

Application ref: 2022/1932/P
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Phillips Planning Services Limited
Kingsbrook House
7 Kingsway
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**5A Back Lane
London
NW3 1HL**

Proposal:

Variation of condition 3 (approved plans) of planning permission 2021/0544/P dated 24/10/2021 for Extensions and alterations to existing dwelling including partially raising and reshaping roof, replacement of the lower ground floor conservatory, glazed stair link at first floor level, of existing terrace structure, air conditioning and terrace screening; namely to include plan numbers that were part of the approved scheme, make amendments to the cladding material on the east and west elevations walls, rooflight size and window type on east elevation.

Drawing Nos: 31175_P_011 Rev B; 31175_P_015 Rev C; 31175_P_016 Rev C;
31175_P_020 Rev A; 31175_P_023 Rev B; 31175_P_025 Rev B; 31175_P_026 Rev
A; 31175_P_027 Rev A; 31175_P_028 Rev B;
31175_P_031 Rev B; 31175_P_032 Rev B; 31175_P_033 Rev A.

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 the original planning permission ref 2021/0544/P dated 25 October 2021.

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 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 3 For the purposes of this decision, condition no.3 of planning permission 2021/0544/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans:

31175_P_011 Rev B; 31175_P_015 Rev C; 31175_P_016 Rev C;
31175_P_020 Rev A; 31175_P_023 Rev B; 31175_P_025 Rev B;
31175_P_026 Rev A; 31175_P_027 Rev A; 31175_P_028 Rev B;
31175_P_031 Rev B; 31175_P_032 Rev B; 31175_P_033 Rev A.

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

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural method statement by Bartlett Consulting dated 21st January 2021 ref GD/210009R/sh. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The project arboriculturalist shall supervise and monitor the works in accordance with the approved arboricultural report for the duration of development"

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan 2017 and policies NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

- 5 Prior to commencement of any works on site, details of the design of building foundations within the root protection area of T11 (birch), shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017 and policies NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

- 6 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 7 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 8 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) The proposed new external facing materials at first floor/ roof level.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission.

The original application (2021/0544/P) relates to the extensions and alterations to existing dwelling including partially raising and reshaping roof, replacement of the lower ground floor conservatory, glazed stair link at first floor level, of existing terrace structure, air conditioning and terrace screening.

The decision notice (2021/0544/P) for the original proposal excluded drawing

numbers 31174_P026, 027, and 028, which formed part of the permitted scheme and these would now be added to the approved list of drawing numbers.

In addition to correcting the abovementioned omission of the approved plans, minor amendments to the approved scheme are sought. These are as follows:

- a. An extension to the roof lights in the master bedroom to match the existing measuring 3.6m (length) x 1m (width) rooflights serving the ensuite to this room.
- b. Timber framed window within bedroom 2 replaced with aluminium casement window.
- c. Stone cladding on the East Elevation changed to artificial slate (as was the original material in this location).
- d. Reduction in the extent of the stone cladding on the West Elevation at the back of No. 7 Back Lane and replacement with slates.

The proposals would preserve the character and appearance of the host building and conservation area. Special attention has been paid to the desirability of preserving or enhancing the character and 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.

There would be no impact from the minor amendments to the approved scheme on neighbouring residential amenity or on the character and appearance of the host building.

The full impact of the scheme has already been assessed.

No objections were received and the planning history of the site has been taken into account when coming to this decision.

In conclusion, the proposed development is in general accordance with policies D1, D2, A1, A2, A3 and A4 of the Camden Local Plan 2017 and DH1, DH2, NE2 and NE4 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and National Planning Policy Framework 2021.

- 2 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).
- 3 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.

- 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