

Application ref: 2021/0054/P
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**240 Haverstock Hill
London
NW3 2AE**

Proposal:

Formation of roof terrace for restaurant (Class E E(b)) involving set-back metal balustrade with green roof around perimeter of balustrade, installation of lift shaft and staircase, acoustic screen to neighbouring flank elevation, roof decking, removal of existing roof ventilation duct and rooflight.

Drawing Nos: 7732_001, 7732_002, 7732_003, 7732_004, 7732_005, 7732_006,
7732_007

7732_008, 7732_009, 7732_008, 7732_000-B, 7732_010, 7732_011-A, 7732_012-A,
7732_013-A, 7732_014-B, 7732_015.

Green Roof species list page 27, Green roof section drawing no. 7732_014-B

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 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:

7732_001, 7732_002, 7732_003, 7732_004, 7732_005, 7732_006, 7732_007
7732_008, 7732_009, 7732_008, 7732_000-B, 7732_010, 7732_011-A,
7732_012-A, 7732_013-A, 7732_014-B, 7732_015.

Green Roof species list page 27, Green roof section drawing no. 7732_014-B

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

- 4 The living roof shall be fully provided in accordance with the details hereby approved (Green Roof species list page 27, Roof Plan 7732_001-A, Green roof section drawing no. 7732_014-B, Living Roof Maintenance Guide) prior to use of the terrace 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 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The roof terrace hereby permitted shall only be used as roof terrace, sitting out area or other amenity space from 09:00 - 22:00 hours daily. The roof shall only be used for maintenance purposes outside of these hours.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4, TC3 and TC5 of the London Borough of Camden Local Plan 2017.

- 6 No amplified (or other) music shall be played on the premises in such a way as to be audible within any adjoining residential premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4 and TC3 of the London Borough of Camden Local Plan 2017.

- 7 No sound emanating from the roof terrace (excluding plant noise) shall exceed the Noise Rating Curves detailed under Entertainment Noise in Appendix 3 of the Local Plan 2017.

Reason: To safeguard the amenities of adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

Informative(s):

1 Reasons for granting permission.

The proposed terrace would be set back from the front parapet by 3.8m and 1.5m from the side parapet. The metal balustrade would have a height of 1.1m measured from the existing roof finish level. This would ensure that the balustrade would not be readily visible from the public realm. As a result of the impact of the terrace on the appearance of the building and surrounding street scene is limited. It is also noted that a green roof would be provided around the perimeter of the railing. This would enhance the appearance of the terrace and safeguard against the potential expansion of the terrace in the future. Acoustic tiles would be used as an acoustic barrier on the flank wall of 242 Haverstock Hill, this would barely be perceptible from the street level. Some visual clutter would also be removed at roof level, including a large and redundant duct to the rear of the roof. The existing operational duct on the neighbouring flank elevation would be retained.

The nearest residential occupiers that would be impacted by the roof terrace would be the neighbouring 1st and 2nd floor maisonette flat at 242 Haverstock Hill. Flats at Orman Court are located approximately 28m away across Haverstock Hill and therefore would not be impacted from noise disturbance from the use of the terrace. The adjacent Rosary Primary school is not expected to be impacted by noise disturbance. Similarly the terrace would not give rise to overlooking of any habitable rooms of adjacent properties. As stated above, an acoustic barrier would be installed on the flank elevation of no. 242 to minimise the noise transference into this unit. The terrace would also be conditioned so as only to be used from 9:00am - 10pm daily.

The applicant has provided details of the green roof, including a maintenance plan, sections at a scale of 1:20 and full details of planting species. The details show a substrate depth of 200mm which allow for a variety of wild flowers rather than just a sedum blanket. Overall the living roof with wildflower planting is considered to provide sufficient substrate depth to support the species proposed. The roof would enhance the landscaped appearance and biodiversity of the site and is secured via a compliance condition.

Two letters of support have been received for the application. No objections have been received from residents prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, D1, G1, A3, CC1, CC2, CC3, TC3 and TC5 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2020 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



Daniel Pope
Chief Planning Officer