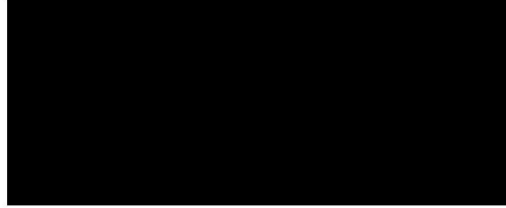




J BUTTERWORTH PLANNING LIMITED



Development Management
London Borough of Camden
Camden Town Hall Extension
Argyle Street
London, WC1H 8EQ

planning@camden.gov.uk

Date: 06 April 2017
My Ref: 17017

Dear Sir / Madam

Town and Country Planning Act 1990

Planning application for removal of the existing coal lifts and adjacent balcony railings and installation of new balcony railings (the 'proposed development') at Bracknell Gate, Froggnal Lane, London, MW3 7EA

Please find enclosed an application for removal of the existing coal lifts and adjacent balcony railings and installation of new balcony railings (the 'proposed development') at Bracknell Gate, Froggnal Lane, London, MW3 7EA (the 'site').

The submitted documentation which forms this application includes the following in addition to this covering letter:

- Application Form;
- Planning and Heritage Statement;
- P9078_00 – Site Location Plan
- P9078_E01 – Existing Ground Floor Plan
- P9078_E02 – Existing First Floor Plan
- P9078_E03 – Existing Second Floor Plan
- P9078_E04 – Existing Third Floor Plan
- P9078_E05 – Existing Elevations Block A
- P9078_E06 – Existing Elevations Block B
- P9078_E07 – Existing Elevations Block C
- P9078_P01 – Proposed Ground Floor Plan
- P9078_P02 – Proposed First Floor Plan
- P9078_P03 Rev A – Proposed Second Floor Plan
- P9078_P04 Rev A – Proposed Third Floor Plan
- P9078_P05 – Proposed Elevations Block A
- P9078_P06 – Proposed Elevations Block B
- P9078_P07 – Proposed Elevations Block C
- Engineering Report

Although the application is submitted as an application for Planning Permission and for relevant demolition of an unlisted building in a Conservation Area it is our opinion that Conservation Area Consent is not required for the following reasons:

The Planning (Listed Building and Conservation Areas) Act 1990 outlines the planning controls which are required within Conservation Areas which can be summarised as follows:

- Conservation Area Consent is required for the demolition of any unlisted building where the total volume is more than 115m³ (exceptions include walls, gates and fences less than 1m high next to a highway or less than 2m elsewhere; post 1914 agricultural or forestry buildings; and pre-1925 tombstones unless they are in the grounds of an exempt place of worship).
- Notice must be given to the LPA before undertaking any works to a tree with a trunk diameter greater than 75mm at 1.5 metres above ground level and the council has up to six weeks to decide whether to serve a Tree Preservation Order.
- Permitted development rights on dwelling houses in conservation areas are restricted: roof extensions; cladding with render, stone, timber, tiles or plastic, etc; side extensions; and rear extensions of more than one storey are not permitted. In addition, planning permission is required for satellite dishes, radio antennae which are visible from a highway

However, following the House of Lords ruling *on Shimizu Ltd vs. Westminster City Council (1997)*, demolition is now interpreted as meaning the total or substantial destruction of the building concerned. The removal of a roof or chimney will not require CAC as this is an alteration but the destruction of an entire building except the façade will probably require CAC.

In this respect it is considered that the removal of dumb waiters and the replacement of balconies will not require Conservation Area consent.

For the reasons outlined in the Planning and Heritage Statement it is considered that planning permission should be granted for the proposed development.

If you require any more information please do not hesitate to contact me.

Yours sincerely

