

Application ref: 2019/0807/P
Contact: John Diver
Tel: 020 7974 6368
Date: 3 June 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
www.camden.gov.uk/planning

Mr Norman Sheikh
Middlesex & Herts
7 Elgin Drive
Northwood
HA6 2YR
UK

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Flat 1st Floor
36 Mansfield Road
London
NW3 2HP

Proposal: Creation of rear terrace for first floor flat (Use Class C3) to roof of existing single storey extension including installation of railings, decking and replacement of window with French doors.

Drawing Nos: 01 Rev B & 02 Rev B; OS plan dated 11.04.19

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 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: 01 Rev B & 02 Rev B; OS plan dated 11.04.19

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

- 4 A) The use of the rear section of flat roof as a terrace shall not commence until a fixed planter, as shown on the approved drawings, has been installed. The fixed planter, shall be permanently retained thereafter in the position shown on approved drawing 01 Rev B.

B) Other than the area of roof specifically labelled as 'balcony' on approved plan 01 Rev B, the remainder of the flat roof of the single storey rear extension shall not be used at any time as an amenity roof terrace.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informatives:

- 1 Reasons for granting permission.

The proposed alterations would cause a minimal visual impact upon the character of the host building. The replacement French doors would be timber framed and the railings simple, black painted metal; both of which match those seen on surrounding properties. The terrace would be visible from Sherlock Road, however, given the number of existing terraces visible in this view and the visual permeability of the railings, the changes would preserve the character of this streetscene. Overall the works are considered to preserve the character and appearance of the host dwelling and wider conservation area.

The local area is already characterised by rear extensions with amenity terraces above, with similar terraces to that hereby proposed having been recently approved at a number of properties including at nos.8, 9, 11 and 30 Mansfield Road. As a result the adjacent rear gardens are already subject to a overlooking relationship with multiple terraces, including at upper floors of the host property. Notwithstanding this, initial concern was raised with regard to the views afforded from the terrace into neighbouring properties and the potential for loss of privacy. As a result, revisions were secured to limit the depth of the terrace to 1.6m only, and for a permanent and immovable planter to be retained along the shared boundary to further limit opportunities for views back towards no.38. Subject to the suggested condition ensure that no greater proportion of the roof is used as a terrace, these revisions are considered to have addressed this concern. The works are consequently no longer considered to lead to a detrimental loss of privacy, outlook, natural light or lead to disturbances to any adjoining neighbour.

The site's planning history was taken into account. Two objections were received following a process of public consultation and it is considered that

these were addressed by the revisions and condition 4. 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 Mansfield Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies G1, D1, D2, A1, A4, T1 and T2 of the London Borough of Camden Local Plan (2017). The development also accords the London Plan 2016 and the NPPF 2019.

- 2 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.
- 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).
- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer