

Application ref: 2022/3165/P
Contact: Amy Ly
Tel: 020 7974 8141
Email: Amy.Ly@camden.gov.uk
Date: 26 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
www.camden.gov.uk/planning

AA Drafting Solutions
3-7 Sunnyhill Road
London
SW16 2UG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat E
5 Kingsgate Road
London
NW6 4TD

Proposal: Proposed roof terrace at second floor level with associated railings and conversion of the existing window to a door.

Drawing Nos: DESIGN & ACCESS STATEMENT; A1/01 Rev A; A3/01 Rev C

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

DESIGN & ACCESS STATEMENT; A1/01 Rev A; A3/01 Rev C

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.

The proposed rear roof terrace would not detract from the character and appearance of the host property or terrace grouping (nos. 1-5), nor cause harm to the Kentish town neighbourhood plan area. The balustrade would be made of metal railings, similar to the balustrade and the roof terrace at no.3 Kingsgate Road, and the new access door would be of an appropriate size, siting and design, also similar to the existing windows on the rear elevation. No. 7 on the north side of the application site also benefits from a rear roof terrace. Given that the terrace would be sited on the rear of the building it is not considered to form a visually obtrusive feature within the public realm.

The terrace would not result in a significant detrimental impact to residential amenity and given its size and siting, the proposed terrace would not result in an undue loss of privacy to neighbouring residents. It would occupy the flat roof above the existing rear outrigger, preventing direct views of the flats below. The nearest residential neighbours to the rear would be a sufficient distance away from the application site, and the proposed terrace would not be visible from its high level. The terrace would not be of a large enough size to host large gatherings and result in undue levels of noise and disturbance. There is a similar roof terrace approved in 2014 at the adjacent neighbour's, no.3 which is a sufficient distance away from the proposed terrace. There would be minimal overlooking impact into the 2 top floor windows on either side of the terrace due to the installation of a 1.7m timber privacy screen to both sides. And thus, the proposals would not result in direct overlooking to the neighbouring terraces and windows.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposal is in general accordance with Policies D1 and A1 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 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) 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:

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

Yours faithfully



Daniel Pope
Chief Planning Officer