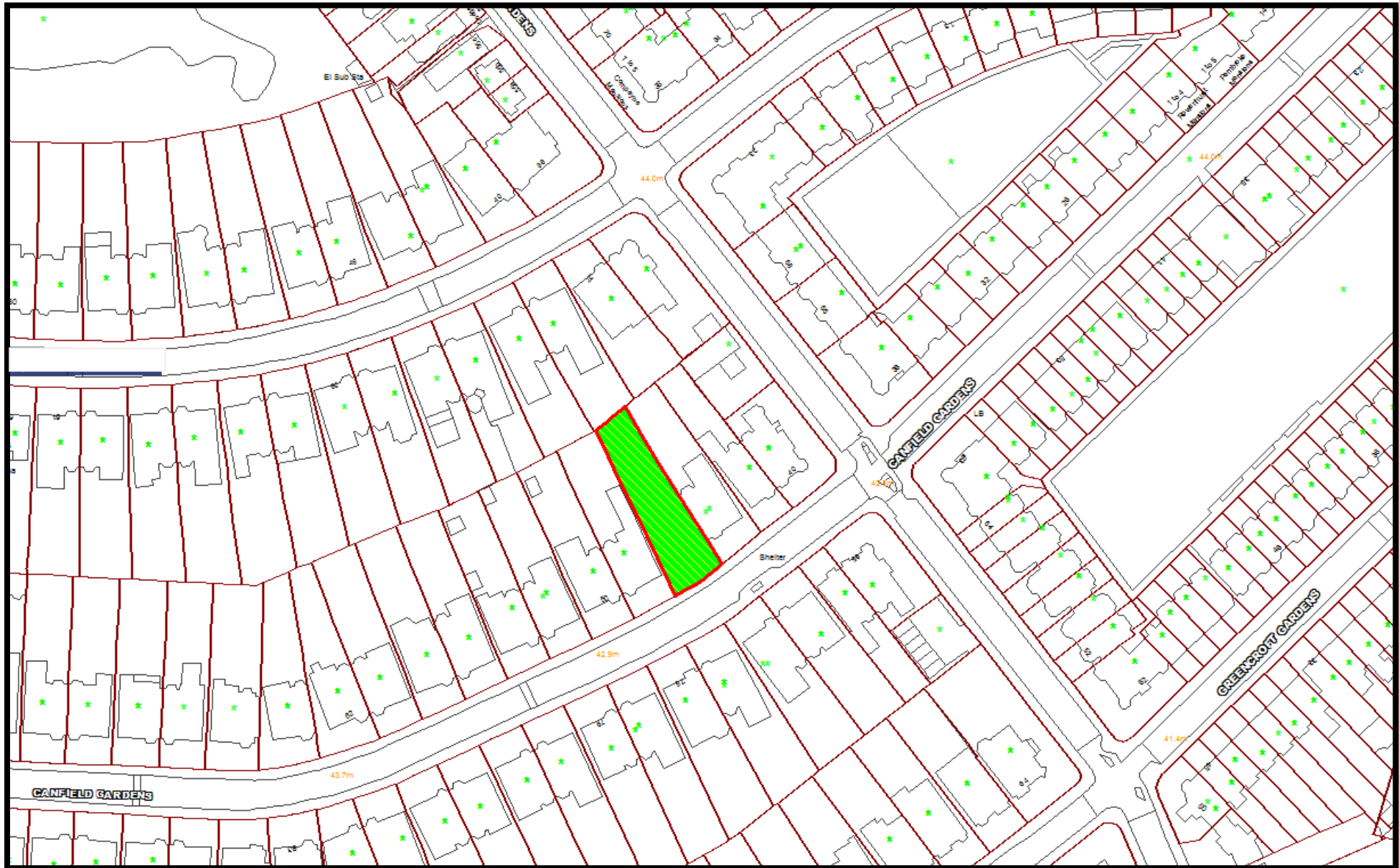


2021/0380/P – 46 Canfield Gardens, NW6 3EB



Site photos and drawings



1. Aerial view with number 46 and 48 highlighted



2. Rear elevation no. 46.



3. Rear elevation to no. 46 with ground floor extension



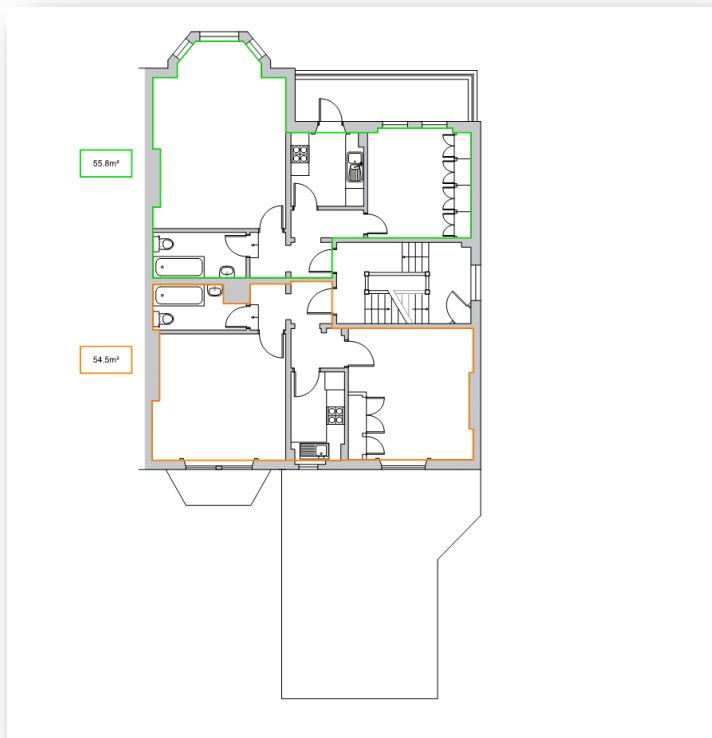
4. Aerial photo showing location of conservatory to no.48



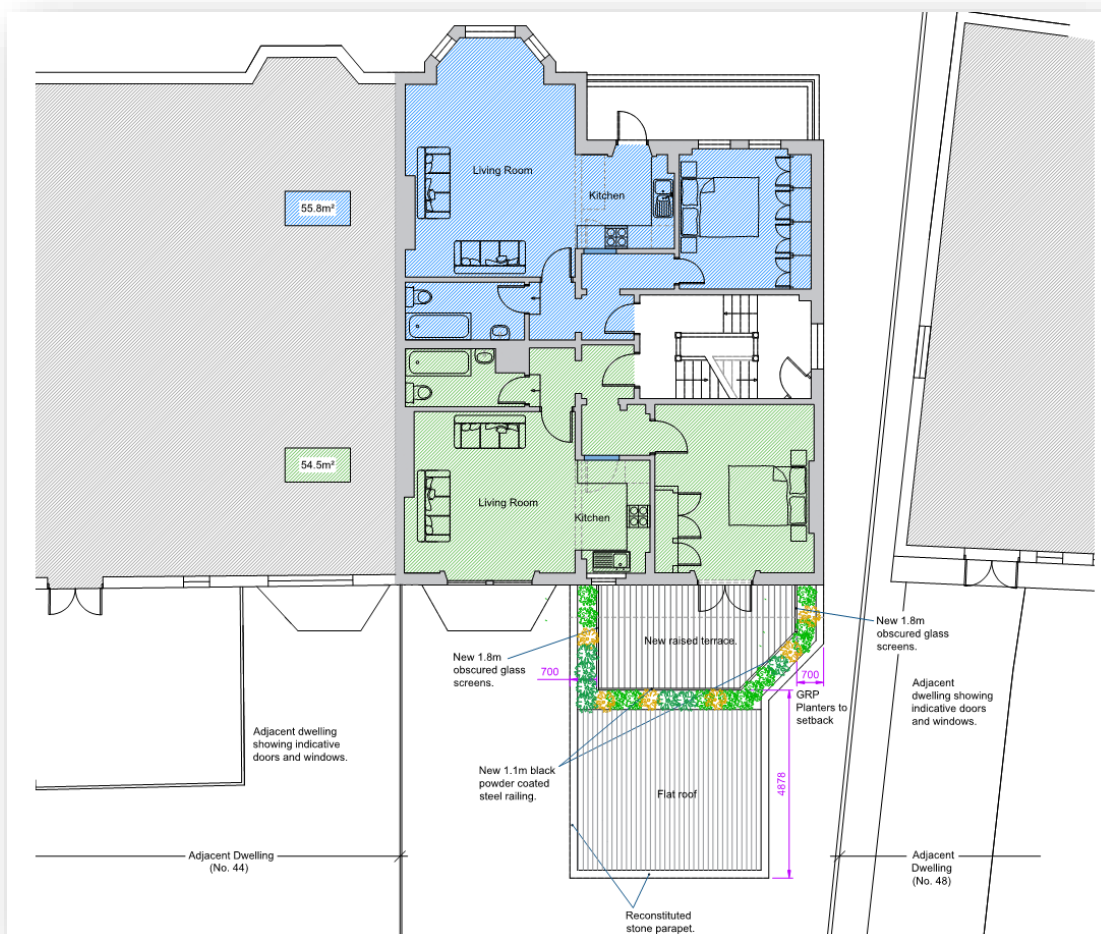
5. Existing rear elevation



6. Existing side elevation



7. Existing upper ground floor plan



8. Proposed Upper ground floor plan



9. Proposed rear elevation



10. Proposed side elevation

Delegated Report Members Briefing		Analysis sheet		Expiry Date:	24/05/2021
				Consultation Expiry Date:	02/05/2021
Officer			Application Number		
John Sheehy			2021/0380/P		
Application Address			Drawing Numbers		
46 Canfield Gardens London NW6 3EB			See decision		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal Raising of roof of existing single storey rear extension, replacement of rear window at first floor level with access door and installation of railing to form a roof terrace to first floor flat.					
Recommendation:		Grant conditional permission			
Application Type:		Full planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	4	No. of objections	4
	No. electronic	4		
Summary of consultation responses:	Press Notice published on 8 th of April 2021 expired 2 nd of May 2021.			
	Site Notice displayed 7 th of April 2021 expired 1 st of May 2021.			
Summary of consultation responses:	Four objections have been received from Ground Floor Flat, 48 Canfield Gardens (x2) First Floor Flat, 48 Canfield Gardens, and another resident of 48 Canfield Gardens, flat not specified.			
	<u>Impact on Amenity</u> <ul style="list-style-type: none">The proposed first floor terrace will allow those using it to look directly into the rear windows of number 48 Canfield Gardens, the garden at 48 Canfield Gardens and the Ground Floor conservatory of 48 Canfield Gardens;Proposal would cause overlooking contrary to Camden Planning Guidance - Amenity published in January 2021 ("CPG Amenity").			
Summary of consultation responses:	<u>Officer response:</u> <ul style="list-style-type: none">Revised drawings were received during the application period which reduced the size of the terrace and introduced privacy screens to both sides.			

**CAAC/Local groups
comments:**

Combined Residents Associations of South Hampstead (CRASH) objected on the following grounds:

Amenity

- The proposed first floor terrace will allow those standing on it to look back directly into the rear windows of number 48 Canfield Gardens, the conservatory of the Ground Floor Flat at 48 Canfield Gardens and the garden at 48 Canfield Gardens.
- The proposed application should be rejected because it is in breach of the Camden Planning Guidance - Amenity published in January 2021 ("CPG Amenity").
