

Mr Edward Hodgson
Planning Services
London Borough of Camden
5 Pancras Square
London
N1C 4AG

3 Dec 2024

Dear Edward,

Town and Country Planning Act 1990 (As Amended)
Section 73 Application to Vary Conditions 2, 4 and 5 of Householder Planning Permission 2023/2056/P that relates to Proposed Erection of Outbuilding and Replacement Boundary Fencing in Rear Garden at No. 15 Crediton Hill, London, NW6 1HS

On behalf of the applicant, Mr & Mrs Warren, I hereby submit the above s.73 application to the London Borough of Camden (the Local Planning Authority [LPA]).

The application comprises of this cover letter and the following:

- Completed application form;
- Arboricultural Impact Assessment; Method Statement & Tree Protection Plan (dated 21 Oct 2024); and
- Planning drawings:
 - Proposed Site Layout Plan – Drawing Ref. CH/S73/2024/01
 - Proposed Ground Floor Plan – CH/S73/2024/02
 - Foundations Plan – CH/S73/2024/03
 - Proposed Elevations / Roof Plan / Floor Plan – CH/S73/2024/04
 - Proposed East Elevation & Section – CH/S73/2024/05

The relevant planning application fee of **£293.00 + £70.00** Portal Admin Fee has been paid online.

By way of background, Householder Planning Permission 2023/2056/P was granted by the LPA on 20 July 2023 for the proposed erection of an outbuilding with a flat roof and associated replacement boundary fencing in rear garden. This is hereon referred to as the **'Approved Scheme'**.

The applicant is currently moving towards detailed design and build with the contractor. Due to the minor changes to the design of the outbuilding, we hereby apply for a s.73 application to reflect such amendments (hereon known as the **'Revised Scheme'**) - i.e. to vary condition 2 of permission 2023/2056/P relating to approved plans; but also to use this opportunity to submit further details required as part of condition 5 with regard to tree protection and that condition 4 should be revised to reflect the latest Tree Report as submitted as part of this s.73 application.

Conditions 2, 4 and 5 of permission 2023/2056/P are shown below for context:

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

Site Location Plan CH_EX_LP_RevB_A6, CH_PP_BP_RevB_A6,
CH_EX_SLP_RevB_A6, CH_PP_SLP_RevB_A6, CH_PP_GA_GF_RevB_A6,
CH_PP_RP_RevC_A4, CH_PP_FP_RevC_A4, CH_EX_GE_North_RevB_A1,
CH_PP_GE_North_RevC_A4, CH_PP_GE_East_RevB_A6,
CH_EX_GE_South_RevB_A1, CH_PP_GE_South_RevC_A4,
CH_PP_GE_West_RevB_A6, Arboricultural Impact Assessment (dated
12/05/2023), Covering Letter, Sedum Supply GRO Compliant Smart Box
System

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 Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) by Trevor Heaps ref. TH 3771 dated 12th May 2023. 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 development shall be monitored by the project arboriculturalist in accordance with the approved report.

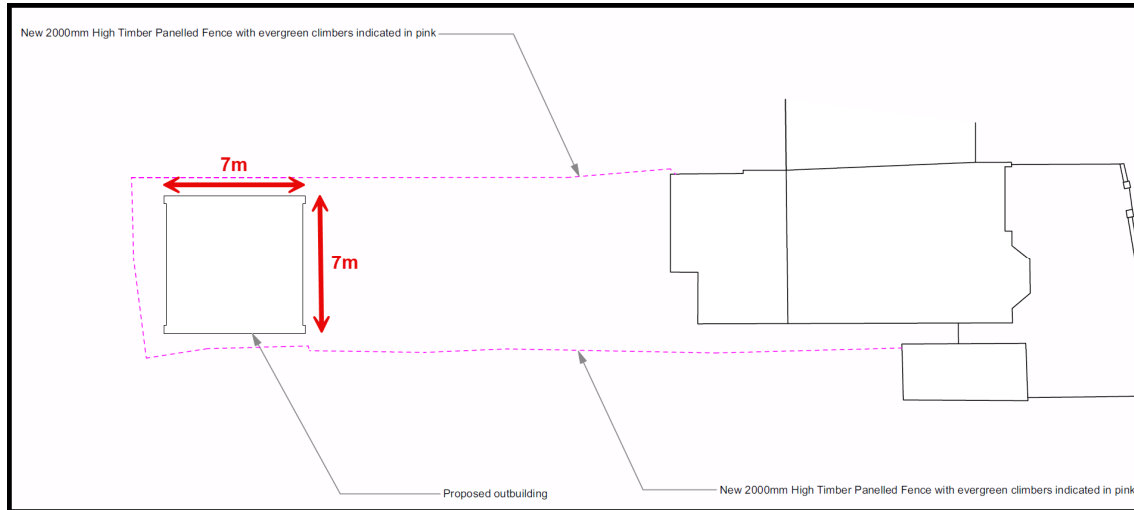
Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan and policy 18 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 5 Prior to commencement of any works on site, details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, 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

