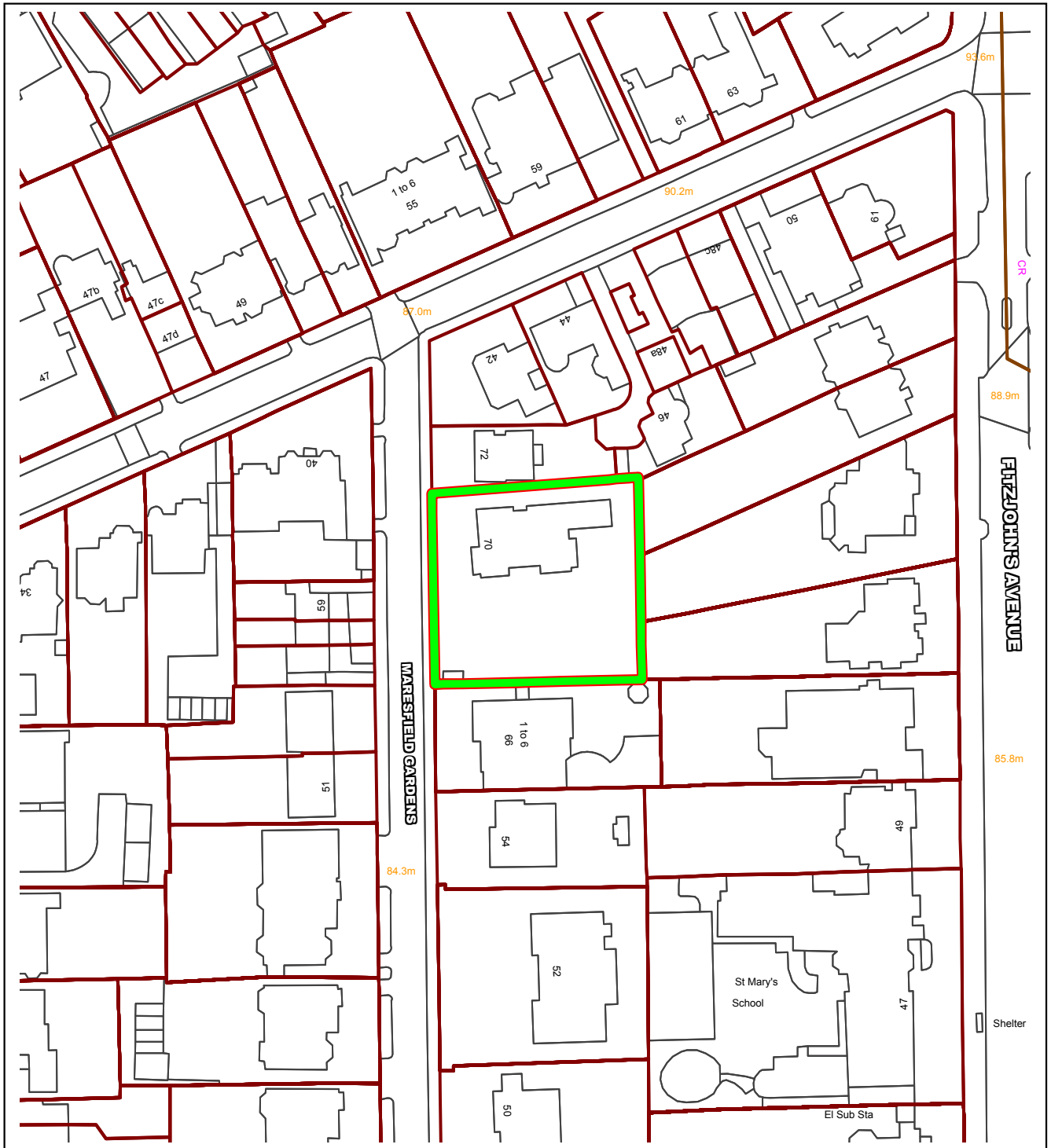


70 Maresfield Gardens 2016/3887/P



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Left hand side of front elevation showing 4 replacement windows



Original windows to front elevation



Close up of ground floor front elevation replacement windows



Right hand side of front elevation - original windows at ground floor and replacement windows at first floor



Replacement window to side elevation at ground floor



Example of an original window to the side elevation



Historic photo showing side elevation



Historic photo showing side elevation

Delegated Report		Analysis sheet		Expiry Date:		08/02/2017	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		12/01/2017	
Officer				Application Number(s)			
Laura Hazelton				2016/3887/P			
Application Address				Drawing Numbers			
70 Maresfield Gardens London NW3 5TD				Please refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of 15 timber-framed double glazed windows (retrospective) and 2 x proposed replacement windows.							
Recommendation(s):		Grant planning permission					
Application Type:		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	07	No. of objections	07
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed at the site between 15/12/2016 and 05/01/2016 and the application was advertised in the local press on 22/12/2016.</p> <p>7 objection letters were received from 44, 55, 63 Netherhall Gardens and Flats A, E, F, G 70 Maresfield Gardens. Their objections are summarised below:</p> <p>Design</p> <ul style="list-style-type: none"> • The replacement windows spoil the appearance of the previously handsome building and are not like for like. • Spoiling this building spoils the appearance of the whole group of attractive properties in the area. • The new windows lack the openable upper section. • The new windows look as though they are made of uPVC. • The windows appear to be soft wood, not hard wood. • The new double glazed window panes are surrounded with a black seal instead of silver. • Plastic paint was used to paint the windows. <p><i>Officer Response</i></p> <ul style="list-style-type: none"> • <i>Please refer to section 3 for a detailed design assessment.</i> • <i>It is noted that the windows do not feature the openable upper section but the impact of this change on the overall design of the windows is limited and does not harm the character of the property.</i> • <i>The windows are constructed of timber to match the originals.</i> • <i>Paint type and the colour of the inner window seals cannot be controlled under Planning regulations and are therefore not a consideration in the determination of this application.</i> <p>Other issues</p> <ul style="list-style-type: none"> • A number of windows do not appear to have been fitted correctly. • The windows are substandard, poorly fitted and suffer from condensation. • Since they were installed, the flats are colder. • Some of the decorative shutters are missing, and some of the shutter fittings are different from the original or are missing. • When works were carried out to the roof there was a leak. <p><i>Officer Response</i></p> <ul style="list-style-type: none"> • <i>The only material planning considerations that can be considered in the determination of this application are design (impact on the character and appearance of the building and conservation area); and impact on amenity (outlook, daylight, and privacy). Unfortunately, the issues raised regarding the standard of the installation cannot be considered.</i> • <i>The works to the roof are not included within this application.</i> 					

