

Statement accompanying an Application to Discharge Conditions 4 and 6 of application ref. 2014/5939/P at Flat 1, 41 Howitt Road, London NW3 4LU

Planning Portal Reference: PP-12545059

Introduction:

The project that is the subject of this application was granted planning approval by LB Camden (ref. 2014/5939/P) on 18 September 2017, with the expiry date of the approval extended to 1 May 2021 because of Covid restrictions.

A Building Notice for this project was submitted to London Building Control (ref. 21/70566/MYFFBFXFA/JH) on 27 April 2021 and work to clear vegetation and uncover the foundation of the front retaining wall began on 29 April 2021.

A surveyor working for the funding company requested confirmation that the works had been begun legally, which was confirmed by Camden granting a Certificate of Lawful Development (Existing) on 16 October 2023, ref. 2023/3104/P.

We have been advised that conditions 4 and 6 should be formally discharged by a separate application.

Information submitted:

The following documents were previously submitted to LB Camden with the application for a Certificate of Lawful Development and are resubmitted with this application:

Arboricultural Statement and Method Statement as submitted in 2014. (Condition 6)

Additional Arboricultural Method Statement and TPB Plan. (Condition 6)

The following documents were also previously submitted, but are included here in a slightly different form:

Confirmation of continuity of engineers, now dated with confirmation of their involvement since work began on site. (Condition 4)

This Statement.

Discharge of Conditions:

Notes regarding the discharge of all conditions below, with Conditions 4 and 6 highlighted in red and slightly amended, as follows:

Condition 1. Work on site was begun prior to 1 May 2021 (the expiry date extended due to Covid disruption).

Condition 2. All materials are as required.

Condition 3. Work completed to date is in accordance with the approved drawings (now amended by approval 2022/5453/P for minor changes to the rear.)

Condition 4. The same structural engineers involved in the extended planning process (David Dexter Associates), whose work was accepted and approved by LB Camden have continued as

structural engineers for the entire project and are now dealing with Building Control and work on site. Now rebranded as DDA Engineers, the same personnel are still involved, with Jo Smith confirming her continued involvement in a document as originally provided, now dated and with further confirmation of her continued involvement since the start of works on site.

LB Camden has/had all necessary information on – and has continued to work with – the same engineer, though we apologise that Condition 4 was not formally discharged through a separate application. We trust that Jo Smith's confirmation is sufficient to discharge that condition.

Condition 5. In cooperation with London Building Control, works are proceeding in accordance with the requirements of the approved BIA and its attendant suite of documents, with confirmation of the monitoring process given in the attached document from Laser Surveys (ref. L3287/21). Note that this document is dated 19 July 2021, which is the date of lifting of Tier 4 restrictions, as the other occupants of 41 Howitt Road would not allow access to the property prior to the removal of all Covid restrictions.

Condition 6. Item 6.2 of the Delegated Report states that: "The Council's Tree Officer has reviewed the Arboricultural Statement submitted by the applicant and notes that no trees are proposed to be removed in order to facilitate development. The arboricultural report is considered sufficient to demonstrate that the scheme could be implemented without adversely affecting the trees to be retained both on site and on neighbouring sites."

This condition (no. 6) became invalid in relation to the limited front works begun on 29 April 2021, as the adjoining street tree turned out to be diseased and was removed by LB Camden workmen before work commenced. Root protection for the trees to the rear (there are none on the site itself) is as stated in the approved Arboricultural statement and as further agreed on site with London Building Control.

A copy of the 2014 Arboricultural Report by Landmark Trees is now attached and includes a Method Statement. As this had been accepted and approved by LB Camden, it was, again, reasonable for those involved to assume that this condition had been dealt with and we apologise that a formal discharge was not sought.

For the avoidance of doubt, an addendum to the Arboricultural Report is now attached in the form of a separate Method Statement, which includes a plan of the proposed temporary fencing in the rear garden.

Conclusion:

Please let us know if any additional information might be required to discharge Conditions 4 + 6.