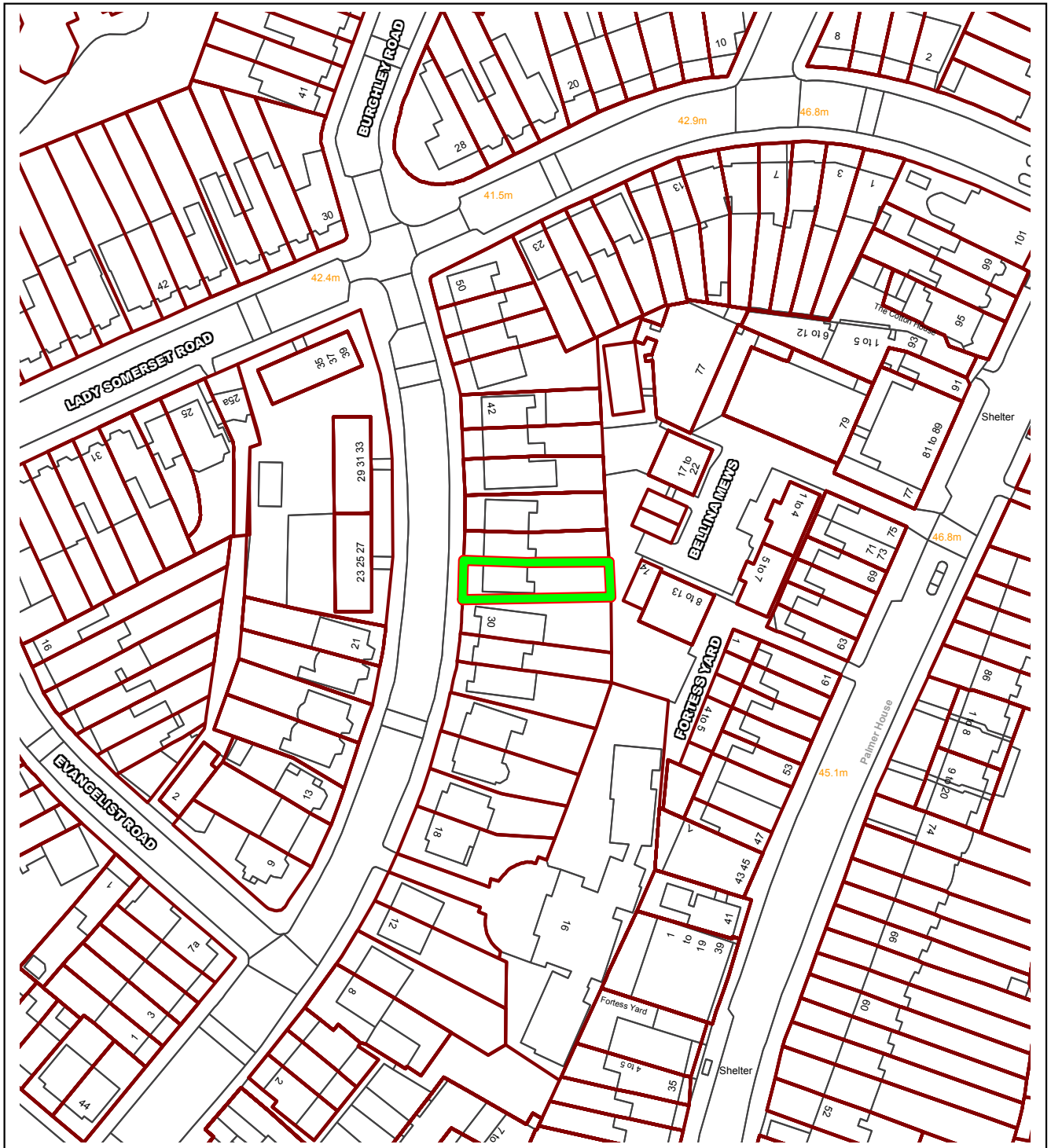


32 Burghley Road - 2018/0568/P



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Site photos – 32 Burghley Road



1. View towards rear elevation of 32 Burghley Road (above) showing lower ground floor extension and upper ground floor extension



2. View towards rear elevation of 32 Burghley Road (above) showing lower ground floor extension and upper ground floor extension



3. View towards neighbouring property - 30 Burghley Road



4. View towards neighbouring property - 34 Burghley Road



5. View of extension on boundary with 34 Burghley Road (showing materials and finish) from 34 Burghley Road



6. View from 34 Burghley road showing relationship between extension and existing balcony

Delegated Report (Members' Briefing)		Analysis sheet	Expiry Date:	14/05/2018
		N/A	Consultation Expiry Date:	12/04/2018
Officer			Application Number(s)	
David Peres Da Costa			2018/0568/P	
Application Address			Drawing Numbers	
32 Burghley Road LONDON NW5 1UE			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Variation of condition 3 (approved plans) of planning permission 2016/4095/P dated 03/10/2016 (for erection of rear extension at lower ground and upper floor levels, incorporating a terrace at upper ground floor), namely to allow the extension to adjoin the boundary wall, omission of window from rear elevation of upper ground floor extension and alterations to fenestration of lower ground floor extension.				
Recommendation(s):	Grant planning permission			
Application Type:	Variation of condition			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	03	No. of objections	03
Summary of consultation responses:	<p><i>A site notice was displayed from 22/3/18 to 12/4/18. Three objections were received from adjoining properties (34, 34A and 36B Burghley Road). The following issues were raised.</i></p> <ol style="list-style-type: none"> <i>1. The drawings are dimensionally incorrect</i> <i>2. The balcony of No 34 is shown with a defined gap between the new built extension and the balcony (this is not the case)</i> <i>3. The red line as shown on the drawing is duplicated</i> <i>4. The notation that “new back addition constructed square on the line of the projected party wall” is incorrect</i> <i>5. Junction of the extension and the balcony at 34: masonry and coping stones have been applied directly to the structural steel frame and timbers causing damage and trespass to pre-existing balcony</i> <i>6. Existing window at 34 is now directly overlooked by the new build</i> <i>7. I deeply object to any further works being carried out as it will block out any natural light coming into our basement flat (34 Burghley); It blocks light to our basement flat and has a huge impact on the daylight coming into our home.</i> <i>8. Quality of workmanship - quality of the building works and wall adjoining 34 is awful and there are blobs of concrete interspersed into the wall. Bricks are different colours to the existing wall, it appears to be already bowing.</i> <i>9. The extension is not at all sympathetic to the existing building and looks completely ‘out of place’.</i> <p><i>Officer’s comment:</i></p> <ol style="list-style-type: none"> <i>1. Revised drawings have been provided which correct any inaccuracies identified.</i> <i>2. The fact that the balcony adjoins the roof of the extension is not considered to be harmful in planning terms.</i> <i>3. The red line on the drawing (showing the boundary) has been amended to remove the duplication.</i> <i>4. The extension follows the line of the party wall and the development is acceptable in terms of design and amenity.</i> <i>5. Planning is exercised in the public interest and does not deal with private property matters.</i> <i>6. There would be no additional overlooking from the development towards 34 Burghley Road. While the terrace above the extension has not yet been constructed, the applicant has confirmed that a terrace is still proposed (as shown on the submitted drawings).</i> <i>7. The minor alterations to the siting of the extension (as compared to that previously approved) would have minimal impact on the windows of the basement flat at 34 Burghley Road. It is noted that this window already has an existing balcony above it and an existing set of stairs</i> 					

	<p><i>in front of it. Both of these have the effect of reducing light to the basement flat window.</i></p> <p>8. <i>The design of the extension, including materials, is acceptable. The quality of finish of the development (brick on boundary with 34 Burghley Road and render on other elevations) is considered acceptable.</i></p> <p>9. <i>The detailed design and materials of the extension are considered acceptable and are sympathetic to the host property. The rendered elevations would match the rear elevation of the host property.</i></p>
CAAC/Local groups comments:	N/A

Site Description

The site is a 3 storey end of terrace building on the east side of Burghley Road. The site is not in a conservation area and nor is the building listed. The building is in use as flats.

The site falls within the Kentish Town Neighbourhood Plan area.

Relevant History

2016/4095/P: Erection of rear extension at lower ground and upper floor levels, incorporating a terrace at upper ground floor (Class C3), Granted 03/10/2016

Relevant policies

NPPF 2012

London Plan 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Kentish Town Neighbourhood Plan 2015

Policy D3 Design principles

Assessment

1. Proposal

- 1.1. Planning permission was granted 03/10/2016 for the erection of a rear extension at lower ground and upper ground floor levels, incorporating a terrace at upper ground floor (planning ref: 2016/4095/P), however the development was not built in accordance with the approved plans. The proposal therefore seeks to regularise the development. The extension at lower ground floor level adjoins the boundary wall (rather than being set in from it) and the fenestration would consist of a set of French doors and a set of bi-folding doors (rather than large sliding doors). In addition, the upper ground floor extension omits the window to the rear elevation previously approved.
- 1.2. While the terrace above the extension has not yet been constructed, the applicant has confirmed that a terrace is still proposed (as shown on the submitted drawings).
- 1.3. For a full assessment of the original proposal please see 'informative 1' in the appended Decision Notice (appendix 1).
- 1.4. Revision
- 1.5. Amended drawings was provided during the course of the assessment to accurately show the centre line of the party wall and to accurately show the width of a pier on the boundary with 34 Burghley Road.

2. Assessment

- 2.1. The main issues are design and amenity.
- 2.2. Design
- 2.3. The approved extension was not shown adjoining the party wall and the rear elevation was shown fractionally set in (0.09m) from the boundary with 34 Burghley Road. The as built extension adjoins the party wall. This is considered acceptable as it does not materially affect the appearance of the extension or the host property.

- 2.4. The reduction in the area of glazing on the rear elevation of the lower ground floor extension is considered an improvement on the approved scheme as the size of the French doors and bi-folding doors has a better relationship with the windows on the floors above.
- 2.5. The omission of the window from the rear elevation of the upper ground floor extension detracts somewhat from the pattern of fenestration on the host property but does not harm the overall appearance of the building such that it could substantiate a reason for refusal.
- 2.6. Amenity
- 2.7. The proposed changes are minor and so would not affect the amenity of the occupiers of neighbouring properties in terms of daylight, sunlight, overlooking or outlook.

3. Conclusion

- 3.1. 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 23 July 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 and search for 'Members Briefing'.

Appendix 1

Mr Daniel Woolfson
WMG Design Studio Ltd
Flat 1,
Derby House
Coleridge Road
London
N12 8DG

Application Ref: **2016/4095/P**
Please ask for: **Kasuni Thewarapperuma**
Telephone: 020 7974 **3406**

3 October 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
32 Burghley Road
London
NW5 1UE

Proposal:
Erection of rear extension at lower ground and upper floor levels, incorporating a terrace at upper ground floor (Class C3)
Drawing Nos: 0064_GA_001; 0064_GA_002; 0064_GA_003 Rev C; 0064_GA_004 Rev C;
Design and Access Statement; Site Location Plan and Block Plan

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 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

0064_GA_001; 0064_GA_002; 0064_GA_003 Rev C; 0064_GA_004 Rev C; Design and Access Statement; Site Location Plan and Block Plan

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

Informative(s):

- 1 Reasons for granting permission

The proposed rear extension would be a modest and subordinate design to the existing building which would complement the existing brick clad outrigger.

One objection was received from the adjoining neighbour at 34 Burghley Road relating to accuracy of drawings, amenity issues arising from the proposed massing, overlooking. Amended drawings were received which removes the upper floor extension, the terrace set back from the boundary. Informatives relating to party wall and Building Control Regulations will be included in the decision alerting the applicant of their obligations relating to structural matters. Therefore the reasons for objections have been overcome.

The revised scheme by virtue of its subordinate height and depth with adjoining extensions would not harm the amenity of neighbouring properties in terms of loss of light, outlook or privacy. No. 30 Burghley Road to the south is oriented away from the application site and also features a rear terrace; no. 14 Bellina Mews to the rear is also oriented away and does not overlook the site. Given this, there would not be any amenity issues imposed on the neighbours.

There is some variation in the rear elevation design along Burghley Road. The proposed extension and alterations would not harm the appearance of the host property nor the character and appearance of the surrounding area.

The planning history of the site has been taken into account when coming to this decision.

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.

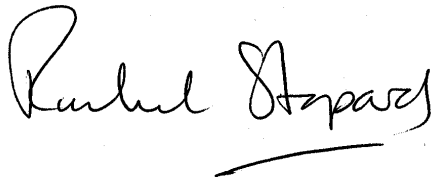
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, London Borough of Camden, 5 Pancras Square, London N1C 4AG (tel: 020-7974 6941).
- 3 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.
- 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], London Borough of Camden, 5 Pancras Square, London N1C 4AG (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



Rachel Stopard
Executive Director Supporting Communities

Application ref: 2018/0568/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 16 July 2018

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

Phone: 020 7974 4444

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Stanway Little Associates
The Studios
72 Ruskin Walk
London SE24 9LZ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**32 Burghley Road
LONDON
NW5 1UE**

DECISION

Proposal:

Variation of condition 3 (approved plans) of planning permission 2016/4095/P dated 03/10/2016 (for erection of rear extension at lower ground and upper floor levels, incorporating a terrace at upper ground floor), namely to allow the extension to adjoin the boundary wall, omission of window from rear elevation of upper ground floor extension and alterations to fenestration of lower ground floor extension.

Drawing Nos:

Superseded: 0064_GA_003 Rev C; 0064_GA_004 Rev C

Revised: AB 1A

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

Condition(s) and Reason(s):

- 1 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.

- 2 For the purposes of this decision, condition no.3 of planning permission 2016/4095/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: 0064_GA_001; 0064_GA_002; Design and Access Statement; Site Location Plan and Block Plan; AB 1A

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

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