

Application ref: 2018/4262/P  
Contact: Ben Farrant  
Tel: 020 7974 6253  
Date: 3 December 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)

Guard Tillman Pollock Limited  
161 Whitfield Street  
London  
W1T 5ET

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**11 Burghley Road**  
**London**  
**NW5 1UG**

Proposal:  
Proposed single storey lower ground floor rear extension with roof terrace above  
Drawing Nos: LP.01, SP.01, 07.01, 07.02, 07.03, 07.04, 07.05, 07.06, 07.07, 08.01D,  
08.02D, 08.03D, 08.04D, 08.05D, 08.06D, 08.06E, 08.07D, 08.07E & Arboricultural  
Report Ref: 17/001 dated 06/04/2017

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: LP.01, SP.01, 07.01, 07.02, 07.03, 07.04, 07.05, 07.06, 07.07, 08.01D, 08.02D, 08.03D, 08.04D, 08.05D, 08.06D, 08.06E, 08.07D, 08.07E & Arboricultural Report Ref: 17/001 dated 06/04/2017.

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

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural report dated 06/04/2018 ref. 17/001 by Simon Pryce Arboriculture. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The works shall be undertaken under the supervision of the project arboriculturalist.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan.

- 5 Notwithstanding the plans hereby approved, full details of the trellis and planting on the boundary to no.9 shall be submitted to and approved in writing by the local planning authority prior to the first use of the roof terrace. The trellis and planting shall be fully implemented prior to the first use of the terrace hereby approved.

The trellis and planting shall thereafter be permanently retained in perpetuity. Any planting which, dies, are removed or becomes seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

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.
- 3 Reasons for granting permission.

The host property is a three storey (plus roof additions) mid-terraced dwellinghouse with no previous rear extensions. It is sited outside of a conservation area and is not a listed building, nor are there any listed buildings within the immediate vicinity. Proposed is a full width single storey rear extension at lower ground floor level with external stairs leading from the newly formed upper ground floor roof terrace to the garden.

The design has been amended since the original submission, replacing the pitched glass rooflights with a skylight and reduction in the height of the parapet by 1m to give an overall height of 2.8m (rather than 3.8m) to finish in line with the height of the boundary walls. The newly formed roof terrace would be adjacent to the boundary with no.9.

The proposed addition would have a depth of 3m at lower ground floor level which is considered to be acceptable and would allow the original form of the building (and terrace) to remain legible despite its full width nature. With the amended design and flat roof, the addition is considered to be of an acceptable siting, scale and design, being commensurate with the host property and clearly subordinate to it. The alteration would not result in harm to the character or appearance of the property and by reason of its siting to the rear of the house at lower ground floor level, and in line with the height of the existing boundary walls, would not be immediately visible in public views. The extension would be constructed in sympathetic materials to the host building comprising matching brickwork which would continue the finish of the rest of the property. Similarly the roof terrace and alterations to the rear windows of the upper ground floor (changing from windows to access doors) are considered to be acceptable alterations in design terms. The proposal would not result in harm to the character or appearance of the host property or surrounding area, and is considered to be acceptable.

Given the siting, scale and design of the single storey lower ground floor rear addition, extending 3m from the original rear elevation with a height to match the boundary walls, it is considered not to result in harm to the daylight, sunlight or outlook of neighbours. Whilst it is acknowledged that the skylight would introduce a large element of glazing with the potential for light overspill, given the depth of the addition (largely infilling between nos.9 and 13), coupled with the fact that this is a single family dwellinghouse (rather than subdivided into flats), the glass roof is considered not to result in undue harm to

neighbouring residents in terms of light overspill.

The newly formed roof terrace would increase the potential for some overlooking to neighbouring properties, particularly to no.9 given the siting of the terrace and staircase adjacent to the boundary. It has been noted that there is an existing trellis on the boundary between the site and no.9 which has been in place for a number of years. It is proposed to introduce further planting to this trellis in order to maintain neighbouring privacy, a 900mm wide gap has been maintained between the staircase and the boundary/trellis to allow for such planting. This trellis has a height of 1.25m above the boundary wall, extending 1.5m from the rear elevation of no.9. At this height and depth, this would be sufficient to prevent the proposal from resulting in undue harm to no.9 in terms of overlooking. Further details shall be required by way of condition to secure details of the planting, and the trellis/planting shall be required by condition to remain in perpetuity. Given the distance of the newly formed terrace to the boundary of no.13, coupled with the level of overlooking already achievable on site, it is considered not to result in undue harm to their residential amenities.

- 4 The application was supplemented with an arboricultural report which the Trees Team considered to be sufficient to demonstrate that the trees to be retained both on site and on neighbouring sites will be adequately protected through development, subject to the attached condition requiring the tree protection measures to be implemented prior to the commencement of development.

Objections were submitted and retracted throughout the consultation process from 3no. addresses. All comments and objections were considered in the determination of this application. The Kentish Town Neighbourhood Forum responded with no comment on the application. The planning and appeal history of the site and surrounding area has been considered when determining this application.

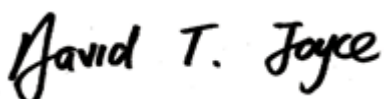
As such, the proposed development is in general accordance with policies D1 & A1 of the London Borough of Camden Local Plan 2017, policy D3 of the Kentish Town Neighbourhood Plan 2016, the London Plan 2016, and the National Planning Policy Framework 2018.

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 Joyce  
Director of Regeneration and Planning