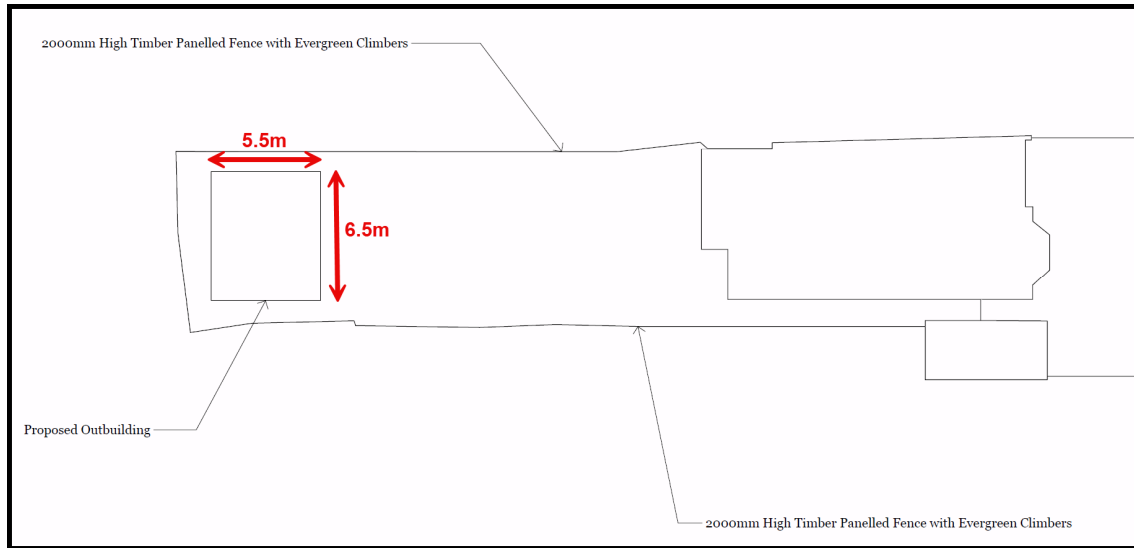
Revised Scheme vs Approved Scheme

In terms of the proposed outbuilding, the Approved Scheme measures 7m wide by 7m in depth and by 2.95m high and that this is shown below.



Approved Scheme

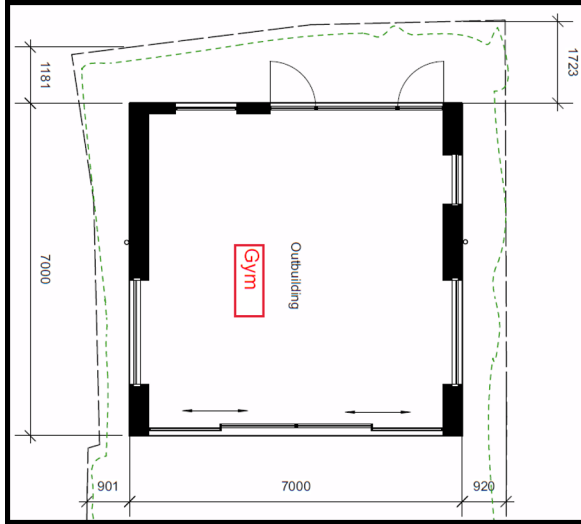
In the Revised Scheme (as shown below), the proposed outbuilding is slightly smaller in footprint and measures 6.5m by 5.5m in depth and by 2.95m high. However, there is no change in terms of height between the Approved Scheme and the Revised Scheme; nor any changes in relation to the proposed timber boundary fencing – i.e. this remains the same at 2m high.



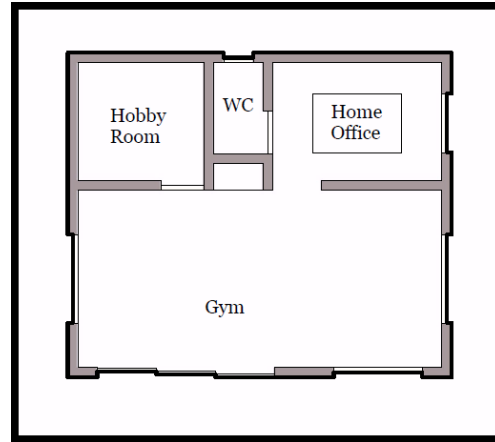
Revised Scheme

In the Revised Scheme, we remain committed to having a sedum planted roof in-line with the Approved Scheme. The only change on the flat roof relates to the proposed insertion of a small rooflight measuring 1m by 1.5m and be flush with the roof level and close to the north-western corner of the structure and to serve the incidental 'home office' use.

The Approved Scheme shows the outbuilding as wholly used as a home gym; but in the Revised Scheme, the applicant wishes to bring other incidental uses and functionality to the outbuilding – i.e. as a home gym; home office (served by an ensuite W.C); and hobby room. We consider such change remain as incidental uses to the main single family dwelling. These changes have led to the need to amend the fenestration of the outbuilding. Overall, there is less glazing in the Revised Scheme.

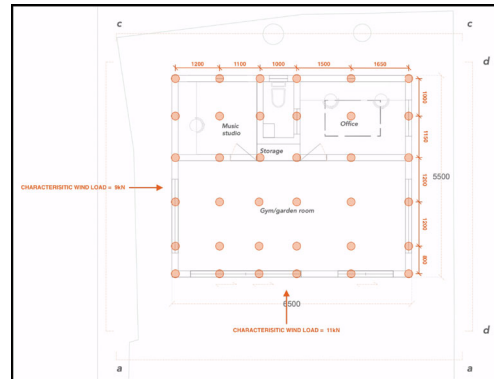
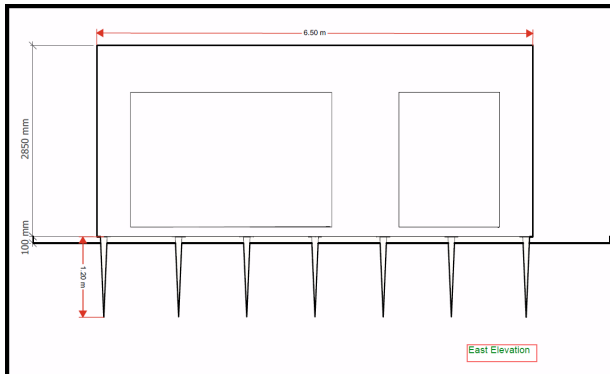


Approved Scheme

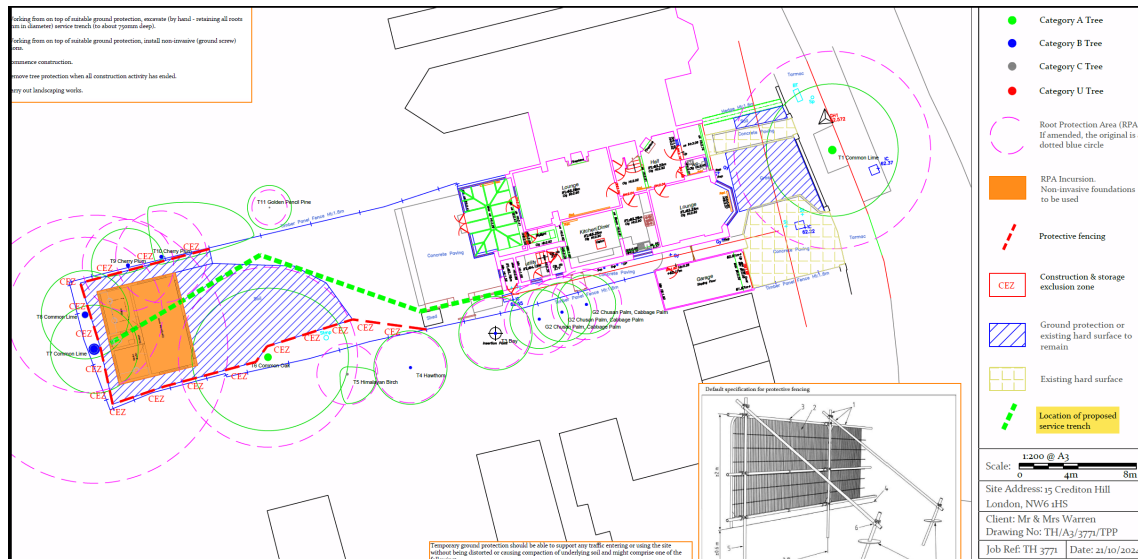


Revised Scheme

We have also submitted an updated Tree Report and associated plans showing details of the proposed screw pile foundations at total height of 1.2m but to entrench 1.1m deep into the ground.



Details of the service trench is shown in the submitted Tree Report (see Appendix 9 – Tree Protection Plan) and an extract of this is shown below.



Therefore, condition 2 re the approved plans should be updated to reflect the new plans and documents submitted as part of this s.73.

In terms of conditions 4 and 5 re trees, we propose to vary the wording of this so that it no longer becomes a pre-commencement condition but a compliance condition only:

“4. Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) by Trevor Heaps ref. TH 3771 dated 21 October 2024. 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 development shall be monitored by the project arboriculturalist in accordance with the approved report”.

“5. Details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall accord with the ‘Arboricultural Impact Assessment – Method Statement & Tree Protection Plan (dated 21 Oct 2024); Drawing Refs. CH/S73/2024/03; and CH/S73/2024/04. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved”.

In light of the above, we trust the LPA will approve this s.73 application accordingly.

Yours sincerely,

Wai-kit Cheung BSc(Hons), DipTP, MRTPI

Chartered Town Planner/ Independent Planning Consultant