

Application ref: 2023/3142/P
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Date: 20 October 2023

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Regeneration and Planning
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ADL Planning Pty Ltd
1 The Arbory
Plumpton Lane
Great Plumpton
PR4 3NH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**22 Kemplay Road
London
NW3 1SY**

Proposal:

Variation of Condition 2 (Approved Plans) of planning permission ref. 2022/5084/P dated 17/03/23 for replacement roof, including enlargement of existing front roof terrace with associated black metal railings and new front rooflight, new rear dormer and rooflight; single storey rear extension with roof terrace above, including privacy screen; increase in height of rear closet wing and alterations to fenestration; replacement fenestration to front and rear elevations; works to front including re-building of front wall with railings above, increasing height of pier and attaching new handrail to main steps. NAMELEY replacement plans for rear garden landscaping design

Drawing Nos: 067-001-P1; 067-002-P1; 067-003-P1; 067-004-P1; 067-005-P1; 067-006-P1; 067-007-P1; 067-008-P1; 067-009-P1; 067-010-P1; 067-012-P1; 067-013-P1; 067-014-P; 067-101-P1; 067-102-P1; 067-103-P1; 067-104-P1; 067-105-P1; 067-106-P1; 067-107-P1; 067-108-pP1; 067-109-P1; 067-110-P1; 067-111-P1; 067-112-P1; 067-113-P1; YD2_KE_SE001, YD2_KE_LP001, YD2_KE_SE002

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 2022/5084/P dated 17/03/23.

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:

067-001-P1; 067-002-P1; 067-003-P1; 067-004-P1; 067-005-P1; 067-006-P1; 067-007-P1; 067-008-P1; 067-009-P1; 067-010-P1; 067-012-P1; 067-013-P1; 067-014-P; 067-101-P1; 067-102-P1; 067-103-P1; 067-104-P1; 067-105-P1; 067-106-P1; 067-107-P1; 067-108-pP1; 067-109-P1; 067-110-P1; 067-111-P1; 067-112-P1; 067-113-P1; YD2_KE_SE001, YD2_KE_LP001, YD2_KE_SE002

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

- 3 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.

Informative(s):

- 1 Reasons for granting:

The amendments to the landscaping of the rear garden, with a decked area to replace the storage box and children's play area, are acceptable in terms of design and impact on the character of the conservation area. The alterations to the steps in the garden and the provision of a glass balustrade at the garden level are considered acceptable. The permitter planting is retained and increased, meaning there would not be material loss of vegetation.

The proposed variation is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

The site's planning history has been considered when making this decision.

One comment was received, which noted that they would object if the height of the building is increased and queried the location of the extension in relation to their boundary walls. The height of the building will not change, and the location of the approved extension will also not change because of this variation.

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.

As such, the proposal is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan. The proposal also accords with the London Plan 2021 and the NPPF 2023.

- 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

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope
Chief Planning Officer