

Application ref: 2018/5825/P
Contact: Obote Hope
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Date: 23 July 2019

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Miss Lucy Myerson
64D Menelik Road
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Flat D
64 Menelik Road
London
NW2 3RH

Proposal: Variation of condition 2 (Approved Plans) of planning permission 2016/2545/P granted on 31/07/2017 for creation of terrace at first floor level, namely, omission of the setback of the balustrade associated with the first floor roof terrace and installation of roof planter to the rear elevation (retrospective).

Drawing Nos:

Superseded: 595/1; 595/2; 595/3 and 595/4.

Proposed: 595/1 REVA; 595/2 REVA; 595/3 REVA and 595/4 REVA.

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

Condition and Reason:

- 1 For the purposes of this decision, condition no.2 of planning permission 2016/2545/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: 595/1 REVA; 595/2 REVA; 595/3 REVA; 595/4 REVA; 595/5 Rev C; 595/6 Rev C; 595/7 Rev C; 595/8 Rev C and 595/12.

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

Informatives:

1 Reason for granting permission:

This application seeks retrospective planning permission for minor variations to the approved layout and detailed design of the terrace at first floor level.

The approved terrace required the railings to be inset from the rear garden elevation by 1.5m in order to protect the privacy of neighbouring users of the rear garden. This application seeks retrospective permission for relocating the railings to the rear parapet and preserve the privacy of the rear garden by using screening in the form of planters on the roof. The metal railings would not be visible from the public realm, are consistent in design with the approved scheme and would therefore preserve the character and appearance of the wider area.

The revised terrace layout would not have a detrimental impact on the privacy of neighbouring habitable rooms as the terrace would set back behind the established building lines with the neighbour property 79 Minster Road. The screening provided by the planters would preserve the quality of amenity and privacy of users of the rear garden of the property. Thus, the amendments would not give rise to unacceptable loss of privacy or overlooking and are acceptable in terms of policy A1 and D1.

The planning history of the site and surrounding area were taken into account when coming to this decision. As such, the proposed development is in general accordance with policies A1 and D1 of the Camden Local Plan 2017. The proposed development also accords with policy 2 (Design & Character) of the Fortune Green and West Hampstead Neighbourhood Plan 2016; The London Plan March 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



Daniel Pope
Chief Planning Officer