

Application ref: 2021/1322/P
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Date: 9 July 2021

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Hodgkinson Design
29 Alexander Street
London
W25NU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 4
18 Chesterford Gardens
London
NW3 7DE

Proposal: Erection of roof terrace

Drawing Nos: P.100; P.102; P.103; P.104; P.105-A; P.106-B and P.107-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 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:
P.100; P.102; P.103; P.104; P.105-A; P.106-B and P.107-B.

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

Informative(s):

- 1 Reasons for granting permission:

The proposal was revised to a similar siting and scale of the previously approved ref. 2008/4412/P which was not implemented. Although the railings will be 0.1m higher to comply with building control regulations. It will create a timber decked roof terrace at the rear roof level to the existing flat. It would sit above the crown top of the existing roof and enclosed by 1.1m high black steel railings.

The proposed roof terrace would be screened by the front and side ridge lines of the existing roof profile. The railings would project approximately 200mm above the ridge lines of the existing roof. Given the positioning of the railings and the existing roof profile, the proposal would not significantly change the front elevation of the building and would not be visible from the streetscene. However the proposed railings would be visible on the rear elevation of the building. The proposed railings would be set back from the rear wall of the existing building therefore would only visible from the rear of properties on Greenaway Gardens and 9-17 (odd) Frognal Lane, which are approximately 60m and 75m away and the gardens of adjoining properties.

The proposal would not significantly change the roof profile of the building but it would slightly change the appearance of the roof when viewed from the rear. The proposed railings would above the rear roof slope and would run across the between the two rear dormers on the rear elevation. Similar roof terraces are found on this side of Chesterford Gardens.

Although the proposal would have a minimal impact on the balance of the symmetrical appearance of the group of building on the west side of Chesterford Gardens, the proposal is considered to be a small alteration to the rear elevation of the building and would not significantly affect the architectural integrity of the building. It would also be considered a subordinate addition to the roof. On balance, it is considered that the proposal would not harm the character and appearance of the existing building or the wider conservation area.

The proposed roof terrace would be between the side roof slopes of the building and would not face directly to the habitable room windows of the properties in the immediate vicinity. The property on the opposite side of Chesterford Gardens is over 30m away. Therefore, the proposal would not have an adverse impact on the neighbouring properties in terms of loss of light, outlook, privacy or increase sense of enclosure.

While it is acknowledged the proposed roof terrace would have views over the rear gardens of the adjoining properties this is considered to be no more intensive than the views from the windows at lower levels of the building and therefore is considered to be acceptable. Given the height of the roof terrace and the set back from the rear wall of the building, the users of the roof terrace would have obstructed view to the rear gardens of adjoining properties. The proposed railings would not affect the current levels of daylight/sunlight received by surrounding properties.

No objections were received during the statutory consultation period. 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 2013.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and policies SD2, SD4 and SD5 of the Redington Froggnal Neighbourhood Plan 2021. The proposed development also accords with policies of 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 (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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, 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 above the printed name and title.

Daniel Pope
Chief Planning Officer