

Application ref: 2020/3997/L  
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Date: 12 April 2021

**Development Management**  
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NW3 3NT  
UK

Dear Sir/Madam

## **DECISION**

Planning (Listed Building and Conservation Areas) Act 1990

### **Listed Building Consent Granted**

Address:

**40 Downshire Hill**  
**London**  
**NW3 1NU**

Proposal:

Erection of a single storey rear extension and the provision of new front lightwell stair, together with internal alterations including enlargement of openings in lower ground floor rear room wall.

Drawing Nos: Site location plan; Existing drawings- EX.01 A, EX.02 A, EL.01 A, EL.02 A, EX. 05 A; Proposed drawings- PL.01 LG C, PL.02 G C, EL.03 B, EL.04 B, SE.05 B. Design and Access Statement dated 23.06.2020.

The Council has considered your application and decided to grant Listed Building Consent subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans [Site location plan; Existing drawings- EX.01 A, EX.02

A, EL.01 A, EL.02 A, EX. 05 A; Proposed drawings- PL.01 LG C, PL.02 G C, EL.03 B, EL.04 B, SE.05 B. Design and Access Statement dated 23.06.2020.

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

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 Detailed drawings of the design of the metal steps to the front lightwell at a scale of 1:10 shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. The work shall not proceed otherwise than in accordance with the approved details.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

#### Informative(s):

- 1 The application has been revised omitting harmful elements such as the provision of a new external front entrance vestibule, internal removal of an original doorway to change to an arch and the replacement of the original rear raised ground floor window with a door and added balcony. The proposed external works relate to a single storey, predominantly glazed rear extension and a new iron staircase accessing the existing front lightwell. Internally the works relate to enlarged openings in the lower ground floor rear room for enhanced natural light, spaciousness and access to the proposed rear extension and garden beyond. Also proposed internally is the conversion of a store to shower and WC, also at lower ground level.

The rear extension is considered to be of modest proportions subordinate and respectful in scale to the original early 19th century lower ground and 3 upper storeys villa. It replaces an existing shallower lean-to extension of similar predominantly glazed character. The minimalist glazed form of the proposed structure with its copper roof covering punctuated by rooflights is also considered suitably respectful but distinct from the simple rear elevations of this villa and its adjoining neighbour (No. 39) which together form the paired original composition. The internal alterations would entail some removal of original fabric internally due to the increased wall openings but keeping enough of the structure in-tact to maintain the compartmented character of the rear room so as not to cause harm to the significance of this part of the listed building.

To the front the proposed iron stair would add a traditional feature within the front lightwell and would not in any event be read in views to the front elevation from the public realm.

An objection from the Hampstead Neighbouring Forum referred only to the harmful elements which have since been removed from the proposals. A further objection from a neighbouring occupier also referred to features of the proposals that have been removed as well as noting that the existing rear extension is large enough already. It is considered that the proposed size of extension would not raise any design concerns for the reasons as stated in the penultimate paragraph above. No other objections have been received.

Special regard has been attached to the desirability of preserving the listed building and its setting and its features of special architectural or historic interest which it possesses; and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s. 66 and s.72, respectively, of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with Policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with policies of the London Plan (2021) and of the National Planning Policy Framework 2019.

- 2 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 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.
- 5 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.

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 written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer