

Application ref: 2022/1107/P  
Contact: Josh Lawlor  
Tel: 020 7974 2337  
Email: Josh.Lawlor@camden.gov.uk  
Date: 4 July 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/planning](http://www.camden.gov.uk/planning)

4D Planning  
86 - 90 Paul Street  
3rd Floor  
London  
EC2A 4NE  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 5**  
**3rd Floor**  
**75 Sherriff Road**  
**London**  
**NW6 2AS**

Proposal:

Use of third floor flat roof as amenity terrace, installation of boundary railings, access door, and associated alterations.

Drawing Nos: 4D-230 E00; 4D-230 E01, 4D-230 E02, 4D-230 P01 rev A, 4D-230 P02 rev A, 4D-230 E03, 4D-230 P03 rev A

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 4D-230 E00; 4D-230 E01, 4D-230 E02, 4D-230 P01 rev A, 4D-230 P02 rev A, 4D-230 E03, 4D-230 P03 rev A

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 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

During the course of the application the timber screen was removed as it would have added considerable bulk at high level and was not necessary to preserve residential amenity. It is proposed to form a terrace area on top of a flat roof. An access door would be formed in place of a small window and boundary railings would be installed. The black boundary railings would be to a height of approx. 1.1m and would not appear incongruous in its context or add visual clutter. The northern railings would be set back from the roof/building edge and planters are proposed along this edge. The works would not be visible from the streetscene. Two existing plant units would be re-positioned on the roof to accommodate access to the terrace.

The terrace would have a usable area of approx. 9.6 sqm which is modest in scale. The neighbouring window at no. 77 on the third floor serves a stairwell and is therefore not a habitable room. Any potential overlooking of this window is considered acceptable on balance. The potential for overlooking towards the third floor closet wing window at no. 73 is considered acceptable. The roof terrace may allow some overlooking when people are walking out of the door but due to the width of the terrace at this point it is not an area which will include any seating therefore there will be no direct overlooking of the window. The overlooking towards the garden level is acceptable as the distance is established by windows at this level. There would not be a significant loss of surrounding amenities as a result of the proposed works.

No objections were received from residents. The planning history of the site and surrounding area was taken into account when reaching this decision. As such, the proposal is in general accordance with policies A1 and D1 of the Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2013. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework.

- 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