

Delegated Report		Analysis sheet		Expiry Date:		02/04/2012	
		N/A / attached		Consultation Expiry Date:		n/a	
Officer				Application Number(s)			
Jonathan Markwell				2012/1423/P			
Application Address				Drawing Numbers			
165 Brecknock Road London N19 5AD				Please see decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Amendment to planning permission 2008/6010/P allowed on appeal (APP/X5210/A/09/2101773) on 12/11/2009 (Erection of single storey dwelling house (Class C3) in the rear garden of No. 165 Brecknock Road with entrance off Lady Margaret Road), to add a condition to ensure development shall be carried out in accordance with the approved plans.							
Recommendation(s):		Grant					
Application Type:		Non Material Amendments					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:		None					
CAAC/Local groups* comments: <small>*Please Specify</small>		None					
Site Description							
The application site comprises an overgrown area to the rear of No. 165 Brecknock Road, which has been granted planning permission on appeal for a single dwellinghouse (see relevant history below). The site fronts onto Lady Margaret Road, with No. 70 Lady Margaret Road to the south and No. 165 Brecknock Road to the north. In addition, the topography of the site is such that the land rises from north to south as Lady Margaret Road leads away from Brecknock Road. No. 165 Brecknock Road is an extended three storey building, located on the junction of Brecknock Road and Lady Margaret Road, converted into six self-contained residential flats. The surrounding buildings are predominantly three storey semi-detached pairs or terraced properties. The site is not situated within a designated conservation area.							

Relevant History

2008/6010/P - Erection of single storey dwelling house (Class C3) in the rear garden of No. 165 Brecknock Road with entrance off Lady Margaret Road. Refused 26/03/2009. Appeal (APP/X5210/A/09/2101773) allowed 12/11/2009.

Relevant policies

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

Assessment

The applicant is seeking to add a condition to planning permission 2008/6010/P, as allowed on appeal, that would allow minor material amendments to be made to the scheme as a s.73 variation of condition application.

Adding such a condition under the non-material amendment procedure is specifically sanctioned by paragraphs 40-59 of the Department of Communities and Local Government's Guidance 'Greater Flexibility for planning Permissions' (October 2010).

The condition will refer to the drawing numbers approved as part of permission 2008/6010/P, as allowed on appeal. An informative will denote that this permission relates only to the additional condition and shall only be read in the context of the substantive permission and is bound by all the conditions (although it is acknowledged that some of these have already been discharged) and obligations attached to that permission.

The non-material amendment can therefore be granted.

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