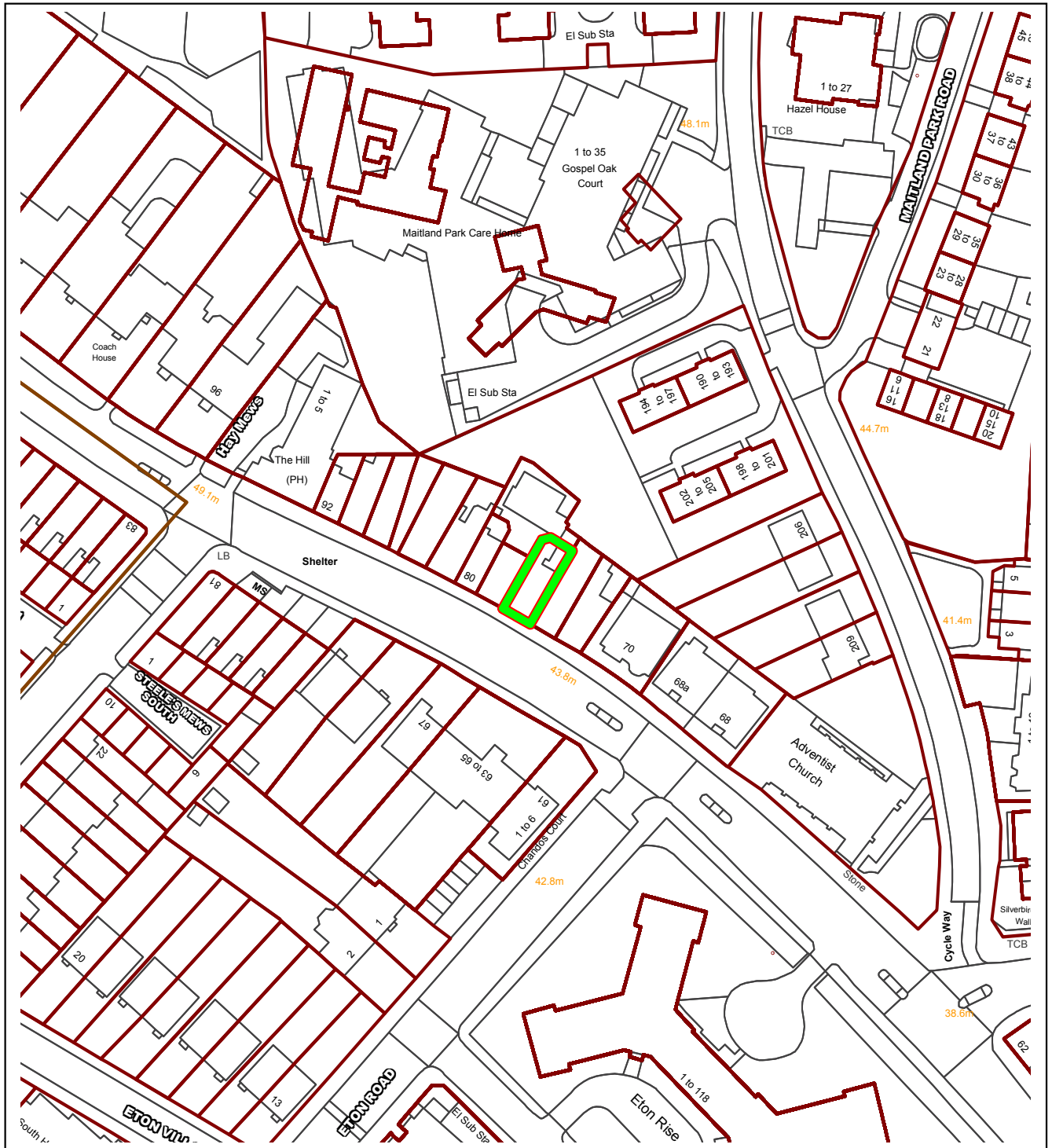


# 76 Haverstock Hill 2016/5784/P



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