

Application ref: 2020/2813/P
Contact: Neil McDonald
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Date: 12 April 2021

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PAUL FINEBERG Architect Ltd
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UK

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission 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 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 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 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.

Informative(s):

- 1 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).
- 2 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.
- 3 Reasons for granting permission.

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 proposed extension is contained between the flank wall of an existing conservatory to the adjoining paired villa and the 2 metre plus boundary wall to No. 40a and therefore would not raise any issues of overlooking or loss of daylight for adjoining residents. 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 amenity or other issues 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.

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 in the upper left quadrant of the page.

Daniel Pope
Chief Planning Officer