- The D&A Statement comments that the "scale of the extension is only moderately altered with the roof being raised by 250mm". However, this does not give an accurate idea of the effect of the proposed first floor terrace on the privacy of neighbouring 48 Canfield Gardens. The proposed first floor terrace will extend at least 5,400mm from the original back wall of 46 Canfield Gardens. The back wall of 46 Canfield Gardens projects 1,600mm beyond the back wall of 48 Canfield Gardens due to the curvature of the street. This means that the proposed new roof terrace will extend at least 7,000mm from the back wall of 48 Canfield Garden. The new roof terrace will be 800mm higher than the roof of the rear extension of 48 Canfield Gardens.
- The front and back garden of 46 are communal spaces. It is therefore disputed that the relevant flat in 46 Canfield Gardens "would otherwise have little or no exterior space".
- In addition, the Planning & Heritage statement states that the terrace will have a 1100mm glass balustrade. However, the proposed plans (19 30 301 B) show that the terrace will have "new 1.1m black powder coated steel railings" with planters around it. The applicant should be clear what it is they are applying for.

Officer's response:

- The proposed terrace has been reduced in depth and width to prevent views.
- As revised, the terrace is set in from the sides of the roof by 0.7m and by 4.9m from the rear edge which is considered sufficient, when combined with the privacy screens, to prevent views.
- Privacy screens are now proposed to either side of the proposed terrace.
- The glazed terrace balustrade has been replaced by powder-coated metal railings.

Site Description

The application relates to the ground and first floor flats within a grand three-storey semi-detached red brick property on the north side of Canfield Gardens.

A flat-roofed single-story extension was added in the middle of the twentieth century.

The building is not listed but is identified as making a positive contribution to the South Hampstead Conservation Area.

Relevant History

Application site

October 2020 Conversion of existing second/third floor flat into three separate flats (Class C3) including installation of two rear dormers and roof lights, **granted subject to aS106 legal agreement securing car free housing**, ref. 2019/4961/P.

May 2021 Planning permission **granted** for replacement of door and windows to rear ground floor extension serving ground floor flat with folding doors in an enlarged opening, ref. 2021/0381/P.

