

Application ref: 2020/3776/P  
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Date: 22 December 2020

**Development Management**  
Regeneration and Planning  
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WC1H 9JE

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David Corley Architect  
6 Woodford Mill  
Mill Street  
Witney  
OX28 6DE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**Flat 9 Merlin House,  
Oak Hill Park  
London  
NW3 7LJ**

Proposal: Enclosure of existing terrace to rear (northeast) corner of existing first floor flat.

Drawing Nos: 861/P/01A; 816/P/02; 816/P/03; 816/P/04; 816/P/05; Letter from the Metropolitan Police dated February 2020 and DC/dc/824.4.

The Council has considered your application and decided to grant permission subject to the following conditions:

#### **Conditions and Reasons:**

- 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 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: 861/P/01A; 816/P/02; 816/P/03; 816/P/04; 816/P/05; Letter from the Metropolitan Police dated February 2020 and DC/dc/824.4.

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

#### Informatives:

1 Reasons for granting planning permission:

The proposal involves the enclosure of an existing terrace on the north east corner at first floor level to the rear of the building, next to the single storey garage block. The proposed terrace would be enclosed through the installation of new aluminium framed double glazed windows. It is understood that the application is made in order to provide greater security to the first floor flat. The application is accompanied by a letter from the MET police as part of recommending measures to improve security around the site, particularly due to the close proximity between the garage building and the existing terrace.

The proposals are generally consistent with the fenestration detailing elsewhere on the elevations including the first and fourth floors. As such, due consideration must be given to the degree to which the enclosure of this opening might adversely affect the visual balance of the side/rear façade and the overall character and appearance of the building.

The proposed window would be designed to mainly resemble the existing window detailing on the North West corner with a row of aluminium framed full length windows. The window would be powder coated to match the existing windows found elsewhere on the block and condition 2 will secure materials and works to match the building.

Planning permission (E5/9X/B/30782) was granted in the 1980 for similar enclosure of the first floor and in the 1990's for the fourth floor terrace (9401261) enclosure. Therefore, the building has been the subject of comparable development. The proposed window enclosure is suitably sized to match the other window enclosures on the host building and its introduction would relate well to other existing fenestration and the building as a whole. The enclosure of the corner terrace would add symmetry to the first floor at the rear. The enclosure of the terrace is not considered to significantly alter or detract from the character and appearance of the host building or the wider Hampstead Conservation Area, and as such, is acceptable.

An objection was received and is addressed separately. There are no amenity concerns as a result of these proposals in terms of loss of privacy or overlooking to neighbouring properties given that the proposed window would enclose an existing terrace space.

The site's planning and appeals history has been 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 Belsize Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

- 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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope  
Chief Planning Officer