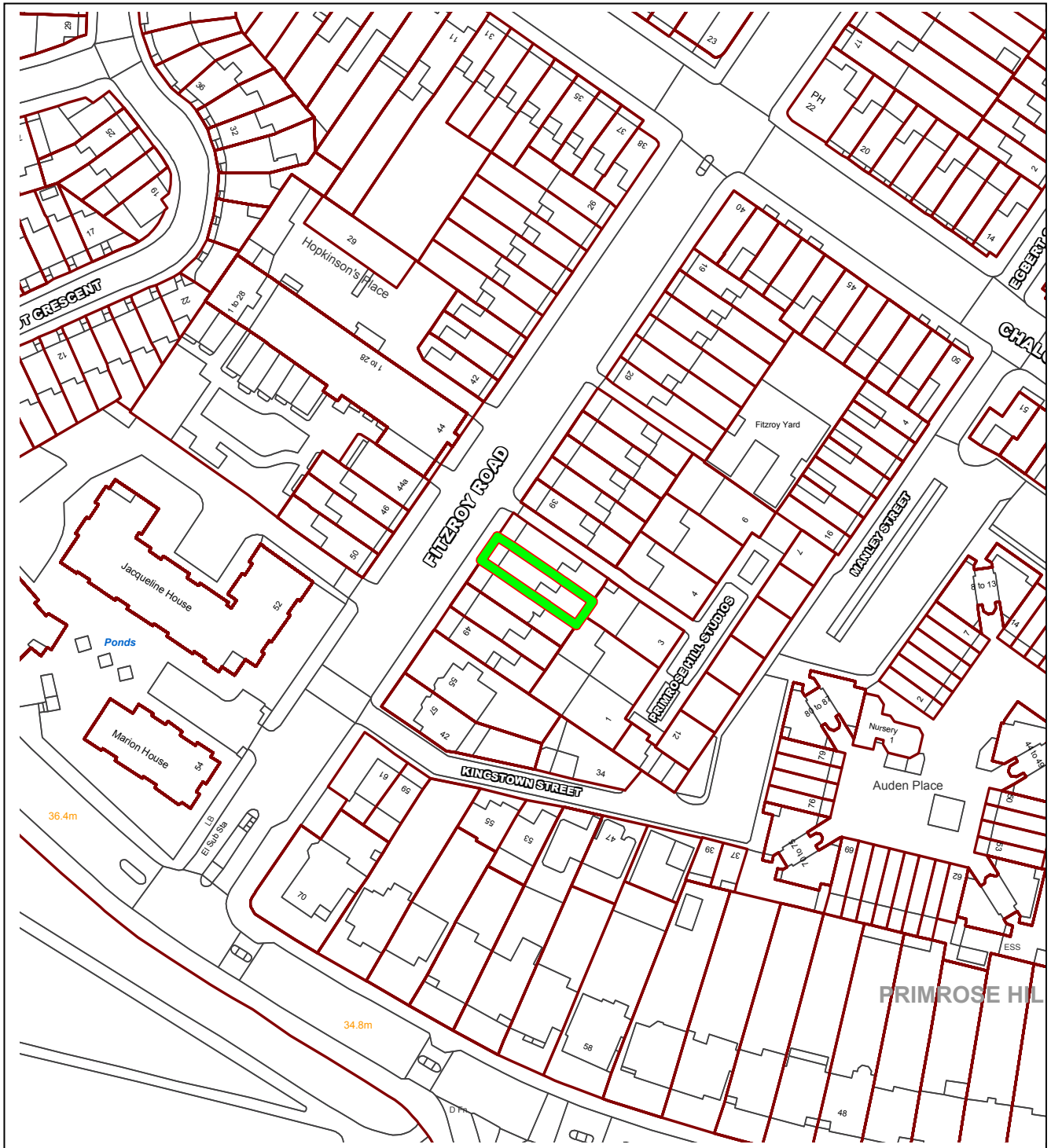


# 2019/6375/P - 43 Fitzroy Road



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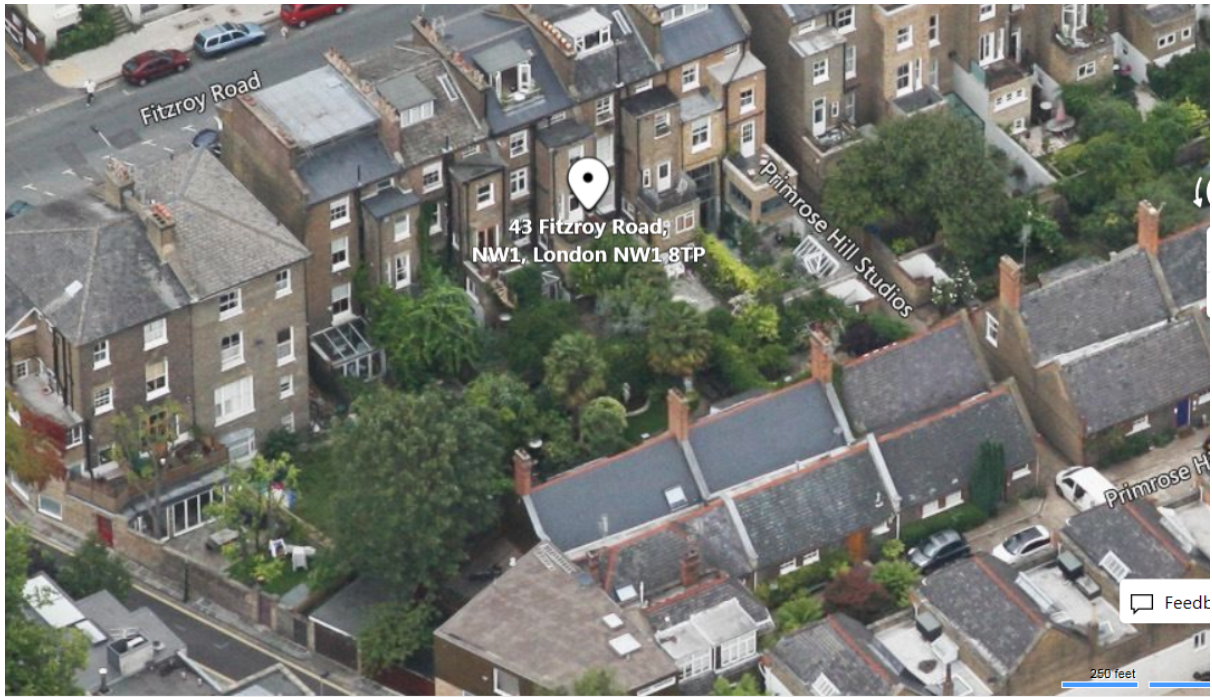


Image 1. Aerial view of the site



Image 2. The rear showing the neighbouring sites

<b>Delegated Report</b>	<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>14/02/2020</b>
<b>(Members Briefing)</b>	N/A	<b>Consultation Expiry Date:</b>	<b>08/03/2020</b>
<b>Officer</b>	<b>Application Number(s)</b>		
Obote Hope	2019/6375/P		
<b>Application Address</b>	<b>Drawing Numbers</b>		
Flat A, 43, Fitzroy Road London NW1 8TP	See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>
<b>Proposal(s)</b>			
Erection of single storey extensions to the rear and side elevations at lower-ground floor level.			
<b>Recommendation(s):</b>	Grant Planning Permission		
<b>Application Type:</b>	Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>02</b>	No. of objections	<b>02</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 13/02/2020 (expiry 08/03/2020).</p> <p>Press notice was advertised on the 07/02/2020 (expiry 02/03/2020)</p> <p>One objection was received from a neighbouring occupier (43 Fitzroy Road), their comments can be summarized as follows:</p> <ol style="list-style-type: none"> <li>1. Clarification on the design including measurement, materials and plumbing;</li> <li>2. No permissions have been sought by the applicant from other freeholders and no grant of license has been given yet;</li> <li>3. Skylight will contribute to the loss of privacy and light pollution;</li> <li>4. Insufficient drainage from the roof;</li> <li>5. Structural stability of the building.</li> </ol> <p><u>Officer response:</u></p> <ol style="list-style-type: none"> <li>1. <i>The proposed drawings include a scale bar which is sufficient to fully assess the proposal. The proposed rear extension would be built of London Stock brick to match existing. The doors and windows to the rear would be aluminium framed (black/dark grey). These materials are considered acceptable.</i></li> <li>2. <i>The grant of freeholder/leaseholder license between the applicant and other freeholder is not a material consideration when determining this planning application. This is a private property matter to be resolved between the parties.</i></li> <li>3. <i>The proposed skylight would be appropriately located towards the rear garden and would be setback from the rear window of the ground floor flat by a minimum of 0.8m. Therefore, the proposal would have limited amenity impact.</i></li> <li>4. <i>There would be a green roof to both extensions which would provide sustainable drainage.</i></li> <li>5. <i>The Building Regulations 2010 cover the construction and extension of buildings. An informative would be included on the decision notice to remind the applicant to contact Building Control.</i></li> </ol>					

