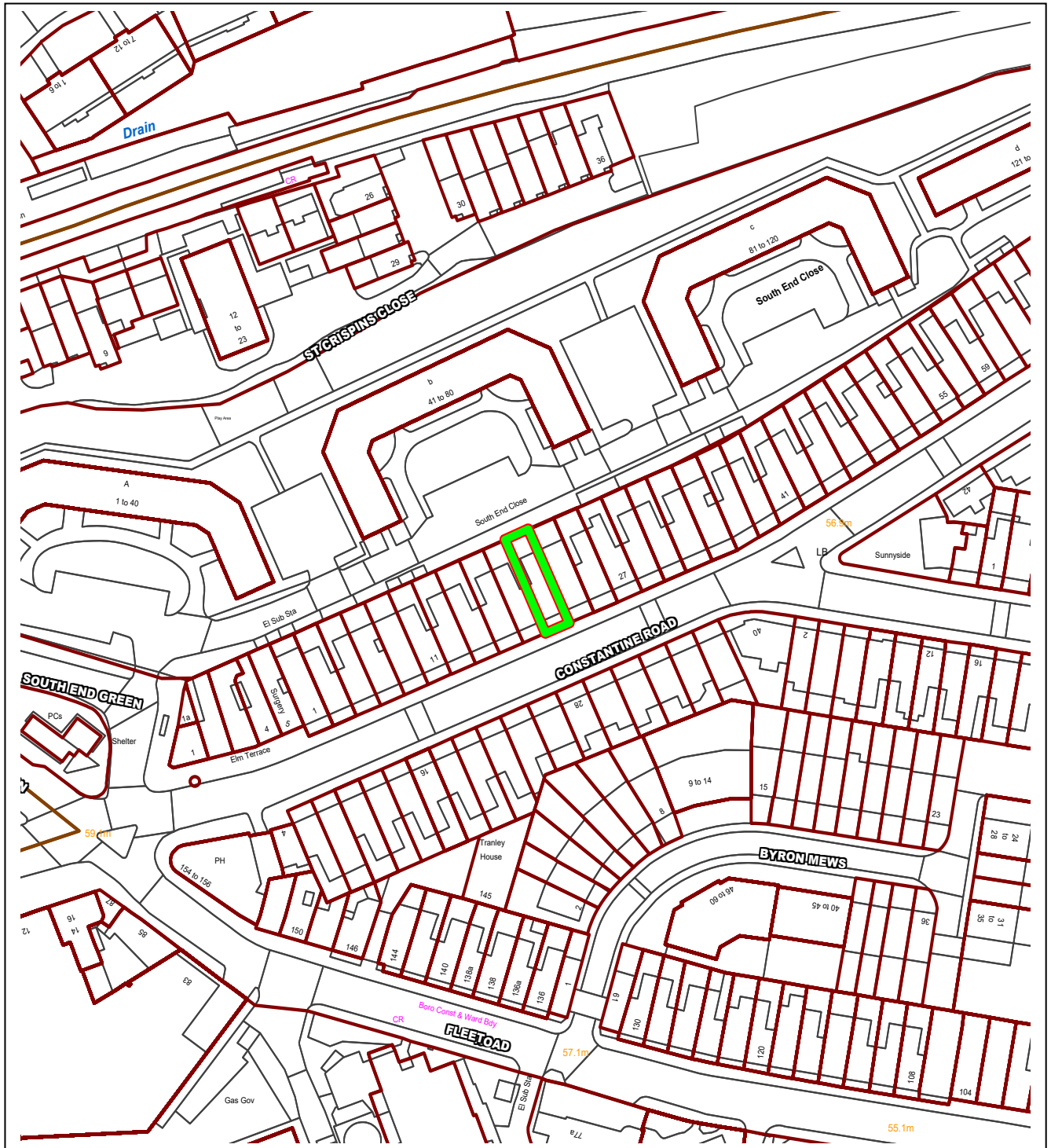


21 Constantine Road, NW3 2LN ref.  
2021/1019/P



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

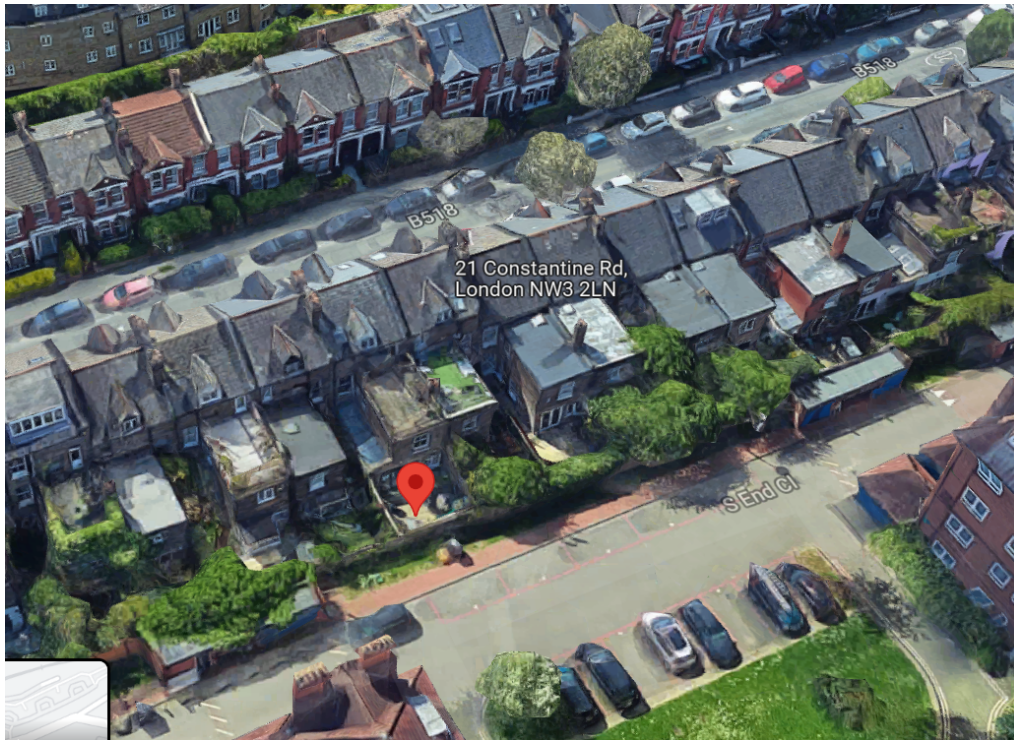


Image 1 (above): Aerial view



Image 2 (above): Rear elevation of 21 Constantine Road, No. 19 on the right

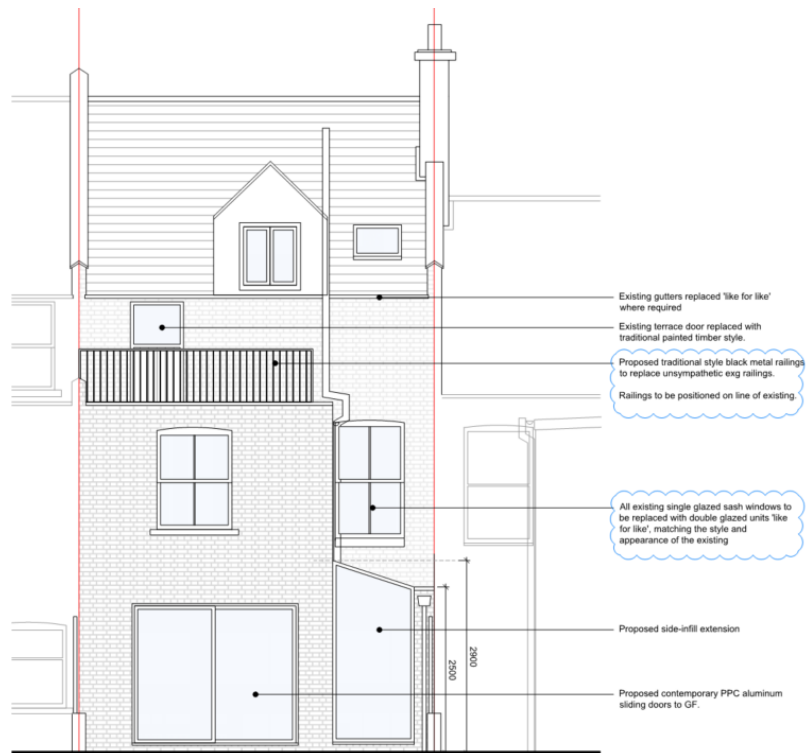


Image 3 (above): Proposed rear elevation

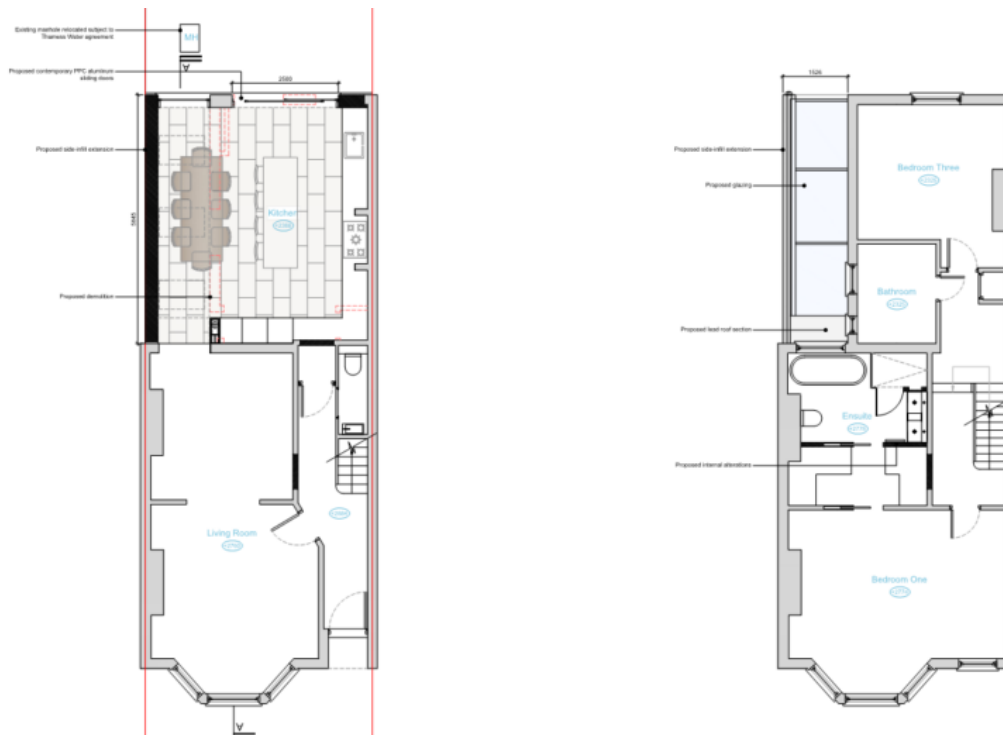


Image 4 (above): Proposed ground and first floor plan

|  |                            |                                       |                                     |                                      |            |
|--|----------------------------|---------------------------------------|-------------------------------------|--------------------------------------|------------|
| <b>Delegated Report<br/>(Members Briefing)</b>   |                            | <b>Analysis sheet</b>                 |                                     | <b>Expiry Date:</b>                  | 03/05/2021 |
|  |                            | N/A / attached                        |                                     | <b>Consultation<br/>Expiry Date:</b> | 16/05/2021 |
| <b>Officer</b>   |                            |                                       |                                     | <b>Application Number(s)</b>         |            |
| Neil McDonald  |                            |                                       |                                     | 2021/1019/P                          |            |
| <b>Application Address</b>   |                            |                                       |                                     | <b>Drawing Numbers</b>               |            |
| 21 Constantine Road<br>London<br>NW3 2LN   |                            |                                       |                                     | See draft decision notice            |            |
| <b>PO 3/4</b>  | <b>Area Team Signature</b> | <b>C&amp;UD</b>                       | <b>Authorised Officer Signature</b> |                                      |            |
|  |                            |                                       |                                     |                                      |            |
| <b>Proposal(s)</b>   |                            |                                       |                                     |                                      |            |
| Erection of a ground floor rear infill extension with glazed roof and installation of metal railings to replace the existing terrace railing at rear first floor level; replacement windows to rear elevation. |                            |                                       |                                     |                                      |            |
| <b>Recommendation:</b>   |                            | Grant conditional planning permission |                                     |                                      |            |
| <b>Application Type:</b>   |                            | Full Planning Permission              |                                     |                                      |            |

