

Application ref: 2019/2128/P
Contact: Joshua Ogunleye
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Date: 10 September 2019

Development Management
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat C 15 West Heath Road
London
NW3 7UU

Proposal: Erection of a single storey infill rear extension

Drawing Nos: 14-024-01 B (sheet 1 of 7), 14-024-04 (sheet 1 of 4), 14-024-04 (sheet 2 of 4), 14-024-04 (sheet 2 of 4), 14-024-04 (sheet 4 of 4) (Received 18 April 2019), 14-024-03 H (sheet 1 of 3), 14-024-03 H (sheet 2 of 3), 14-024-03 H (sheet 3 of 3) (Received 05 August 2019)

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and Policies BD1 and BD2 of the Redington Froggnal Neighbourhood Plan.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 14-024-01 B (sheet 1 of 7), 14-024-04 (sheet 1 of 4), 14-024-04 (sheet 2 of 4), 14-024-04 (sheet 2 of 4), 14-024-04 (sheet 4 of 4) (Received 18 April 2019), 14-024-03 H (sheet 1 of 3), 14-024-03 H (sheet 2 of 3), 14-024-03 H (sheet 3 of 3) (Received 05 August 2019).

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

- 4 The flat roof of the single storey ground floor rear extensions hereby approved in drawings 14-024-03 H (sheet 2 of 3), 14-024-03 H (sheet 3 of 3) (Received 05 August 2019), shall not be used as a roof terrace, sitting out area or other amenity space.

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

- 5 The eastern side elevation glazed wall hereby approved shall be obscured glazed, non-openable and retained as such in perpetuity.

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

Informative(s):

- 1 Reasons for granting permission.

The application property is on a sloping topography with ground level on the front (street level) being higher than ground levels on the rear (garden level). This application relates to a ground floor flat. The proposed works relate to the extension of a recently approved single storey rear extension (planning ref.2015/0562/P granted on 17/03/2015). The extension would be considered as an infill addition. The proposed single storey extension would have a depth of 3.7m matching existing the depth and would straddle along the boundary with No.15 B. The extension would maintain its existing flat roof design with a height of 3m and be built with aluminium framed glazed walls along its south and east elevations matching existing.

The part relevant to this application is the infilling of the previously chamfered design (setting back) along the boundary wall with No.15 B. In some parts the proposed extension would retain a 200mm set back from the boundary wall, with the proposed glazed side wall sitting atop an existing white rendered dwarf wall. Officers consider the proposed extension would appear as a contemporary addition within the context of the host property's rear elevation.

By virtue of its light weight appearance and high quality materials officers consider the proposed extension would have acceptable impact on host property's character and appearance.

The proposed extension would not be visible from the public realm. It would appear similar to scheme already consented on the site. Given this officers consider the proposed extension would have limited additional impact on the significance of the host building and surrounding Conservation Area.

It is noted that the proposed extension's side wall moving closer towards its eastern boundary would result in some amenity impact on the existing rear facing window at ground floor of No.15 B. However this the proposed change would not be considered significantly different from the existing situation where the existing extension's flat roof straddles the boundary wall with No.15 B. A 45 degree test was carried out on submitted elevation drawings. The proposed extension was considered as having an acceptable impact on the nearby window. Officers do not consider the expected amenity impact would be significantly worse than the existing situation and is not significant enough to warrant the refusal of this application.

At present the impacted space has no side facing window. Officers note that the property at No.15 B currently benefits from application for a single storey rear extension at ground and lower ground floor level (planning ref 2017/5365/P granted on 30/05/2018). The approved plans include the formation of a ground level roof terrace along its boundary with No.15 C as well as the installation of new patio doors along its western elevation facing No.15 C.

When the consented scheme at No.15 B is built officers note that the side return space would be used as a secondary amenity space and host large side and rear facing doors. Given that the host property and neighbouring property benefits from a south facing rear garden it is not considered that the works being considered in this application would result in harmful loss of light impact.

The proposed extension's side facing glazed walls would be fitted with obscured glazing. Officers consider these would have a similar form to the existing glazed boundary wall as such would not give rise to adverse overlooking or increased sense of enclosure impact. A condition preventing the proposed extension's flat roof from being used an amenity space would be added, to further protect against overlooking and loss of privacy concerns.

One objection was received from a neighbouring property and can be viewed in the consultation summary. The site's planning history was taken into account when determining this application.

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 conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with Policies A1, D1 and

D2 of the Camden Local Plan 2017 and Policies BD1 and BD2 of the Redington Froggnal Neighbourhood Plan. The proposed development also accords with the London Plan 2018; and the provisions of the National Planning Policy Framework 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 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.

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).

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 in the upper left corner of the page.

Daniel Pope
Chief Planning Officer