

|                         |                       |                                  |                   |
|-------------------------|-----------------------|----------------------------------|-------------------|
| <b>Delegated Report</b> | <b>Analysis sheet</b> | <b>Expiry Date:</b>              | <b>05/09/2012</b> |
|                         | N/A / attached        | <b>Consultation Expiry Date:</b> | -                 |

|                 |                              |
|-----------------|------------------------------|
| <b>Officer</b>  | <b>Application Number(s)</b> |
| Charles Thuaire | 2012/4167/P                  |

|  |   |
|--|---|
| <b>Application Address</b>                   | <b>Drawing Numbers</b>                          |
| 52 Prince Of Wales Road<br>London<br>NW5 3LR | Site location plan ref (PL)000/P1 dated 26.4.12 |

|               |                            |                 |                                     |
|---------------|----------------------------|-----------------|-------------------------------------|
| <b>PO 3/4</b> | <b>Area Team Signature</b> | <b>C&amp;UD</b> | <b>Authorised Officer Signature</b> |
|               |                            |                 |                                     |

**Proposal(s)**  
Amendment (to add a new condition to ensure the development is carried out in accordance with the approved plans) of planning permission dated 10/01/2006 (ref: 2005/4187/P) for redevelopment of site by the erection of a 7 storey mixed use building to accommodate Class D1/A1/A2/A3 or B1 units at part ground and ground floor mezzanine levels, 55 residential flats comprising of 36 private and 19 affordable (1xstudio, 26x1 bed, 17x2 bed and 11x3 bed) on ground to sixth floor levels, basement parking for 18 cars and 34 cycles, formation of new two way vehicular access with turning circle, pedestrian access alongside the Talacre Open Space.

**Recommendation(s):** approve

**Application Type:** Non Material Amendments

**Conditions or Reasons for Refusal:** Refer to Draft Decision Notice

**Informatives:**

**Consultations**

|                             |              |           |                  |           |                   |           |
|-----------------------------|--------------|-----------|------------------|-----------|-------------------|-----------|
| <b>Adjoining Occupiers:</b> | No. notified | <b>00</b> | No. of responses | <b>00</b> | No. of objections | <b>00</b> |
|                             |              |           | No. electronic   | <b>00</b> |                   |           |

**Summary of consultation responses:** -

**CAAC/Local groups\* comments:** -  
\*Please Specify

## Site Description

Vacant narrow site between railway line and Talacre open space, currently undergoing redevelopment for residential and commercial uses (see history).

## Relevant History

10.1.06 –2005/4187/P- pp granted for Demolition of 52 Prince of Wales Road and the redevelopment of the site by the erection of a 7 storey mixed use building to accommodate Class D1/A1/A2/A3 or B1 units at part ground and ground floor mezzanine levels, 55 residential flats comprising of 36 private and 19 affordable (1xstudio, 26x1 bed, 17x2 bed and 11x3 bed) on ground to sixth floor levels, basement parking for 18 cars and 34 cycles, formation of new two way vehicular access with turning circle, pedestrian access alongside the Talacre Open Space.

5.11.08- 2008/3688/P- Certificate of Lawfulness for Proposed Development granted- Amendments to 7 storey mixed use building granted planning permission ref 2005/4187/P on 10.1.06, including various alterations to the external façade of the building, reconfiguration of layout of parking at basement level and layout of residential entrances and Class D1 uses at ground and mezzanine floors, and minor changes to layout of flats on upper floors.

23.6.11- 2011/2774/P- Non-Material Amendment approved- Amendment (including alterations to the basement to include new ramped access and reduction in car parking spaces to 11) to planning permission granted 10/01/2006 (ref: 2005/4187/P) as later revised by certificate of lawfulness granted 05/11/2008 (ref: 2008/3688/P) for redevelopment of site.

27.4.12- 2012/0151/P- NMA approved- Amendments (including various external alterations to all elevations of the building and internal alterations to layouts of flats and medical centre) to planning permission granted 10/01/2006 (ref: 2005/4187/P) as later revised by certificate of lawfulness granted 05/11/2008 (ref: 2008/3688/P) for redevelopment of site by the erection of a 7 storey mixed use building to accommodate Class D1/A1/A2/A3 or B1 units.... etc etc

12.7.12 (ref 2012/3138/P)- NMA refused- Amendments (comprising the loss of 1 private flat by converting a 1 bed flat on 6th floor and 3 bed flat on 7th floor into a 4 bed maisonette on 6th/7th floors) to planning permission granted 10/01/2006 (ref: 2005/4187/P), as later revised by certificate of lawfulness granted 05/11/2008 (ref: 2008/3688/P), for redevelopment of site by the erection of a 7 storey mixed use building to accommodate Class D1/A1/A2/A3 or B1 units and 55 residential flats plus basement parking.

## Relevant policies

### LDF Core Strategy and Development Policies

The proposed amendments are assessed for materiality – not on the basis of their planning merits. Planning policies therefore do not apply.

## Assessment

The scheme as originally approved and subsequently revised by CLOPUD in 2008 (see history above) has been revisited and updated by new architects, as noted in the history above. As part of this process, the scheme has evolved further and it is proposed to make a further internal change by amalgamating the 1 bedroom flat on 6<sup>th</sup> floor and 3 bedroom flat on 7<sup>th</sup> floor to create a larger 4 bedroom duplex unit on both these floors.

A previous application ref 2012/3138 to deal with this last change via the NMA route was refused as the change was deemed materially different from the permitted scheme. Normally it is recommended that this change is dealt with via the Minor Material Amendment route, ie. A variation of the condition requiring the development to be carried out in accordance with the approved plans. However in the case of this old permission which was granted before new legislation introduced this amendment procedure, no such condition exists to be varied.

It has been recommended therefore that the following 2 stage process is adopted-

1. the current application be withdrawn and be replaced by a new NMA application to amend the permission by adding a new condition to ensure the development shall be carried out in accordance with the approved plans; this will not need to be subject to any consultation and there should not be a further fee as a resubmission.
2. apply for a MMA to vary this newly imposed condition so that it refers to new plans showing the revised flat layout and number.

This application is thus to add the standard condition requiring the development to be carried out in accordance with the approved plans of the original permission so as to allow subsequent MMA applications to vary this. This is acceptable and does not relate to any variation to the substance or details of the scheme. As requested by a local resident, the correct site plan has been attached to this decision to ensure there are no future misunderstandings on external landscaping/parking/access layouts.

### Disclaimer

***This is an internet copy for information purposes. If you require a copy of the signed original please telephone Contact Camden on (020) 7974 4444***