

Mr Jeremy Wight  
Brod Wight Architects  
43 Englands Lane  
Belsize Park  
NW3 4YD

Application Ref: **2017/2105/P**  
Please ask for: **Raymond Yeung**  
Telephone: 020 7974 **4546**

2 June 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**23 Downside Crescent  
LONDON  
NW3 2AN**

Proposal:

The replacement of two first floor windows with French doors and addition of Juliette balconies to rear elevation.

Drawing Nos: 1055-AP2-01, 1055-AP2-02, 1055-AP2-03.

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 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 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:

1055-AP2-01, 1055-AP2-02, 1055-AP2-03.

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

- 4 The balustrades as shown on the drawings hereby approved shall be erected before the occupation of the first floor bedroom and retained thereafter; and the roof of the existing rear extension shall not be used as a terrace or amenity area at any time.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

#### Informative(s):

- 1 Reason for granting permission.

The application site forms part of a uniform street of semi-detached houses within the Parkhill conservation area, the property is not listed. Whilst the front elevations of the buildings in the street remain largely unaltered, several extensions and conservatories have been erected at the rear.

It is proposed to replace two windows at first floor level to the rear with timber casement doors to similarly match the design of the existing windows with the addition of glass Juliette balustrade. The doors would be the same width as the existing windows, and is considered to be minor alterations that would not harm the appearance of the building. It is also retaining the arch design above the openings.

The precedent has been set next door at No.21 Downside Road which was given permission under 2011/5180/P and later under 2012/1288/P. A neighbour objected with regards to the potential overlooking, however due to the nature and location of the proposal, there would not be any harm to neighbouring amenity. The proposed balustrade would not allow anyone to step out and there is an existing window in this location.

A site notice has been displayed and there has been one objection to date. The site's planning history has also been looked at and considered.

Considerable importance and weight has been attached to the harm and 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

In conclusion, the proposal is considered not to be detrimental to the character and appearance of the conservation area. As such the proposal is considered not to harm the character or appearance of the host building or conservation area and is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies; and policies D1, D2 and A1 of the Camden Local Plan Submission Draft 2016.

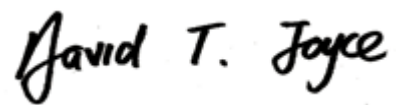
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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 Noise and Licensing Enforcement Team, 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.
- 4 The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

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 that reads "David T. Joyce". The signature is written in a cursive style with a large initial 'D' and 'J'.

David Joyce  
Director of Regeneration and Planning