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Application Ref: **2017/4730/P**
Please ask for: **John Diver**
Telephone: 020 7974 **6368**

21 November 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
3 Inverforth Close
London
NW3 7EX

Proposal:
Variation of condition 3 (approved plans) of planning permission 2016/6953/P dated 03 March 2017 for 'replacement roof, new dormer windows and roof terrace'. Variation includes a 0.85m increase to the width of approved roof to allow for additional habitable space at first floor level.

Drawing Nos: VC/01, VC/02, VC/03, VC/04, VC/05, VC/06, VC/07, VC/08, VC/09, VC/10.

Supporting documents: VC11, VC12, VC13, VC14; Design and Access Statement (dated Aug 2017); Arboricultural Survey (BS5837:2012) & Impact Assessment (dated Dec 2016); Arboricultural Statement addendum (dated Oct 2017); Daylight/Sunlight Assessment rev V02 (dated Nov 2017)

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

Condition(s) and Reason(s):



- 1 For the purposes of this decision, condition no.3 of planning permission 2016/6953/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 - VC/01, VC/02, VC/03, VC/04, VC/05, VC/06, VC/07, VC/08, VC/09, VC/10.

Supporting documents: VC11, VC12, VC13, VC14; Design and Access Statement (dated Aug 2017); Arboricultural Survey (BS5837:2012) & Impact Assessment (dated Dec 2016); Arboricultural Statement addendum (dated Oct 2017); Daylight/Sunlight Assessment rev V02 (dated Nov 2017)

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

- 2 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2016/6953/P dated 03 March 2017

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 3 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Before the relevant part of the work is begun, 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:

a) Manufacturer's specification details of proposed roof tiles and privacy screening to roof terrace (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site);

b) Detailed plans including sections and elevations at 1:10 of privacy screening to the roof terrace;

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 D1 and D2 of the

London Borough of Camden Local Plan 2017.

- 5 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 A1 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the occupation of the first floor, the glazing to the first floor Northern dormer window facing towards no.8 Inverforth shall be obscure glazed. The obscure glazing shall be permanently retained thereafter.

Reason: In order to prevent overlooking of the neighbouring occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 7 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 local planning authority 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 policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission-

The proposed variation to increase the width of approved roof ridge by 0.85m would not result in an excessive overall volumetric uplift to the roof form. Due to the design of the massing added and the limited uplift, the extensions would remain proportionate to the host dwelling and it is not considered that the works would impact upon the openness of the Metropolitan Open Land, remaining in accordance with para 89 of the NPPF.

The resulting dwelling would retain its composition as approved and the resulting roof form would remain sympathetic to the surrounding roofscape and context as per the previous permission. The proposed variation would thus remain acceptable in terms of character and design, preserving the character and appearance of the conservation area subject to the submission of details of the roof tile to be used.

The proposal would increase the width of the roof ridge line by approximately

0.85m but retain the ridge height as approved as well as its overall massing. Despite this increase in width, due to the siting of the property, its orientation compared to and distance from surrounding dwellings as well as the design and scale of the proposed extensions, the development is not considered to lead to a loss of light or outlook to any neighbouring resident to a level of detriment. Submitted updated daylight/sunlight report demonstrates that the variation would not result in a detrimental loss of daylight or sunlight to the adjoining neighbour at no.2. Due to its relative positioning and orientation, the proposed variation would also not lead to a detrimental loss of light to any other adjoining property. In order to protect the privacy of surrounding properties, conditions are recommended for the raised terrace to be adequately screened and the Northern facing dormer to remain obscured glazed. Subject to these conditions it is not considered that the proposed variation would cause any loss of residential amenity to any adjoining neighbour.

An updated arboricultural report has demonstrated that the proposed variation would not cause harm to any adjacent mature tree. In order to ensure that adequate protection measures are implemented on site, the tree protection condition will be reapplied.

The site's planning history was taken into account. One objection and one comment were received and were duly taken into consideration when forming 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 Hampstead Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such the proposed variation is considered to remain in accordance with policies D1, D2, A1, A4 of the London Borough of Camden Local Plan 2017.

- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 4 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the

transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.

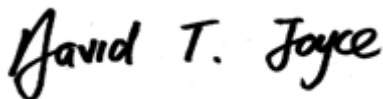
- 5 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 4911 or www.naturalengland.org.uk.
- 6 Please note that a number of mature trees situated near to the dwelling are protected by virtue of their location within a conservation area. This permission infers no right for trees outside of the application site to be lopped, topped or felled without the prior consent of the Local Authority except as specifically indicated within the approved plans. Further advice on this aspect may be obtained from the Tree Preservation Officer. (Tel: 020-7974 5939)
- 7 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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



David Joyce
Director of Regeneration and Planning