

Application ref: 2021/1316/P  
Contact: Leela Muthoora  
Tel: 020 7974 2506  
Email: [Leela.Muthoora@camden.gov.uk](mailto:Leela.Muthoora@camden.gov.uk)  
Date: 8 November 2023

**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)

Mr Shervin Orodpour  
76 Heath street  
London  
NW3 1DN

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted and Warning of Enforcement Action**

Address:  
**76 Heath Street**  
**London**  
**NW3 1DN**

Proposal: Installation of timber shopfront following removal of unauthorised folding aluminium shopfront.

Drawing Nos: Site location plan; Block Plan; SH1 / 060921 / PL1; SH1 / 060921 / PL2; SH1 / 060921 / PL3; SH1 / 060921 / PL4.

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 -  
Site location plan; Block Plan; SH1 / 060921 / PL1; SH1 / 060921 / PL2; SH1 / 060921 / PL3; SH1 / 060921 / PL4.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission.

The site consists of the ground floor commercial unit of the three-storey building, located on the eastern side of the road. It is a Grade II listed building located within the Hampstead Conservation Area and Hampstead Neighbourhood Plan Area.

The proposed replacement shopfront is considered appropriate in terms of design, proportions, and materials as it would respect the characteristics and architectural features of the host building. The proposal was revised during the application to reinstate a traditional timber stall riser which would replace the existing unsympathetic folding shopfront which results in a void when open and is inappropriate for historic buildings. The existing recessed entrance would be retained which is considered appropriate for a traditional shopfront.

The new shopfront is traditionally detailed, would provide symmetrical arrangement and retain a large central shop window with the fascia board with panelled stall riser remaining as traditional design features. The door leading to the commercial unit is glazed on the upper part with a lower timber panel. The separate residential entrance comprises of a timber panelled door.

Overall, the proposed alterations, in terms of design, location and materials are considered appropriate as they reinstate the character and rhythm of the shopfront and will preserve and enhance the character and appearance of the host building and frontage in this town centre shopping frontage of the Hampstead Conservation Area. On balance, the proposed shopfront would be sympathetic in design and materials and would improve the appearance and enhance the special interest of the listed building.

Given the minor nature of the alterations they are not considered to have a harmful impact on the amenity of neighbouring properties in terms of light spill, loss of privacy or outlook in accordance with policy A1.

No objections have been received prior to making this decision and the site's planning history was considered in the determination of this application.

Special attention has been paid to the desirability of preserving or enhancing

the character or appearance of the conservation area, and to the desirability of preserving the special interest of the listed building under s.72 and s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1 (Managing the impact of development), D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

## 2 ENFORCEMENT ACTION TO BE TAKEN

An unauthorised aluminum folding shopfront has been installed without planning permission and listed building consent, and will be referred to enforcement. The Director of Supporting Communities will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.

- 3 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).
- 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.
- 5 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:

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

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer