

Application ref: 2018/4311/P
Contact: Charlotte Meynell
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Date: 9 January 2019

Development Management
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Mr & Mrs Landau
45 Mill Lane
London
NW6 1NB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
45 Mill Lane
London
NW6 1NB

Proposal: Erection of replacement two-storey rear closet wing and single storey infill extension to ground, first and second floor maisonette (Class C3).

Drawing Nos: A02; A03; A04; A05; A06; A07; B01; B02; B03; B04; B05; B06; E03;
Design and Access Statement (received 21/11/2018); Site Location 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 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 A02; A03; A04; A05; A06; A07; B01; B02; B03; B04; B05; B06; E03; Design and Access Statement (received 21/11/2018); Site Location Plan.

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

- 4 The flat roof of the single storey rear extension hereby approved shall not be used at any time as amenity space, and any access out onto this area shall be for maintenance purposes only.

Reason: In order to prevent unreasonable overlooking of the neighbouring occupiers in accordance with the requirements of policies G1 and A1 of the London Borough of Camden Local Plan 2017.

- 5 Notwithstanding the plans hereby approved, prior to occupation of the first floor, the proposed side windows at first floor level shall be obscure glazed and shall be permanently retained as such thereafter.

Reason: In order to prevent any overlooking of the neighbouring occupiers 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 proposal would replace the existing two-storey rear closet wing with a new two-storey closet wing of the same width, terminating height and depth at ground floor level, and a new single storey rear extension of the same depth would infill the rear side gap. The proposed extensions would not be visible from the public realm, and although the extensions would add further bulk to the rear elevation, it is considered that the extensions overall would remain subordinate to the host building in terms of design, form and scale. The replacement two-storey closet wing would increase the depth of the closet wing at first floor level to 4.7m to align with the existing ground floor rear building line, and would feature a mono-pitched roof rising to its highest point adjacent to the boundary with the neighbouring property No. 43 Mill Lane. This is consistent with the design of the remaining closet wings within this terrace, and is considered acceptable.

It should be noted that the overall design of the proposals is almost identical to a scheme granted planning permission in application ref. 2015/0092/P on 08/05/2015, and never implemented. Although a new Local Plan has been adopted since the previous decision, there has been no material change in policies in terms of design.

It is not considered that the replacement closet wing would have a detrimental impact on the residential amenities of the adjacent occupiers of No. 43 in terms of loss of daylight, sunlight, outlook or privacy, as the terminating height would match the existing, and the proposed depth would match that of the existing single storey rear extension at No. 43.

The ground floor of No. 47 is in commercial use, and so the additional bulk of the proposed infill extension along this boundary would not impact on residential amenities. The new first floor side windows would be in the same position as the existing and would not therefore increase opportunity for overlooking, loss of privacy or light spill to the first floor residential occupiers of the No. 47. A condition will be added to ensure that the flat roof of the extension is not used as a roof terrace or amenity space, to protect the privacy of the residents of No. 47.

No objections were received prior to making this decision. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, A1 and D1 of the Camden Local Plan 2017, and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development also accords with policies of the London Plan 2016 and of the National Planning Policy Framework 2018.

- 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 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).

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