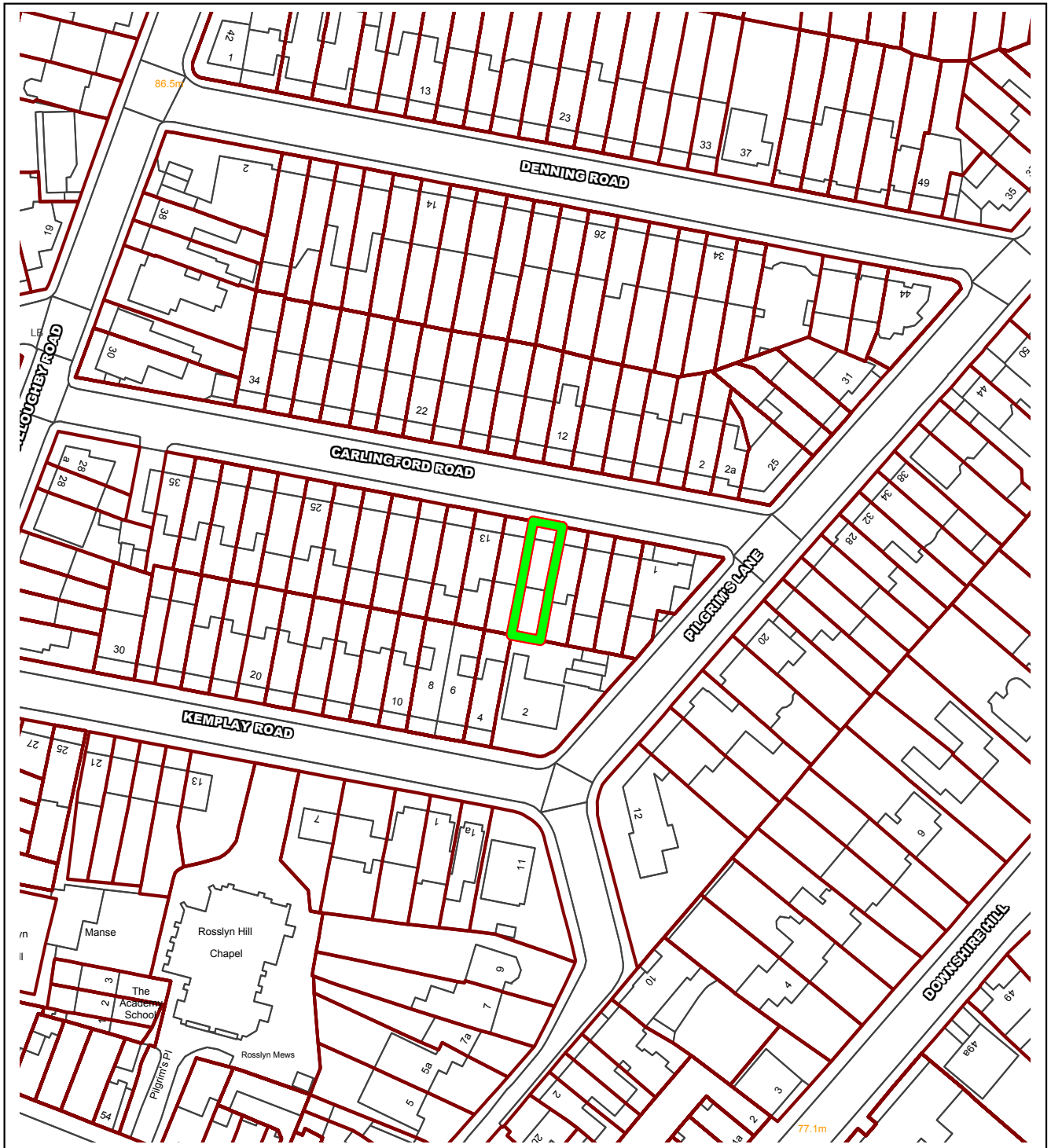
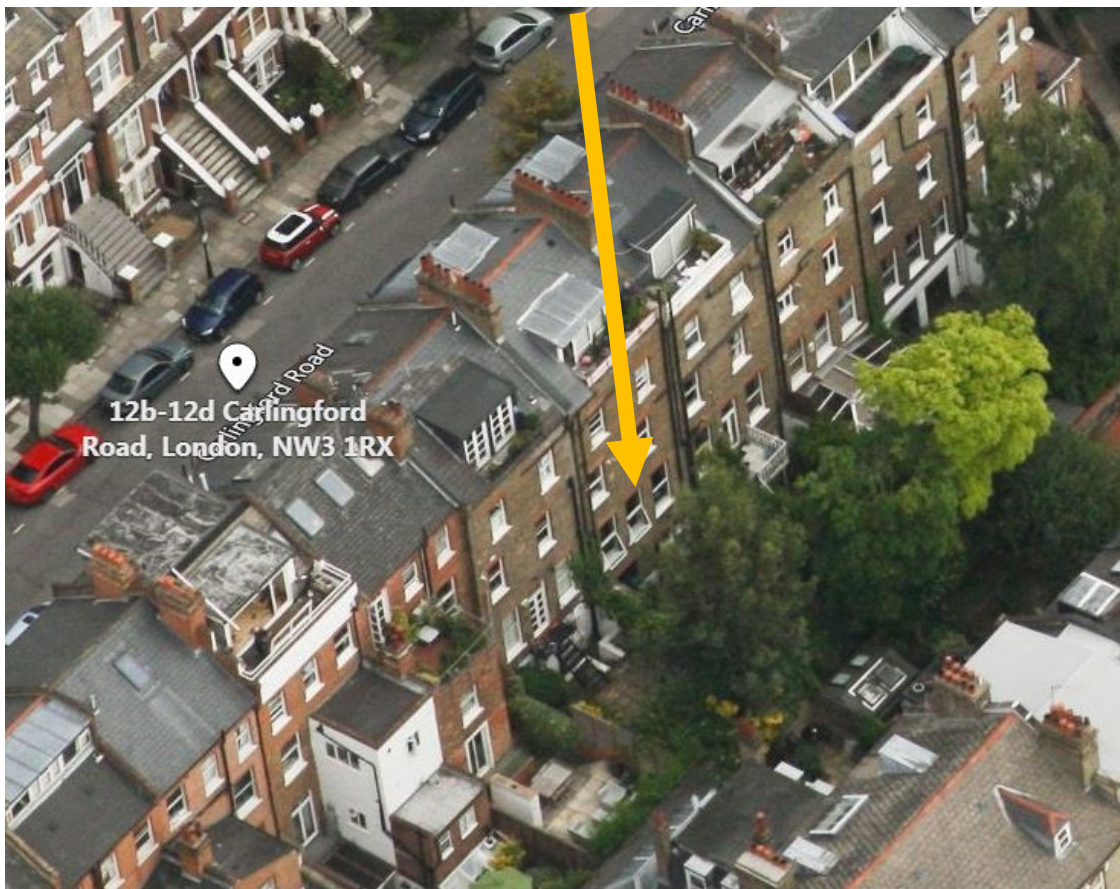


Flat 1, 9 Carlingford Road NW3 1RY  
2019/2854/P



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Photographs – Flat 1, 9 Carlingford Road 2019/2854/P



1. Aerial view



2. View towards no. 7



3. Existing rear lightwell area

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	09/08/2019
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>	14/07/2019
<b>Officer</b>			<b>Application Number(s)</b>		
Thomas Sild			2019/2854/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Flat 1 9 Carlingford Road London NW3 1RY			See draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Erection of single storey rear extension at lower ground floor level and partial excavation of rear garden level					
<b>Recommendation(s):</b>		Grant conditional planning permission			
<b>Application Types:</b>		Full Planning Permission			



<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>2</b>	No. of objections	<b>2</b>
<p><b>Summary of consultation responses:</b></p> <p><i>Officer response in italics</i></p>	<p>Site notice consultation: 19/06/2019 until 13/07/2019  Press notice consultation: 20/06/2019 until 14/07/2019</p> <p><b>Address unknown</b></p> <ul style="list-style-type: none"> <li>No justification for increasing the density of buildings in the area</li> <li>Impact the privacy of surrounding homes</li> </ul> <p><u>Officer response</u></p> <ul style="list-style-type: none"> <li><i>The proposed extension is considered to be subordinate in scale to the host building and given its siting at a low level in place of existing window and door openings, would not introduce further overlooking or impact on privacy to surroundings.</i></li> </ul> <p><b>7 Carlingford Road</b></p> <ul style="list-style-type: none"> <li>Require much more detail about how the extension sits with the current boundary between the 2 properties</li> <li>More detail is required about how any excavation works carried out within proximity to the boundary wall will affect our building and garden in terms of structural disturbance, drainage and other negative impacts</li> <li>need confirmation that noise insulation has been considered and planned for since changes in layout will mean bedrooms and living spaces will adjoin on either side of the party wall as well as the chimney breast</li> </ul> <p><u>Officer response:</u>  <i>Further drawings have been provided showing the detail of the rear extension and its associated excavation. Negotiation and full understanding of party wall matters is a civil matter between adjoining neighbours which the Council would have no involvement with. Internal noise insulation is not a planning requirement and its provision cannot be considered with this decision. All construction is required to comply with current Building Regulations. An informative will be added to remind the applicants of their obligations under the Party Wall Act 1996</i></p>			

**Hampstead CAAC**

**Hampstead CAAC** objects to the proposals based on the following points:

- Unnecessary
- Excessive garden take up
- Rooflights add to light pollution
- No contextual information
- HCAAC did not comment on the consented scheme at no. 3
- (Upper) ground floor layout not shown
- Application should state Flat

Officer response:

*The flat currently enjoys a sizeable, 10.4m long garden and the 3m deep extension would be considered to retain a sufficient, useable sized garden space for this unit. The provision of a glazed roof is not considered unduly harmful to surroundings given its scale and siting at a low level. The provision of the upper ground floor layout is not considered relevant for the assessment of external impact of the proposal. The site address has been amended to Flat 1 Carlingford Road.*

## Site Description

9 Carlingford Road is a 5-storey Victorian terrace house, subdivided into 3 flats. This application relates to the flat located across lower and raised ground floor levels. The house is not listed but is noted as making a positive contribution to the character of the surrounding Hampstead Conservation Area.

## Relevant History

Flat 1, 3 Carlingford Road

**6 December 2018** 2018/4888/P - Permission granted for erection of single storey rear extension and excavation of existing raised rear garden

## Relevant policies

### National Planning Policy Framework 2019

### London Plan 2016

### Camden Plan 2017

A1 Managing the impact of development  
D1 Design  
D2 Heritage

### Hampstead Neighbourhood Plan 2018

DH1 Design  
DH2 Conservation and listed buildings

### Other Planning Policies / Guidance

CPG Altering and extending your home (2019)  
CPG Design (2019)  
CPG Amenity (2018)

### Hampstead Conservation Area Statement (2001)

## Assessment

### 1. Proposal

1.1. Planning permission is sought for the erection of a single storey rear extension at lower ground floor level. The extension would be full width across the rear elevation, measuring 3m deep, 6.1m wide and a maximum height of 2.9m high. The development would involve the 1.5m deep excavation of an area of rear garden measuring 3.0m x 6.1m.

### 2. Revisions

2.1. The submitted drawings were revised to more accurately show the extension in section and rear elevation drawings.

## 2.2. **Assessment**

### Design and heritage

- 2.3. Local Plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Through Local Plan policy D2, the Council will seek to preserve and, where appropriate, enhance Camden's conservation areas.
- 2.4. CPG Altering and extended your home recommends that proposals should be secondary to the building being extended, be built from materials that are sympathetic to the existing building wherever possible, respect and preserve the original design and proportions of the building including any existing architectural features, respect and preserve the historic pattern and established townscape of the surrounding area, retain the open character of existing natural landscaping and garden amenity and allow for the retention of wildlife corridors.
- 2.5. Policy DH1 of the Hampstead Neighbourhood Plan Development advises that proposals should demonstrate how they respect and enhance the character and local context by responding positively and sympathetically to the existing rhythm, proportion, height, scale, massing, materials and storey heights of surrounding buildings
- 2.6. Rear extensions and additions are noted on a number of neighbouring houses within the same terrace, including roof terrace and stair structures either side at nos. 7 and 11. Permission was granted for no. 3 in 2018 (ref 2018/4888/P) for a lower ground floor extension and no. 1 in 2006 (ref. 2006/0013/P). An extension as proposed at no. 9 is therefore considered acceptable in principal within the context of its surroundings.
- 2.7. The proposed single storey rear extension would extend 3m to the rear of the host building at lower ground floor level, and would sit around 1.5m below the principal rear garden level. The extensions would therefore remain at lower ground floor level and would not be subterranean. The extension would be full width but would not result in the removal of any special architectural features of note, and its overall scale is considered to remain subordinate to the host building. The extension would not be visible from the street and would have low visibility from surrounding private views given its siting partly below the garden ground level.
- 2.8. The extension would be largely glazed with some elements of brick. A condition would be attached requiring the brick to match the existing house. This choice of materials would be appropriate for this setting.
- 2.9. The extension would allow for the retention of a useable garden space measuring 7.4m x 6.1m, which would remain proportionate to the host building.
- 2.10. Overall the proposals would not result in harm to the host building's appearance or character, nor that of the surroundings, in accordance with policies D1 and D2 of the Camden Local Plan and Policy DH1 of the Hampstead Neighbourhood Plan.
- 2.11. Special regard has been attached to the desirability of preserving or enhancing 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.

