

APPENDIX 3

**Information pertaining to application 2012/6016/P
7 Kylemore Road**

Mr Jeff Gillett
The Gillett Macleod Partnership
1 High Road
Old Eastcote
Pinner
London HA5 2EW

Application Ref: **2012/6016/P**
Please ask for: **Rachel Miller**
Telephone: 020 7974 **1343**

3 January 2013

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Householder Application Granted

Address:
**7 Kylemore Road
London NW6 2PS**

Proposal:
Formation of terrace to second floor flat rear with glazed balustrade and replacement of window with door at rear of dwelling (Class C3)

Drawing Nos: Site Plan, 12/2694/1, 12/2694/2, 12/2694/3A, 12/2694/4, 12/2694/5 and 12/2694/6.

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:
Site Plan, 12/2694/1, 12/2694/2, 12/2694/3A, 12/2694/4, 12/2694/5 and 12/2694/6.

Reason:

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

- 4 Notwithstanding the drawings hereby approved, revised detailed plan, section and elevation drawings of the following shall be submitted for approval in writing by the LPA prior to commencement of the relevant part of the works:

- 1) Obscurely glazed screen shown set in
- 2) Position of door and window leading to roof terrace.

The development shall be constructed in accordance with the approved details and maintained for the life of the development unless otherwise agreed in writing by the LPA.

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.

- 5 The use of part of the roof as a terrace shall not commence until the obscurely glazed screen, as shown on drawing number 12/2694/3A, has been constructed. The terrace shall be restricted only to the area shown on the approved drawings and shall be retained for as long as the roof terrace remains in existence.

Reason: In order to prevent unreasonable and intrusive overlooking of neighbouring premises that would cause loss of privacy, in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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, Camden Town Hall, Argyle Street WC1H 8EQ, (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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (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.
- 3 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 Managing the impact of growth and development and CS14 Promoting high quality places and conserving our heritage and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP24 Securing high quality design and DP26 Managing the impact of development on occupiers and neighbours. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officer report.

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.

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| Delegated Report | | Analysis sheet | | Expiry Date: | | 03/01/2013 | |
| | | N/A / attached | | Consultation Expiry Date: | | 03/12/2012 | |
| Officer | | | | Application Number(s) | | | |
| Rachel Miller | | | | 2012/6016/P | | | |
| Application Address | | | | Drawing Numbers | | | |
| 7 Kylemore Road London NW6 2PS | | | | See decision notice | | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | | | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Formation of terrace to second floor flat rear with glazed balustrade and replacement of window with door at rear of dwelling (Class C3) | | | | | | | |
| Recommendation(s): | | Approve with conditions | | | | | |
| Application Type: | | Householder Application | | | | | |
| Conditions or Reasons for Refusal: | | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | | |
| Consultations | | | | | | | |
| Adjoining Occupiers: | | No. notified | 06 | No. of responses | 00 | No. of objections | 00 |
| | | | | No. electronic | 00 | | |
| Summary of consultation responses: | | No responses received | | | | | |
| CAAC/Local groups* comments: *Please Specify | | Not applicable. Not in a conservation area. | | | | | |

Site Description

The site contains a mid-terrace property comprising of basement, ground and first floors with additional rooms in the attic. The property is in use as a single family dwelling. The building is located on the east side of Kylemore Road and backs onto the rear of Gladys Road properties. It is not located within a conservation area.

Relevant History

Application site

2012/2494/P - Change of use of 2 self-contained flats to a single-family dwellinghouse (Class C3).
Granted 21/06/2012

2012/3346/P - Excavation to lower the existing basement and create a front lightwell, alterations windows/doors at rear basement level and removal of staircase from rear ground floor level to garden all in connection with use of the building as a single-family dwellinghouse (Class C3). Granted 28/08/2012

2012/4424/P - Extensions to include erection of single storey and dormer window at rear to allow conversion of loft into habitable room, installation of new window at rear ground floor, replacement of door with window at rear first floor, relocation and alteration of 1x flank window at both upper and lower first floor levels to include obscure glazing, and installation of 1x rooflight to dwelling house (Class C3). (Certificate of Lawfulness). Granted 15/10/2012.

2012/4425/P - Erection of a single storey rear extension at ground floor level to dwelling house (Class C3). Approved 18/09/2012

5 Kylemore Road

2010/0916/Permission - Erection of rear dormer roof extension, installation of balustrade on flat roof of existing rear addition to use as roof terrace on second floor (attic) level and installation of two rooflights on front roof slope to existing first floor flat (Class C3). Approved 26/02/2010

23 Gladys Road

2011/5875/P - Erection of single storey side extension to rear at lower ground floor level with three rooflights above, including replacement of lower ground floor rear window with doors, and removal of ground floor side window to dwelling house (Class C3). Approved

2011/5876/P - Erection of dormer extension at roof level with two windows and double doors, including use of rear flat roof at second floor level as a terrace with glass and steel balustrade to dwelling house (Class C3). Approved 06/12/2011

Relevant policies

LDF Core Strategy and Development Policies

CS1 (Distribution of Growth);
CS5 (Manage impact of growth);
CS14 (Promote high quality places and conserve our heritage)

DP24 (Securing high quality design);
DP26 (Managing the impact of development on occupiers and neighbours)

Assessment

Planning permission is sought for the formation of a roof terrace on the flat roof of the rear addition at second floor level.

There would be a glass balustrade 1.7metres high around the terrace and a new door would be created from the rear dormer.

A roof terrace was approved at the adjacent property (number 5 Kylemore Road) on 26/02/2010 (ref 2010/0916/P) at second floor level. The proposed terrace would be immediately adjacent to this.

Following Officers advice, the Applicant has revised the proposals in order to set the roof terrace in from the edges of the roof. The proposed terrace would be set in by 0.95m from the rear and 0.3m from the side (adjacent to number 9).

Policy DP26 seeks to ensure that the amenity of occupiers of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and result in overlooking. It is considered that by setting in the roof terrace and the installation of the 1.7metre high obscurely glazed balustrade, it would reduce any loss of privacy or loss of light to adjacent properties. Number 5 Kylemore Road already has a roof terrace and the rear line of the terrace of the application property would be in line with this.

The balustrade for the terrace would not be a dominant feature when viewed from rear gardens or windows at adjoining properties. Within the area a number of dormers and terraces can be seen, such as at 13 and 15 Gladys Road and 5, 15 and 17 Kylemore Road. Although the proposed obscurely balustrade would introduce a slight element of high level clutter, the rear roof slope is not visible from any streets or open spaces surrounding the site. The rear of the application property is well screened from the public views therefore the proposed roof balustrade would not be visible from the street scene.

It is recommended that the application is approved subject to conditions.

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