

Application ref: 2022/1058/P  
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Date: 17 June 2022

**Development Management**  
Regeneration and Planning  
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09630499  
18 Burrard Road  
West Hampstead  
London  
NW6 1DB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**37 Fairhazel Gardens**  
**London**  
**NW6 3QN**

Proposal:

Rear ground floor extension with full height aluminium framed windows. Green roof to rear extension with flush roof lights and new steps to rear garden. Extension of upper ground floor terrace with new glazed canopy and decorative metal balustrade. New timber framed sash windows to side elevation.

Drawing Nos: SH.01.204-A, SH.01.202-A, Sedum-s-pod-component, Sedum-s-pod-design, Sedum-Maintenance-Guide, SH.01.203, SH.01.204, SH.01.104, SH.01.201, SH.01.202, SH.01.103, SH.01.101, SH.01.102.

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 SH.01.204-A, SH.01.202-A, Sedum-s-pod-component, Sedum-s-pod-design, Sedum-Maintenance-Guide, SH.01.203, SH.01.204, SH.01.104, SH.01.201, SH.01.202, SH.01.103, SH.01.101, SH.01.102.

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 The living roof in the area indicated on the approved roof plan shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission:

The depth and height of the extension has been approved under 2012/2266/P, 2015/3204/P and 2018/4264/P. The application was revised to be the same depth as what has already been approved under these permissions. The glazing has changed to aluminium framed sliding doors which is acceptable in terms of design and location.

The proposal replaces an existing conservatory extension with a flat roofed extension. The proposed rear extension is deeper and slightly higher than existing. The proposal would have a similar set-back from the northern boundary compared to the existing conservatory although it would extend up to the southern boundary. This proposed width would not be too dissimilar from the existing situation as there is currently a staircase directly adjacent the southern boundary.

The rear extension includes a contemporary flat roofed design with a sand-cement finish to match the existing lower ground and ground floor level finish. Flat roofed extensions in the vicinity of the application site are not uncommon. There are extensions of various sizes and designs along this part of Fairhazel Gardens and Compayne Gardens.

The proposal would be at lower ground level and would marginally project above the site's boundary walls. The neighbour at No. 39 has a flat roof rear

extension with conservatory which currently projects beyond the application site's conservatory. The building at No. 35 is currently in line with the existing conservatory although this building's projection extends the full height. There is dense vegetation in the form of mature trees to the rear boundary meaning the proposal would not appear as a prominent feature in the rear garden. The application site would retain a large rear garden.

The roof terrace is a current feature which would be retained. The remainder of the roof would be a green roof with flush rooflights. The applicant has provided green roof details which show that it would have adequate substrate depth to support the species' proposed and a maintenance schedule to ensure sustainability. The implementation of the green roof in accordance with these details is secured by condition.

The proposed windows in the side elevation and the new casement window to the rear elevation are also considered acceptable.

Seen from the immediate neighbouring properties, the proposed extension at the lower ground level is not considered to appear overly dominant. Due to the existing extensions at these neighbouring properties and the proposal being kept at a relatively low level, no undue overshadowing is considered to occur. It is also noted that No. 39's flat roof rear extension with conservatory also features a roof terrace.

The proposal would not extend the existing roof terrace and the existing canopy which serves as a privacy screen would be reinstated. The roof terrace, similar to the current situation, would have railings to prevent occupiers from using the flat roof section as a roof terrace. As such, no potential for overlooking would occur as a result of this element of the proposal. The new southern flank wall windows would not directly face windows of the neighbouring dwelling at No. 35.

The site's planning history and relevant appeal decisions were taken into account when coming to this decision. 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 (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with 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 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](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,



Daniel Pope  
Chief Planning Officer