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8 Mornington Terrace - S73 Covering Letter - FINAL 21.10.19



Development Management  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Enya MacLiam Roberts  
E: [enya.macliamroberts@savills.com](mailto:enya.macliamroberts@savills.com)  
DL: +44 (0)207 557 9993

33 Margaret Street  
London W1G 0JD  
T: + 44 (0) 20 7499 8644  
F: + 44 (0) 20 7495 3773  
[savills.com](http://savills.com)

Dear Sir/Madam,

**8 MORNINGTON TERRACE, LONDON NW1 7RR**

**APPLICATION FOR MINOR MATERIAL AMENDMENT TO PLANNING PERMISSION REF. 2019/2966/P**

On behalf of our client, please find enclosed an application seeking a minor material amendment to planning permission ref. 2019/2966/P. This is in relation to the proposed replacement of the approved single-glazed windows at the above property to provide double-glazing.

The application has been submitted via the Planning Portal (ref. PP-08233796) and comprises the following documentation in support:

- Completed application form;
- Completed CIL Additional Information Requirement Form;
- Site Location Plan (drawing ref. LO-A-01 rev 01), prepared by Scenario Architecture;
- Existing Plans, prepared by Scenario Architecture;
- Approved Plans (under ref. 2019/2966/P), prepared by Scenario Architecture;
- Proposed Plans, prepared by Scenario Architecture; and
- Existing, Approved and Proposed Visuals, prepared by Scenario Architecture.

The requisite application fee of £234.00 has been paid via the Planning Portal.

#### **Site and Surrounding Context**

8 Mornington Terrace comprises a terrace house which sits midway within the streetscene and fronts the road, facing onto the railway line which runs in parallel to Mornington Terrace. The property provides residential accommodation across five storeys, including lower ground floor, upper ground floor, first floor, second floor and loft space within a mansard roof.

The property is the only one in the terrace which currently features a replaced front balcony railing that does not match the rest on the street (albeit this is now to be replaced with an original like for like as part of the recently granted planning permission ref. 2019/2966/P). The existing fenestration is a combination of the styles evident on neighbouring properties No's 7 and 9 Mornington Terrace. Across the front and rear elevations, there is a total of 16 windows.

The Site is located within Camden Town Conservation Area but the property is not statutory or locally listed.

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## Background and Proposal

On 9 September 2019, Camden Council granted full planning permission for the "change of use of 1 x 1 bed flat and 1 x 3 bed into a 1 x 4 bed dwellinghouse. Erection of rear lower ground floor extension following demolition of existing and rear fenestration alterations. Replacement of front/rear single glazed windows with single glazing, replacement front paving and replacement of front balcony railing. Rear landscaping alterations" at 8 Mornington Terrace (ref. 2019/2966/P).

The permission is subject a number of a planning conditions including condition 3 which lists the approved drawings with which the development must comply. Condition 2 also requires "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".

Our client is looking to upgrade the existing and approved single-glazed windows to provide double-glazing. This application therefore seeks to amend the approved window replacements so that these are instead replaced with double-glazed windows which, save for this, are identical in appearance and layout to the existing and approved. The new windows will comprise 15 timber white double glazed windows, and one double glazed aluminium window which spans across the lower ground and ground floor.

These amendments are shown on the proposed drawings as submitted as part of this application and are intended to supersede those listed under condition 3 of the planning permission as well as the description of development. For completeness, the existing, approved and revised proposed plans are submitted as part of this application and the list of drawings under condition 3 should be updated as follows.

Drawing Title	Approved Reference	Proposed Reference (to supersede the approved)
Existing Site Plan	EX-A0.01 rev 01	n/a
LGF-GF-FF Plans	EX-A1.01 rev 01	n/a
SF-Loft-Roof Plans	EX-A1.02 rev 01	n/a
Existing Elevations	EX-A2.01 rev 01	n/a
Existing Section A	EX-A3.01 rev 01	n/a
Existing Section B	EX-A3.02 rev 01	n/a
Site Plan	PR-A0-01 rev 01	PR-A0-01 rev 02
LGF-GF-FF Plans	PR-A1.01 rev 01	PR-A1.01 rev 02
SF-Loft-Roof Plans	PR-A1.02 rev 01	PR-A1.02 rev 02
Elevations	PR-A2.01 rev 01	PR-A2.01 rev 02
Section A	PR-A3.01 rev 01	PR-A3.01 rev 02
Section B	PR-A3.02 rev 01	PR-A3.02 rev 02
Proposed 3D Perspectives	PR-A4-01 rev 01	PR-A4-01 rev 02
Proposed 3D Perspectives	PR-A4-02 rev 01	PR-A4-02 rev 02

## Relevant Policy, Legislation and Planning Context

The relevant planning policy context for the site remains unchanged from the position that informed the assessment of the original planning application (ref. 2019/2966/P).

