

Application ref: 2018/6273/P  
Contact: Ben Farrant  
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Date: 22 March 2019

**Development Management**  
Regeneration and Planning  
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Avalon Construction & Design  
3C Blake Mews  
Kew Gardens  
London  
TW9 3GA

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**15 Dartmouth Park Road  
London  
NW5 1SU**

Proposal:

Alterations including formation of upper ground floor rear balcony and privacy screen with external staircase to garden level; removal of existing upper ground to garden level external staircase and removal of access door; replacement of upper ground floor rear sash window with French doors; formation of lower ground to garden level external staircase (following removal of existing); formation of first floor side facing window.

Drawing Nos: ACD\_09181500\_Rev.A, ACD\_09181001\_Rev.A,  
ACD\_09181002\_Rev.B, ACD\_09181003\_Rev.A, ACD\_09181501\_Rev.B,  
ACD\_09181502\_Rev.A, ACD\_09182001\_Rev.A & ACD\_09182002\_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 policies 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: ACD\_09181500\_Rev.A, ACD\_09181001\_Rev.A, ACD\_09181002\_Rev.B, ACD\_09181003\_Rev.A, ACD\_09181501\_Rev.B, ACD\_09181502\_Rev.A, ACD\_09182001\_Rev.A & ACD\_09182002\_Rev.A.

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

- 4 The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

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.

- 5 The first floor side facing window hereby approved, shall be obscure glazed and non-opening to an internal height of 1.7m in perpetuity.

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 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:-

15 Dartmouth Park Road forms part of a group of semi-detached mid-19th Century pairs, stock brick with applied decorative details situated in the Dartmouth Park Conservation Area. To the rear of the property is a historic return with modern steps leading to the garden. The application seeks to reroute the steps via the existing window at ground floor, replacing the modern aluminium handrail with black iron railings and making other changes, including the alteration of existing fenestration.

Given that the proposal would result in the replacement of the modern steps and handrails with more traditional staircase and black railings, it is considered that the installation of the staircase and railings would have minimal impact on the character and appearance of the conservation area, complying with Local Plan Policy D2.

The proposed fenestration at lower ground floor would be an improvement on the existing and is supported. The plans have been amended since the original submission to remove the first floor access door, to be bricked in with a slight recess, this is considered to be acceptable. The proposed first floor obscure glazed side window is similarly considered to be acceptable in design terms.

Given the above, the additions are considered to be acceptable in terms of siting, scale and design, and would have a neutral impact on the character and appearance of the property and surrounding conservation area.

Considerable importance and weight has been attached to the harm and 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Whilst the proposal may result in some level of overlooking, given the increase in height of the boundary trellis, and the position of the existing external staircase, it is considered that the proposal would not result in harm to the residential amenities of surrounding neighbours. A condition has been attached to ensure the installation of the boundary screen (trellis) prior to the use of the access. A condition has been attached to ensure the proposed first floor side facing window is obscure glazed and non-opening to an internal height of 1.7m in perpetuity to ensure the scheme is acceptable in terms of overlooking.

One objection was received requesting the balcony to be used only as an access rather than a seating area, and for the trellis on the boundary to increase to 1.5m high. Given the size/scale of the balcony (0.6m to 1.29m (depth)), it would not allow for large gatherings of people, and would primarily form an access with only a small area of amenity space. Following discussions with the applicant, amended drawings have been received increasing the height of the trellis from 1.2m to 1.5m. The Dartmouth Park Conservation Area Advisory Committee raised no objection and no comment.

The planning 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, D2 and A1 of the London Borough of Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2019.

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 2019.

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, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope  
Chief Planning Officer