

Application ref: 2018/2049/P
Contact: Charlotte Meynell
Tel: 020 7974 2598
Date: 12 July 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
camden.gov.uk
planning@camden.gov.uk
www.camden.gov.uk

ARA ARCHITECTS
Paper Mews
290-292 High Street
Dorking
RH4 1QT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Flat C
4 South Villas
London
NW1 9BS

Proposal:

Variation of condition 3 (approved plans) of planning permission 2017/0192/P granted 28/03/2017 (for erection of single storey rear extension; part excavation of rear garden to create rear patio and installation of 2 x new side windows and 2 x handrails to front steps at lower ground floor level; installation of rear roof terrace at upper ground floor level; erection of single storey outbuilding in rear garden for use ancillary to lower and upper ground floor flat), namely to allow the partial reduction and partial increase in depth of the rear extension to between 3.5m and 5.2m; alterations to design of glazing to rear extension; removal of first floor rear roof terrace and retention of upper ground floor rear windows; installation of replacement front steps and handrails.

Drawing Nos: Superseded Plans: 1138-P001; 1138-P002; 1138-P003; 1138-P004 A; 1138-P005; 1138-P006 A; 1138-P007 A; 1138-P008; Arboricultural Report 05/02/2017; Design and Access Statement 13/01/2017; Tree Constraints Plan 201801-001.

Revised Plans: 1138-P001; 1138-P004 A; 1138-P005; 1138-P006 B; 1138-P007 B; 1138-P008 B; 1138-P009; Arboricultural Report 05/02/2017; Design and Access Statement 13/01/2017; Planning Statement and Schedule of Changes (prepared by ARA Architects, dated 22/05/2018); Tree Constraints Plan 201801-001.

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 the original planning permission ref 2017/0192/P dated 28/03/2017.

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

- 3 For the purposes of this decision, condition no.3 of planning permission 2017/0192/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- 1138-P001; 1138-P004 A; 1138-P005; 1138-P006 B; 1138-P007 B; 1138-P008 B; 1138-P009; Arboricultural Report 05/02/2017; Design and Access Statement 13/01/2017; Planning Statement and Schedule of Changes (prepared by ARA Architects, dated 22/05/2018); Tree Constraints Plan 201801-001.

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

- 4 The roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any detrimental impacts of overlooking and/or noise and disturbance of the neighbouring premises in accordance with the requirement of policy A1 of the London Borough of Camden Local Plan 2018.

- 5 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of Flat C, 4 South Villas and shall not be used as a separate or independent use, including residential living accommodation.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies A1, H1, H3 and H7 of the London Borough of Camden Local Plan 2018.

- 6 Prior to the end of the next available planting season, a replacement tree shall be planted in accordance with details of replanting species, position, date and size,

where applicable, that have first been submitted to and approved by the local planning authority in writing.

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 D2 of the London Borough of Camden Local Plan 2018.

Informative(s):

1 Reason for granting permission

The proposal would partially reduce the depth of a 2.1m wide section of the approved extension from 4m to 3.5m, and increase the depth of the remaining 4.5m wide section of the extension to 5.2m. The positioning and design of the glazing to the rear fenestration of the approved extension would be altered, and the 2 x approved roof lights to the flat roof of the extension would be replaced with 4 x smaller rooflights. The approved upper ground floor roof terrace above the extension would be removed and the upper ground floor windows would no longer be replaced with doors. The front steps and railings to the lower ground floor flat would be replaced with steps with shallower risers and deeper goings and new handrails. No changes are proposed to the design or appearance of the approved outbuilding.

The proposal would represent a minor amendment to the approved development. The changes to the rear extension would not materially alter the overall appearance of the approved rear extension and the deeper part of the extension would remain subordinate to the host building in terms of form and scale.

The removal of the proposed upper ground floor roof terrace from the scheme is considered acceptable and condition 4 would be updated to ensure that no part of the roof of the rear extension is used as an external terrace/balcony, in order to prevent a loss of privacy through overlooking and any noise and disturbance to neighbouring occupiers.

The replacement of the 2 x approved rooflights with 4 x smaller rooflights is considered acceptable in design terms, and there would be no impact on neighbouring amenity through potential light spillage as the adjacent rear windows at upper ground level serve the application site.

The replacement front steps and handrails would improve access to the property by complying with ambulant disabled access parameters, and would be obscured from views from the street by the existing front boundary wall.

As such, the proposals would not detract from the character and appearance of the host building or the Camden Square Conservation Area.

The full impact of the scheme has already been assessed by virtue of the previous approval granted on 28/03/2017 reference 2017/1092/P. In the context of the permitted scheme, it is considered that the amendment would not have a significant effect on the approved development in terms of appearance and

neighbouring amenity.

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 2013.

No objections have been received prior to making this decision. The site's planning history was taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, D2 and G1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

- 2 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).
- 3 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).
- 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 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 T. Joyce

David Joyce
Director of Regeneration and Planning