

Application ref: 2019/5504/P  
Contact: Laura Hazelton  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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Bigger House Design  
21 Sydney Road  
Sutton  
SM1 2QJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 1, 43 Countess Road  
London  
NW5 2XH**

Proposal: Demolition of existing rear extension and erection of a single storey rear and side infill extension including excavation of small area of rear garden.

Drawing Nos: 100, 110, 120, 200 rev A, 201 rev A, 210 rev A, 211 rev A, 220 rev A, 250 and Design and Access Statement dated 26/10/2019.

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 policy D3 of the Kentish Town Neighbourhood Plan 2016.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 100, 110, 120, 200 rev A, 201 rev A, 210 rev A, 211 rev A, 220 rev A, 250 and Design and Access Statement dated 26/10/2019.

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

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 in accordance with the approved protection details.

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.

#### Informative(s):

- 1 Reasons for granting permission.

The proposals involve the demolition of the existing lean-to extension and the erection of an enlarged rear extension in the same position, with a new infill extension adjacent to the boundary with no.41. Both extensions would feature pitched roofs with a maximum height of 3.57m decreasing to 2.45m adjacent to the boundary walls. The extensions would feature slate roofs with Crittal style glazing to the rear and side and rooflights set flush into the roofslope.

The proposed extensions are considered to be subordinate to the host building in terms of their footprint, height, and location, and although more contemporary in design, would be clearly differentiated as a new addition and would preserve the character of the host building. Given the location of the development to the rear of the building at ground level, the proposals would be subject to limited private views and would not cause harm to the character of this part of the Kentish Town Conservation Area.

Although the rear extensions would adjoin the garden boundary walls, the pitched roof design would be the same height as the garden walls at eaves level which would limit the impact on neighbouring properties and is not considered to cause such detriment to neighbouring daylight/sunlight or outlook such as to warrant refusal of the application of this ground.

The garden retaining wall would be pushed further back into the garden to provide a larger patio area. This would involve the excavation of approx. 1m depth of soil, but given this is within the rear garden and the site is not subject to any underground development constraints, this would not trigger the requirement for a basement assessment.

The proposed rooflights would be set into the roofslope and face upwards, and as such, are not considered to result in harmful levels of overlooking of neighbouring rear windows. New Crittal doors would be introduced to the side elevation of the rear extension which would face the existing rear extension of no. 45; however, given the existing boundary wall measuring 2.2m high and the location of the neighbouring windows, the proposals are not considered to cause a harmful level of overlooking of no.45.

A previous proposal at the site (ref: 2018/1058/P) was refused on the grounds that the size of the rear extension would result in development which would appear as a dominant addition to the host building that would be out of keeping with the prevailing pattern of development and result in harm to the living conditions of no.s 45 and 41 Countess Road. Following reductions to the footprint of the proposed extension and the design of the roof form, the current proposals are considered to overcome the previous reasons for refusal.

One comment and two objections were received prior to the determination of this application which were duly taken into account prior to determination. The Kentish Town CAAC have confirmed they have no comments to make on the proposals. The planning and appeal 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 (ERR) 2013.

As such, the proposed development is in general accordance with A1, D1 and D2 of the Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016. 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 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 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