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Application Ref: **2019/4448/P**  
Please ask for: **Kate Henry**  
Telephone: 020 7974 **3794**

13 December 2019

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Grant of Non-Material Amendments to planning permission**

Address:  
**28 Harley Road**  
**London**  
**NW3 3BN**

Proposal: Non-material amendments to planning permission 2016/2889/P, dated 26/09/2016 (for Erection of part single storey part two storey rear extension. Installation of bi-folding doors to north facing ground floor closet wing, new windows to match the existing and the replacement of the roof tiles on the main roof), namely alterations to window and door openings.

Drawing Nos:  
Superseded drawing(s):  
HR28-2004B

Revised drawing(s):  
1163-105 Rev B

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, Condition No. 3 of planning permission 2016/2889/P, dated 26/09/2016, 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: HR28-1002, HR28-2005, HR28-2003A; 1163-105 Rev B

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

#### Informative(s):

##### 1 Reasons for granting

This application seeks to make changes to planning permission reference 2016/2889/P, dated 26/09/2016, to allow for changes to the window and doors openings. The application has been revised to omit the introduction of 2x vents on the rear elevation and a new boiler flue.

The proposed changes relate to the rear and sides of the application building only. The changes to the fenestration on the rear elevation are considered to be acceptable. The window openings are in roughly the same positions as approved, but the sizes of the individual openings, the glazing bar pattern on each individual window and opening methods differ. None of the proposed changes are significant and none are considered to cause harm to the character and appearance of the host building or to affect the significance of the Elsworthy Conservation Area.

The changes to the dormer windows at roof level are not considered to be significant. The three evenly spaced dormers, as built, are considered to relate well to the character and appearance of the host building and the changes do not affect the significance of the Elsworthy Conservation Area.

Altering a window to a door at the rear of the garage / boot room is not considered to cause harm to the character and appearance of the host building or to affect the significance of the Elsworthy Conservation Area. Similarly, the addition of a lantern rooflight above the link to the garden room is not considered to cause harm to the character and appearance of the host building or to affect the significance of the Elsworthy Conservation Area.

On the southern side elevation, the alteration to the position of a doorway and the omission of a small window are not considered to cause harm to the character and appearance of the host building or to affect the significance of the Elsworthy Conservation Area. On the northern elevation, the omission of the rooflights in the garden room roof is considered to be acceptable as this simplifies this roofslope.

None of the proposed changes would cause undue harm to the visual and residential amenities of nearby and neighbouring properties. The proposed changes do not conflict with the development plan policies; cause a need for new or altered planning conditions; or exacerbate any concerns which may have been raised by third parties at the original planning application stage.

One objection and one comment have been received and duly considered prior to making this decision. The proposed changes are considered to be non-material in the context of the original scheme.

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.

The full impact of the scheme has already been assessed by virtue of the previous approvals. In the context of the permitted scheme, it is considered that the amendments would not have any material effect on the approved development. It is considered that the changes can be regarded as a non-material variation of the approved scheme.

- 2 The applicant is reminded of the requirement to reinstate the dentil course on the front elevation (pursuant to planning application reference 2017/6500/P).

The applicant is also advised that the air-conditioning units that have been installed at the property do not benefit from planning permission and should therefore be removed.

The Council's Planning Enforcement team is aware of the unauthorised works and will be in contact in due course.

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.

Yours faithfully



Daniel Pope  
Chief Planning Officer

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