

Application ref: 2018/1056/P  
Contact: Lisa McCann  
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Date: 5 April 2018

**Development Management**  
Regeneration and Planning  
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Naomi Design Limited  
12 Westminster Road  
Crawley  
RH10 7WZ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted and Warning of Enforcement Action**

Address:  
**49 Belsize Square**  
**London**  
**NW3 4HN**

Proposal: Replacement of external flue pipe to roof of dwellinghouse  
Drawing Nos: 311 42

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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

311 42

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 3 Reasons for granting permission:

The proposal seeks to install a new vent flue to the roof of the subject property. At present the existing flue on the roof of the subject property is considered to appear as an incongruous addition due to its excessive height and is unacceptable. An enforcement investigation (ref. EN16/0158) has been opened to take action against this unpermitted development.

The submitted plans propose to reduce the height of the flue from 3.8m to 3.2m. The revised flue would now project a max height of 1.3m above the highest part of the roof which would appear as an unobtrusive addition. Therefore, the proposal is considered to be appropriate for the host building and wider area in terms of its location, scale, materials and design. As such, it is not considered that the proposal would detract from the character and appearance of the Belsize Park Conservation Area.

Given the minor nature and siting of the proposed works, the proposal would not harm the amenity of adjoining occupiers.

No objections were received prior to making this decision. The planning history of the site and surrounding area were taken into account when coming to this decision.

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 and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with Policies D1, D2 and A1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

#### 4 ENFORCEMENT ACTION TO BE TAKEN

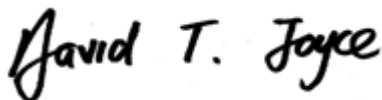
Please note that should the existing flue not be removed from the property within a 3 month period from the date of this decision, the Director of Culture and Environment will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control and formal action will subsequently be taken.

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, slightly slanted style.

David Joyce  
Director of Regeneration and Planning