Other sites:

44 Canfield Gardens

November 2010 Planning permission **granted** for conversion of an existing residential premises (Class C3) from 1 x 2 bedroom and 2 x 3 bedroom flats to 1 x 2 bedroom and 1 x 6 bedroom flats with basement excavation, erection of new single storey rear ground floor extension following the demolition of an existing single storey addition, a glass balustrade and privacy screen associated with the use of the roof of the extension as a terrace, ref. 2010/3616/P.

60 Canfield Gardens

May 2018 Planning permission **granted** for erection of a single storey rear extension at ground floor level with enlarged roof terrace to the rear at first floor level. Ref. 2017/6655/P.

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

London Borough of Camden Local Plan 2017

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

Camden Planning Guidance 2021 (as amended)

CPG – Amenity

CPG – Design

CPG - Home Improvements

South Hampstead Conservation Area Appraisal and Management Strategy 2011

Assessment

1.0 Proposal

1.1 Planning permission is sought for a roof terrace at first floor level on top of the lower ground floor extension, and associated installation of French doors in place of existing window.

1.2 The rear extension would be increased from 4.0m to 4.2m in height.

1.3 The proposed roof terrace would be 2.8m in length and 5.2m in width. It would be set away from the edges of the flat roof (by 0.7m to the sides, and by 4.9m from the rear).

Revisions

1.4 The entire flat roof at upper ground floor level was initially proposed as a roof terrace, without privacy screens. Following revisions, less than half the flat roof is proposed as a terrace, and privacy screens have been added to both sides. The glass railing has been replaced by a black powder-coated metal balustrade.

2.0 Assessment

2.1 The main issues for consideration are:

- Residential Amenity
- Design / Conservation

3.0 Residential amenity

3.1 Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by only granting permission for development or alterations that would not harm the amenity of communities, occupiers and neighbouring residents. Policy A1 (e) identifies visual privacy as a factor the Council will consider. This is supplemented by Camden Planning Guidance - Amenity published in January 2021.

3.2 As a result of the reduced area of the proposed terrace and the addition of the privacy screens, no direct views would be opened up into neighbouring residential windows. The screens would cut off views to residential windows to properties either side. Views into windows at upper levels would be possible, however these would be at an oblique angle and would not penetrate deep into rooms.

3.3 There would be no loss of privacy to the rear garden of the property or its neighbours, which are already overlooked by numerous sets of rear windows. The proposed terrace would also be set well in from the rear of the flat roof on which it would be located (by 4.9m).

3.4 Objectors have raised concerns about the impact on the conservatory at 48 however this is also overlooked by numerous sets of rear windows and the proposed terrace would replicate these. The reduction in the area of the terrace would ensure any impact is minimised because any views from the terrace would be at an oblique angle.

3.5 The privacy screens would be obscure glazed and would not cause a loss of daylight to neighbouring occupiers, nor would they result in an excessive sense of enclosure.

3.6 Due to the scale and design of the rear extension as well as the general layout to the rear, the proposal would not result in any loss of daylight, outlook or privacy to neighbouring occupiers.

4.0 Design / Conservation

4.1 Local Plan Policy D1 (Design) states that to achieve high quality design that integrates into its surroundings, careful consideration needs to be given to a site's characteristics, features of local distinctiveness and the wider context.

4.2 Policy D2 (Heritage) sets out that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

4.3 The double door to the terrace would be located within an existing opening and would be timber-framed, matching the joinery in the surrounding area.

4.4 The powder-coated metal railing would be similar in appearance to the metalwork in the Conservation Area the glazed privacy screen would be lightweight in appearance. The proposal would not cause harm to the character and appearance of the host property or the wider conservation area.

4.5 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.

5.0 Recommendation

5.1 It is recommended that conditional planning permission is granted.

Application ref: 2021/0380/P
Contact: John Sheehy
Tel: 020 7974 5649
Email: John.Sheehy@camden.gov.uk
Date: 27 July 2021

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

Phone: 020 7974 4444

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

Stantec UK Ltd
78 Cowcross Street
London
EC1M 6EJ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
46 Canfield Gardens
London
NW6 3EB

Proposal: Raising of roof of single storey rear extension, replacement of rear window at first floor level with access door and installation of railing to form a roof terrace to first floor flat.

Drawing Nos: 19 30 1000, 19 30 010, 19 30 350 July 2021, 19 30 321 C.

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

Conditions and Reasons:

- 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 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: 19 30 1000, 19 30 010, 19 30 350 July 2021, 19 30 321 C.

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

- 4 The use of the roof as a terrace shall not commence until the 1.8m privacy screens, as shown on the approved drawings, have been constructed. The screens shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

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Informatives:

- 1 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).
- 2 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.
- 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.

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

Chief Planning Officer

DRAFT

DECISION