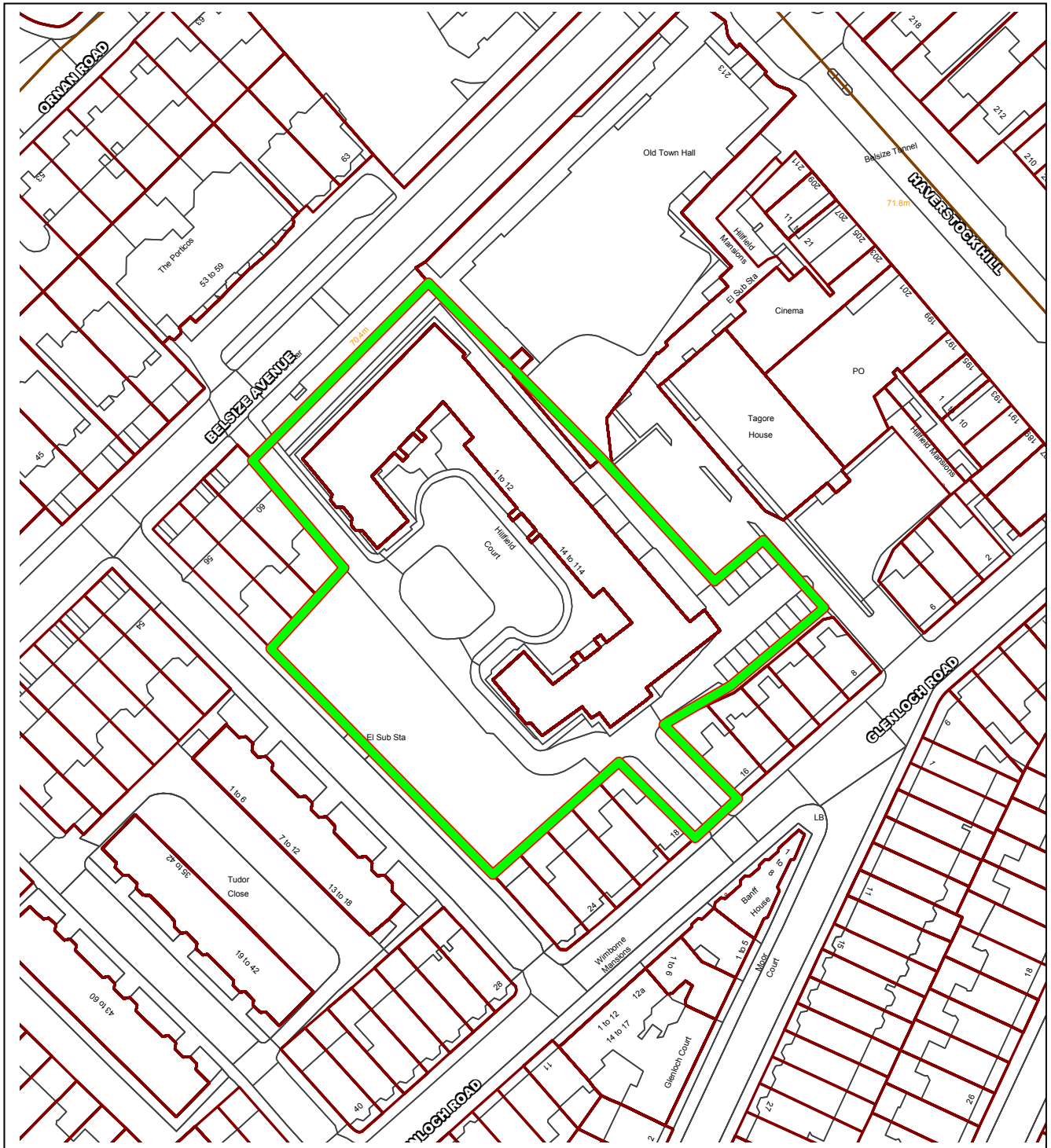


2021/1395/P - Flat 24, Hillfield Court, Belsize Avenue



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View 1 – south-west elevation showing 4 windows to be replaced



