

Application ref: 2020/1267/P
Contact: Sofie Fieldsend
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Date: 8 June 2020

Development Management
Regeneration and Planning
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Davies Architects
28 Elliott Square
London
NW3 3SU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Flats B and C
28 Chalcot Road
London
NW1 8LN

Proposal: Variation of condition 3 (approved drawings) of planning reference 2019/3937/P dated 14/11/2019 for 'Change of use of 2 x 2 bedroom flats into a 1 x 4 bed single family dwellinghouse. Erection of single storey ground floor rear extension to infill balcony. Rear extension of first floor terrace with alterations to external steps and insertion of roof light'; CHANGES alterations to height of first floor terrace and railings.

Drawing Nos: Superseded drawings: CHA28-PL-GA- 01 (received 4/11/19); CHA28-PL-GA- 03 (received 4/11/19); CHA28-PL-GA- 04 (received 4/11/19).
Amended drawings: CHA28-PL-GA- 01A; CHA28-PL-GA- 03A; CHA28-PL-GA- 05A.

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 the original planning permission ref 2019/3937/P dated 14/11/2019.

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 For the purposes of this decision, condition no.3 planning permission 2019/3937/P dated 14/11/2019 shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans:

CHA28-EX-GA- 01; CHA28-EX-GA- 02; CHA28-EX-GA- 03; CHA28-EX-GA- 04; CHA28-PL-GA- 01A; CHA28-PL-GA- 02; CHA28-PL-GA- 03A; CHA28-PL-GA- 05A and site location plan.

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

Informative(s):

- 1 The proposal would increase the height of part of the existing terrace by 0.4m to match the upper level to provide a single level terrace and increase the height of railings to the same height as the upper level. It is considered that this increase is marginal. The terrace extension is considered to be subordinate in scale in relation to the host property and would not be out of character with the rear elevations of this terrace. The proposed amendments are considered to be of an acceptable design quality and overall result in minor changes to the approved scheme. The proposed alterations are considered to preserve the character and appearance of the host property and the wider area.

The terrace footprint has already been approved and the proposal would not increase this area therefore it is not considered to create additional noise to that which was approved. The terrace would increase modestly in height and increase the railing height to match the upper level of the terrace, it is considered to have a similar outlook and would not contribute to additional overlooking or loss of privacy to that approved in the parent application. Therefore it not considered to have a detrimental impact on the residential amenities of the neighbouring occupiers in terms of loss of daylight, sunlight, outlook or privacy to an extent that would warrant a reason for refusal.

The full impact of the scheme has already been assessed during the determination of the permitted scheme, and it is considered that the amendments would have a minor material effect in terms of appearance and neighbouring amenity considerations.

No objections were received during the consultation period but one comment from Primrose Hill CAAC was received stating that the level increase of the terrace should not result in overlooking or noise. The planning 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 Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017, the London Plan 2016 and 2019 (intended to publish), and 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.

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 above the printed name.

Daniel Pope
Chief Planning Officer