

Application ref: 2024/0953/P
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Date: 10 April 2024

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DP9 Ltd
100 Pall Mall
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:

**4B Hampstead Hill Gardens
London
NW3 2PL**

Proposal: Non-material amendment to planning permission ref: 2019/5835/P granted on appeal on 21 February 2022 for the "Demolition of the existing two-storey residential dwelling and construction of a new 3 storey residential dwelling with basement", namely to remove the basement element from the consented planning permission.

Drawing Nos: 04 200 Rev P01 dated 19.02.24, 04 201 Rev P01 dated 19.02.24, 04 202 Rev P01 dated 19.02.24, 01 301 Rev P05 dated 08.02.24, Planning Cover Letter dated 8 March 2024

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 2019/5835/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:

EX_100revP2, EX_101revP1, EX_102revP1, EX_300revP1, EX_301revP1,
EX_302revP1, EX_303revP1, 218136-S-D300revP4, 218136-S-GA101revP2,

218136-SGA102revP2, 218136-S-P002revP4, 218136-S-P003revP1, PL_001revP4, PL_099revP4, PL_100revP4, PL_101revP4, PL_102revP4, PL_103revP4, 04 200 Rev P01 dated 19.02.24, 04 201 Rev P01 dated 19.02.24, 04 202 Rev P01 dated 19.02.24, PL300revP4, PL301revP4, PL302revP4, PL303revP4, Energy and Sustainability Report (Revision 0 - 19 December 2019, Planning Cover Letter dated 8 March 2024.

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

For the purposes of this decision, condition no.9 of planning permission 2019/5835/P shall be deleted.

Informative(s):

1 Reason for granting approval:

Planning permission 2019/5835/P was granted on appeal (Appeal Ref: APP/X5210/W/21/3272103) on the 21st of February 2022 for the Demolition of the existing two-storey residential dwelling and construction of a new 3 storey residential dwelling with basement.

The amendment being sought seeks to reduce the scale of the development by omitting the basement component of the approved scheme. Due to the omission of the basement from the approved scheme, condition 2 is required to be amended, whilst condition 9 will be deleted in its entirety.

The approved basement is located below the host building is not clearly visible in the public realm. It is 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.

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 2019/5835/P. It is considered reasonable and appropriate in the circumstances and will have no adverse material effect, in terms of land use and design, 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 set out in the description and on the application form and shall only be read in the context of the substantive planning permission 2019/5835/P, which was granted on appeal (Appeal Ref: APP/X5210/W/21/3272103) on the 21st of February 2022 and is bound by all the conditions insert and obligations 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 2021.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is centered within a light gray rectangular box.

Daniel Pope
Chief Planning Officer

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