

5th July 2010

NJ/6216

**Dalton
Warner
Davis**

Development Control
Planning Department
Camden Council
5th Floor, Camden Town Hall Extension
Argyle Street
London
WC1H 8EQ

21 Garlick Hill
London EC4V 2AU
Tel: 020 7489 0213
Fax: 020 7248 4743
www.daltonwarnerdavis.co.uk

SENT VIA PLANNING PORTAL

Dear Sirs

**RE: TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR PLANNING PERMISSION
99 HEATH STREET, LONDON, NW3 6SS**

APPLICATION FOR TIMBER GARAGE DOORS IN LINE WITH APPLICATION (REF: 2007/3874/P GRANTED PLANNING PERMISSION DATED 06/12/07) AND RETROSPECTIVE APPLICATION FOR GARAGE SURROUND AND ELEVATIONAL CHANGES TO REAR EXTENSION (COURTYARD ELEVATION) AND EAST ELEVATION

Dalton Warner Davis (DWD) have been instructed to submit a planning application for "the installation of timber garage doors in line with application (ref: 2007/3874/P granted 06/12/07) and retrospective application for garage surround and elevational changes to rear extension (Courtyard Elevation) and east elevation" at 99 Heath Street, Hampstead, NW3 (the Site). The application follows the withdrawal of a previous application on 17th June 2010 (ref: 2010/2055/P), and fee is therefore not required.

99 Heath Street falls within the Hampstead Conservation Area and therefore the key policy to be considered in this case is saved Policy B7 (Conservation Areas) of the Camden Unitary Development Plan 2006 (UDP), which states that "*The Council will only grant consent for development in a conservation area that preserves or enhances the special character or appearance of the area...*", together with other policies which relate to design, amenity and highway safety.

It is considered that the proposals preserve the character and appearance of the Hampstead Conservation Area in accordance with Policy B7 of the UDP and as such planning permission should be granted for the proposals.

This application follows the previously withdrawn application on 17th June 2010 (ref: 2010/2055/P). This application is similar to the previous application, although it has been changed to take account of comments made by officers during the planning process.

The 'as built' extension differs only slightly from the previously approved arrangement and we consider it to be in accordance with Policies B7 and B1 (General design principles) of the UDP. We note that the courtyard elevation faces a neighbouring residential property and therefore following discussions with officers (namely Gary Bakall and Ben Le Mare) we have agreed that the top panes of each of the windows will be obscurely glazed. This is indicated on drawing number 993/AP3/03c. We therefore consider the works accord with Policy SD6 (Amenity for occupiers and neighbours) of the UDP which explains that the design of



A M Davis FRICS IRRV
N P Draper FRICS IRRV
N M Fennell BSc MRICS
R J Greeves BSc Hons MRICS
K Rushe BA TP Dip TP MRTPI

Associates
G Denning B Eng Hons MSc MRICS
G Eaton BA Hons Dip TP MRTPI
C Girdham BSc Hons DMS MTP MRTPI
E Mann BA Hons Dip TP MRTPI

Consultants
K Dalton FRICS
A J N Warner FRICS Dip TP
N W Johnson FRICS

development should consider overlooking and the potential effects on privacy to neighbouring properties. We note that the previous arrangement also had windows in this elevation and there is no material change in circumstances as a result of this application.

As explained above this application follows the withdrawal of a previous application (ref: 2010/2055/P). Discussions and email correspondence with officers (namely Anette de Klerk and Jonathan Markwell) during the course of the withdrawn application highlighted that the Council did not have an issue with the reduction in height of the garage door surround and also accepts the increase in width of the garage opening (the plans have been amended to show this). In addition the LPA found the design and size of the pedestrian gate to be acceptable. We have been advised by Jonathan Markwell in an email of the 17th June 2010:

"that the provision of timber doors on the rear elevation fronting The Mount, as approved by planning permission 2007/3874/P, would be likely to be considered appropriate by the Council"

This design of doors has now been incorporated into the submitted plans.

In relation to the northern elevation the LPA explained that they did not feel that the changes to the fenestration would have an adverse affect in amenity terms and therefore that the "as built" arrangement is acceptable.

With regard to the gable end of the store it was confirmed that if the plans were amended so that the north elevation matched the east elevation (and so reflects the "as built" form) then this would also be acceptable to the LPA (the attached plans now show this).

Given the above, we are of the considered view that the proposed timber doors, the "as built" surround and the elevational changes to the rear extension (courtyard elevation) and changes to the east elevation of the "store" are acceptable in policy terms and therefore planning permission should be granted.

Should you have any queries regarding any of the above, please contact Nina Jones of this office on 020 7332 2118 / nj@daltonwd.co.uk.

Yours faithfully

Dalton Warner Davis LLP

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