

Application ref: 2019/4468/P
Contact: John Diver
Tel: 020 7974 6368
Date: 4 November 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

Faegen Limited
Gwylordyfain
Craswall
Herefordshire
HR20PP

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
4 Whittlebury Mews West
London
NW1 8HS

Proposal:
Erection of second floor roof extension over existing terrace and front bay
Drawing Nos: (Prefix: WMW/): LOC/001 P1; ELEV/001 P2, ELEV/002 P1, ELEV/101 P2, ELEV/102 P1; GA/001 P1, GA/002 P2, GA/003 P2, GA/101 P1, GA/102 P2, GA/103 P2; SEC/001 P2, SEC/002 P2, SEC/101 P2, SEC/102 P2.

Supporting: WMW Design and Access Statement P1; Sunlight diagrams: MAS_001 P1, MAS_001 P1, MAS_101 P1, MAS_102 P1

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: WMW/): LOC/001 P1; ELEV/001 P2, ELEV/002 P1, ELEV/101 P2, ELEV/102 P1; GA/001 P1, GA/002 P2, GA/003 P2, GA/101 P1, GA/102 P2, GA/103 P2; SEC/001 P2, SEC/002 P2, SEC/101 P2, SEC/102 P2.

Supporting: WMW Design and Access Statement P1; Sunlight diagrams: MAS_001 P1, MAS_001 P1, MAS_101 P1, MAS_102 P1

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

- 4 A) The replacement green roof to the extension hereby permitted shall be installed prior to first occupation and thereafter shall be permanently retained and maintained.

B) The replacement green roof shall be installed and maintained in accordance with the details the details approved under approval of details application ref 2015/3001/P (dated 16/10/2015) or other details which have first been submitted to and approved in writing by the local planning authority. Any such resubmission must include details of species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for an initial scheme of maintenance

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, CC4, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to occupation of the extension hereby permitted, all glazing to the rear elevation at 2nd floor level (which face towards Gloucester Avenue) shall be fixed shut and fitted with obscure glazing to a height of 1.8m internally and shall be permanently retained and maintained as such thereafter.

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

- 6 The flat roof to the extension hereby permitted shall not be used for amenity purposes and access onto the flat roof shall be for maintenance of the building only and for no other purposes.

Reason: In order to prevent unreasonable 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 host property sits with a terrace of recently constructed dwellings which were granted permission in 2015 (ref. 2012/1209/P as varied by 2014/1759/P). The dwellings occupy a back land sit, situated between the rear gardens of dwellings along Gloucester Avenue and national rail land.

The proposed extensions would not be readily visible in public views other than in glimpses from passing trains and the footbridge to the North, though it would remain visible in private views from properties along Gloucester Avenue. The row includes dwellings of differing scales, included two which do not feature roof terraces and instead have larger second floor volumes that match that hereby proposed. Given that the terrace does not feature a uniform roofscape, the proposed extensions would not result in any harmful unbalancing effect upon the terrace and the extensions proposed would remain sub-ordinate to the host dwelling. The loss of the 2nd floor terrace is not objectionable, given that properties also feature private courtyards at lower ground floor levels. The resulting house and row of houses would still remain visually subservient to the larger townhouses along Gloucester Avenue, maintaining a mews-like relationship. The works are considered to preserve the character and appearance of the conservation area. The detailed design of the extensions would match the existing dwelling / terrace and are considered appropriate. A condition is added to ensure that the design and maintenance of the replacement green roof remains in accordance with the previous approved details for the wider terrace.

The proposed extension would project in front of the rear aspect of no.100 Gloucester Avenue. However, the extensions would be set back from the rear building line of the main house below by 1.5m and from the shared boundary by 5m. The new mass would also have a separation distance from the rear elevation of no.100 of 16m. This would mean that the additional mass would not result in an overbearing relationship upon the rear gardens of these adjacent properties. Current views across the site afforded from facing 1st floor windows would be obscured, however, the setback distance retained would mean that the extension would not be overbearing and views to the sky would be retained. Views from 2nd floor rear windows would not be affected. The privacy of these residents can be suitably protected via conditions requiring rear glazing to remain obscure glazed and the new flat roof to not be used as a terrace.

Owing to the siting of the extension, the only dwelling within the host terrace that may be affected would be the adjacent no.3. There are no side windows or glazing at 2nd floor level on this house that face towards the area in question meaning that there would be no loss of natural light or outlook to these dwellings. The extension would result in the adjacent roof terrace becoming

enclosed to a greater degree than existing. However it is noted that at present a 2m height screen runs along the shared boundary, enclosing the space, and that the principal northern aspect from the terrace would be uninhibited. Submitted shadowing analysis does show that the extension would cause some additional overshadowing to this neighbouring terrace, though the changes are not significant and would relate to autumn/winter evenings only. Given the existing relationship and that the neighbouring house would retain its second private amenity space at lower ground floor level these impacts are not considered to warrant a reason for refusal. Overall the works are not considered to result in detrimental harm to the amenities of any adjoining resident.

- 2 The works would remain minor in nature, meaning that they would not warrant the need for a formal construction management plan to be secured. The applicants will be reminded of their duties to obtain all necessary highways licences prior to commencement. Following consultation, Network Rail confirmed that they did not object to the works, subject to a informative reminding the applicants of their need to submit an asset protection form to them.

One response were received following the public consultation process and was duly considered when forming these recommendations. The planning history of the site has been taken into account when coming to this decision. 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.

As such, the proposed development is in general accordance with policies D1, D2, A1 and A4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019

- 3 The applicants are reminded of the need to submit an Asset Protection Initial Enquiry Questionnaire to Network Rail using the following email address in advance of commencing works: AssetProtectionLNWSouth@networkrail.co.uk
- 4 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.
- 5 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering

Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.

- 6 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).
- 7 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.
- 8 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.

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