

Application ref: 2020/1286/P
Contact: Tony Young
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Date: 21 July 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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planning@camden.gov.uk
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Mrs Carol King
Holly Bank Farm
52 Church Road
Quarndon
Derby
DE22 5JB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat B
84 Patshull Road
London
NW5 2LD

Proposal:

Alterations to install timber framed doors within enlarged opening, external access step and decking, and black metal railings to rear flat roof at 2nd floor level (part retrospective).

Drawing Nos: (2005/-)01 rev A, 02 to 05 (inclusive); Design & access statement received 12/03/2020.

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: (2005/-)01 rev A, 02 to 05 (inclusive); Design & access statement received 12/03/2020.

Reason:

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

Informative(s):

- 1 Reasons for granting planning permission:

Although there is no planning history relating to the rear roof terrace located on a 2nd floor flat roof and accessed via a door opening, it is understood to have been in existence for more than 4 years. The applicant's submission states that the roof has been used as a terrace since at least 2015 and the Council's Building Control records (ref. 15/6/00907) also confirm an application for a new door opening and railings in connection with the terrace in 2015. The use of the roof as a terrace can also be seen on aerial images dating from around 2014. As such, the use of the flat roof as a terrace space is considered to be established and lawful.

The proposal seeks permission for a black metal railing installed in 2018 which replaced an unauthorised timber railing. The 1.08m high railing would be a simple design and appropriate in terms of its' material and colour. An informative is attached drawing the applicant's attention to the fact that the installed railings do not meet the minimum height as set out under Building Regulations.

The application includes the proposed replacement of an existing door accessing the terrace with white timber framed, double glazed doors within an enlarged opening. The doors would closely match existing rear doors at the adjacent neighbouring property (no. 82) which were approved along with the roof terrace in 1998 (ref. PE9700684). The proposed removal and replacement of external access steps and elevated platform with a single step and lower level timber decking would be an improvement in both appearance and safety terms.

Overall, the proposed alterations would not be visible in any public views nor widely noticeable in private views at the rear of the property. In terms of design, size, location and materials used, the proposal is considered to involve appropriate and sensitive alterations unlikely to alter or detract from the character and appearance of the host building or the wider Bartholomew Estate Conservation and Kentish Town Neighbourhood Areas, and as such, would be acceptable.

As the roof terrace is historic, retention of the existing railings and other alterations would not harm existing neighbouring amenity in terms of loss of privacy or overlooking.

The site's planning and appeals history has been taken into account when coming to this decision. No objections have been received following statutory consultation. A response from the Kentish Town Neighbourhood Forum and a local resident are noted in the Consultation Summary sheet associated with this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Bartholomew Estate 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 proposal is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017, policy D3 of the Kentish Town Neighbourhood Plan 2016, 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. In particular, your attention is drawn to the fact that the railings hereby approved do not meet the minimum height as set out under Building Regulations. 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 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 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>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is positioned above the printed name and title.

Daniel Pope
Director of Economy, Regeneration and Investment