View 2 – north-east elevation showing 3 windows to be replaced



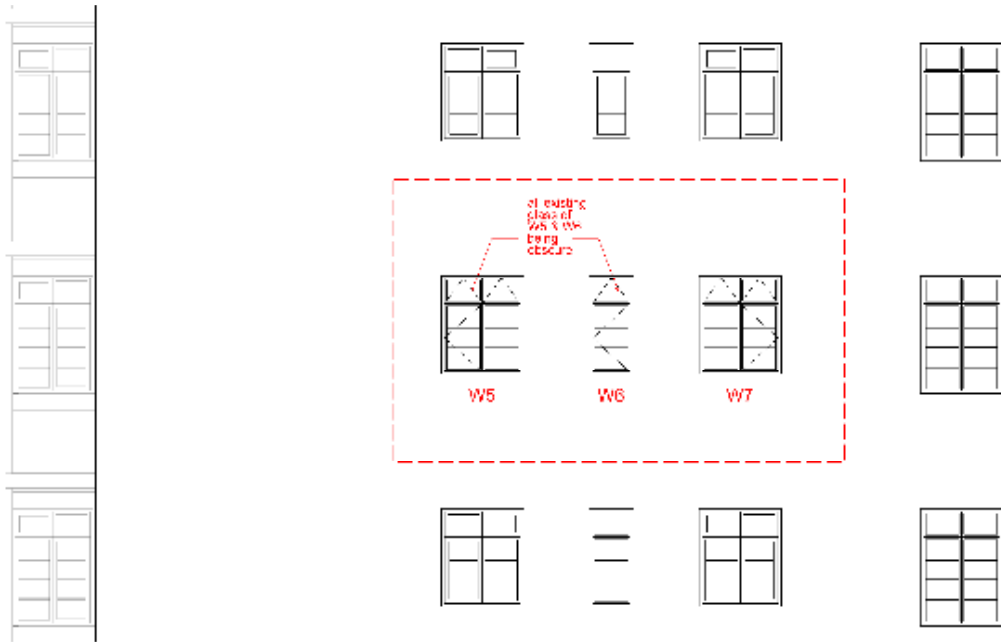
View 3 – existing south-west elevation showing 4 windows to be replaced



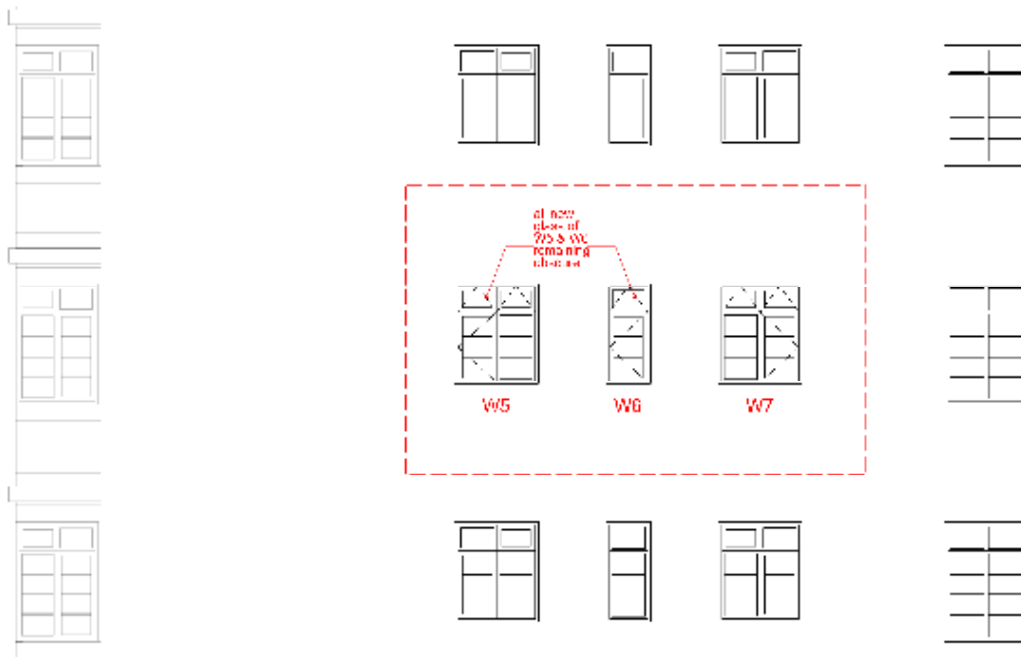
View 4 – proposed south-west elevation showing 4 windows to be replaced