|                                    |  |    |                   |    |
|------------------------------------|--|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice   |    |                   |    |
| Informatives:                      |  |    |                   |    |
| Consultations                      |  |    |                   |    |
| Summary of consultation:           | A site notice(s) was displayed near to the site on the 16/04/21 (consultation end date 10/05/21).<br><br>The development was also advertised in the local press on the 22/04/21 (consultation end date 16/05/21).  |    |                   |    |
| Adjoining Occupiers:               | No. of responses   | 02 | No. of objections | 02 |
| Summary of consultation responses: | <p><b>South End Close Residents Association:</b><br/>The Association wholeheartedly object. No consultation was attempted with the Association when the works will directly impact the safety and quality of life of residents as the build will use the close as a building site, storage depot, dumping ground, deliveries point for hgv's and a car park for the works. Several illegal builds have already taken place on Constantine Road in the last year (#27, 59) which have negatively impacted residents for months. The works should not proceed without an agreed impact assessment and mitigation plan.</p> <p><b>Neighbour objection:</b><br/>A further objection was received from an individual expressing concern about the ground floor infill blocking light into their living room and loss of privacy from the proposed balustrade as well as the noise impact of the works.</p> <p><u>Officer's response:</u><br/><i>The scale of extension is quite minor and ample parking facilities exist in front of the site on Constantine Road for vehicles to load and unload. The Council would not normally insist on a CMP for minor developments such as this. The use of Southend Close for construction purposes would need to be by private arrangement as it is not an adopted highway.</i></p> <p><i>The narrow single storey infill would not have any additional light impact on the neighbouring dwelling at beyond the two storey rear projection which already exists. Overlooking would not be exacerbated by the replacement railing as the terrace use atop the flat roof of the outrigger already exists.</i></p> |    |                   |    |
| Mansfield CAAC:                    | No response received   |    |                   |    |

## Site Description

The application site (21 Constantine Road) is a 2-storey mid terrace single dwelling on the north side of Constantine Road. It has a roof storey in the form of a rear dormer which appears to be original and a two-storey flat roofed rear projection with access onto the flat roof from the 2<sup>nd</sup> floor stair landing for amenity use. Roof terraces also appear to be present on a number of the other rear projections in the terrace including on the paired rear projecting element at No. 23.

The terrace appears to date from the late 19<sup>th</sup> century and is typical of the Mansfield Conservation Area of which it forms a part.

## Relevant History

The planning history for the application site can be summarised as follows:

### 21 Constantine Road

No recent planning history

### 23 Constantine Road

**2014/1971/P** - *Conversion of 2 x self-contained units into single dwelling, and erection of a single storey rear side extension, installation of new door to second floor rear and installation of 2 rooflights to front roofslope.* Granted 22/05/2014 (rear/side glazed roof infill extension is of similar nature to that currently proposed for No. 21)

## Relevant policies

### National Planning Policy Framework (2021)

### The London Plan (2021)

### Camden Local Plan (2017)

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage

### Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Home Improvements (2021)

### Conservation Statements:

- Mansfield Conservation Area Appraisal and Management Strategy 2008



## Assessment

### 1. The proposal

- 1.1. Planning permission is sought for the erection of a single storey infill extension to create an enlarged kitchen/dining area on the ground floor at the rear of the dwelling. It has a glazed roof sloping down towards the boundary wall with the rear of No. 19 Constantine Road. The height of the extension is 2.9m where it meets the main two storey rear projection and 2.5m where it adjoins the garden wall.
- 1.2. The proposal includes the replacement of a metal two-horizontal rail balustrade with a Building Regulations compliant 1.1m metal railing around the second floor terrace. Rear windows are to be replaced in matching sash style with timber frames but with double-glazed units. Window changes are also proposed on the front elevation.
- 1.3. No trees are proposed to be removed or affected. It is not proposed to alter the existing arrangement for surface water disposal, and the area to be built upon is currently hard paved so there would be no impact on existing risk of flooding within the immediate area.

#### Revisions

- 1.4. During the course of the application revisions were secured to change the proposed replacement terrace balustrade from glazed to traditional metal railings, and to clarify the replacement windows as timber sash with glazing bars to match the existing.

### 2. **Assessment**

The key considerations material to the determination of this application are as follows:

- Design and Heritage
- Impact on neighbours/Amenity

### 3. **Design and Conservation**

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features.
- 3.2. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 3.3. The Mansfield Conservation Area Statement (2008) states that rear extensions will not be acceptable where they would diverge significantly from the historic pattern of the area.
- 3.4. The proposed single storey rear infill extension is considered to form a proportionate and unobtrusive addition that would not detract from the character and setting of the host dwelling. It would be subordinate in scale to the existing 2-storey rear projection of which it would become a part. The extension would be of a similar nature and in equivalent location to that already existing to the adjoining property at No.23 approved in 2014, and also to other examples at various points elsewhere along the wider terrace.
- 3.5. The replacement terrace balustrade being vertical black metal railings would have a traditional appearance more complimentary to the character and appearance of the conservation area in comparison with the existing thick galvanised-looking metal handrail.

- 3.6. The replacement upper-level windows would be timber sash to match existing although would be double-glazed to improve their thermal performance. At ground floor two existing window openings would be replaced by contemporary powder coated metal sliding doors which are considered appropriate for the rear of the property and unobtrusive due to being screened from the wider surroundings by boundary treatments. This style is also not out of keeping with other more recent alterations along the rear of the terrace.
- 3.7. The proposed alterations and extension are therefore considered to be sympathetic to the existing historic pattern and would preserve the character 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

#### **4. Residential Amenity**

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.
- 4.2. Whilst the proposed extension would project 5.8m along the boundary line with No.19 Constantine Road, the height on the boundary would not cut the 45 degree angle taken from a point 2 metres above ground level at the midline of the adjacent property's ground floor window to any greater extent. This 45 degree test (taken in both plan and elevation) is the traditional test under the Building Research Establishment (BRE) guidelines for assessing whether a more detailed examination is needed. Whilst there would be a minor increased sense of enclosure to this window from the length of the extension, this is not considered significant enough to be considered materially harmful to the outlook from the adjoining property so as to justify refusal.
- 4.3. The replacement terrace balustrade is not considered to give rise to any amenity impacts as the terrace it encloses is long extant and is already secured by a railing albeit not in full compliance with current Building Regulations (which is a non-planning matter).
- 4.4. Construction impact is controlled under the Environmental Health Act and an informative is recommended to be attached to the permission advising of the this and the permitted hours for noisy building works. Beyond this any management of construction processes by Section 106 agreement (i.e. construction management plan) is not considered justified because of the small-scale nature of the development and no exceptional circumstances in terms of constrained access arrangements without impinging on neighbours.
- 4.5. . The development is therefore considered to comply with the requirements of policy A1.

#### **5. Recommendation**

##### **5.1. Grant conditional Planning Permission**

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 3<sup>rd</sup> May 2022, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Application ref: 2021/1019/P  
Contact: Neil McDonald  
Tel: 020 7974 2061  
Email: [Neil.McDonald@camden.gov.uk](mailto:Neil.McDonald@camden.gov.uk)  
Date: 27 April 2022

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Open London  
Mermaid House  
2 Puddle Dock  
Blackfriars  
London  
EC4V 3DB

**DRAFT**

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Householder Application Granted**

Address:

**21 Constantine Road  
London  
NW3 2LN**

Proposal: Erection of a ground floor rear infill extension with glazed roof and installation of metal railings to replace the existing terrace railing at rear first floor level; replacement windows to rear elevation.

Drawing Nos: 21005\_001\_P1; 002\_P2; 003\_P2; 004\_P2; 005\_P2; 006\_P2; 007\_P2; 008\_P2; 009\_P2.

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 21005\_001\_P1; 002\_P2; 003\_P2; 004\_P2; 005\_P2; 006\_P2; 007\_P2; 008\_P2; 009\_P2.

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

- 3 The upper floor replacement windows shall be of timber framed materials to match the existing and 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.

Informative(s):

- 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 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](http://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 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer