Application ref: 2021/2305/L
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Date: 8 November 2023

Camden

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Mr Shervin Orodpour
76 Heath street
London
NW3 1DN

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted and Warning of Enforcement Action

Address:
76 Heath Street
London
NW3 1DN

Proposal: External alterations to install timber shopfront and associated painted sign, 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; SH1 / 060921 / PL5.

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

Conditions And Reasons:

1   The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

     Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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; SH1 / 060921 / PL5.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

3   All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017 and policy DH2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

1   The significance of the Grade II listed building includes its architectural design and materials, indicating the style of pre-19th century village of Hampstead, as an early-mid 18th century terraced house. Its townscape value as part of a strong group from numbers 70-76 Heath Street. The existing 20th century folding and opening shopfront detracts from the special architectural and historic interest of the building.

The proposed alterations would replace the non-original shopfront window in the same opening and would not result in a loss of historic fabric or architectural features. The shopfront would be a sympathetic addition in terms of its detailed design and materials and would preserve the special architectural and historic interest of the listed building. Internal refurbishment and decoration affect modern additions and do not alter any historic fabric or the remaining historic plan form.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.16 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 policy D2 of the London Borough of Camden Local Plan 2017 and policy 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   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.

5   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.

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