

Application ref: 2021/2089/P
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Date: 22 September 2021

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

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www.camden.gov.uk/planning

Catfish Studio Limited
19 Foxley Road
London
SW9 6ET
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**3 Modbury Gardens
London
NW5 3QE**

Proposal:

Upper ground floor infill rear extension, and partial retention of terrace, to dwelling.
Drawing Nos: 246/080 Rev A; 246/081 Rev A; 246/099; 246/100 Rev F; 246/101 Rev F; 246/102 Rev B; 246/105 Rev A; 246/001; 246/010; 246/005; 246/002; 246/010; 246/011; Design & Access Statement by Catfish studio Limited April 2021.

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:

246/080 Rev A; 246/081 Rev A; 246/099; 246/100 Rev F; 246/101 Rev F; 246/102 Rev B; 246/105 Rev A; 246/001; 246/010; 246/005; 246/002; 246/010; 246/011; Design & Access Statement by Catfish studio Limited April 2021.

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

Informative(s):

- 1 Reasons for granting permission:

The proposed infill extension would sit at upper floor level and infill the gap in between the existing extension at this level and neighbouring one at no. 4 Modbury Gardens. This area is currently used as a terrace as granted consent under application ref PE9800184R1 dated 29/05/1998. Neighbouring properties at no. 1 to 5 have similar two storey rear extensions which create a consistent rhythm across the rear elevations, as seen from Maitland Park Villas.

The proposed infill extension would have a rooflight and match the height of the adjacent structures and be set back from the rear elevation. This would maintain the existing rhythm along the rear of the properties, as well as their character and appearance. The extension would open with timber doors aligned with the others below and window above. The setback would be used as a small terrace for the new room created, with metal railings, which is accepted.

Overall, the proposed rear extension and terrace would maintain the existing character and appearance of the host building and terrace row.

In terms of impact on neighbouring amenity, the proposed extension, due to its location in between two existing structures, projection and detailed design, would not raise any significant concerns in relation to the impact on neighbouring amenity, in terms of loss of light, outlook or privacy.

No objections were received prior making this decision. The planning history of the site has been taken into account when coming to this decision.

The proposal also includes extension of the existing door openings at ground level and replacement of existing timber doors like for like. Given the nature of the proposals these would be permitted under Class A, Part 1, Schedule 2 of General Permitted Development Order 2015 (as amended).

As such, the proposed development is in general accordance with policies A1 and D1 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2021 and the London Plan 2021.

- 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, 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 (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.

- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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 2021.

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