

Application ref: 2023/5345/P
Contact: Alex Kresovic
Tel: 020 7974 3134
Email: Alex.Kresovic@camden.gov.uk
Date: 31 January 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Robert Rhodes Architecture + Interiors
107 Davina House
137-149 Goswell Road
London
EC1V 7ET
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:

**35 Heath Hurst Road
London
NW3 2RU**

Proposal: Non-material amendment to planning permission ref: 2022/4325/P dated 20 March 2023 for: "Erection of a single storey ground floor extension with terrace above, following the replacement of the existing, erection of a rear dormer roof extension, the construction of new retaining wall all to the rear elevation and alteration to the front driveway", namely to reduce the massing of the single storey ground floor extension by removing the exterior porch, reducing the size of the extension by 11.85m², thus increasing the garden size.

Drawing Nos: Project Number 237 35HHR - 001, 005 & 006 Dated 05 October 2022;
007 Rev A Dated 09 December 2022, 011 Rev B Dated 17 February 2023, 012 Rev A
Dated 10 February 2023;
007 Rev B Dated 11 December 2023, 011 Rev C Dated 11 December 2023, 012 Rev B
Dated 11 December 2023;
Planning Statement Dated 13 December 2023 Prepared by Robert Rhodes Architecture
+ Interiors

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, condition no.2 of planning permission
2022/4325/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: 001_REVA; 002_REVB; 003_REVB; 004_REVB; 005_REVB; 006_REVA; 007 Rev B Dated 11 December 2023; 008_REVC; 009_REVC; 010_REVB; 011 Rev C Dated 11 December 2023, 012 Rev B Dated 11 December 2023; S01; Arboricultural Report by Marcus Foster Arboricultural Design & Consultancy and Design and Access Statement REVA; Planning Statement Dated 13 December 2023 Prepared by Robert Rhodes Architecture + Interiors.

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

Informative(s):

1 Reasons for granting permission:

Planning permission was granted on 20 March 2023 ref: 2022/4325/P for the erection of a single storey ground floor extension with terrace above, following the replacement of the existing, erection of a rear dormer roof extension, the construction of new retaining wall all to the rear elevation and alteration to the front driveway.

The amendment being sought seeks to reduce the massing of the single storey ground floor extension by removing the exterior porch, reducing the size of the extension by 11.85m², thus increasing the garden size.

The ground floor extension is located at the rear of the host building is not clearly visible in the public realm. It is not considered that the proposal would not cause undue harm to the character and appearance of the host building or the wider area, including the Hampstead Conservation Area.

Neither is it considered that the proposal would cause undue harm to the amenities of nearby residential properties due to the nature of the works and the fact the granted scheme is being reduced in scale and mass would only be beneficial and improve the neighbouring amenities.

It is therefore considered that the proposed development would result in substantially the same development as, and can be considered as a non-material amendment to, the approved scheme ref 2022/4325/P. It is considered reasonable and appropriate in the circumstances and will have no adverse material effect, in terms of land use, design and bulk, to the approved scheme, and also in terms of its impact on the surrounding streetscene and neighbourhood amenity.

2 You are advised that this decision relates only to the changes highlighted on the plans and/or set out in the description and on the application form and shall only be read in the context of the substantive permission granted on 20 March 2023 under reference number 2022/4325/P and is bound by all the conditions attached to that permission.

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 2023.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name.

Daniel Pope
Chief Planning Officer

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