

Application ref: 2023/2006/P
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Date: 29 August 2023

Development Management
Regeneration and Planning
London Borough of Camden
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Zulufish
26 Arlington Gardens
Chiswick
W4 4EY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**99 Gloucester Avenue
London
NW1 8LB**

Proposal:

Variation of Condition 3 (Approved Plans) of planning permission ref: 2021/0425/P (dated 20/05/2021) (for the installation of additional walk-in rooflight to front garden, replacement of existing front gate and erection of new bin and cycle store in front garden, enlargement of existing rear window, new rooflights on flat roof of house, replacement of the existing front and rear windows with double glazed timber sash windows, and replacement glazing to rear conservatory) namely for alterations to the planting and boundary treatment to the front garden.

Drawing Nos: 1212-02-01, 1212-02-08, 1212-02-03, 1212-02-09, 1212-02-02, 1212-02-06, 1212-02-07, 1212-02-05, 1212-02-04, LW-BS-001, 1212-02-00 Rev C.

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 no later than three years from the date of the original permission ref 2021/0428/P dated 20/05/2021.

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:

1212-02-01, 1212-02-08, 1212-02-03, 1212-02-09, 1212-02-02, 1212-02-06, 1212-02-07, 1212-02-05, 1212-02-04, LW-BS-001, 1212-02-00 Rev C.

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

Informative(s):

- 1 Reasons for granting permission:

The proposed amendments include low planters for the front garden hedging instead of the approved ground level planting due to restrictions on soil depth with the existing basement. No other changes have been proposed. The principle of the development had been assessed under planning permission reference 2021/0428/P (granted on 20/05/2021).

Over the course of the application the design was revised from low level planters to high level planters, like for like to those that were in situ prior to the 2021 application. While high level planters are not necessarily prevalent in this area, similar planters have been on site since 2014. The change from low level planters is considered minor in the context of the original permission and therefore an acceptable form of development.

The proposed planters are not considered to impact neighbours by way of loss of outlook, daylight or privacy.

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

An objection has been received by the Primrose Hill CAAC to the low level planters. Upon further discussion with the applicant, it was agreed to restore the high level planters and amend the application. The Primrose Hill CAAC has since withdrawn their objection. No concerns were raised by the Conservation Officer. The planning history of the site has been taken into account when coming to this decision.

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

- 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 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) 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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope
Chief Planning Officer