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Application Ref: **2016/0295/P**
Please ask for: **Emily Whittredge**
Telephone: 020 7974 **2362**

23 March 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Merlin House
Oak Hill Park
London
NW3 7LJ**

Proposal:

Renovation of two storey penthouse apartment, including the removal of some existing external walls in order to re-instate original terrace areas and a new glazed enclosure on the sixth floor.

Drawing Nos: 1523-NMA-XX-ZZ-DR-B-00001 Rev P1, 1523-NMA-XX-ZZ-DR-B-00002 Rev P1, 1523-NMA-XX-05-DR-B-00100 Rev P3, 1523-NMA-XX-06-DR-B-00100 Rev P3, 1523-NMA-XX-ZZ-DR-B-00200 Rev P2, 1523-NMA-XX-ZZ-DR-B-00201 Rev P2, 1523-NMA-XX-ZZ-DR-B-00202 Rev P2, 1523-NMA-XX-05-DR-A-00100 Rev P3, 1523-NMA-XX-06-DR-A-00100 Rev P3, 1523-NMA-XX-ZZ-DR-A-00200 Rev P2, 1523-NMA-XX-ZZ-DR-A-00201 Rev P2, 1523-NMA-XX-ZZ-DR-A-00202 P2, 1523 Design and Access Statement v02.

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 Notwithstanding details specified in the Design and Access Statement and the application form dated 19/01/2016, all new external doors and windows shall be carried out in powder coated aluminium that resemble, as closely as possible, in colour and texture those on the existing building.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 1523-NMA-XX-ZZ-DR-B-00001 Rev P1, 1523-NMA-XX-ZZ-DR-B-00002 Rev P1, 1523-NMA-XX-05-DR-B-00100 Rev P3, 1523-NMA-XX-06-DR-B-00100 Rev P3, 1523-NMA-XX-ZZ-DR-B-00200 Rev P2, 1523-NMA-XX-ZZ-DR-B-00201 Rev P2, 1523-NMA-XX-ZZ-DR-B-00202 Rev P2, 1523-NMA-XX-05-DR-A-00100 Rev P3, 1523-NMA-XX-06-DR-A-00100 Rev P3, 1523-NMA-XX-ZZ-DR-A-00200 Rev P2, 1523-NMA-XX-ZZ-DR-A-00201 Rev P2, 1523-NMA-XX-ZZ-DR-A-00202 P2, 1523 Design and Access Statement v02.

Reason:

For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Reasons for granting permission.

The site is located down a private road in a leafy post-war development proposed development within the Hampstead Conservation Area. The estate received a Civic Trust Award due to its integration with the landscape, but not on architectural grounds. The proposed development would replace the existing uPVC doors and windows on the top two floors of the building with units in aluminium to match that of the original architecture. An enclosed balcony on the south elevation (6th floor) would be reinstated while a balcony on the west elevation and one on the south elevation (5th floor) would be enclosed, but this would not have a detrimental impact to the design or appearance of the building and additionally the west elevation does not front a highway. The existing fenestration is in unsympathetic uPVC and does not align with the fenestration below. The proposal would rectify the pattern and materials of the fenestration which would preserve and enhance the surrounding area.

The planning and appeal history of the site has been taken into account when coming to this decision. There have been recent similar approvals at Merlin House.

One objection was received prior to making this decision. A neighbour objected to the use of uPVC (now omitted) and precedent resulting from enclosure of the balcony on the 5th floor SE side. The enclosure of this balcony and the reinstatement of the balcony above will have a neutral impact on the conservation area, and on balance, the proposal will replace an unsympathetic fenestration with that of a more appropriate design and material, and will improve the appearance of the building.

One comment was made by another neighbour in support of the proposal.

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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policy CS14 (Promoting high quality places and conserving our heritage) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage). The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56-66 and 126-141 of the National Planning Policy Framework.

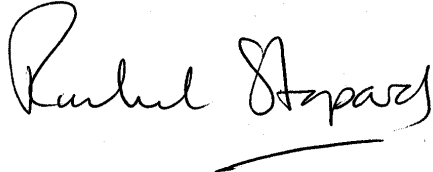
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath the name.

Rachel Stopard
Director of Culture & Environment