

Application ref: 2019/4828/P
Contact: Kate Henry
Tel: 020 7974 3794
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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

Studio Mark Ruthven
92 Prince of Wales Road
London
NW5 3NW
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**94 South Hill Park
London
NW3 2SN**

Proposal:

Enlargement of existing rear roof terrace at upper ground floor level, including extension of existing metal railings; creation of rear roof terrace at 2nd floor level on existing flat roof, including erection of metal railings; sash window on rear elevation to replace existing door at upper ground floor level

Drawing Nos: SHP-P-001 Rev A; SHP-X-100 Rev A; SHP-X-101 Rev A; SHP-X-102 Rev A; SHP-X-103 Rev A; SHP-X-104 Rev A; SHP-X-105 Rev A; SHP-X-106 Rev A; SHP-X-300 Rev A; SHP-X-301 Rev A; SHP-X-302 Rev A; SHP-P-002 Rev C; SHP-P-100 Rev A; SHP-P-101 Rev B; SHP-P-102 Rev F; SHP-P-103 Rev C; SHP-P-104 Rev E; SHP-P-105 Rev E; SHP-P-106 Rev A; SHP-P-300 Rev C; SHP-P-301 Rev D; SHP-P-302 Rev F

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 The development hereby permitted shall be carried out in accordance with the following approved plans: SHP-P-001 Rev A; SHP-X-100 Rev A; SHP-X-101 Rev A; SHP-X-102 Rev A; SHP-X-103 Rev A; SHP-X-104 Rev A; SHP-X-105 Rev A; SHP-X-106 Rev A; SHP-X-300 Rev A; SHP-X-301 Rev A; SHP-X-302 Rev A; SHP-P-002 Rev C; SHP-P-100 Rev A; SHP-P-101 Rev B; SHP-P-102 Rev F; SHP-P-103 Rev C; SHP-P-104 Rev E; SHP-P-105 Rev E; SHP-P-106 Rev A; SHP-P-300 Rev C; SHP-P-301 Rev D; SHP-P-302 Rev F.

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

- 3 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.

- 4 Prior to the first use of the enlarged upper ground floor rear roof terrace hereby approved, details of a privacy screen to prevent unacceptable overlooking into neighbouring properties shall be submitted to and approved in writing with the Local Planning Authority. The enlarged roof terrace shall not be used or accessed, other than for emergency egress, until the approved privacy screen has been fully installed and the approved privacy screen shall thereafter be retained for the duration of the development.

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

Informative(s):

- 1 Reasons for granting

The proposed changes now relate solely to the rear of the host dwelling as the plans have been revised during the course of the application to omit a proposed three storey side extension to house a lift.

The proposed extension to the existing roof terrace at upper ground floor level would not cause undue harm to the character and appearance of the host building. The metal railings would be extended further to the side so that the existing bay window would also provide access to the terrace, but they would be angled and set away from the shared boundary with No. 92 to prevent any unacceptable overlooking towards that property. A privacy screen will also help in this regard. The metal railings are considered to be in keeping with the character and appearance of the host building and the wider conservation area.

The creation of a rear roof terrace at 2nd floor level is also considered to be

acceptable. Whilst the proposed metal railings would partially obscure the bedroom window they would match in style the proposed railings at upper ground floor level and the existing railings at roof level and would be in keeping with the character and appearance of the host building and the conservation area.

The proposal to alter the upper ground floor rear door to a sash window is considered to be acceptable on the basis that it would match the sash windows above on the upper floors, albeit it would be slightly wider as the existing opening is to be used, which is considered to be acceptable.

Although the proposed changes would be visible from the public footpath that provides access to the ponds and Hampstead Heath, it is not considered that the proposed changes would harmfully impact on the significance of the conservation area, which is derived from the aesthetic and historic interest of the buildings and their relationship with the natural environment.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

It is not considered that the proposed development would cause undue harm to the residential amenities of nearby and neighbouring properties by way of visual privacy and outlook; sunlight, daylight and overshadowing; or noise and vibration. As noted, the relocated railings for the upper ground floor terrace would be angled and set away from the shared boundary with No. 92. Furthermore, a planning condition will require the provision of a privacy screen to prevent direct views into the windows of No. 92. The railings to serve the 2nd floor rear roof terrace would also be set in from the edge, so as to prevent overlooking to the neighbour but it is not considered to be necessary to require a privacy screen at this level because the neighbour's windows are flush with the elevation rather than projecting.

Neighbouring occupiers were consulted on the application. One objection has been received prior to making this decision which has been duly taken into account prior to making this decision. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

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 the London Plan 2016; and the provisions of the National Planning Policy Framework 2019.

- 2 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.

- 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 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).

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