

Application ref: 2018/5640/P
Contact: Nora-Andreea Constantinescu
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Date: 30 July 2019

Development Management
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Sacks Maguire Architects
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**3 Upper Terrace
London
NW3 6RH**

Proposal:

Demolition of existing store/bin area to the rear and extension of ground floor single storey rear extension, formation of store under front entrance steps, replacement of existing projecting rooflight as access on the roof terrace with a flat rooflight, replacement of railings with planters at roof level, new windows to rear elevation, all to single family dwelling (Class C3).

Drawing Nos: P00; P01; P02; P10; P11; P20; P50 Rev C; P52; P60 Rev A; P61 Rev A; P70 Rev C; P101 Rev C; P110 Rev A; P111 Rev A; P120 Rev C; Heritage Statement 18196/JG/ta November 2018 and Appendices 2 to6.

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 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:

P00; P01; P02; P10; P11; P20; P50 Rev C; P52; P60 Rev A; P61 Rev A; P70 Rev C; P101 Rev C; P110 Rev A; P111 Rev A; P120 Rev C; Heritage Statement 18196/JG/ta November 2018 and Appendices 2 to 6.

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

Informative(s):

- 1 Reasons for granting permission:

The application building forms part of a cluster of four buildings, three of which appear as short row of houses, nos. 2-4 Upper Terrace, and no. 1 separate. They are all Grade II listed and built around the same time (1740). The buildings at nos. 2-4 Upper Terrace have large landscaped front gardens and short rear gardens, partially blocked by the building at no.1 and its extensions. The rear garden at the application site is enclosed on all sides by neighbouring extensions and high boundary walls. On one side of the garden is opening into a thin alleyway in between nos. 1 Windmill Hill and no. 1 Upper Terrace which opens into Windmill Hill. The proposed rear extension would infill approximately all of the rear garden and allow space for bins and opening for the lightwell below. The extension would be a continuation of the existing kitchen with the dining area.

The proposed extension due to its scale and proportions, would be subordinate to the host building and the neighbouring ones. The extension has been carefully designed to take into account the existing architectural features of importance to the listed buildings, such as windows on rear elevation. As such, it is considered that this would preserve the character and appearance of the listed building, and would enhance the use of the rear garden. The property benefits from a large landscaped front garden, and therefore the loss of the rear garden would be acceptable.

In the front lightwell it is proposed that the small area underneath the main staircase into the house to be converted into a store room, by installing a door. This element should be acceptable subject to details of the door to be secured by condition.

The proposed new rooflight for access to the existing roof terrace, would project slightly above the roof floor but would still remain within the height of

the building parapets and not be visible from any public vantage point. This would be considered acceptable, subject to additional details to be secured by condition.

At roof level it is also proposed to remove the existing railings and replace them with planters and thin metal balustrade. As the planters would increase the biodiversity of the site, the replacement would be considered acceptable, subject to further details in relation to the planters materials and new handrail.

The proposed new windows to rear elevation at first and third floors, would respect the existing fenestration detailing and proportions. These are considered acceptable subject to details being secured by condition. Overall, the proposed development would be sympathetic to the host building, and would preserve the listed building and its setting and any features of special architectural or historic interest. 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 2013.

In relation to impact on the amenity, given the site constraints and modest scale of the proposed rear extension, it is considered that this would not cause harm to the neighbouring amenity in terms of loss of light, outlook, or privacy.

The other elements of the proposal, given their nature and location are not considered to harm the amenity of the neighbouring occupiers.

No objections were received prior making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A3, D1, D2 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2018 and the London Plan 2016.

- 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.
- 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

- 6 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

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