

Application ref: 2019/3228/P
Contact: Obote Hope
Tel: 020 7974 2555
Date: 25 November 2019

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Cubit Consulting
19 Hayward's Place
Farringdon
EC1R 0EH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Flat 2
33 Compayne Gardens
London
NW6 3DD

Proposal:

Variation of condition 4 (Obscured glazing and details of the non-openable window to the flank elevation) and condition 3 (approved plans) of planning permission dated 05/12/2018 ref. 2018/3518/P for Lateral extension of the raised ground floor rear extension and alterations to the facade/fenestration to the rear and side elevations. Namely, increase in height of the parapet wall of the rear extension and alterations to the fenestration treatment to the rear/flank elevations.

Drawing Nos: Superseded drawings: 006 REVA; 007; 008 REVA; 0010REVA

Proposed drawings: 101/P; 102P REVB; 103/P; 104/P; 105P/ and 106/P 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 the original planning permission ref 2018/3518/P dated 10/12/2018.

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 For the purposes of this decision, condition no.3 of planning permission ref 2018/3518/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: 001 REVA; 003REVA; 004 REVA; 005REVC; 007; 009; 101/P; 102P REVB; 103/P; 104/P; 105P/ and 106/P REVB; Design and Access Statement commissioned by Cubit Consulting dated November 2018..

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

- 4 Condition no.4 of planning permission ref 2018/3518/P dated 10/12/2018 shall be replaced with the following condition:

REPLACEMENT CONDITION 4

The proposed new windows to the flank (east) elevation as shown on the approved drawings, should be designed with opaque/obscured glazing to the top glazing and the lower window shall be restricted opening as shown on the details hereby approved. The new windows shall be permanently retained and maintained as such thereafter and the restrictor mechanisms shall be provided to all the new opening windows in accordance with the details hereby approved and retained permanently.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission:

The works associated with planning permission ref 2018/3518/P dated 10/12/2018 has not begun and minor material amendment is sought to increase the finishing height of the ground floor rear extension by approximately 785mm, replacement of the ground floor extension door and alteration to the size of the upper-ground floor windows to the rear elevation.

There will be no other change to the overall roof design as previously approved and the minor increase in the height of the existing rear extension is acceptable in design terms and will not significantly increase the overall bulk of this building. There would be no change to the existing parapet walls to the flank elevation.

Similarly, the alteration to the upper ground floor windows are considered acceptable, the traditional decorated timber casement window would result in a 0.2m increase in height from the approved windows and the overall design and appearance of these windows are considered acceptable.

The proposed alteration to the ground floor extension door with a new five panels Bi-fold doors would replicate the aluminium powder coated and anthracite detail to match existing Bi-fold doors. Thus, the design is acceptable and the material and finishing would be of a high quality design that would enhance in design and appearance to the host building.

Condition 4 states-

The proposed new windows to the flank (east) elevation as shown on the approved drawings, should be designed with opaque/obscured glazing and shall be non-openable. The proposed windows shall be permanently retained as such thereafter.

The applicant now wishes these windows to be openable to a certain degree to allow ventilation into the rooms. The windows would be either tilt only or tilt-and-turn and would open outwards by 100mm with restrictions to prevent any further opening.

The proposed design would ensure that there is no overlooking of neighbours; the sole intention of the variation is to allow natural ventilation to mainly bathrooms. The openings will be restricted by 100mm and furthermore, as revised will be outwards only, which will make it impossible to see only the garden area.

The sections clearly demonstrate that no views are possible into the neighbouring dwelling due to the nature of openings and the size and location of the gaps against the thick window frames. Thus, the privacy of neighbours will be protected.

The changes to the rear extension design, height and windows will not create any additional overlooking, light pollution nor contribute to any loss of light and outlook to adjoining neighbours, given their location and size. It is considered prudent to require that the top glazing of the new windows to the flank elevation to be obscurely glazed and the lower hang opening of the new window to be restricted opening to 100mm to prevent any angled views from flank elevation.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing 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 would be in general accordance with A1, A4, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer