

Application ref: 2018/4032/P  
Contact: Thomas Sild  
Tel: 020 7974 3686  
Date: 15 November 2018

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

Phone: 020 7974 4444

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

Kasia Whitfield Design  
90 A Fellows Road  
Belsize Park  
London

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 5**  
**38 Elsworthy Road**  
**London**  
**NW3 3DL**

Proposal:

Addition of roof terrace with balustrade within third floor rear roof slope

Drawing Nos: Site Location Plan (EX00), Design & Access Statement, EX01 Rev A, EX02 Rev A, PP01, PP02 Rev 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 and D2 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: Site Location Plan (EX00), EX01 Rev A, EX02 Rev A, PP01, PP02 Rev A

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

Informative(s):

- 1 Reasons for granting permission:

The proposed roof terrace would be set into the roof slope in front of the existing rear facing dormer. There would be no visibility of the terrace from the street and visibility from the rear would be limited. There are a number of rear facing roof slope terraces on comparable houses within the surroundings and as such they form part of the area's existing character. Black painted metal railings are considered appropriate to the host building's age and architectural style.

Overall the addition of the roof terrace would not result in harm to the host building's appearance nor the character of the surrounding conservation area.

The roof terrace would be limited in size measuring 1m x 2.8m in area, which would limit its usage. The closest neighbour to the rear at no. 2 Lower Merton Rise is situated at an oblique angle at a distance of 23m and given the existing rearwards overlooking from the dormer window and other windows within the host building and adjacent neighbours, the addition of the terrace would not be considered to result in significant impact on neighbour amenity.

Plans were revised to propose full length glazing to the left hand dormer pane to better rationalise the fenestration.

One comment in support was received prior to making this decision. The planning history of the site and surrounding area were taken into account. Special regard has been attached to the desirability of preserving or enhancing 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 proposal is in general accordance with Policies A1, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 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).

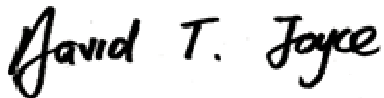
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Director of Regeneration and Planning