

Application ref: 2017/5600/P
Contact: Leela Muthoora
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Date: 13 September 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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Brytangle Ltd

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 1 and Flat 2
1 Evangelist Road
London
NW5 1UA

Proposal: Installation of two new windows to side elevation of Flats 1 and 2 (Class C3).

Drawing Nos: Site location plan, block plan, existing side elevation, proposed side elevation (1ER-180731-)PL1, PL2 revB

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 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 Site location plan, block plan, existing side elevation, proposed side elevation (1ER-180731-)PL1, PL2 revB.

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

- 4 The windows hereby approved to the side elevation at first and second floor level shall be provided with obscure glazing in their entirety and fixed shut so they are non-openable at a height less than 1.6 metres above the finished floor level (as shown on drawing no. 1ER-180731-PL2 rev.B) and shall be permanently maintained as such.

Reason: In order to prevent unreasonable overlooking and safeguard the residential amenity of occupiers of neighbouring premises in accordance with the requirements of policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposal to install two new window openings on the western facing flank wall at first and second floor levels of the subject property are considered acceptable due to the design, materials and minor nature of the proposed works which would preserve the character and appearance of the host building.

Whilst the proposals will have some impact in terms of light spill and overlooking, due to the distance between the properties and their orientation, the direct views out of the proposed windows would be of the windowless flank wall of no. 3. The buildings are positioned at an angle to each other resulting in indirect views which reduces the potential for overlooking. There is an existing window at third floor level of the side elevation and windows at upper levels of the rear elevation of the subject building and the surrounding properties fronting Highgate Road and College Yard. There is existing soft landscaping to the boundary which acts as reasonable privacy screening to no.3. On balance, the degree of light spill, noise and overlooking would not be so significantly increased as to sustain a reason for refusal. Therefore, the proposal is not considered to further harm the amenity of the neighbouring property than is already experienced at present.

Following consultation, two objections were received from the neighbouring property and duly taken into account in the consultation summary prior to making this decision. This permission includes a condition to secure the mitigation measures of obscured glazing and fixed so the windows are non-openable at a height less than 1.6 metres above the finished floor level to reduce the potential for overlooking.

The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposal is in general accordance with Policies A1 (Managing the impact of development) and D1 (Design) of the Camden Local Plan 2017 and policy D3 (Design) of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2018.

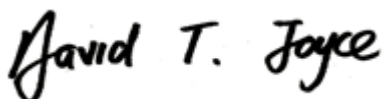
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 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, 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.
- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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