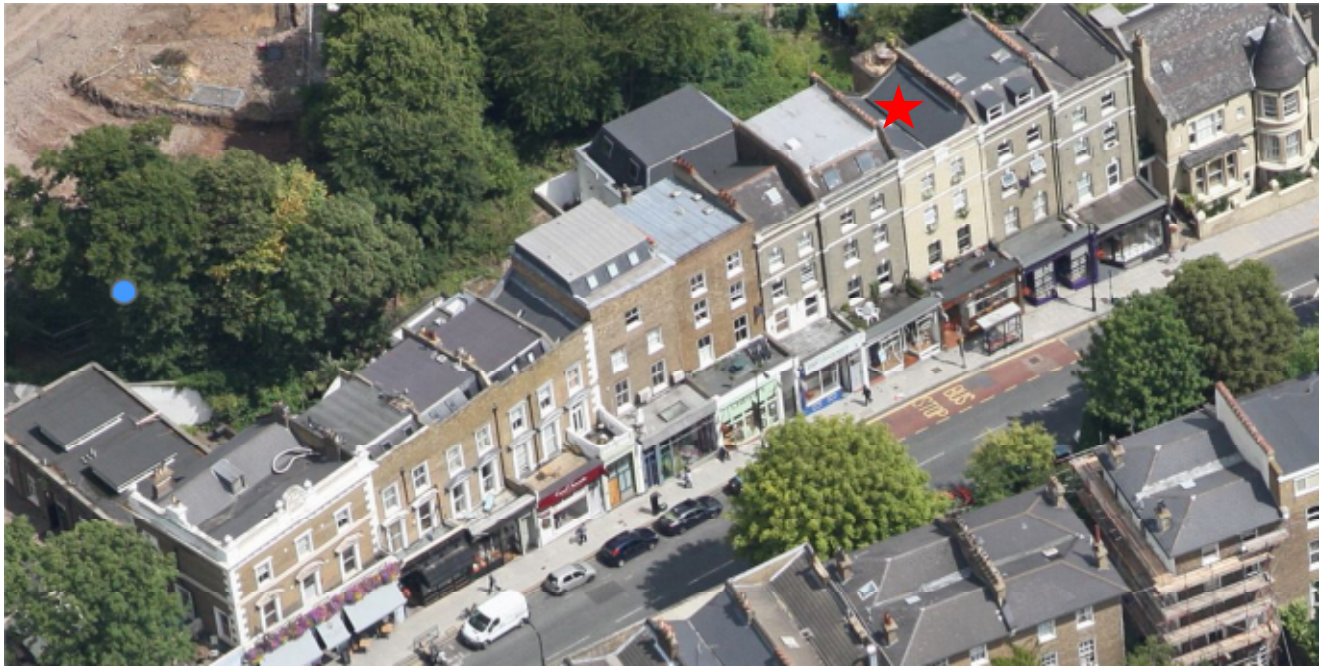


Photo 1: Aerial view of the front of the terrace (application building marked in red)

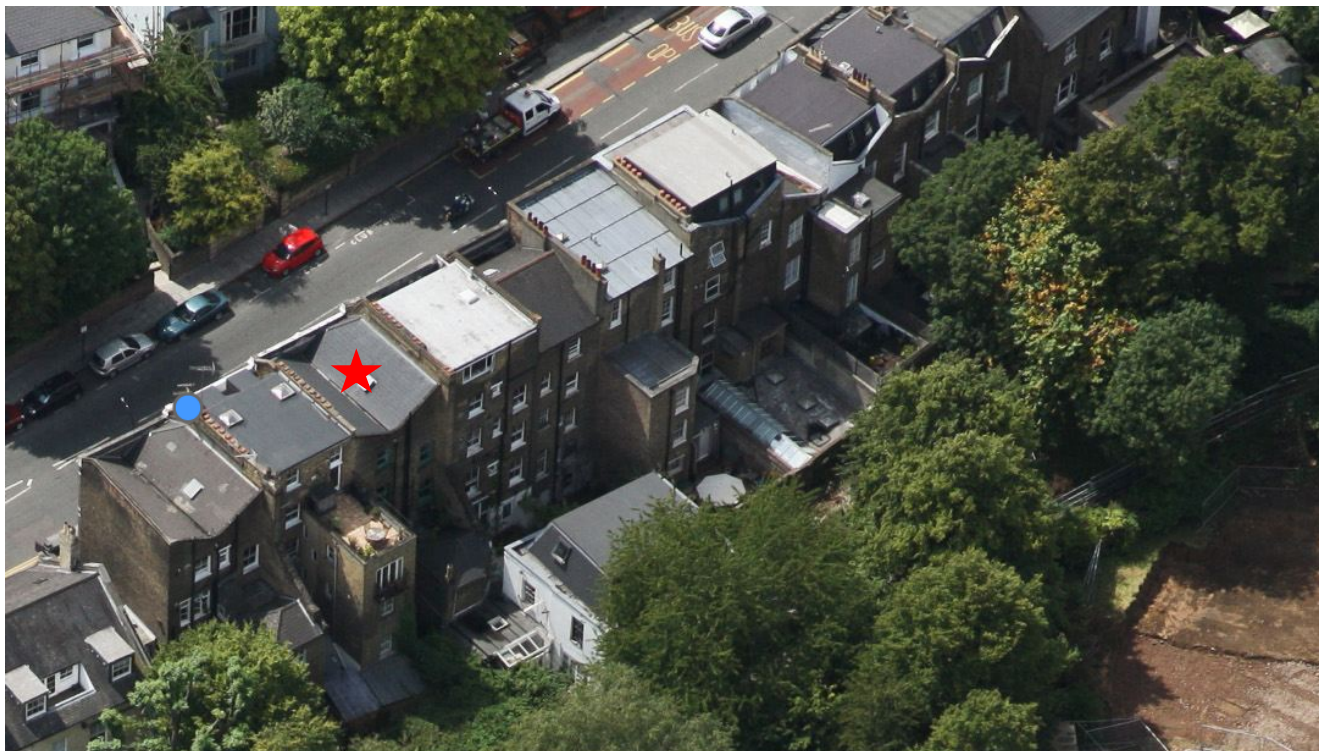


Photo 2: Aerial view of the rear of the site





Photo 3: Front elevation



Photo 4: Rear elevation as seen from the Maitland Park Estate



Photo 5: Rear elevation of the application building (with green window frames). Existing three storey extension to the rear of no.74 can be seen to the left.

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>20/12/2016</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	24/11/2016
<b>Officer</b>			<b>Application Number(s)</b>		
Laura Hazelton			2016/5784/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
76 Haverstock Hill London NW3 2BE			Please refer to draft decision		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Variation of condition 3 (approved plans) of planning permission ref 2016/1066/P (dated 10/06/2016) for the conversion of existing 3 bedroom dwellinghouse into 1 x 1 bed flat and 3 x 2 bed flats; mansard roof extension; erection of new part 1 storey/part 3 storey rear extension; namely, the creation of a roof terrace at rear third floor level.					
<b>Recommendation(s):</b>		Grant planning permission			
<b>Application Type:</b>		Variation or Removal of Condition(s)			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>The application was also advertised in the local press between 03/11/2016 and 24/11/2016, and a site notice was displayed on 28/10/2016.</p> <p>The owner/occupier of 74 Haverstock Hill objected to the application on the following grounds:</p> <ul style="list-style-type: none"> <li>The building contractors have been working out of hours on works to implement the previous permission. They will do the same if further permission is granted.</li> <li>The development will be intrusive and unnecessarily noisy.</li> <li>The development will deprive no.78 of light and views.</li> </ul> <p><i>Officer response</i></p> <ul style="list-style-type: none"> <li><i>The hours of construction work cannot be controlled under the planning process. However, noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. An informative would be added to the decision notice to inform the applicant of this.</i></li> <li><i>The proposal includes the erection of a privacy screen between nos.76 and no.74 which would ensure the privacy of occupants of both properties is protected. The screen would also help to reduce the noise impact of the terrace, which is not considered to be so harmful to neighbouring amenity as to warrant refusal of the application.</i></li> <li><i>The rear elevations of these properties are north east facing, so do not receive direct sunlight during the day. The screen is therefore unlikely to impact levels of sunlight reaching the neighbouring windows.</i></li> </ul>					
CAAC/Local groups* comments: *Please Specify	<p>No response was received from the <b>Parkhill Conservation Area Advisory Committee (CAAC)</b>.</p> <p>The <b>Belsize Residents Association</b> objected to the application:</p> <p>The proposed privacy screen of 1.8 m tall and several metres long of obscure glass to be erected externally on the 3rd floor of the party wall structure requires a full structural engineering solution in order to avoid potential hazards of wind impact on the solid sheet element at that height.</p> <p><i>Officer response</i></p> <p><i>The originally proposed privacy screen was reduced in depth by 2.35m so that it only covers the area of the proposed terrace rather than the whole roof of the extension. The screen would be afforded a degree of protection from the wind by the rear elevation of the buildings, and is considered</i></p>					

	<i>acceptable.</i>
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## Site Description

The application site consists of a 4 storey mid-terrace property with basement. The ground and basement floors are currently vacant. The unit was previously occupied by A2 online auction business (Flog It for You), whilst the upper 3 storeys are in use as one residential unit (C3 use).

The application site is located on the northern side of Haverstock Hill, north west of the junction with Eton Road.

The building is not listed, but is located within the Parkhill Conservation Area and has been identified as making a positive contribution to the Conservation Area.

## Relevant History

**8701221** - Change of use of ground-floor and basement from retail to office (Class A2) for an Architectural Practice. Granted 02/11/1987.

**2016/1066/P** - Conversion of existing 3 bedroom dwellinghouse and 49sqm of ground floor retail unit (A2 use) into 1 x 1 bedroom flat and 3 x 2 bedroom flats; erection of mansard roof extension with 2 x dormers to front elevation; demolition of existing single storey and two storey rear extensions and erection of new part one-storey/part-three storey rear extension with terraces at 1st and 3rd storey with black metal balustrades. Granted subject to S106 Legal Agreement 10/06/2016.

## Relevant policies

### National Planning Policy Framework 2012

### London Plan 2016

### LDF Core Strategy and Development Policies

#### Core Strategy

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS14 (Promoting high quality places and conserving our heritage)

#### Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

#### Supplementary Planning Guidance 2011/2015

CPG1 (Design)

CPG6 (Amenity)

Parkhill and Upper Park conservation area appraisal and management strategy 2011



## Assessment

### 1.0 Proposal

1.1 This application seeks permission to vary condition 3 (approved plans) of planning permission ref 2016/1066/P (dated 10/06/2016). The original application was for the following works:

*Conversion of existing 3 bedroom dwellinghouse and 49sqm of ground floor retail unit (A2 use) into 1 x 1 bedroom flat and 3 x 2 bedroom flats; erection of mansard roof extension with 2 x dormers to front elevation; demolition of existing single storey and two storey rear extensions and erection of new part one-storey/part-three storey rear extension.*

1.2 This application seeks permission for the following alterations:

- Creation of a roof terrace at rear third floor level above the previously approved 3 storey rear extension.
- Installation of a black metal handrail around the terrace.
- Installation of a 1.8m high obscured glass privacy screen measuring 3.8m long along the boundary with no.74.

### 2.0 Assessment

2.1 The main planning considerations in the assessment of this application are:

- Design (the impact of the proposal on the character and appearance of the host building and wider Parkhill Conservation Area); and
- Amenity (the impact of the proposal on the amenity of surrounding residents).

