

Application ref: 2021/5895/P
Contact: Ewan Campbell
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Date: 30 March 2022

Development Management
Regeneration and Planning
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theme2architects
The White House
55A Kyverdale Road
London
N16 7AB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 14
25 Shelton Street
London
WC2H 9HW

Proposal:

Erection of a flat roof designed roof extension with black balustrades. Works at roof level to include erection of extended stair core; enclosing of rear terraces and installation of roof lights; replacement of 8x existing roof lights; remove rear opaque glazed windows; remove timber louvre screens; raise the brick party wall; safety balustrades around roof top plant equipment; two air source heat pumps with screenings and removing existing two roof lights and installing 2x retractable roof lights and glass canopy to existing terrace (Class C3).

Drawing Nos: 101 002, 101 003, 101 005, 101 006, 101 007 (Rev B), 101 015, 101 016, 101 017 (Rev A), 101 018 (Rev A), 101 029, 101 030 (Rev A), 101 034, 101 035 (Rev A), 101 043, 101 053, 101 141, 101 142 and 101 143

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 101 002, 101 003, 101 005, 101 006, 101 007 (Rev B), 101 015, 101 016, 101 017 (Rev A), 101 018 (Rev A), 101 029, 101 030 (Rev A), 101 034, 101 035 (Rev A), 101 043, 101 053, 101 141, 101 142 and 101 143

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

- 3 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.

- 4 Other than the areas explicitly identified on the approved drawings as a roof terrace, no part of any other roof of the building shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.

Reason: In order to protect the existing residential amenities of the occupiers of neighbouring properties in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 5 The use of the newly created roof terrace shall not commence until the glass balustrades, as shown on the approved drawings, have been constructed. The glass balustrades shall be permanently retained as such thereafter.

Reason: In the interest of safe usage of the roof terrace and in order to protect the existing residential amenities of the occupiers of neighbouring properties in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Consent was given under 2019/3479/P for a similar proposal. The main changes compared to this application is the removal of the open timber louvres and replacement of a brick wall with the same dimensions. Moreover safety balustrades around the flat areas will also be place.

The subject property benefits from four existing corner roof terraces at sixth floor level. The two southern facing terraces would largely remain unaltered

with the exception of black balustrades which would run along the edge. The two northern facing terraces would be roofed over. After completing a site visit and requesting further information, the new roofs would be chamfered as they meet the northern elevation of the property, would contain single rooflights. The existing rooflights which serve the pitched roof would be replaced with new rooflights of a similar size, siting and design and there would be an additional three roof lights over the staircase to the western side which are also considered acceptable and do not cause significant harm to the properties character.

A new glass pavilion would be erected above the eastern sixth floor flat roof, it would contain a staircase which would give access to a new mezzanine terrace above the eastern sixth floor flat roof which would be surrounded by a black fenced balustrade. The glass pavilion would be no higher than the main ridge of the existing roof; no higher than the existing plant equipment (and brick wall) above the adjoining building to the east, and would be significantly inset from both the north and south elevations of the subject property. This element of the proposal is accepted in principle due to permission given for it under 2019/3479/P. The only change would be the roof level terrace slightly extending into the roof. Upon visiting the site, this does not significantly alter the character of the building and will rarely be seen due to its location behind the staircase and set back from the Shelton Street elevation.

The timber louvres on the east party wall are to be replaced by a brick wall which builds up the party wall to the equivalent height as the louvres. Because the overall height of this wall will not be increased beyond the existing the visual impact would be limited and therefore is acceptable.

The application has been revised with the removal of air source heat pumps which had originally been intended for inclusion. Any external plant of this nature would need to be the subject of a subsequent planning application if reintroduced into the scheme.

The proposed external alterations are not considered to detract from the character and appearance of the subject property or wider conservation area given their location at main roof level which will have limited visibility from the public realm. The scale, siting and materials used are considered appropriate and would not be visible in the street scene.

- 2 In terms of light, outlook and privacy, the proposed development is not considered to cause any significant detrimental harm. To the east and west there are no neighbouring habitable windows to be impacted upon, the proposed development would adjoin the roofs and plant equipment of the buildings either side. To the south are office and commercial buildings which contain no habitable windows to be impact upon. Additionally, there would be no notable increase in bulk and mass to the south side of the subject property. To the north lies a residential building, No. 40 Earlham Street, which contains a number of south facing habitable windows. The subject property is approximately a storey taller than No. 40 Earlham Street (and positioned directly south), and as confirmed during a site visit, with the exception of the rooflights and one of the top floor windows (at certain times of the day), the majority of the south facing habitable windows are permanently cast in shadow.

It is not considered that the infilling above the northern terraces would cause any issues in relation to loss of outlook or increased sense of enclosure for these properties. Furthermore in terms of overlooking, there are now no windows to the rear for either terrace hence the existing privacy for the adjoining property will be preserved. With the glass pavilion, whilst there are rear facing glazed doors, this part of the development is significantly set back from the north elevation by approximately 4.8 metres and the amount of glazing has actually reduced from the previously approved application. The existing arrangement, with the northern terraces being open affords more overlooking and privacy issues than the proposed arrangement as these have been infilled and the pavilion is significantly smaller in area and set back 4.8m. As per the previous application it is not considered that the glass pavilion would result in any undue harm to residential amenity.

Black balustrades are currently positioned to the north elevation of the two northern terraces. The proposed roofs would be marginally higher than the existing screening and would be set back from the north elevation and chamfered to further reduce the increase in bulk and mass. A condition will be placed on the application, as per the previous approval, that only the areas identified on plan will be used for a roof terrace to ensure privacy and overlooking issues are protected. As such, it is not considered the proposed north terraces roofs would result in any undue harm to residential amenity.

In terms of noise and disturbance, a noise impact assessment was submitted as part of this application. In consultation with our environmental health team, officers are satisfied that the submitted acoustic submission meets Camden's Local Plan guidelines and is therefore acceptable in environmental health terms in relation to the air source heat pumps. Conditions are placed on the application to ensure that the plant continues to operate within acceptable noise thresholds.

Two objections have been received prior to making this decision. The objections raised concerns in relation to no details being submitted, the application was similar to the previous application, the impact on light on 40 Earlham Street and no consultation process having taken place. The plans have been available to view on the Council's webpage since validation. In terms of light the amount of glazing facing 40 Earlham Street has actually been reduced since the previously approved application. Confirmed by Council records, two site notices were placed outside the host property and 36 Earlham Street. The Seven Dials CAAC have raised no objection to the proposal. The planning history of the site has been taken into account when coming to this decision.

- 3 The development is considered to preserve the character and appearance of the Conservation Area. 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.

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

- 4 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).
- 5 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 6 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.

- 7 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 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 centered on a light grey rectangular background.

Daniel Pope
Chief Planning Officer