<p>CAAC/Local groups* comments: *Please Specify</p>	<p>No response was received from the Fitzjohns/Netherhall Conservation Area Advisory Committee (CAAC).</p> <p>The Netherhall Neighbourhood Association had no objections to the alterations.</p> <p>3 objections were received from local Councillors:</p> <p>Councillor Spinella The house is Edwardian-style but modern aluminium double glazed windows were installed which are out of character. The work was done poorly, resulting in drafts and gaps.</p> <p><i>Officer response</i></p> <p><i>Councillor Spinella was informed that the replacement windows were timber-framed to match the originals; and still objected to the application.</i></p> <p>Councillor Marshall Objected based on the points raised in the objection letter from Flat E.</p> <p>Councillor Bucknell Objected based on the points raised in the objection letter from Flat E. The building's magnificent features should be preserved.</p>

Site Description

The application site is a large 2 storey villa, which has been converted into flats and is located in a predominantly residential area. The building is finished in red stock brick with timber framed windows with Georgian Bars and details.

The application building is not listed, but is located in the Fitzjohns and Netherhall Conservation Area and has been noted as making a positive contribution to the conservation area.

Relevant History

2014/5176/P - Installation of replacement patio door at the side and replacement window at the rear of flatted property. Granted 08/01/2015.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

LDF Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

LDF Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2011/2015

CPG6 (Amenity)

CPG1 (Design)

Fitzjohns and Netherhall conservation Area Statement 2001

Assessment

1.0 Proposal

Planning permission is sought for the following:

- Replacement of 15 x timber-framed single glazed casement windows throughout the application building with double-glazed timber-framed casement windows (retrospective); and
- Replacement of an additional 2 x timber-framed single glazed casement windows to Flat E with double-glazed timber-framed casement windows (proposed).

2.0 Assessment

2.1 The principle considerations in the assessment of this application are as follows:

- Design (impact of the proposal on the character and appearance of the application site and the character and appearance of the wider Fitzjohns and Netherhall Conservation Area); and

- Amenity (impact of the proposal on the amenity of neighbouring residents in terms of outlook, daylight and privacy)

3.0 Design

3.1 CPG1 (Design) advises that where it is necessary to alter or replace windows that are original, they should be replaced like with like wherever possible in order to preserve the character of the property and the surrounding area. New windows should match the originals as closely as possible in terms of type, glazing patterns and proportions (including the shape, size and placement of glazing bars), opening method, materials and finishes, detailing and the overall size of the window opening.

3.2 Where timber is the traditional window material, replacements should also be in timber frames. uPVC windows are not acceptable both aesthetically and for environmental reasons, including their relatively short lifespan and inability to biodegrade.

3.3 The proposal seeks retrospective planning permission for the replacement of the existing single glazed, casement windows with matching double glazed replacements; as well as permission for the proposed replacement of 2 additional windows. The replacement windows sit within the existing apertures, are of the same colour, material (timber) and feature the same pattern of glazing bars.

3.4 CPG1 advises that in conservation areas, original single-glazed windows often contribute to the character and appearance of the area, and should be retained and upgraded. There may however be some instances where double glazing can be installed in a design that matches the original, for instance sash windows or casements with large individual pane sizes. In such cases, the window frame and glazing bars of the replacement windows should match the existing.

3.5 Although the proposed replacement windows are not exactly like-for-like because they are double glazed and do not have the same mode of opening as the originals which combined top-hung and side-hung casements, they are considered acceptable replacements. The windows match the appearance of the originals and preserve the character and appearance of the host building. The visual impact on the character and appearance of the conservation area is negligible and the proposals are considered acceptable.

3.6 The Council's Conservation Officer has assessed the proposals and visited the site and does not object to the replacement windows.

4.0 Amenity

4.1 The replacement windows would be the same size and position as the existing windows, and no new window openings would be created as a result of the works. The development is therefore not considered to cause harm to the amenity of neighbouring residents in terms of a loss of daylight, outlook or privacy.

5.0 Recommendation

5.1 Grant planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 30th January 2017, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Colin Kenny
LB of Camden
Housing Department

Application Ref: **2016/3887/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

25 January 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
70 Maresfield Gardens
London
NW3 5TD

DECISION

Proposal:
Installation of 15 timber-framed double glazed windows (retrospective) and 2 x proposed replacement windows.
Drawing Nos: 4046.100, 4046.101 and 'replacement window locations' document received 17/01/2016.

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

Condition(s) and Reason(s):

- 1 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 policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies

Executive Director Supporting Communities



DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 4046.100, 4046.101 and 'replacement window locations' document received 17/01/2016.

Reason:

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

- 3 Detailed drawings in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 and elevations at 1:50 of the two proposed windows (including jambs, head, cill and opening method).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 if in CA] of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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).
- 2 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

Executive Director Supporting Communities

DRAFT

DECISION