

Application ref: 2018/3866/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Date: 23 May 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)

Mr Adewale Alade  
1st Floor Flat,  
29 Leighton Grove  
London  
NW5 2QP

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**1st Floor Flat**  
**29 Leighton Grove**  
**London**  
**NW5 2QP**

Proposal: Replacement of existing window with new door, installation of balustrade and stairs to the rear elevation at first floor level all associated with the use of the part of the flat roof as a terrace.

Drawing Nos: 100 and 101 REVB.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 The new door and window shall be timber framed as show on the approved drawings. All other 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: 100 and 101REVA.

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 balustrade is installed in the position shown on the approved drawing.

Thereafter the use of the roof as a terrace shall be restricted to the area between the steps and the balustrade, which shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informatives:

- 1 Reasons for granting permission:

Planning permission is sought for the replacement of the existing window with new door, the installation of access stairs and balustrade for the use of flat roof as a terrace. The depth of the terrace, the material of the window and door were revised following officers comment. New balustrade is proposed that measure 1.1m in height and would be set back from the low parapets that enclose the terrace by approximately 1.7m. New connecting external steps are proposed. The proposed terrace would measure approximately 2.1m in depth and 2.9m in width. The existing window would be replaced with a timber-framed window and door.

The rear elevation of the terrace that the host building forms part of is characterised by numerous other roof terraces i.e. 22, 25, 27, 30, 33, 35, 37 Leighton Grove. In this context it is considered that the proposed roof terrace would not detract from the character of the host building or the terrace. The proposed balustrade would be the same height as the rear parapet wall and the design would not result in harm to the character or appearance of the property.

The proposed scheme would not be visually prominent in either long or short views at the rear and would be a subservient addition. It is therefore considered that in terms of design, scale, location and materials to be used, the proposal would be in accordance with Camden Planning Guidance and would not be visually harmful to the character and appearance of the building nor the wider area.

There are existing terraces to the rear which allow some degree of overlooking between the terrace and garden areas of the neighbouring properties. The neighbouring property no.30 has kitchen window at first floor level and the proposed terrace would allow some degree of overlooking in oblique views

from the side. However, the setback of the balustrade would restrict the depth of the terrace limiting opportunities for direct overlooking and the consequent opportunities for loss of privacy into the neighbours window would not be significant. The use of the roof as an amenity terrace area is therefore not considered to cause any adverse impacts on the amenity of adjoining residential occupiers in terms of overlooking or loss of privacy, subject to a condition restricting the depth of the terrace.

No comments were received from neighbours in relation to this scheme following public consultation. The Kentish Town Neighbourhood Forum made no objection to the application. 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 and 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 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 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.

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



Daniel Pope  
Chief Planning Officer