<p><b>Primrose Hill CAAC:</b></p>	<p>The present application cumulatively with others, continues the loss of garden space and further diminishes the space in which the Listed Studios are set. The proposals neither preserve not enhance the character or appearance of the conservation area.</p> <p><u>Officer response:</u></p> <p><i>The side infill extension would allow the majority of the garden to be maintained. The garden of the application site has a depth of 7.35m (measured from the rear elevation of the closet wing to the rear boundary). The proposed rear extension is only 1m deep and so would not detract from the setting of the Grade II listed Primrose Hill Studios which adjoins the site to the rear. The open character would be retained and the rear extension is similar to that at no. 41. As such, the proposal is not considered to have a cumulative impact which would be detrimental to the character and setting of the Primrose Hill Studios.</i></p>
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**Site Description**

The application site is a three storey plus semi-basement level and attic level mid-terrace property on the east side of Fitzroy Road in the Primrose Hill Conservation Area. The property is identified as making a positive contribution to the character and appearance of the Conservation Area.

The property has been divided into self-contained flats. This application relates to the flat at lower ground floor level.

**Relevant History**

Application site

**2013/5180/P** – Planning permission for enlargement of rear dormer extension and installation of rooflight on rear roofslope to existing residential unit (Class C3). **Granted 09/10/2013.**

**TP4965/21572** – Planning permission to convert the existing premises at No. 43, Fitzroy Road, St. Pancras, into three self-contained flats and one flat and to erect an addition at the rear at ground floor level to provide a combined bathroom/w.c. apartment. **Granted 15/10/1964**

**Adjoining neighbouring sites**

45 Fitzroy Road

**2018/5633/P**- Planning permission for Erection of rear extension at lower ground and upper ground levels to duplex. **Granted on 26/02/2019.**

**Relevant policies**

**National Planning Policy Framework (2019)**

**The London Plan (2016)**  
**Intend to publish London Plan (2019)**

**Camden Local Plan (2017)**  
 G1 - Delivery and location of growth  
 A1 - Managing the impact of development  
 D1 - Design  
 D2 - Heritage

## **Camden Planning Guidance**

CPG - Altering and Extending Your Home (2019)

CPG - Amenity (2018)

## **The Primrose Hill Conservation Area statement 2000**

Policies PH25 & PH28

### **Assessment**

#### **1. Background / Proposal**

1.1 The applicant seeks permission for the following works:

- Rear extension at ground floor would measure 1m in depth and 2.8m width; it would have a flat roof with a height of 2.6m above the existing patio.
- Side infill extension to the flank elevation measuring 3.7m deep, 2.6m in height and 2.8m in width. The side extension would have a rooflight measuring 1.5m by 1.2m.

1.2 During the course of the application, the following revisions were made:

- The rear extension was revised to include a green roof.

