

Application ref: 2020/4279/P
Contact: Matthew Dempsey
Tel: 020 7974 3862
Email: Matthew.Dempsey@Camden.gov.uk
Date: 29 December 2020

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

Faegen Limited
Workshop at Michaelchurch Court
Michaelchurch Escley
Herefordshire
HR20JR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:
4 Whittlebury Mews West
London
NW1 8HS

Proposal: Variation of condition 5 (obscure glazing) of planning permission ref: 2019/4468/P dated 04/11/2019 (for Erection of second floor roof extension over existing terrace and front bay), to enable partial opening of 2nd floor windows at rear.

Drawing Nos: Superseded- WM/ELEV/102 P1
Proposed- WM/SEC/103 P1.

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 2019/4468/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- (Prefix: WMW/): LOC/001 P1; ELEV/001 P2, ELEV/002 P1, ELEV/101 P2, WM/SEC/103 P1; GA/001 P1, GA/002 P2, GA/003 P2, GA/101 P1, GA/102 P2, GA/103 P2; SEC/001 P2, SEC/002 P2, SEC/101 P2, SEC/102 P2.

Supporting: WMW Design and Access Statement P1; Sunlight diagrams:

MAS_001 P1, MAS_001 P1, MAS_101 P1, MAS_102 P1

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

For the purposes of this decision, condition no.5 of planning permission 2019/4468/P shall be replaced with the following condition:

REPLACEMENT CONDITION 5

Prior to occupation of the extension hereby permitted, all glazing to the rear elevation at 2nd floor level (which face towards Gloucester Avenue) shall be fitted with opening limiters set to a maximum of 100mm and with obscure glazing to a height of 1.8m internally and shall be permanently retained and maintained as such thereafter.

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

Informative(s):

1 Reason for granting approval:

This application seeks to make minor changes to the approved south elevation 2nd floor windows to enable them to be openable, but restricted to a maximum of 100mm by means of fixed limiters, to allow cross ventilation and to prevent excessive solar gain.

The approved plan showed side-hung casements but condition 5 attached to the original permission required that these windows should be fixed shut in order to prevent unreasonable overlooking. The proposal is to vary the condition to allow them to be marginally opened and allow for natural ventilation; the windows in question shall remain obscured glazed as per the original approval.

Given the position of the windows and that the proposed opening would be limited to a maximum of 100mm at the window base, there would be no harmful impact on neighbouring properties in terms of loss of amenity from overlooking. The design of the windows remain the same, only the openings are changed from side- to top-hung, so there would be no impact on the appearance of the overall elevations. The varied wording of the condition to allow a minimal opening would maintain its purpose of ensuring no loss of amenity to neighbours.

The full impact of the scheme has already been assessed by virtue of the previous approval. 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 You are advised that this decision relates only to the changes highlighted on the plans and set out in the description and shall only be read in the context of the substantive planning permission reference 2019/4468/P dated 04/11/2019 and is

bound by all the conditions and obligations attached to that permission.

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

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

Daniel Pope
Chief Planning Officer

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