

Application ref: 2021/3943/P  
Contact: Tony Young  
Tel: 020 7974 2687  
Email: [Tony.Young@camden.gov.uk](mailto:Tony.Young@camden.gov.uk)  
Date: 15 July 2024

**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)

Donna Jackson  
25H East Heath Road  
London  
NW31EB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:

**Flat H**  
**25 East Heath Road**  
**London**  
**NW3 1EB**

Proposal:

Refurbishment of side and rear garden, including installation of 2 outbuildings for ancillary residential purposes, side steps with hand-rail/balustrade, replacement sections of timber fence to top of side and rear brick boundary walls with wood/plastic composite fence and aluminium supporting posts, replacement hard surfaces and various landscaping works (part retrospective).

Drawing Nos: Site location plan; Unnumbered garden plan & layout (proposed), EL2 rev A - north elevations (existing & proposed), EL3 rev A - east elevations (existing & proposed), EL4 rev A - south elevations (existing & proposed), Email from Applicant - all drawings & email received 11/11/2023; EL1 - west elevations (existing & proposed), Details of proposed materials - all drawings/details received 23/03/2022; Unnumbered garden plan (existing), Unnumbered garden plan with images (existing), Design and Access & Heritage Statements from Applicant - all drawings/statements received 13/08/2021.

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 one year 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; Unnumbered garden plan & layout (proposed), EL2 rev A - north elevations (existing & proposed), EL3 rev A - east elevations (existing & proposed), EL4 rev A - south elevations (existing & proposed), Email from Applicant - all drawings & email received 11/11/2023; EL1 - west elevations (existing & proposed), Details of proposed materials - all drawings/details received 23/03/2022; Unnumbered garden plan (existing), Unnumbered garden plan with images (existing), Design and Access & Heritage Statements from Applicant - all drawings/statements received 13/08/2021.

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 Within 3 months of the date of this decision notice, the proposed colour and finish of all supporting posts and trim, shall be submitted to the local planning authority for approval in writing prior to the relevant part of the works being carried out.

The relevant part of the works shall then be carried out in accordance with the details thus approved within 3 months of the approval of these details, and the colour and finish shall thereafter be permanently retained and maintained as such.

Reason: In order to minimize the impact on the character and appearance of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 The outbuildings hereby approved shall only be used for purposes incidental to the residential use at the property and shall not be used as either a separate independent Class C3 dwelling or Class E business use.

Reason: To ensure that the outbuildings do not adversely affect the amenity of adjoining residential premises and are not used for unauthorised purposes, in accordance with policies G1, A1 and H6 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 WARNING OF ENFORCEMENT ACTION TO BE TAKEN

The existing unauthorised wood/plastic composite boundary fence, aluminium supporting posts and trim are considered to be harmful to the character and appearance of the host building, immediate streetscene and wider Hampstead Conservation and Neighbourhood Areas, as well as, on the character of the Hampstead Heath and its setting, including views to and from the Heath. As such, enforcement action may be taken in relation to this matter should the measures approved by this permission and as required by condition 4 attached to this approval not be carried out in full, in accordance with the approved drawings.

2 You are reminded that this decision only grants permission for two outbuildings used for purposes incidental to the existing residential use at the property. Any alternative use of the outbuildings for any other purpose or as temporary accommodation (i.e. for periods of less than 90 days for tourist or short term lets, etc.) would constitute a material change of use and would require the grant of planning permission.

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