View 5 – existing north-east elevation showing 3 windows to be replaced



View 6 – proposed north-east elevation showing 3 windows to be replaced



Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	18/05/2021
		n/a	Consultation Expiry Date:	13/06/2021
Officer			Application Number(s)	
Tony Young			2021/1395/P	
Application Address			Drawing Numbers	
Flat 24, Hillfield Court Belsize Avenue London NW3 4BJ			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Replacement of 7 single glazed Crittall windows with double glazed aluminium frame windows on north east and south west elevations at 3rd floor level.				
Recommendation(s):		Grant Conditional Planning Permission		
Application Type(s):		Full Planning Permission Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	01	No. of objections	01
Belsize CAAC response:	<p>Site notice was displayed from 14/05/2021 to 07/06/2021 Press notice was published on 20/05/2021 and expired 13/06/2021</p> <p>The Belsize Conservation Area Advisory Committee (CAAC) objected to the proposals as follows:</p> <ul style="list-style-type: none"> • <i>“Strongly object to the proposed replacement aluminium windows. The opening sections are crude and far too thick and the horizontal rhythm of the glazing is lost. The selected system will harm the character and uniform appearance of the whole development. What's is wrong with Crittal? They do modern replacements to their original windows.”</i> <p>Officer response:</p> <ul style="list-style-type: none"> • The design, material, dimensions, siting and visibility of the proposal have been assessed, along with any impact on neighbouring amenity, and are considered to be appropriate within the particular site context (see Section 3.0 below for full assessment). 					

Site Description

The application site comprises a 6-storey residential mansion block built in the 1930s. It is located between Haverstock Hill, Belsize Avenue and Glenloch Road.

Hillfield Court is not a listed building but sits within the Belsize Conservation Area. The building is not identified as making either a positive or negative contribution to the conservation area (Belsize Conservation Area Statement, adopted November 2002).

Relevant History

2017/4698/P (Flat 46) Replacement of existing crittal windows with Upvc windows to the front elevation of flat at ground floor level. **Planning permission granted 04/10/2017**

2013/2878/P (Flat 73) Replacement of two rear single glazed metal bay windows with double glazed metal bay windows to residential flat (Class C3). **Planning permission granted 18/07/2013**

2012/5353/P (Inner courtyard) The replacement of existing single glazed metal windows with double glazed metal windows to 4x existing bays facing inner courtyard elevation of residential mansion block (Class C3). **Planning permission granted 11/12/2012**

2012/1098/P (Flat 106) Replacement of existing windows and door with Pvc windows and door to the front elevation of a residential flat (Class C3) at fourth floor level. **Refused planning permission 19/04/2012** (by reason of material and detailing) **and subsequently allowed on appeal 31/10/2012**

Relevant policies

National Planning Policy Framework 2019

London Plan 2021

Camden Local Plan 2017

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

CC1 - Climate change mitigation

CC2 - Adapting to climate change

Camden Planning Guidance

CPG Home Improvements (January 2021)

CPG Design (January 2021)

CPG Energy efficiency and adaptation (January 2021)

CPG Amenity (January 2021)

Belsize Conservation Area Statement (adopted November 2002)

Assessment

1.0 Proposal

1.1 Planning permission is sought for the replacement of 7 original single glazed Crittall windows at 3rd floor level (3 on the north east elevation and 4 on the south west elevation) with double glazed aluminium framed windows.

