

Application ref: 2023/5347/P
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Date: 13 June 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Mr L. Stephenson
35 Heath Hurst Road
London
Camden
NW3 2RU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
35 Heath Hurst Road
London
NW3 2RU

Proposal:
Installation of 1 rooflight to the rear roofslope and alterations to the front driveway, including the installation of new timber manually operated gate and openable fence; replacement of existing brick paver driveway with permeable resin-bound pavement; replacement of existing brick paver entrance steps with natural stone steps

Drawing Nos: S02 dated 14.12.2023; 013 dated 14.12.2023; 014 dated 14.05.2024 rev 02; 016 dated 14.05.2024 rev 02; 017 dated 14.12.2023; 018 dated 14.05.2024 rev 02; 019 dated 14.05.2024 rev 02; 020 dated 14.05.2024 rev 02; Design and Access Statement Reference: 237 35HHR - REV 02.

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:

S02 dated 14.12.2023; 013 dated 14.12.2023; 014 dated 14.05.2024 rev 02; 016 dated 14.05.2024 rev 02; 017 dated 14.12.2023; 018 dated 14.05.2024 rev 02; 019 dated 14.05.2024 rev 02; 020 dated 14.05.2024 rev 02; Design and Access Statement Reference: 237 35HHR - REV 02.

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.

- 4 Notwithstanding what is shown on approved plans 237 35HHR 017, 237 35HHR 018 02, 237 35HHR 019 02, 237 35HHR 020 02, this approval is for works to the front elevation and the installation of one rooflight on the rear roofslope. The single storey ground floor rear extension, the enlargement of the first floor opening and balustrade to the rear, and the rear dormer shown on these plans were approved under planning permission 2022/4325/P and are not subject to approval under this application ref. 2023/5347/P.

Reason: To safeguard the amenity of adjoining occupiers and the area generally and the character and appearance of the conservation area, in accordance with policies A1, A3, D1 and D2 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application building at 35 Heath Hurst Road is located in the Hampstead Conservation Area and is identified as a Positive Contributor. The site is also covered by Article 4 Directions that largely relate to works to the principal and side elevations. The proposal initially sought to erect 3 rooflights to the front roofslope, however this was omitted. As such, the application was revised and now seeks to erect a singular conservation type rooflight on the rear roofslope, out of sight from the public realm, and install a new boundary fence constructed using timber materials, and replace the existing brick paver driveway and entrance steps with permeable resin-bound pavement, and natural stone steps to the latter.

The rooflight will not be readily visible within the wider context of the conservation area and would be constructed in a conservation style to preserve the significance of the conservation area. The installation of the timber

boundary fence, which is manually operated, would be of a similar scale to those found at properties within the vicinity of the host building. The replacement of the existing brick paver driveway with permeable resin-bound pavement will be in a palette complementary to the host building. The replacement of the existing brick paver steps with natural stone steps will complement the host building. As such, the proposals would appear to be in keeping with the character and appearance of the conservation area.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The proposed works due to their nature and position, and the existing structures, are not considered to cause any detrimental impact on amenity in terms of privacy, loss of light and outlook.

One (1) objection was originally received by the Hampstead Neighbourhood Forum; however, this was later withdrawn after revisions of the proposal addressed the concerns raised. This and the planning history of the site have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, and D2 of Camden Local Plan 2017. The development would also accord with policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018, National Planning Policy Framework 2023 the London Plan 2021.

- 2 The applicant is reminded that this application relates solely to the works on the front elevation and the one rooflight on the rear roofslope. The rear dormer, single storey ground floor rear extension and the enlarged opening and balustrade at rear first floor were granted under planning permission 2022/4325/P, and are not subject to approval under this application as stated in condition 4. Those works are bound by all conditions on that decision notice and should be carried out in accordance with the approved plans and documents as stated on planning permission 2022/4325/P.
- 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.

- 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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-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



Daniel Pope
Chief Planning Officer