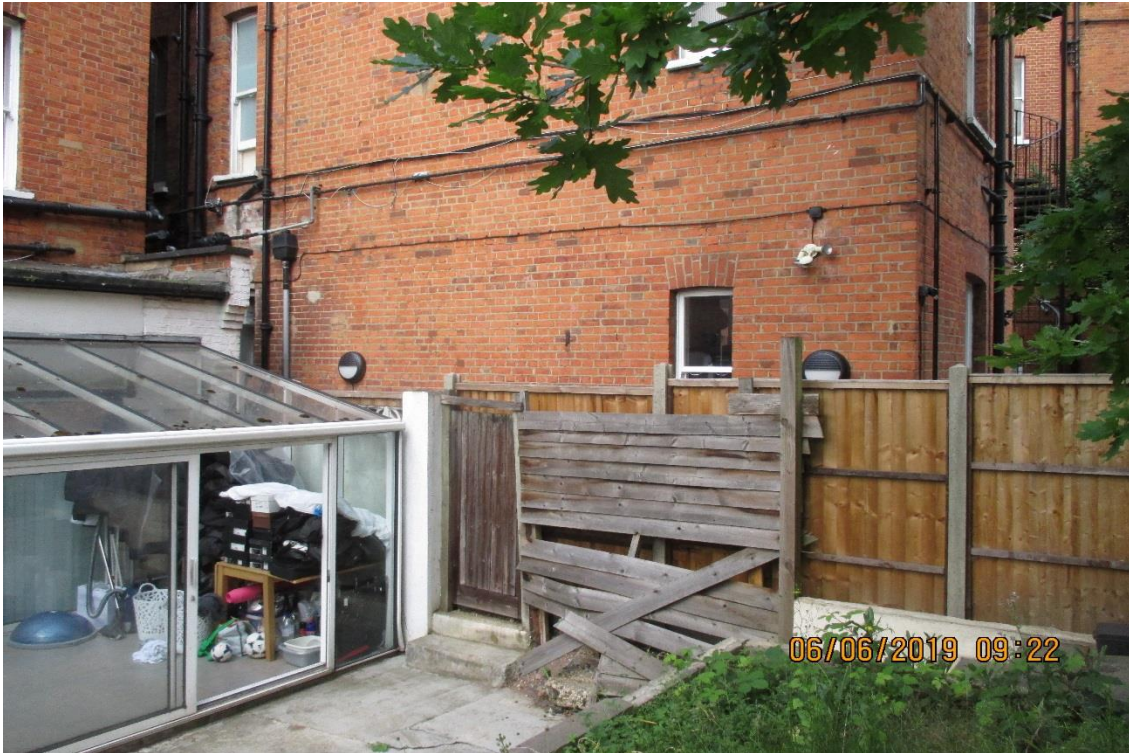


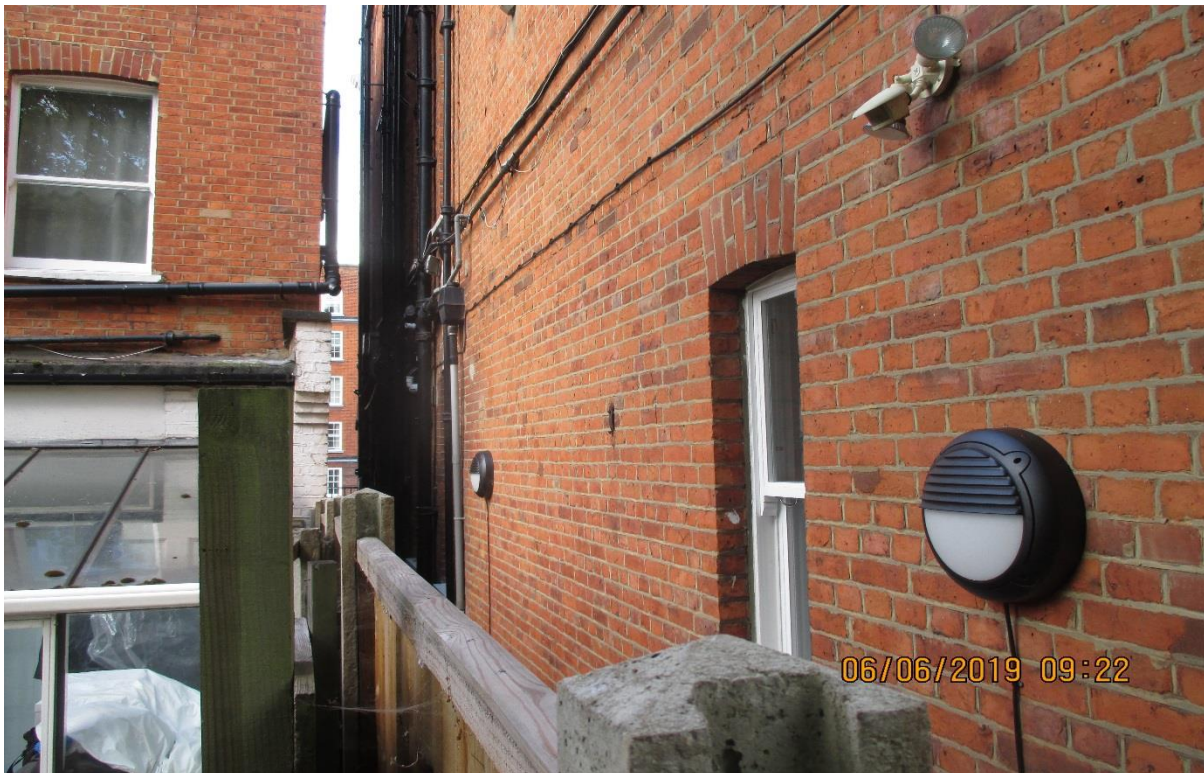
NORTHGATE SE GIS Print Template



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Existing conservatory to be demolished and side elevation of neighbouring flat at 228 Finchley Road



Existing windows in side of adjoining flat alongside four storey building at application site



Outlook/light to rear, main window of habitable room of neighbouring flat at 228



Existing conservatory to be demolished



2m high solid fence would separate proposal from adjoining s/storey rear extension

Application ref: 2019/1991/P
Contact: Adam Greenhalgh
Tel: 020 7974 1265
Date: 19 June 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

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www.camden.gov.uk

JGS-Invest
226 Finchley Road
London
NW3 6DH
UK

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 1
226 Finchley Road
London
NW3 6DH

DECISION

Proposal:

Single storey rear extension with roof lights and new windows in side elevation of existing building
Drawing Nos: OS Extract, LH09-143: - 101 B, 102 B, 201 E, 202 D, 203, 204 A, Design and Access Statement

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 D1 [and D2 if in CA] 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 and documents:

LH09-143:- 201 E, 202 D, 203, 204 A, Design & Access Statement

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

- 4 Before the relevant part of the work is begun, the following details shall be submitted to and approved in writing by the local planning authority:

- a) Sectional drawings at 1:10 of the window in the rear elevation
- b) Details of rooflights
- c) Details of all external, facing materials
- d) Proposed elevations with details of architectural treatment at at least 1:50

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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>

DRAFT

Yours faithfully

Director of Regeneration and Planning

DECISION

Delegated Report (Members Briefing)	Analysis sheet N/A	Expiry Date: 27/06/2019	
		Consultation Expiry Date: 11/06/2019	
Officer	Application Number(s)		
Adam Greenhalgh	2019/1991/P		
Application Address	Drawing Numbers		
Flat 1 226 Finchley Road NW3 6DH	See draft decision notice		
Proposal(s)			
Single storey rear extension with roof lights and new windows in side elevation of existing building			
Recommendation(s):	Grant conditional planning permission		
Application Types:	Full planning permission		
Conditions or Reasons for Refusal:	Refer to draft decision notice		
Informatives:			
Consultations			
Adjoining Occupiers:	No. of responses		No. of objections
Summary of consultation responses:	<u>Redington & Frogna Association:</u> Objections raised on grounds of: <ul style="list-style-type: none"> - Excessive development, loss of garden space and harm to character and appearance of Conservation Area - <i>This is addressed in paras. 1.3 & 1.4 below</i> - Loss of outlook/amenity for adjoining occupiers - <i>See paras. 1.5 – 1.8 below</i> 		

19 objections raised by owners/occupiers of adjacent flats at Langland Mansions on grounds of:

- Inaccurate site plan
- *Officers note: This has been corrected and the amended OS site plan which was submitted on 04/06/2019 is understood to be correct*

- Harm to character and appearance of Conservation Area, largely due to loss of garden space
- *See paras. 1.3 & 1.4 below*

- Loss of amenity space, i.e. garden, the footprint of the resulting building is purported to occupy more than 50% of the site
- *See para. 1.3 below*

- Loss of daylight and overshadowing. Lack of sunlight/daylight assessment
- *See paras. 1.6 and 1.8 below*

- Loss of privacy
- *See paras. 1.5 and 1.8 below*

- Inappropriate facing materials, i.e. UPVC windows
- *Note: Amended drawings have been submitted including timber windows in the proposal. A condition is also recommended to secure the approval of the external materials prior to commencement*

- Impact upon structure and access to Langland Mansions
- *See para. 1.10 below*

- Conflict with regulations/required distance from boiler outlet at Flat B, 228 Finchley Road
- *See in para. 1.10 below*

The freeholders raise objection on grounds of impacts upon the communal areas and drainage (Note: The proposal would not encroach upon any communal areas and the applicant would be required to obtain consent from Thames Water for any additional connections to the drainage network).