### 3.0 Design

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

3.2 The proposed terrace at third floor level is considered acceptable. The previously approved proposal included timber framed double doors at third floor level with a Juliet balcony. The current application would retain these doors to provide access to the roof terrace. The terrace would feature a simple black metal balustrade around it which would be in keeping with the approved Juliet balconies on the floors below and the railings at neighbouring property no.74. The proposed external alterations would be minimal, in keeping with the rear elevations of neighbouring properties and would preserve the character and appearance of the host building and surrounding Parkhill Conservation Area.

### 4.0 Amenity

4.1 Policy CS5 (Managing the impact of growth and development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy DP26 (Managing the impact of development on occupiers and neighbours) seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of neighbouring residents. CPG6

(Amenity) provides specific guidance with regards to privacy, overlooking and outlook

4.2 The proposal includes the installation of a 1.8m high obscure-glazed privacy screen measuring 3.8m deep along the length of the terrace next to the boundary with no.74 which also benefits from a roof terrace at this level. The screen would prevent overlooking between the two properties and protect the privacy of occupants.

4.3 The rear elevations of these properties are north east facing, so do not receive direct sunlight during the day. The screen is therefore unlikely to impact levels of sunlight reaching the neighbouring windows.

## **5.0 Recommendation**

5.1 Grant planning permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 5<sup>th</sup> December 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Miss Amy Irwin  
Gpad London Ltd  
9a Dallington Street  
London  
EC1V 0BQ

Application Ref: **2016/5784/P**  
Please ask for: **Laura Hazelton**  
Telephone: 020 7974 **1017**

23 November 2016

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**76 Haverstock Hill**  
**London**  
**NW3 2BE**

**DECISION**

#### **Proposal:**

Variation of condition 3 (approved plans) of planning permission ref 2016/1066/P (dated 10/06/2016) for the conversion of existing 3 bedroom dwellinghouse into 1 x 1 bed flat and 3 x 2 bed flats; mansard roof extension; erection of new part 1 storey/part 3 storey rear extension; namely, the creation of a roof terrace at rear third floor level.

#### **Drawing Nos:**

Superseded: 513-PA.19 Rev. A, 513-PA.20 Rev. A, 513-PA.21 Rev. B, 513-PA.23 Rev. D, 513-PA.25 rev. A

Revised: 513-PA.19 Rev. B, 513-PA.20 Rev. B, 513-PA.21 Rev. C, 513-PA.23 Rev. F, 513-PA.25 Rev. B

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

Executive Director Supporting Communities



- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original permission, reference 2016/1066/P granted on 10/06/2016.

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 For the purposes of this decision, condition no.3 of planning permission 2016/1066/P shall be replaced with the following condition:

#### REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans-513-PA.01, 513-PA.02, 513-PA.03, 513-PA.04 Rev.A, 513-PA.05 Rev.A, 513-PA.06, 513-PA.07, 513-PA.08, 513-PA.09, 513-PA.10 Rev.A, 513-PA.11 Rev.A, 513PA.12,513-PA.13, 513-PA.14, 513-PA.15 Rev.B, 513-PA.16 Rev.B, 513-PA.17 Rev.A, 513-PA.18 Rev.A, 513-PA.19 Rev.B, 513-PA.20 Rev.B, 513-PA.21 Rev.C, 513-PA.22 Rev.A, 513-PA.23 Rev.F, 513-PA.24 Rev.A, 513-PA.25 Rev.B, bike storage details received 27/04/2016 and Design and Access Statement received 21/04/2016.

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

- 4 The first floor roof of the extension previously permitted under planning permission reference 2016/1066/P (dated 10/06/2016) shall not be used as a roof terrace/balcony without prior consent in writing from the Local Planning Authority.

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 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).

- 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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London

Building (Amendments) Act 1939.

- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 7 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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

Executive Director Supporting Communities

**DECISION**