

Application ref: 2022/0208/P  
Contact: Miriam Baptist  
Tel: 020 7974 8147  
Email: [Miriam.Baptist@camden.gov.uk](mailto:Miriam.Baptist@camden.gov.uk)  
Date: 15 September 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)

Aedium Ltd.  
39 Thornton Road  
London  
SW12 0JX

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**539 Finchley Road**  
**London**  
**NW3 7BJ**

Proposal:  
Infill extension with 3x rooflights.

Drawing Nos: Site Plan, 539.101, 539.102, 539.103, Daylight and Sunlight Report (Neighbouring Properties) dated 1 August 2022 by Right of Light Consulting.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: In order to comply with the provisions of Section 92 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 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans- Site Plan, 539.101, 539.102, 539.103, Daylight and Sunlight Report (Neighbouring Properties) dated 1 August 2022 by Right of Light Consulting.

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

Informative(s):

- 1 Reasons for granting permission:

The proposal is for 17m<sup>2</sup> ground floor infill extension to the rear/side of the property. The extension is considered modest and fills in a narrow exterior space against the boundary fence with no 541. It would stand at 3.35m high on the property boundary shared with neighbouring no 541. The infill extension would not extend further than the existing rear or side building line of the property and in this respect is considered modest, and subordinate in relation to the host building. In terms of detailed design the extension would be a brick structure with a flat roof featuring three raised velux windows. The proposal replaces a small paved yard to the rear of the property which received limited sunlight. Although the proposal results in a small reduction of outside space it is considered that the garden space to the front of the property facing Finchley Road and Weech Road is more valuable for amenity and biodiversity value.

In terms of neighbouring amenity, there are no windows on the elevations that may pose harmful overlooking to any habitable rooms nearby. A Sunlight/Daylight Assessment has been provided and shows the proposal will have minimal impact on the light receivable by its neighbouring properties. The proposed rooflights would face directly upwards and are intended to bring light into interior spaces rather than create an outlook and therefore are not considered to pose any risk of overlooking to the adjacent windows.

No objections were received during the course of this application. The site history and relevant appeal decisions have also been considered.

As such, the proposal is in general accordance with policies A1 and D1 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework 2021.

- 2 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.

- 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](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.

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 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).

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:

<https://www.gov.uk/appeal-householder-planning-decision>.

Yours faithfully



Daniel Pope  
Chief Planning Officer