

Application ref: 2019/3997/P
Contact: John Diver
Tel: 020 7974 6368
Date: 30 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
www.camden.gov.uk/planning

Ayad Al-Tuhafi
62 Upper Montagu Street
London
W1H 1SW
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**1 Ferncroft Avenue
London
NW3 7PG**

Proposal: Roof extension via the increasing of ridge height of SE rear wing and replacement rear dormer window. Ground floor rear conservatory extension with enlarged lower ground floor below.

Drawing Nos: (Prefix: AA003 - 44 -): 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18.

Planning statement dated 31/07/2019; Design and access statement dated 31/07/2019; Preliminary Bat Roost Assessment Survey (rev 2) dated 29/07/2019; Bat Emergence and Re-entry report (rev 1.2) dated 16/09/2019; Ground Movement Report prepared by Malachy Walsh and Partners (ref.15600) dated July 2019; Arboricultural Impact Assessment & Method Statement (ref. 10303) dated 10/05/2019; CCL 10303/TCP (Rev1); CCL 10303/IAP (Rev1); CCL 10303/TPP (Rev1).

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: (Prefix: AA003 - 44 -): 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18.

Planning statement dated 31/07/2019; Design and access statement dated 31/07/2019; Preliminary Bat Roost Assessment Survey (rev 2) dated 29/07/2019; Bat Emergence and Re-entry report (rev 1.2) dated 16/09/2019; Ground Movement Report prepared by Malachy Walsh and Partners (ref.15600) dated July 2019; Arboricultural Impact Assessment & Method Statement (ref. 10303) dated 10/05/2019; CCL 10303/TCP (Rev1); CCL 10303/IAP (Rev1); CCL 10303/TPP (Rev1).

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

- 4 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 following the guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" in accordance with the Arboricultural Method Statement and Tree Protection Plan prepared by Crown Tree Consulting (CCL 10303/TPP (Rev1)) hereby approved.

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 London Borough of Camden Local Plan 2017.

- 5 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Details including elevation and sections at 1:10 of new dormer window (including jambs, glazing bars, head and cill);

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.

- 6 Prior to commencement of any works to the roof other than demolition and site clearance, a plan showing details of at least two of each bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the first occupation of the roof extensions and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy A3 of the London Borough of Camden 2017.

Informative(s):

- 1 Reasons for granting permission.

Permission is sought for rear extensions the dwelling at roof, ground and lower ground floor level. Following the previous refusal of significant alterations to the rear roofslope (ref. 2018/2531/P) and in light of pre-app advice, the scheme hereby proposed would maintain the characterful asymmetrical relationship of the original roof, responding to the architectural form of the host building and preserving the character and appearance of the surrounding conservation area. The materials and design of the proposed dormer matches those of the host building and are acceptable.

The rear garden extensions would remain subordinate in scale and are positioned so that they would not interrupt any characteristic features of the dwelling. The scale and design of the conservatory would therefore complement the architectural character of the host building and would not impact adversely on any group character. The enlarged lower ground floor terrace below would not adversely impact the character of the house. As such, it is considered that the works would serve to preserve the character and appearance of the area. In order to ensure that the final detailing remains sensitive to the host dwelling, conditions are recommended for facing materials and windows details.

Given their siting and scale, the proposed extensions would not give rise to any adverse loss of residential amenity to any neighbouring resident. Though no basement excavations are proposed, a structural engineer's report prepared by a suitably qualified engineer has been submitted in support of the application. This demonstrates that the enlargement to the rear terrace at lower ground floor level would not result in harm/damage from movement to the host or any neighbouring dwelling.

Given the age of the roof, the proximity to wooded open space, and potential for roosts, bat surveys (including three emergence surveys) have been provided. These confirmed that bats use the site for foraging, but found no evidence of roost within the roof structure. As such the partial demolition of the roof is not objectionable and no compensation or mitigation is necessary,

though a condition to secure ecological enhancements in the form of one bird and one bat box is recommended.

The works would not impact upon any of the mature, protected trees within the site though one smaller tree immediately to the rear of house would be felled. Given the close proximity between the tree and the house, its long term viability is questionable and the Council's tree officers confirm that its removal is not objectionable. A further condition securing tree protection measures for the rest of the mature trees on site is however recommended. This will ensure that the storage of materials in the rear garden does not cause damage to trees. The works would not result in any detrimental highways issues nor trigger the need for construction impacts to be mitigated against via an obligation.

The site's planning history was taken into account. No comments were received following public consultation. 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 Redington Frogna 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.

As such the proposed variation is considered to remain in accordance with policies D1, D2, A1, A3, A4 and T2 of the London Borough of Camden Local Plan 2017. The development also accords with the London plan (2016) and the NPPF (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 The trees on the site are the subject of the Tree Preservation Order and no tree the subject of a Tree Preservation Order may be lopped, topped or felled without the consent under the Order, except as provided for in the Order or as specifically indicated within the proposals to which this planning permission relates. Further advice on this aspect may be obtained from the Tree Preservation Officer. (Tel: 020-7974 5939)
- 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 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).
- 6 All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted as required by Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

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