It is understood that planning permission is not normally required for the replacement of windows and doors that are of a similar appearance to the existing or for the installation of internal secondary glazing. Such permitted development rights are set out within the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the Order") and apply to houses.

The Planning Portal states that planning permission is not usually needed for the insertion of windows that are of a similar appearance to those used in the construction of the house or for the installation of internal secondary glazing.



Camden Council similarly advise on their website that for houses *"if there is no change in material and your property is not a listed building; or covered by an Article 4 Direction then planning permission would not be required to replace single glazed windows with double glazing"*. Similarly, Camden Planning Guidance 1 – Design recognises that in conservation areas there may be some instances where double-glazing can be installed in a design that matches the original.

The Council also promotes the installation of secondary or double glazing, as a suitable measure for upgrading the energy efficiency of existing buildings within conservation areas whilst avoiding harm to the historic environment. This is set out from paragraph 8.20 of the Camden Planning Guidance – Energy efficiency and Adaptation (March 2019).

Historic England advise that *"If your house is listed or in a conservation area with an Article 4 Direction (which restricts work you can normally do without planning permission) you are likely to require consent to replace or make any alterations to windows, whereas like-for-like repairs do not usually require any consent. If in doubt, consult your local planning authority or conservation officer."*

The site is not covered by an Article 4 Direction and, it is considered that the proposed replacement of the original and approved windows to provide double-glazing could be undertaken without the need for planning permission. However, the recently granted planning permission comprises a description of development which explicitly refers to the replacement of the existing windows with single glazed windows and these are also annotated on the approved drawings. Therefore, this minor-material amendment application has been submitted for completeness to ensure that the recent permission reflects what is now proposed to be built out. The following assessment has therefore been undertaken in support of this and to justify the replacements are acceptable.

#### **Planning Assessment**

In recognising the above, 8 Mornington Terrace, following the grant of planning permission ref. 2019/2966/P now comprises one single dwellinghouse. It is located within Camden Town Conservation Area but is not subject to an Article 4 direction.

The proposed replacement of the existing and approved windows, will provide like-for-like windows (with the exception of the one at lower ground floor), as can be seen from the supporting elevations and visuals. In accordance with Camden Planning Guidance 1 – Design, this means that the design of the double-glazed windows, including the frame and glazing bars will match the original and remain wholly in-keeping with the appearance of the terrace and its role within the conservation area. There will be no material change in the appearance of the building.

The replacement of the window at lower ground floor seeks to remove the current uPVC window and install a timber white double glazed window so that this aligns with the fenestration evident on the upper floors as well as within the terrace as whole. It will match the lower ground window of 9 Mornington Terrace. In line with Camden Council's resistance of the provision of uPVC windows in conservation areas, this amendment in particular is considered to represent a benefit which is more favourable in design terms and will positively contribute to the property's role within the terrace as well as a the wider conservation area.

As such, the proposed amendments are considered wholly appropriate and acceptable in planning terms. They will continue to accord with condition 2 of planning permission ref. 2019/2966/P as per the approved development and not result in a change the appearance of the property when viewed as part of the terrace or within the wider Conservation Area. In turn, and of note, is that the replacement of the windows to provide double-glazing could be undertaken without the need for planning permission and the details of the windows are still to be provided, in any event, in order to satisfy the requirements of condition 7. This will therefore provide the Council with further comfort in relation to the acceptability of the proposed windows.



**Concluding Remarks**

The nature of the changes sought by this application are in themselves considered not to be material but in order to ensure consistency across what is proposed to be built out and the recently granted planning permission, this application is submitted under Section 73 of the Town and Country Planning Act 1990 to vary condition 3 and the description of development. Thereby, we can confirm that in accordance with the Planning Practice Guidance (ref. Paragraph: 017 Reference ID: 17a-017-20140306), the proposed amendments are considered to be minor in nature when considered in relation to the approved scheme and they will not result in development that is substantially different, as demonstrated above. We trust the enclosed provide sufficient information to enable you to validate and determine the application. In the meantime, if you have any queries please do not hesitate to contact me.

Yours faithfully



**Enya MacLiam Roberts**  
**Senior Planner**