Site Description

226 Finchley Road is a four storey building which includes a basement and accommodation within the roof. It is in use as flats and the application relates to flat 1 which is on the ground floor. (There are two flats on the ground floor). Flat 1 is situated next to Langland Mansions which are five storey period mansion blocks, in use as flats, sited less than a metre to the side of the application site (and separated by a passage).

Langland Mansions project beyond the rear of the application building and the adjoining ground floor flat in Langland Mansions (Flat 1B) has windows sited in the side elevation facing the site. On the other side of the application property there is a 2.5m high wall which separates the site of the proposal from the adjoining ground floor flat in 226 Finchley Road.

The existing single storey rear extensions at 226 Finchley Road are on hard surfaced patios. Immediately beyond the patios of the ground floor flats are a 15m deep communal garden for the upper floor flats in the building.

The site lies in the Redington/Frogna Conservation Area.

Relevant History

2010/1508/P - Erection of a single storey rear extension at ground floor level, installation of window to side elevation at ground floor level, and roof light to existing flat roof of ground floor flat (Class C3) - granted 01/06/2010

Assessment

- 1.1. The proposal, which would comprise the demolition of the existing 2.5m deep glazed single storey rear conservatory and the erection of a 5m deep, 2.5m high single storey brick extension would not detract from the appearance of the site, the character or appearance of the Conservation Area or the visual or residential amenity of surrounding occupiers.
- 1.2. 5m in depth, the proposal would represent an appropriately sized addition to the 4 storey building and the proposed design, with matching brick walls would uphold the architectural style of the building. The architectural treatment was amended during the course of the application by way of a window with a header (in the rear elevation) and the proposal, due to its size, siting and design, it would not harm the townscape character or architectural appearance of the area. A condition would be added to secure details of the appearance of the external materials in order to ensure that the detailing of the proposals preserves the character and appearance of the building and the conservation area.
- 1.3. The proposal would not encroach upon the 15m deep communal garden which occupies the rear of the site. It would be situated on the patio at the rear of the existing flat. The size and siting would be identical in footprint to the single storey rear extension which was previously approved in 2010 (see site history).
- 1.4. The proposal would not therefore result in the loss of any garden space as suggested in the letter of objections from the Redington & Frogna Association and the neighbouring owners and occupiers of flats in Langland Mansions. The proposal would be sited on the hard surfaced patio area which is included within the site of flat 1 and it would not result in the loss of any green space, and given its size, siting and design, it would not result in an excessive loss of openness or result in harm to the character or appearance of the built environment and the Conservation Area.
- 1.5. The proposal would be sited on the boundary with the adjoining site (Langland Mansions). It would abut the 600mm wide passage which runs alongside the flank wall of Langland Mansions, adjacent to the ground floor flat (1b). There are windows facing the site in this ground floor flat. The proposal would introduce a new bedroom window and a new bathroom window in the side elevation of the existing building at 226 Finchley Road. But these would not be directly opposite habitable windows in flat 1b Langland Mansions and should therefore not give rise to direct opportunities for overlooking and loss of privacy next door.

- 1.6. In terms of light and outlook, the windows in the side of flat 1b Langland Mansions which currently face the four storey flank wall of no. 226 Finchley Road would not experience a significant change in light and outlook as a result of the proposal. The occupier of Flat 1b Langland Mansions also refers to the window in the side at the rear of the flat (which serves a habitable room). However this room is served by a large rear facing window which provides light and outlook from the rear and the proposal, which would not project beyond the rear facing window, would not result in a significant loss of light and outlook from this room.
- 1.7. In summary, given that the new windows in the side of 226 Finchley Road would not be sited opposite habitable windows at flat 1b Langland Mansions, and that the proposal would be single storey and that it would not project beyond the principal, rear facing windows of next door, it is not considered likely to result in a significant loss of amenity for the occupiers of this property.
- 1.8. A 2.5m high solid wall extends on the boundary between the site of the proposal and the other flat on the ground floor of 266 Finchley Road. This wall screens the proposal and means that the proposal would have no impact upon this flat in terms of light, privacy or outlook.
- 1.9. The letter from the Redington & Frognal Association mentions the impact upon the communal garden at the rear of the site. The proposal would not encroach upon this space and given that the occupiers of the ground floor flat are currently able to use the space adjoining the communal garden the proposal would result in no more harm to the amenity of users of the communal garden.
- 1.10. The potential for physical damage to Langland Mansions and obstruction of the side passage are not planning matters. These are civil matters which would need to be resolved under civil law. The impact of the proposal on the regulations relating to the operation of the boiler at flat 1b 226 Langland Mansions is also a private matter which would need to be resolved by civil action.
- 1.11. In summary the proposal, which is identical to the scheme which was approved at the site under planning permission 2010/1508/P, would not detract from the character and appearance of the Redington and Frognal Conservation Area or the amenity of occupiers of neighbouring properties. 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 Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 1.12. 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.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members' Briefing panel on Monday 24th June 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.