

Application ref: 2020/4370/P  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Kasia Whitfield Design  
Garden Flat  
90 Fellows Road  
Belsize Park  
London  
NW3 3JG

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Full Planning Permission Granted**

Address:

**Flat A**  
**25 Maresfield Gardens**  
**London**  
**NW3 5SD**

Proposal:

Single storey rear extension, replacement of the existing side extension (south side), installation of a new window on a side elevation (north side), alterations to rear fenestration, and felling of 3 palm trees in rear garden.

Drawing Nos: EX0, EX1/100, EX2, EX3, PP1/100 rev C, PP2 rev B, PP3 rev A, PP5 rev A, and Design & Access Statement.

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: PP1/100 rev C, PP2 rev B, PP3 rev A, PP5 rev A.

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

- 4 The flat roof of the rear extension hereby approved must not be used as a roof terrace.

Reason: To protect the amenity of neighbouring occupants in accordance with policy A1 of the Camden Local Plan 2017.

- 5 The new window to the side elevation of the existing building shall be fitted with obscure glazing prior to use and permanently retained as such.

Reason: To protect the amenity of neighbouring occupants in accordance with policy A1 of the Camden Local Plan 2017.

- 6 No development shall take place until full details of hard and soft landscaping have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London

- 8 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The application site is a solidly proportioned, well-detailed, detached red brick villa. Originally of an identical design to no. 23, the property is one of a number of similarly robust but non-identical residences built along the west-side of Maresfield Gardens. The flat benefits from a large private rear garden and is located within the Fitzjohns Netherhall conservation area.

A number of properties along Maresfield Garden benefit from large single and two storey rear extensions, in particular the adjoining property at no. 23, which features a larger rear extension with a roof terrace above (ref: 8501776). The proposed modern single storey rear extension, in relation to the existing extensions in the area and in relation to the size of the host dwelling is considered subordinate in terms of its form and scale. The extension would be almost identical in height, footprint and design to the recently approved application 2019/3659/P. The only difference would be that the small gap between the rear and side extensions would now be infilled.

The extensions would both feature flat roofs with rooflights set into them. The extension would include sliding aluminium doors to the rear and side elevations. The extension would be constructed in rendered brick, to match part of the existing ground floor rear elevation. The existing rear elevation windows would be replaced with white timber frame doors to match the doors above. Officers consider that the design and materials would be of a high quality and a sensitive contrast to the host building. Internal floor levels would be lowered slightly, but do not exceed 500mm in depth and as such, do not require a basement impact assessment.

The rear extension would extend across half the width of the host dwelling, providing a significant setback from the northern boundary shared with no. 27. The extension would abut the side boundary shared with no. 23, and would sit lower than the existing adjoining side/rear extension. Given the above, there would be negligible impact to the amenity of any adjoining residential occupiers

in terms of loss of light, outlook or privacy. A new window would be introduced to the side elevation, but this would be obscured and secured by condition, so would not harm neighbouring privacy. The side elevation of the rear elevation would feature increased glazed openings, but given these would serve the same room as previously approved, they would not materially increase opportunities for overlooking than already considered. Nevertheless, the windows would overlook the tall boundary treatment, and would not result in harmful overlooking.

The infill extension would sit adjacent to the boundary with no.23 where there is an existing window, but this window is located immediately adjacent to and almost entirely blocked by the boundary wall, and as such already has very inadequate outlook and light levels. The proposed development would not materially worsen this.

The proposals include the felling of three palm trees within the rear garden and the lowering of the garden level to match that of the ground level of the house. The Council's Tree Officer confirmed there is no objection to the loss of the palm trees subject to suitable replacements (which would be secured by condition), but raised concerns regarding the impact of the changes to the ground levels on the neighbouring trees. The applicant submitted additional information showing that the garden levels differ between the two properties so that the soil to be excavated is above the tree roots level. The Council's Tree Officer has reviewed the details and has confirmed that the proposed works likely wouldn't impact the neighbouring trees, but has suggested planning permission is granted subject to a condition requiring tree protection and an Arboricultural method statement.

- 2 The proposed extension would retain an adequate sized garden, and would be built over an existing hard-landscaped area. Although the existing grassed area would be excavated and lowered, it would be replaced with new soft landscaping, details of which would be secured by condition to ensure the proposals do not result in a loss of biodiversity at the site.

Two comments were received following consultation which are duly considered in the attached consultation summary. The site's planning history and relevant appeal decisions were 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 Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies D1, D2, and A1 of the Camden Local Plan 2017. The proposed development also accords with the Publication London Plan 2020 and the National Planning Policy Framework 2019.

- 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.

- 5 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