#### **2 Assessment**

2.1 The planning considerations material to the determination of this application are as follows:

- Design
- Amenity

#### **3 Design**

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that all development should consider the character, setting, context and the form and scale of neighbouring buildings whilst Primrose Hill Conservation Area states that good design should incorporate the highest quality materials and designs appropriate to its context.

3.2 It is proposed to extend the property at lower ground floor level with an infill rear extension measuring approx. 3.6m deep, 2.6m in height and 2.8m in width and would be a similar depth to the approved extension at the neighbouring property, no. 45 Fitzroy Road. The extension would adjoin the neighbour's extension and would be of an appropriate scale. It is considered to constitute a subordinate addition to the host building.

3.3 The proposed rear extension is relatively small with an area of 2.9sqm and together with the side infill extension would allow the retention of approximately 64 percent of the garden area. The extension would not be prominent with the surrounding context. The proposed rear extension would be a similar depth to the rear extension at no. 41 Fitzroy Road and would only be visible from limited vantage points from the rear gardens of the properties on Fitzroy Road.

3.4 The ground floor extensions would be constructed using London Stock Bricks, with Aluminum framed glazed doors to the rear elevation and the existing UPVC window would be replaced with an aluminum framed window. The extension is considered to be a subordinate addition to the property that would not detract from the rear elevation by virtue of its location, context with the neighbouring properties and the lack of prominence in the public views. The proposal is therefore considered to preserve the character and appearance of the property and wider area.



- 3.5 The proposed rooflight is considered acceptable and would not noticeably project above the roof finish. Furthermore, it would not be widely visible given its position towards the rear of the building. The proposal is considered to be appropriate in terms of its design, proportions, location, colour, and the materials used. Thus, the proposal would be in general accordance with Council policies and guidance, and would not detract from the character and appearance of the host building or the wider conservation area.
- 3.6 The green sedum roof is considered acceptable in principle and will enhance biodiversity. A condition would be attached to the decision to ensure details are submitted and approved prior to the commencement of this element of the scheme.
- 3.7 Overall, the cumulative impact of the depths of the extensions along this terrace would not harm the setting of the Grade II listed Primrose Hill Studios which adjoins the site to the rear. The proposed extensions would not detract from the symmetry and uniformity of the wider terrace. Thus, the proposal by reason of its siting, scale, design and material finish, would not harm the character and appearance of the host building and rear elevations of the terrace. It is considered to comply with policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

#### 4 Trees

- 4.1 No trees are to be removed to facilitate the development and there are no nearby trees which could be affected by the construction works.

#### 5.0 Amenity

- 5.1. The proposed infill extension would be located along the boundary with no. 45 Fitzroy Road two storey closet wing extension and the proposal would not result in any harm to the occupants of no.45 in terms of loss of light or overlooking. The proposed rooflight would be fitted to the rear at ground floor level and would be appropriately set away from the ground floor windows. Due to the scale and location of the proposal, there would be negligible harm to the amenity of any adjoining residential occupiers in terms of light pollution.
- 5.2. In regards to no. 41 Fitzroy Road the rear extension would be constructed below the party wall with no.39. Thus, the depth, size and location of the proposed extensions would not harm the amenity of any adjoining residential occupiers in terms of the loss of natural light, privacy, light spill or added sense of enclosure.

#### 6. Conclusion

- 6.1. Grant conditional planning permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 6<sup>th</sup> April 2020, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2019/6375/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Date: 31 March 2020

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Barnes Design  
The Mitre Stables  
98 Charlmont Road  
Barnes Design  
LONDON  
SW17 9AB

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:

**Flat A**  
**43 Fitzroy Road**  
**London**  
**NW1 8TP**

# DECISION

Proposal:

Erection of single storey extensions to the rear and side elevations at lower-ground floor level.  
Drawing Nos: BD690.EX.02, BD690.PL01.02 and Design and Access Statement  
commissioned by Barnes Design no date.

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 policy 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: BD690.EX.02, BD690.PL01.02 and Design and Access Statement commissioned by Barnes Design no date

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

- 4 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
  - i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

- 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.

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>

**DRAFT**

Yours faithfully

Director of Regeneration and Planning

**DECISION**