2.0 Assessment

2.1 The principal considerations material to the determination of this application are:

- the design and impact of the proposal on the character and appearance of the Belsize Conservation Area; and
- the impact of the proposal on neighbouring amenity.

3.0 Design and heritage

3.1 Local Plan Policy D1 (Design) aims to ensure that all developments are of the highest standard of design and respect the character, setting, form and scale of neighbouring buildings, its contribution to the public realm, and its impact on wider views and vistas. Local Plan Policy D2 (Heritage) states that the Council will require that developments preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. This is supported by the Belsize Conservation Area Statement.

3.2 Hillfield Court is a 1930's 6-storey mansion block set around a communal courtyard. The building is not listed or recognised as making any particular contribution to the character and appearance of the conservation area in the conservation area appraisal and management statement. While the overall scale, form, design and layout of the building has remained largely unaltered, a significant number of the original Crittall windows (and doors) to residential flats and communal stairwells have been replaced over time with either uPVC or aluminium frame equivalents. It would appear that a substantial number of these alterations have not been the subject of planning applications; however, they appear to have been in place for some time, and as such, would likely fall outside the scope of enforcement proceedings by virtue of their age.

- 3.3 Notwithstanding this, a planning application (2012/1098/P) of particular note and relevance to the current proposals was received in 2012 for the replacement of original Crittall windows with uPVC framed equivalents (Flat 106 – see history section above). The application was originally refused by the Council by reason of their material and detailing; however, the decision was subsequently allowed on appeal (Appeal ref. APP/X5210/A/12/2176051). In reaching the decision, the Planning Inspector recognised that a significant amount of windows (and doors) had already been replaced with heavier frames and surrounds, and stated that, “*Notwithstanding these detailed differences, the windows and doors which have been replaced very strongly echo; albeit with modern materials, the form, style, design and appearance of the originals*”.
- 3.4 Though it is acknowledged that past alterations should not necessarily provide a justification for future change, the appeal decision recognises that modern uPVC and aluminium frame replacement windows had already become a feature of the building by 2012. Over time, Crittall has ceased to be the predominant material for window (and door) frames at the property and has been replaced by a combination of Crittall, uPVC and aluminium materials which now form part of the existing character and appearance of fenestration at the property.
- 3.5 Consequently, while the proposed change in material to aluminium might be considered contrary to policy under different circumstances, in the context of the host building, the proposed replacement of original Crittall windows with aluminium frame windows is considered to have already been established by the above appeal decision (and any subsequent similar decisions) and is therefore acceptable in principal. It is also noted that the proposed use of aluminium is considered preferable to uPVC on both design and sustainability grounds.
- 3.6 Notwithstanding the existing mix of different materials for fenestration at the property, in terms of the proposed design, opening methods, proportions and colour, the replacement windows would match existing windows as closely as possible. Any existing obscured glazing on the north-east elevation would also be replaced with similar glazing. While it is recognised that there would be some degree of increased thickness to frames, not least to accommodate the proposed double glazing panes, the use of suitably designed and high quality units would be an appropriate change, in keeping with the existing character and appearance of the host building and wider Belsize Conservation Area.
- 3.7 On this point, when considering the proposed change to uPVC frames in the above appeal and the impact on the conservation area, the Inspector stated that, “*in this particular instance, the use of modern materials of a heavier profile and detailing than the originals would be appropriate and would not harm the contribution which Hillfield Court makes to the significance of the conservation area.*”
- 3.8 It is noted that the proposed aluminium frames would have a slimmer appearance than the type of thicker uPVC frames approved under appeal, and as such, would be a closer match to any existing original Crittall windows. It is also noted that the flat above the host property has existing uPVC frame windows, whereas the flat below has aluminium frame windows. As such, any attempt to exactly replicate Crittall windows would not seem to be entirely necessary in this particular context given the mixed nature of window materials and slight differences in frame sizes and detailing that exists at the property.
- 3.9 Additionally, it is noted that the replacement windows would not be widely visible. The 3 windows to be replaced on the north east elevation can be viewed only from within the courtyard of the building complex and are not visible from Belsize Avenue. The 4 windows on the south west elevation can partly be seen from Belsize Avenue, but are some distance away. Moreover, given the windows are located at 3rd floor level, the replacement windows are unlikely to be distinguishable amongst the existing mix of different window frame types in this elevated position.

