

Application ref: 2019/6213/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Date: 19 May 2020

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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Tecon Ltd  
116a High Street  
Edgware  
HA8 7EL

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**25 Grafton Road**  
**London**  
**NW5 3DX**

Proposal:  
Replacement of the existing window with door and installation of metal balustrade with glazed screen on the second floor to enable use of the roof as a roof terrace.  
Drawing Nos: P201, P202, P203A, P204B, P205, Design and Access Statement by Tecon LTD (undated)

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: P201, P202, P203A, P204B, P205, Design and Access Statement by Tecon LTD (undated)

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

- 4 The use of the roof as a terrace shall not commence until the privacy screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

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

#### Informative(s):

- 1 Reasons for granting permission:

The proposed roof terrace would be enclosed by 1m high metal railings and would be 2.4m in width and 3.5m in depth. There are numerous examples of large roof terraces at 2nd floor level to the rear of Grafton Road, notably along this whole stretch of houses along the western side at Nos.17, 19, 21, 23, 27, 29; also planning permission has been recently granted at No.31 (ref.2018/4535/P) for a roof terrace and metal balustrade. Thus it is considered that the principle for a roof terrace has been established at this location along this rear elevation. The black painted balustrade and change of the second floor timber window to a timber door are considered acceptable in design and would preserve the character and appearance of the house, the stretch of properties along here and the conservation area.

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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Given the existence of similar sized terraces along here on every other property, it is not anticipated that the proposed roof terrace would be harmful to the amenity of neighbouring residents which would allow mutual overlooking with the other neighbouring terraces. The scheme has been amended to include obscured glazed panels along one side to prevent direct views into an upper level window of No.23. Thus it is not considered that the proposal would have a detrimental impact in terms of loss of privacy, outlook or daylight.

An objection was received prior to the determination of this application. This and 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 A1, D1 and D2 of the Camden Local Plan. 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer