

Application ref: 2018/0751/P  
Contact: Lisa McCann  
Tel: 020 7974 1568  
Date: 5 June 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE  
Phone: 020 7974 4444  
camden.gov.uk  
[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Mrs Laxmi Reilly  
Flat 6 Hogarth Court  
North End  
London  
NW3 7HJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:  
**Flat 6 Hogarth Court**  
**North End**  
**London**  
**NW3 7HJ**

Proposal:  
Replacement of bathroom window and installation of cooker extract outlet to flank wall  
Drawing Nos: Location plan, Privett timber windows Page 1, 101 Revision 02.

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 policies 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: Location plan, Privett timber windows Page 1, 101 Revision 02.

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

- 4 The proposed window shall be obscure glazed and permanently maintained and retained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

#### 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 is to replace the existing new shower room window and to instal a cooker extract outlet to the flank wall. At present the existing window is in uPVC material. This is considered to be a poor quality material and is out of keeping with the character of the Hampstead Conservation Area which is unacceptable.

The replacement window with a timber frame would be a similar scale and location as the existing window. The timber frame material is considered to be a more sympathetic design approach. Overall the traditional materials and minor nature of the proposed window with a small discreet size and location are considered acceptable. Similarly the cooker extract is very small and discreet and would be barely visible on this creeper-clad flank wall. The alterations would preserve the character and appearance of the host building and Hampstead Conservation Area.

Due to the small scale and purpose of the proposed window for ventilating a bathroom, and the angle and distance of view to neighbouring windows, it is considered that the proposed opening window with obscured glazing would not result in a material amount of overlooking to neighbouring occupiers opposite. There would therefore be no harmful impact on the residential amenity of neighbouring occupiers.

One objection was received prior to making this decision. This and the site's planning history and relevant appeal decisions were taken into account when coming to this decision.

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

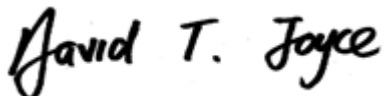
Please note that the existing flank wall bathroom window should be removed from the property with a 3 month period from the date of this decision, failing which the Director of Culture and Environment will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.

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



David Joyce  
Director of Regeneration and Planning