- 3.10 It is also noted that a recent application (2017/4698/P) to provide uPVC frame replacement windows was granted planning permission in 2017 for Flat 46 and was situated at ground floor level and in a more visible position than the host property.
- 3.11 Finally, the Council supports development to improve the thermal efficiency of existing dwellings in a sustainable way and it is acknowledged that the use of double glazing can be beneficial in this regard, subject to the preservation of the character and appearance of the host building within the conservation area.
- 3.12 Overall, therefore, while there would be some difference in the material and detailing when compared to some existing windows at the property, the proposed alterations would closely match other windows of similar material and generally be in keeping with the prevailing design, form and appearance of fenestration at the property. As such, under these particular circumstances, the proposal is considered to preserve and enhance the character and appearance of the host building and this part of the Belsize Conservation Area, in accordance with Camden Local Plan Policies D1 (Design), D2 (Heritage), CC1 (Climate change mitigation) and CC2 (Adapting to climate change) and guidance, and is acceptable.
- 3.13 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

4.0 Amenity

- 4.1 Local Plan Policy A1 (Managing the impact of development), supported by CPG Amenity, seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents.
- 4.2 There are no amenity concerns as a result of these proposals in terms of loss of privacy or overlooking to neighbouring properties given the minor nature of the proposals and the fact that only existing windows would be replaced. As such, it is considered in amenity terms to accord with Camden Local Plan Policy A1 (Managing the impact of development) and the relevant Camden Planning Guidance.

5.0 Recommendation

- 5.1 Overall, the proposed development is considered acceptable in terms of its design and impact on the character and appearance of the host building and wider Belsize Conservation Area, and there would be no significant adverse impact on the residential amenity of neighbouring occupiers. The development is also deemed consistent with the objectives, guidance and policies identified above and it is therefore recommended that conditional planning permission be granted.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 19th July 2021, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2021/1395/P
Contact: Tony Young
Tel: 020 7974 2687
Email: Tony.Young@camden.gov.uk
Date: 12 July 2021

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

Mr Jonathan Ho
Flat 24
Hillfield Court
Belsize Avenue
London
NW3 4BJ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Flat 24
Hillfield Court
Belsize Avenue
London
NW3 4BJ**

DECISION

Proposal:

Replacement of 7 single glazed Crittall windows with double glazed aluminium frame windows on north east and south west elevations at 3rd floor level.

Drawing Nos: Site location and site plans; (20-3AE-)001 to 004 (inclusive); (2021/-)W1 to W7 (inclusive); Detailed window elevations from Capital Window Manufacturing (UXB) Ltd. (4 pages) dated 02/11/2021; Design and Access Statement received 24/03/2021.

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 policies 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 and site plans; (20-3AE-)001 to 004 (inclusive); (2021/-)W1 to W7 (inclusive); Detailed window elevations from Capital Window Manufacturing (UXB) Ltd. (4 pages) dated 02/11/2021; Design and Access Statement received 24/03/2021.

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 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, 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.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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

Chief Planning Officer

DRAFT

DECISION