



Application ref: 2019/3644/P  
Contact: Nathaniel Young  
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Date: 21 November 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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WC1H 9JE

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David Corley Architect  
6 Woodford Mill  
Mill Street  
Witney  
Oxon  
Ox28 6DE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement**

Address:  
**29 Old Gloucester Street**  
London  
**WC1N 3AS**

**Proposal:**

Variation of condition 3 (approved plans) of 2016/4103/P dated 23/03/2017 for "the conversion of dwelling house to 2x2 bedroom flat and 1x1 bedroom flat to include erection of single storey rear extension and formation of fifth floor level be mansard roof extension, namely formation of roof terrace," namely for the formation of a roof terrace and associated access at 5th floor level.

Drawing Nos: OS Extract; 818/P1; 818/P2; 818/P3; 818/P4A; 818/P5; 818/P6A; 818/P7C; 818/P8D; 818/P9B; Design and Access Statement

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 the original planning permission ref 2016/4103/P dated 23/03/2017.

**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 For the purposes of this decision, condition 3 (approved plans) of planning permission 2016/4103/P dated 23rd March 2017 shall be replaced with the following condition:

#### REPLACEMENT CONDITION 3

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

OS Extract; 818/P1; 818/P2; 818/P3; 818/P4A; 818/P5; 818/P6A; 818/P7C; 818/P8D; 818/P9B; Design and Access Statement

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

- 4 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 5 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 before the relevant part of the work is begun:

a) Details including sections at 1:10 of all new windows (including jambs, head and cill), and external doors;

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reason for granting permission:

The proposed terrace would be located above the proposed mansard approved under application ref 2016/4103/P at 5th floor level. Following revisions, the terrace would be surrounded by low black metal railings as opposed to tall obscured glass screens. The revised 1.1m black metal railings are considered to be more discreet and in keeping with the character and appearance of the subject property than the relatively visually obtrusive 1.8m high obscured glass screens. The reduced height 1.1m high railings would also be set back from the front elevation of the property by 3.0m in order to limit the terrace's impact on visual amenity.

Given the roof terrace's position at 5th floor level, the reduced railing height and set back from the front elevation, it is not considered that the roof terrace would be a visually obtrusive feature, particularly given that Old Gloucester Street is a narrow single lane street which further restricts views to the top of the subject building.

Given the roof terrace's position at 5th floor level, the reduced 1.1m height of the railings and 3.0m set back from the front elevation, it is not considered that the roof terrace would be a visually obtrusive feature, particularly given that Old Gloucester Street is a narrow single lane street which further restricts views to the top of the subject building.

The proposed terrace would be accessed by a lead clad staircase which would sit above the existing back addition continuing the existing internal staircase. It would be positioned against, and no higher than, the roof level party wall shared with No. 30 to the south of the subject property. This is considered to be an appropriate form of access in terms of design, materials, position and height which would not add significant bulk and mass to the subject property.

As such, the proposed roof terrace and associated access are considered acceptable in terms of design and would not harm the character and appearance of the subject property, the wider conservation area or the setting of the nearby listed buildings.

In terms of light and outlook, the proposed terrace and associated access would not add significant bulk and mass to the subject property and would not be positioned in close enough proximity to neighbouring habitable windows in order to cause significant loss of light or outlook.

In terms of noise and disturbance, the proposed terrace would be modest in scale measuring at 9.5sqm in area, a terrace of this size is not considered capable of hosting gatherings of people large enough to cause significant noise and disturbance to neighbouring residents.

In terms of overlooking and privacy, the subject property faces a gallery containing no residential windows, no flank habitable windows exist to either side and to the rear the nearest residential properties are over 18m away, as such it is not considered there would be any overlooking or loss of privacy, and obscured glass screens are not considered necessary in this instance.

No objections were received following statutory consultation. The site's

planning history and relevant appeal decisions were taken into account when coming to this decision. 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.

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

- 2 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.

- 3 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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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.
- 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 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 You are advised that this proposal will be liable for the Camden Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA of floorspace or one unit of residential accommodation. Based on the information given on the plans and the Camden CIL charging schedule, the charge is likely to be £21,150 (42.3sqm x £500) for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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

