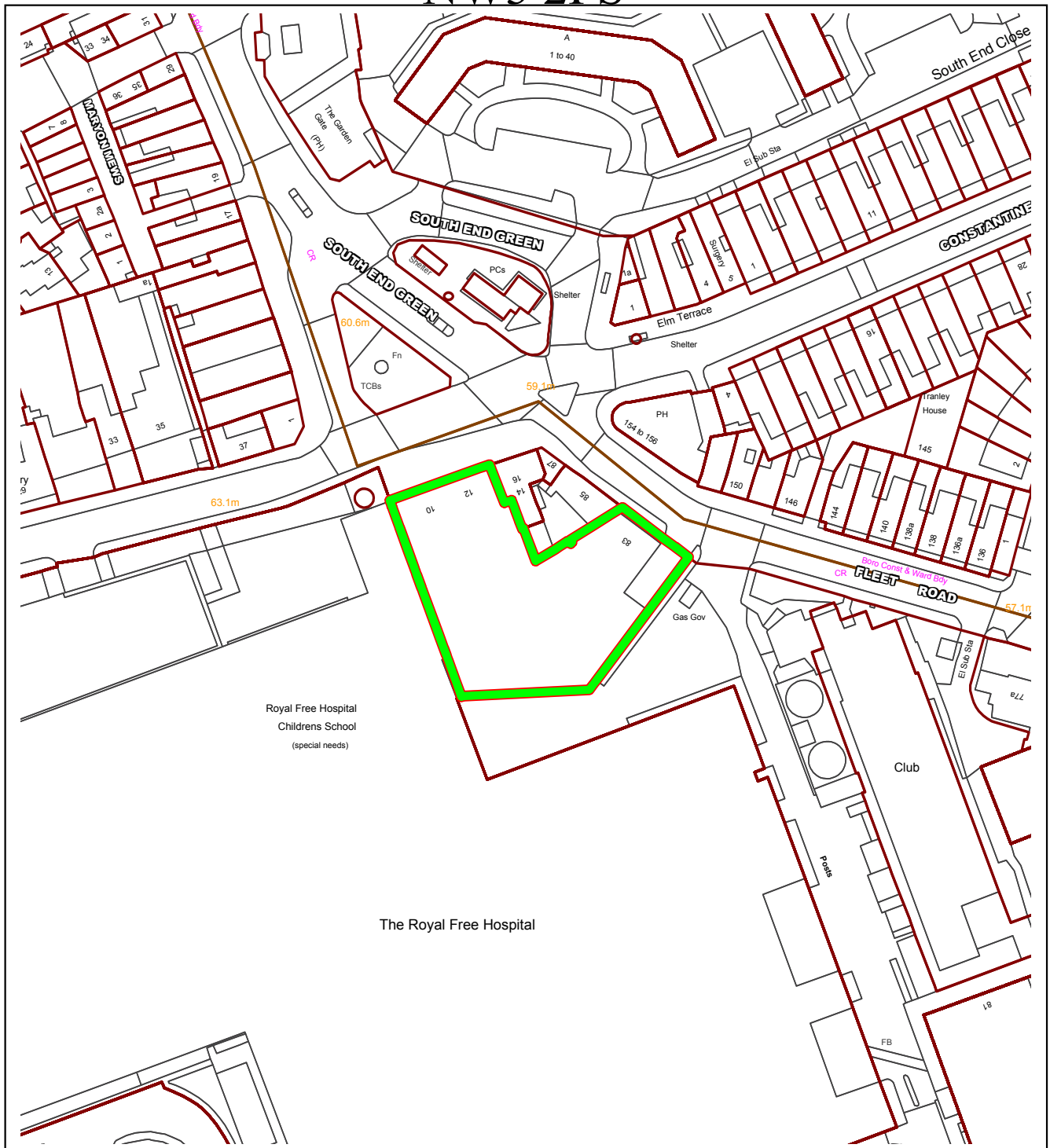


# 2018/0510/P – Flat 33, 12 Pond Street, NW3 2PS



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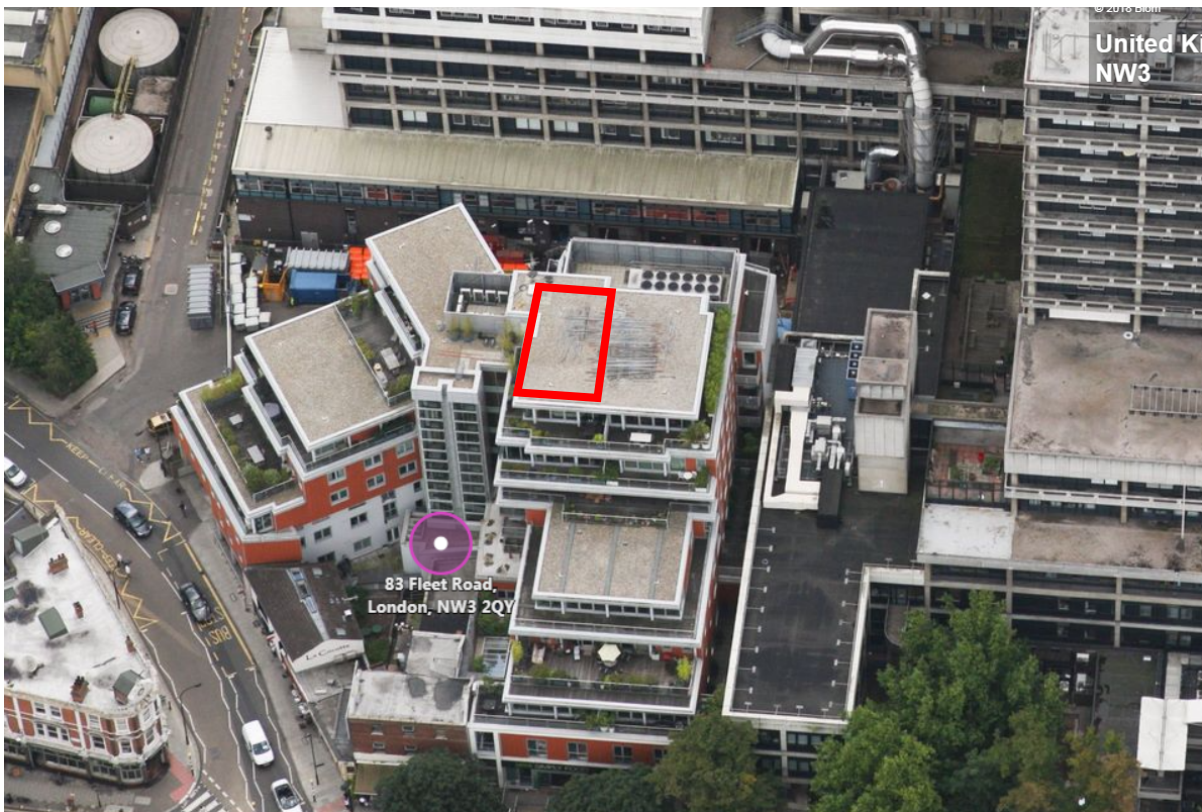
Site photographs



1) Front elevation of block from Pond Street



2) Side elevation from Fleet Road



3) Aerial view of front elevation (proposed terrace area outlined in red)



4) Aerial view of side elevation (proposed terrace area outlined in red)

<b>Delegated Report</b> (Members Briefing)		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>02/05/2018</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>16/05/2018</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Ben Farrant			2018/0510/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Apartment 33, 12 Pond Street London NW3 2PS			Please refer to draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Installation of roof terrace at ninth floor level with associated glazed balustrade and installation of projecting glazed roof hatch to provide access.				
<b>Recommendation(s):</b>		Grant planning permission		
<b>Application Type:</b>		Full Planning Application		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed between 25/04/2018 - 16/05/2018.</p> <p>No objections were received.</p>					
<b>Heath &amp; Hampstead Society</b>	<p>The Heath &amp; Hampstead Society objected to the application on the following grounds:</p> <ul style="list-style-type: none"> <li>- We invariably oppose the construction of new roof terraces on top of existing buildings. This one is more undesirable than most, and we object to it strongly.