

Application ref: 2021/2948/P  
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Date: 22 December 2021

**Development Management**  
Regeneration and Planning  
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Sultip Investments Limited  
Fao. Mr Jeremy Brown  
66 Rochester Place  
London  
NW1 9JX

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted and Warning of Enforcement Action**

Address:

**66 Rochester Place  
London  
NW1 9JX**

Proposal:

Replacement of single glazed metal frame windows with triple glazed windows at rear ground and 1st floor levels (retrospective).

Drawing Nos: Site location plan; A-(10)-010; Email from Sultip Investments Limited dated 06/09/2021; Manufacturer's Specification web link (Wells Glass).

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 one year 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 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; A-(10)-010; Email from Sultip Investments Limited dated 06/09/2021; Manufacturer's Specification web link

(Wells Glass).

Reason:

For the avoidance of doubt and in the interest of proper planning

- 3 All replacement windows hereby approved at the rear of the premises shall be painted in a colour to match the existing rear upper floor window.

Reason: In order to minimize the impact on the appearance of the building and local environment in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 All replacement windows hereby approved at the rear of the premises shall be permanently fixed shut and non-opening, and be permanently retained and maintained as such thereafter.

Reason: In order to safeguard the amenities of neighbouring residential premises in regard to associated noise impacts emanating from the premises and to reduce environmental nuisance in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

Permission is sought retrospectively for the unauthorised replacement of single glazed metal frame windows with triple glazed upvc framed windows at rear ground and 1st floor levels.

While the proposals involve some alteration in style, colour and material to the previous windows, the replacement windows mirror the proportions and occupy the same positions within the reveal. The replacement windows are white in colour, and as such, a condition would be attached to any approval to ensure that the replacement windows are painted to match as closely as possible the darker frame colour of the remaining existing upper floor rear window and previous windows. This is to minimise any harmful visual impact and ensure the alterations are in keeping with the appearance of fenestration at the rear of the premises and wider conservation area.

The applicant has confirmed that the use of triple glazing is necessary in order to address noise nuisance issues associated with the premises use as a dance and fitness studio. Triple glazing, in combination with all replacement windows being permanently fixed shut, helps to provide a high level of sound proofing and is therefore appropriate in this particular case. A condition would be attached to any approval to ensure that all the replacement windows remain shut in perpetuity in order to safeguard neighbouring residential amenity now and in the future.

It is acknowledged that Camden Planning Guidance (Design) generally discourages the use of upvc material on aesthetic and sustainability grounds. However, it is also noted that the replacement windows are not widely visible given their rear position and high degree of natural screening provided by

existing mature trees and vegetation. The colour of frames would also be altered to minimise their visual impact. Furthermore, it is recognised that the insulating quality of the material in combination with triple glazing and the fixed nature of the windows would have an important and intended benefit in addressing noise nuisance issues at the site, thereby improving neighbouring amenity.

Therefore, weighing the less than substantial harm caused as a result of the proposed development against the demonstrable public benefit, it is considered on balance that the benefit arising in terms of improved neighbouring amenity outweighs the limited harm arising to the character and appearance of the building at the rear and within the wider conservation area. As such, the proposal is considered to be acceptable, on balance, in this particular instance given the specific circumstances, subject to conditions attached to any approval.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Rochester Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013.

The site's planning and appeals history has been taken into account when coming to this decision. No objections have been received following statutory consultation.

As such, the proposal is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017, the London Plan 2021 and the National Planning Policy Framework 2021.

## 2 WARNING OF ENFORCEMENT ACTION TO BE TAKEN

The existing unauthorised replacement of windows at rear ground and 1st floor levels are considered to be harmful to the character and appearance of the host building and wider Rochester Conservation Area. As such, enforcement action may be taken in relation to this matter should the unauthorised windows not be either removed within 3 months of the date of this planning permission being granted, or painted in a colour to match the existing rear upper floor window as specified in Condition 3 attached to this decision within the same 3 month period, and in accordance with the approved drawings.

- 3 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).
- 4 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](http://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.

- 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, 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 2021.

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 faint rectangular stamp.

Daniel Pope  
Chief Planning Officer