

Application ref: 2018/2908/P
Contact: Gavin Sexton
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Date: 20 August 2018

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Quod
Ingeni Building
17 Broadwick Street
LONDON
W1F 0DA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
8 Tottenham Mews
London
W1T 4AE

Proposal:
Erection of balustrade and alterations to access stairs in association with use of roof as a terrace.
Drawing Nos: 1259_Bericote_05_EL rev D (front elevation); 1259_Bericote_04_RP rev E (roof plan); 1259_Bericote_06_SS Rev E (street scene); 1259_Bericote_10_RE (rear elevation).

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 The development hereby permitted shall be carried out in accordance with the

following approved plans:

1259_Bericote_05_EL rev D (front elevation); 1259_Bericote_04_RP rev E (roof plan); 1259_Bericote_06_SS Rev E (street scene); 1259_Bericote_10_RE (rear elevation).

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

- 3 Prior to first use of the terrace, the privacy screen to the rear shall be installed as shown on the approved drawings and 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.

Informative(s):

- 1 Reasons for granting permission.

The proposals seek to modify the existing flat roof to allow it to be used as a terrace. The key issues for consideration relate to design and neighbouring amenity matters. The proposals were revised during the assessment to add a fixed rear privacy screen and to remove the planters.

The roofscape of the Mews varies widely from building to building in terms of height and massing and the addition of a terrace would be consistent with the rooftop balconies and terraces in the immediate area. The planter boxes would have been the main visible element of the additions and would have required a maintenance plan in order to maintain an acceptable appearance. The applicant has therefore elected to remove them from the proposals. The lightweight wire balustrade with steel frame would only be minimally visible from within the Mews and would be consistent with balustrades on existing buildings and on approved schemes within and around the Mews such as Arthur Stanley House. The glazed screen to the rear would not be visible from the public realm and would not add significantly to the visual impression of bulk on the rooftop. If built out, an extant permission at neighbouring 7 Tottenham Mews would further obscure views of the proposals from the public realm. Overall the proposals would preserve the character and appearance of the host building and the Charlotte Street Conservation Area.

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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The terrace would be within 8m of the adjoining plot at 85 Charlotte Street, which is currently being refurbished and extended to provide 2 flats on the upper three floors. The applicant has indicated that the host property has been used as offices with a top floor flat and it was evident from a site visit that the existing rear fire escape area was used as a terrace, however the new terrace would be significantly larger and would afford greater opportunities for views into the newly converted neighbouring residential windows. This close proximity means that the rear screen

is required in order to ensure that the use of the roof terrace does not harm the privacy of the rear bedrooms on the neighbouring site. A condition would be added to ensure the screen is put in place prior to first use of the terrace.

It is considered that there is sufficient distance between the host site and the nearby residential uses that the addition of the glazed terrace screen would not give rise to an uncomfortable sense of enclosure or significantly harm the outlook from the rear bedroom windows of the dual aspect flats in 85 Charlotte Street. The alterations to the access stairs would have no significant impact on the amenity of neighbours. Consideration was given to imposing hours of use restrictions on the terrace, but given the prevalence of other outdoor amenity spaces along the rear of the Mews/Charlotte Street buildings and the low likelihood of the terrace being used by the commercial occupier of the host building at unneighbourly hours, it was considered unnecessary to apply restrictions on the hours of terrace use.

No objections have been received following public consultation on the scheme. The planning history of the site and surrounding area has been considered when determining this application. Overall the proposals would allow access to outdoor amenity space in a dense central London location which incorporates measures to protect nearby residential uses without causing harm to the character and appearance of the host building or the conservation area, and is acceptable in terms of policies G1, A1, D1 and D2 of the Camden Local Plan (2017), Principle 9 (residential amenity) of the Fitzrovia Area Action Plan and the NPPF (2018).

- 2 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).
- 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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