### Neighbour amenity

- 2.12. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life

of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight.

- 2.13. CPG Amenity states that the Council will expect development to be designed to protect the privacy of the occupants of both new and existing dwellings to a reasonable degree and the extent of overlooking will be assessed on a case-by-case basis.
- 2.14. The extension would not rise above the existing boundary walls and fencing and as such would not result in impact on neighbour amenity through loss of outlook or daylight and would not lead to increased levels of overlooking at the site.
- 2.15. The proposed glazed roof would sit immediately below the upper ground floor windows belonging to the same flat. The overall scale and siting of the proposal would not be considered to result in excessive light spill to neighbouring occupants.

#### Garden excavation

- 2.16. The proposal includes ground excavation to a depth of 1.5m lower in the rear garden beyond the existing light well across an area measuring 3m x 6.1m. The Council's appointed consultant engineers Campbell Reith were consulted in relation to the proposed excavation and further drawings were provided by the applicant in relation to queries raised. Campbell Reith have advised that since the retaining walls to the boundary garden walls are indicated not to undermine the existing mass concrete foundations there does not appear to be a stability issue with the proposal. As such, the scale and siting of the proposed excavation would not require the submission of a full Basement Impact Assessment and the proposal is considered acceptable in this regard. Given the limited amount of excavation proposed, the resulting impacts would not be so great to warrant the need for a construction management plan to be secured to mitigate resulting impacts. The applicants will be reminded of their obligations to ensure proper working practises and to agree measures for the delivery of goods to the site / any highways license in good time before works commence.

#### Trees

- 2.17. A mature tulip tree has been identified to the rear of the site approximately 8m beyond the extent of the rear extension and 6m beyond the closest area of excavation. Proposals include the tree's retention and protection.
- 2.18. A tree survey and arboricultural method statement has been reviewed by the Council's Tree and Landscape Officer and the proposed development is considered acceptable subject to compliance with specified tree protection measures which would be secured by planning condition.

### 3. Recommendation

Grant conditional planning permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 23<sup>rd</sup> September 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](http://www.camden.gov.uk) and search for 'Members Briefing'.**

Application ref: 2019/2854/P  
Contact: Thomas Sild  
Tel: 020 7974 3686  
Date: 18 September 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](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Mr.  
Kipling Co, Basement Office no.1  
Princess Square  
London  
W2 4NP  
United Kingdom

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## Full Planning Permission Granted

Address:

**Flat 1**  
**9 Carlingford Road**  
**London**  
**NW3 1RY**

# DECISION

Proposal:

Erection of single storey rear extension at lower ground floor level and partial excavation of rear garden level

Drawing Nos: OS Location Map Rev 006, A 01 Rev 006, A 02 Rev 006, A 03 Rev 006, A 04 Rev 006, A 05 Rev 006, A 06 Rev 006, A 07 Rev 006, A 08 Rev 006, A 09 Rev 06, A 10 Rev 10, Arbtech TPP 01, Arbtech TCP 01, BS5837:2012 Tree Survey, BS5837:2012

Trees in relation to design, demolition and construction –  
Recommendations (05/09/2019), Arbtech AIA 01

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 DH1 and DH2 of the Hampstead Neighbourhood Plan and 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 and documents: OS Location Map Rev 006, A 01 Rev 006, A 02 Rev 006, A 03 Rev 006, A 04 Rev 006, A 05 Rev 006, A 06 Rev 006, A 07 Rev 006, A 08 Rev 006, A 09 Rev 06, A 10 Rev 10, Arbtech TPP 01

Reason:

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

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural method statement dated 5th September 2019 ref. 9 Carlingford Road by Arbtech and tree protection plan ref. Arbtech TPP 01 dated September 2019. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The works shall be undertaken under the supervision of the project arboriculturalist.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan.

#### 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 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.
  
- 4 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.
  
- 5 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.

**DRAFT**  
**DECISION**

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

Director of Regeneration and Planning