</li> <li>- The building concerned is a modern one, and our objection is not an architectural matter, although the perspective drawings showing the terrace balustrade seem rather optimistic.</li> <li>- The issues are of overlooking, loss of privacy, and noise pollution.</li> <li>- The proposed terrace is large: 12x 8 metres in extent, capable of housing large parties of people; its purpose is, no doubt, to facilitate noisy party activities (the site location is such that no interesting views could be had).</li> <li>- There would be a significant degree of overlooking, especially from that height. Neighbouring residential properties in Pond Street and Fleet Road would be affected, but perhaps more importantly, the ward floors of the adjacent Royal Free Hospital. The consequent loss of privacy would be considerable. Noise pollution would also be a public nuisance, especially from that height.</li> </ul> <p><b>Officer comment</b></p> <ul style="list-style-type: none"> <li>• <i>The overlooking to properties on Pond Street and Fleet Road as well as ward floors of the Royal Free Hospital is assessed in Section 4 of this report</i></li> <li>• <i>The capability of the terrace to accommodate large parties (with associated noise issues) is assessed in Section 4 of this report.</i></li> </ul>					

## Site Description

The application site is part of a contemporary mixed use development on the corner of Fleet Road and Pond Street and adjacent to the Royal Free Hospital. The site was built in the mid 2000's and comprises of 48 flats over eight floors with a commercial unit on the ground floor.

The site is not located within a conservation area, however; it lies close to both the Mansfield Conservation Area and the Hampstead Conservation Area.

## Relevant Planning History

### Flats 33 & 34, 12 Pond Street (application site and adjoining eighth floor flat)

**2014/0145/P** - Roof extension with front roof terrace and balustrade at 9th floor level in connection with 2 residential flats – **Granted 08/04/2014**

## Relevant policies

### National Planning Policy Framework (2012)

### London Plan (2016)

### Camden Local Plan (2017)

A1 Managing the proposal impact of development  
D1 Design

### Camden Planning Guidance

CPG1 Design (2018)  
CPG6 Amenity (2018)

## Assessment

### 1. Proposal

1.1. Planning permission is sought for the following works:

- Formation of ninth floor roof terrace with associated glazed balustrade. Formation of glazed roof hatch that would match the height of the balustrade leading to an internal staircase. The roof terrace would measure 11.4m by 7.4m (84sq.m) and would be situated within the existing flat roof at the site.

### 2. Revisions

2.1. The following revisions were received during the course of the application:

- Removal of external staircase and formation of internal staircase with glazed roof hatch extension. A 21 day re-consultation was conducted on the basis of these amendments.

### 3. Design

3.1. Policy D1 of the Camden Local Plan requires development to be of the highest architectural

and urban design quality, which improves the function, appearance and character of the area and comprises details and materials that are of a high quality and complement the local character.

- 3.2. In determining this application, it is acknowledged that there is an existing permission on the site for a roof level extension to the existing flats at eighth floor level (ref: 2014/0145/P dated 8th April 2014).
- 3.3. The property is sited outside of a conservation area, but would be visible from both the Hampstead and Mansfield Conservation Areas. It is noted however that the building is a modern design, and is viewed from each conservation areas, as well as from the nearest streets (Pond Street and Fleet Street) against the backdrop of the Royal Free Hospital. There are no nearby Listed Buildings which would be impacted as a result of the works.
- 3.4. The proposed roof addition and glazed roof hatch is considered to be of an acceptable siting, scale, and design. Whilst it would be immediately visible from the streetscene, it would not serve to cause harm to these views, and would be viewed alongside the prominent front roof terraces of the host building. The proposed balustrade would be glazed to match the existing front balustrades of the building, the roof hatch would also be glazed in design and would be largely obscured from the streetscene due to its setback, design the height, which would the same height as the proposed balustrade (1.1 metres). As such, whilst the roof terrace and associated works would be visible from the streetscene and nearby conservation areas, given the context of surrounding development, it's size, scale, design and location would ensure no harm is caused to the character and appearance of the host building and surrounding area.

#### **4. Impact on neighbouring amenity**

- 4.1. Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.
- 4.2. It is acknowledged that there are a number of roof terraces and windows in existence, both to the front and to the rear of the block. It is considered that the views that would be available as a result of the proposed works would not exacerbate current levels of overlooking within the area, and would not constitute undue harm to neighbours, or the ward windows of the Royal Free Hospital to the rear. It is also noted that lower level rear terraces face the Royal Free Hospital at a much closer distance (though at a lower height) than the terrace proposed. Given the level of overlooking at present, the proposal is considered acceptable and no objection is raised on amenity grounds.
- 4.3. Given the scale of the proposed roof terrace, the site is not considered to have the potential for large gatherings of people. Furthermore, the proposed terrace would only be used incidentally to the enjoyment of the existing residential use at the site. As such, the proposal is unlikely to result in increased levels of noise being generated at the site beyond the existing situation.
- 4.4. The size, scale and location of the proposed terrace would not cause a loss of light or outlook to neighbouring properties. Overall, the proposal is considered to be acceptable in terms of its impact on privacy, outlook, sunlight, daylight, overshadowing, artificial light levels, noise, and vibration.

#### **5. 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 Tuesday 29<sup>th</sup> May 2018, 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'.***



Application ref: 2018/0510/P  
Contact: Ben Farrant  
Tel: 020 7974 6253  
Date: 22 May 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[camden.gov.uk](http://camden.gov.uk)

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk](http://www.camden.gov.uk)

JOHN KERR ASSOCIATES LIMITED  
62 Camden Road  
London  
NW1 9DR

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Apartment 33**  
**12 Pond Street**  
**London**  
**NW3 2PS**

# DECISION

Proposal:

Installation of roof terrace at ninth floor level with associated glazed balustrade and installation of projecting glazed roof hatch to provide access.

Drawing Nos: 486/P/01, 486/P/02, 486/P/03, 486/P/04, 486/P/05, 486/P/06, 486/P/07, 486/P/08, 486/P/09/A, 486/P/10/A, 486/P/11/A, 486/P/12/A, 486/P/13/A, 486/P/14/A & 486/P/17/A

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 D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 486/P/01, 486/P/02, 486/P/03, 486/P/04, 486/P/05, 486/P/06, 486/P/07, 486/P/08, 486/P/09/A, 486/P/10/A, 486/P/11/A, 486/P/12/A, 486/P/13/A, 486/P/14/A & 486/P/17/A.

Reason:

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

**DRAFT**

Informative(s):

- 1 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).
- 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 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.

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