

Application ref: 2019/1155/P  
Contact: Patrick Marfleet  
Tel: 020 7974 1222  
Date: 30 April 2019

**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)

Chester Row Management Limited  
152 Buckingham Palace Road  
London  
SW1W 9TR

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:

**32 Mansfield Road**  
**London**  
**NW3 2HP**

Proposal:

Variation of condition 3 (approved plans) of permission reference 2018/3361/P dated 13/11/2018 as amended by 2018/5952/P dated 15/02/19 (Erection of single storey side/rear infill extension at ground floor level and single storey rear extension at first floor level) namely to install railings around flat roof at second floor level to form roof terrace area.

Drawing Nos:

Superseded plans: 007 Rev1, 010 Rev2

Plans for approval: 007 Rev2, 010 Rev3

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 date of the original permission 2018/3361/P dated 13/11/2018.

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: 006 Rev2, 007 Rev2, 008 Rev1, 010 Rev3, 009 Rev1, 003, 004, 005

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

Informative(s):

- 1 The proposed black painted metal railings are considered appropriate given the sites location in a conservation area and would not cause any harm to the character and appearance of the host and neighbouring properties, particularly given the prevalence of similar balustrade treatments to neighbouring properties in the street.

The proposed terrace would be located adjacent to the existing first floor roof terrace at No.34 Mansfield Road, which does not appear to benefit from planning permission. However, despite this close relationship the proposed terrace is not considered to exacerbate current levels of overlooking between roof terraces along this part of the street, particularly given the existing terraces at Nos. 36 and 38 which were granted under permissions 2007/4462/P and 2004/4468/P respectively, and have clear views of the neighbouring terrace at No.34 and the flat roof of No.36. Furthermore, whilst the proposed roof terrace would allow views of the existing door access onto the adjoining terrace at No.34 it would not lead to the direct overlooking of any rear habitable room windows to neighbouring properties, ensuring no harmful loss of privacy would occur. Similarly, the distance between the proposed terrace and neighbouring rear gardens, coupled with the prevalence of rear roof terraces in the street is considered sufficient to ensure no unacceptable levels of overlooking would occur to these private amenity areas. The size and design of the proposed railings would not cause a loss of light or outlook to neighbouring properties.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

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.

As such, the proposal is in general accordance with policies D1, D2 and A1 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2019.

- 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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 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.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)


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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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 'DP', is written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer