

Application ref: 2019/3187/P
Contact: Sofie Fieldsend
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Development Management
Regeneration and Planning
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Brod Wight Architects
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Garden Flat
42 Canfield Gardens
London
NW6 3EB

Proposal:

Erection of single storey side/rear extension and rear/side fenestration alterations
Drawing Nos: 1080-S09A; 1080-S01; 1080-S02; 1080-S03; 1080-S04; 1080-S05;
1080-S06; 1080-S07; 1080-S08; 1080-AP01D; 1080-AP03C; 1080-AP06C; 1080-
AP07D and 1080-AP08D.

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

1080-S09A; 1080-S01; 1080-S02; 1080-S03; 1080-S04; 1080-S05; 1080-S06; 1080-S07; 1080-S08; 1080-AP01D; 1080-AP03C; 1080-AP06C; 1080-AP07D and 1080-AP08D.

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

- 4 The flat roof of the single storey rear extension hereby approved shall not be used at any time as external amenity space, and any access out onto these areas shall be for maintenance purposes only.

Reason: In order to prevent any overlooking of the neighbouring occupiers in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The revised single storey rear extension (4.35m wide, 4m deep and 2.77m high) is modest in size and would be constructed from brick to match the existing building. The proposal involves the loss of the rear bay window which appears to be an original feature of the properties along this part of the street. It is noted that a number of the properties along this part of Canfield Gardens have been significantly altered at ground floor level and many have removed the original bay window. Consequently the loss of the bay, in this instance, although regrettable, is accepted here. Views of the existing bay are screened from the public realm due to the boundary treatment. Taking this into consideration the loss of the bay is not considered to harm the character and appearance of the conservation area that would sustain a reason for refusal.

The glazed roof element of the extension was revised during the course of the application to include one modestly sized rooflight close to the main rear elevation of the house which is more sympathetic and would be considered subordinate within the roof. On the rear and side elevation of the existing extension new sets of double aluminium sliding doors would be installed. This would be replicated on the new extension. The modern materials would allow the development to be read as a later addition to the building and given its location at ground and lack of visibility from the public realm it is not considered to detract from the character and appearance of the host property or conservation area.

It is also considered that the proposal would still allow for the retention of a generously sized and usable rear garden. It is noted that the rear elevations of

neighbouring properties along this part of the terrace have been extensively altered at lower ground and ground floor level with no consistency in terms of the size or design of the rear extensions that have been constructed. Given the fact that the ground floor rear elevation of the building is not visible from any public vantage point, and given the extension's height (2.7m), it is considered that there would be no harm to the conservation area in terms of the extensions siting, scale and use of modern materials. Overall, the proposal would remain subordinate to the host building in terms of height, bulk and mass, and would preserve the character and appearance of the host property, streetscene and South Hampstead Conservation Area.

Special attention has been paid to the desirability of preserving or enhancing the character and 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.

The extension is only 2.6m high on the boundary with No.40 and it is noted that No.40's rear bay is served by a full height window/glazed door on each side and that there is existing dense vegetation along the shared boundary fence. The development would comply with the 45 degree angle test for testing light. It is therefore not considered to cause any adverse impacts on the amenity of this adjoining neighbour in terms of loss of light or a sense of enclosure. The patio doors proposed on the side will face onto the existing boundary fence shared with No. 40 which is also screened by dense vegetation therefore it is not considered that this aspect of the proposal would result in overlooking or loss of privacy to this neighbour. Views of the extension from no. 44 would be mainly screened by the existing single storey rear extension. The revised rooflight would be located close to the rear elevation of the main building and would not create potential for overlooking or loss of privacy to the rooms served by the rear windows of the upper floor flats.

- 2 Two objections have been received prior to making this decision and duly taken into consideration and have been addressed in the accompanying consultation summary. 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, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2016 and of the National Planning Policy Framework 2019.

- 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 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).
- 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.
- 6 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