

Application ref: 2020/0470/P  
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Date: 5 May 2021

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

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Neil Kahawatte Architects  
Unit 310  
4 Fortess Road  
Kentish Town  
NW5 2ES  
England

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Basement & Ground Floor Flat**  
**90 Malden Road**  
**London**  
**NW5 4DA**

Proposal: Alterations to rear extension and terrace at lower and upper ground level (retrospective)

Drawing Nos: Existing drawings: E001, E002, E003, E004, E005, E006, E007, E008, E009, Proposed drawings: A001\_B, A002\_C, A003\_B, A004, A005\_C, A006\_B, A007\_C, A008\_C Design and Access Statement: R001\_A.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 1 This condition is intentionally left blank.
- 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 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:

Existing drawings: E001, E002, E003, E004, E005, E006, E007, E008, E009,  
Proposed drawings: A001\_B, A002\_C, A003\_B, A004, A005\_C, A006\_B,  
A007\_C, A008\_C Design and Access Statement: R001\_A

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

- 4 The use of the flat roof for amenity purposes shall be limited to the area identified as 'terrace' on the plans hereby approved.

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

Informatives:

- 1 Reasons for granting permission.

This application involves retrospective amendments to planning permission ref 2018/5318/P for the 'Erection of rear extension at lower and upper ground levels, subdivision of existing 2 storey 4-bed maisonette to provide 1 x 1-bed flat and 1 x 3-bed flat. Demolition of existing rear extension at lower and upper ground levels' granted on 30/04/2021.

There would be minor alterations to the terrace at upper ground floor which would wrap around to the middle point of the double doors at upper ground floor. The double doors have replaced a sash window which was originally approved. There would also be minor alterations to the doors and window location and design at lower ground floor. The height and depth of the rear extension would not increase from what has previously been approved. The alterations are considered minor in the context of the recently approved extension and the changes would not result in undue harm to the host building or wider conservation area.

The upper ground floor terrace would be expanded from what has previously been approved. This would not result in increased opportunities for overlooking when compared with the approved application. There would be no views afforded into neighbouring windows and the terrace would still be set away from the neighbouring boundary. The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers in terms of outlook, daylight or privacy. Condition 4 would restrict the use of the roof for amenity purposes to the area identified as terrace on the plans, in order to avoid harm to neighbouring privacy.

One objection was received prior to making this decision which is responded to in the consultation summary sheet. It is noted that the objection related to a previous proposal. 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 Areas) 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 proposed development also accords with the London Plan 2021 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 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 'DPope', is positioned in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer