

Application ref: 2022/0805/P
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Date: 26 May 2022

Development Management
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Square Feet Architects
95 Bell Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Lower Ground Floor Flat
39 Priory Road
London
NW6 4NN

Proposal:

Variation of condition 3 (Approved plans) of planning permission 2020/0715/P dated 23/04/2021 for excavation of front garden for lightwell, erection of single storey rear extension at lower ground floor level following demolition of existing conservatory including installation of balustrade to the replacement ground floor roof terrace, rebuilding of garage and associated landscaping works to the rear. Namely, installation of a new door to the flank elevation, increase in height and width of the rear extension, alteration to the rear hard landscaping and erection of a raised rooflight to the rear extension.

Drawing Nos:

Superseded: XX-B1-DR-A-00201; XX-RF-DR-A-00201; XX-XX-DR-A-00101; XX-GF-DR-A-10201; XX-01-DR-A-10201; XX-RF-DR-A-10201; XX-XX-DR-A-00302; XX-XX-DR-A-00305; XX-XX-DR-A-10302; XX-XX-DR-A-10305; XX-XX-DR-A-00401; XX-XX-DR-A-00402; XX-XX-DR-A-00403; XX-XX-DR-A-10401; XX-XX-DR-A-10402; XX-XX-DR-A-10403.

Proposed: 2110_L_010; 2110_L_011; 2110_L_001; 2110_L_110 A; 2110_L_111 A; 2110_L_021; 2110_L_022; 2110_L_121 A; 2110_L_122 A; 2110_L_012; 2110_L_014; 2110_L_013; 2110_L_112 A; 2110_L_114; 2110_L_113 A and XX-XX-DR-A-10601.

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 the original planning permission ref 2020/0715/P dated 23/04/2021.

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 For the purposes of this decision, condition no.3 of planning permission 2020/0715/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans- Proposed: XX-GF-DR-A-00201; XX-01-DR-A-00201; 2110_L_001; 2110_L_011; XX-XX-DR-A-00102; XX-XX-DR-A-10102; XX-B1-DR-A-10201; XX-01-DR-A-10201; XX-01-DR-A-10201; XX-RF-DR-A-10201; XX-XX-DR-A-00301; XX-XX-DR-A-00302; XX-XX-DR-A-10301; 2110_L_010; 2110_L_012; 2110_L_014; 2110_L_013; 2110_L_021; 2110_L_022; XX-XX-DR-A-00404; XX-XX-DR-A-10404; 2110_L_110 A; 2110_L_111 A; 2110_L_112 A; 2110_L_113 A; 2110_L_114; 2110_L_121 A; 2110_L_122 A; XX-XX-DR-A-10601; Basement Impact Assessment Audit Commissioned by Campbell Reith dated March 2021; Basement Impact Assessment commissioned by LBHGO dated January 2020 and Factual Site Investigation Report Commissioned by ST Consult Environmental & Geotechnical dated 6th January 2020.

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

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring

buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 5 The brickwork of the proposed garage shall match the colour and texture of the existing building and the proposed garage door shall be timber.

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

Informative(s):

- 1 Reasons for granting permission:

The application seeks a minor-material amendment to the approved drawings condition of planning permission 2020/0715/P granted 23/04/2021 for: "the excavation of front garden for lightwell, erection of single storey rear extension at lower ground floor level following demolition of existing conservatory including the installation of balustrade to the replacement ground floor roof terrace, rebuilding of garage and associated landscaping arrangement to the rear".

To the rear it is proposed to increase the width of the approved rear extension by 508mm and the patio area (stepped landscaping) would extend into the garden by 2.0m this would allow more light into the rear extension. The increased width of the rear extension given its setting at lower-ground floor level is not considered harmful to the character and appearance of the host building. Moreover, the limited bulk and scale being proposed is would not compromise the building's distinctive form and architectural style. The proposed hard landscaping is considered acceptable given the existing paved garden to the rear and additional soft landscaping is included.

The works to the side passage comprising the a new access door/window would be of appropriate design and are considered acceptable in design/heritage impact terms.

The proposed black painted metal balustrade to the roof terrace on the rear extension would be a replacement for the permitted glazed balustrade is also acceptable and would be more appropriate to the architectural style of the host building.

The proposed roof light on the rear extension has been revised to reduce the potential for overlooking and its position altered so it sits further away from the balustrade and would have minimal visual impact.

The roof terrace is existing and would not result in any new views into neighbouring habitable windows, The proposed extension would have a marginally larger footprint to the approved extension and not result in loss of light or outlook. Cumulatively, the changes to the design would not result in a material loss of amenity to neighbours.

No objections were received prior to making this decision. The planning history of the site and surrounding area were taken into account. Special regard has been attached to the desirability of preserving or enhancing 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.

Overall the changes are considered minor in the context of the approved scheme and preserve the character and appearance of the conservation area. They do not give rise to a material loss in amenity to neighbours.

Consequently, the development is in general accordance with Policies D1, D2, A1, A5 and A3 of the Camden Local Plan (2017). The proposed development also accords with the policies of the London Plan 2021 and The National Planning Policy Framework (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 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 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 above the printed name and title.

Daniel Pope
Chief Planning Officer