

Application ref: 2019/4652/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Date: 9 December 2019

Development Management
Regeneration and Planning
London Borough of Camden
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Leith Planning Limited
Unit 4
The Crossroads Business Park
Freckleton Street
Kirkham
PR4 2SH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

Foley House (Annexe At Rear)
11 East Heath Road
London
NW3 1DA

Proposal:

Erection of ground floor single storey glazed extension on existing ground floor terrace, and alterations to windows and doors at ground and first floors

Drawing Nos: LXA-1367-103-GA, LXA-1367-104-GA, LXA-1367-105-GA, LXA-1367-021-EX, LXA-1367-020-EX, LXA-1367-101-GA-B and 1367-100-GA-B

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 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans- LXA-1367-103-GA, LXA-1367-104-GA, LXA-1367-105-GA, LXA-1367-021-EX, LXA-1367-020-EX, LXA-1367-101-GA-B, 1367-100-GA-B.

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

Informative(s):

- 1 Reasons for granting permission.

The glazed extension would enclose the footprint of the existing decked terrace. The design of the proposal has been revised following the refused proposal ref. 2018/4177/P, namely there would be no extension from the south facing elevation. This ensures that the extension would be subservient to the host building and would retain some of the unique form of the Treehouse. The existing first floor jetties out at all sides, predominantly toward Foley House, which helps break down the mass of the building. While it is recognised that this form would be lost to an extent, it is considered acceptable in design terms.

The extension would be clearly subordinate to the host building and the use of glazing would ensure a lightweight appearance. It is considered that a reduction in scale of the extension from the refused application ensures that there would be limited impact on the openness of the designated private open space, wider conservation area and setting of the listed Foley House. It is noted that the extension would not be visible from the adjoining street and public realm.

The removal of the ground floor balcony on the east elevation and replacement with a glazed Juliet balcony is a modest alteration that would not harm the appearance of the Tree House. The various elevational alterations to fenestration are also considered minor and acceptable in design terms.

The extension would not project towards 15 Well Road, with all works limited to the north and east elevations. The existing boundary fence, planting and distance between the extension and the windows and doors of 15 Well Road would ensure that there would be no amenity impact to this property in terms of loss of light, outlook or excessive light spillage. The revisions made to the previously refused application have therefore overcome the amenity concerns.

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.

No objection was received prior to the determination of this application. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies D1, D2, A1 and A2 of the Camden Local Plan 2017 and Policies DH1, DH2 and NE1 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with The London Plan 2016, and the National Planning Policy Framework 2019.

- 2 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).
- 3 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.

- 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.

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:

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer