

Mr Andrew de Carteret  
Burrell Foley Fischer LLP  
Carlow House  
Carlow Street  
London  
NW1 7LH

Application Ref: **2011/4005/P**  
Please ask for: **Elaine Quigley**  
Telephone: 020 7974 **5101**

2 November 2011

Dear Sir/Madam

## **DECISION**

Town and Country Planning Acts 1990 (as amended)  
Town and Country Planning (General Development Procedure) Order 1995  
Town and Country Planning (Applications) Regulations 1988

### **Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement**

Address:

**The Garden House  
1 Ellerdale Road  
London  
NW3 6BA**

Proposal:

Amendments to amended planning permission granted 24/05/2011 (ref: 2010/5841/P) for the erection of a new dwelling house on land to the rear 81 Fitzjohn's Avenue to include increase in site area for enlarged garden, increase in built footprint of house and rebuild of boundary walls.

Drawing Nos: Site location plan; BFF/777 AL(0)100.P4, 200.P6, 210.P5, 300.P4, 301.P3, 400.P3, 401.P3, 402.P3, 410.P2, 002.P1, and 950.P1.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the



following approved plans Site location plan; BFF/777 AL(0)100.P4, 200.P6, 210.P5, 300.P4, 301.P3, 400.P3, 401.P3, 402.P3, 002.P1, 901.P4, 950.P1, 410.P2;

Reason:

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

- 2 Prior to the commencement of development, details of the design of building foundations and new wall footings 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 Council as 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 Council may be satisfied 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 policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 (Managing the impact of growth and development), CS14 (Promoting high quality places and conserving our heritage), CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity) and CS17 (Dealing with our waste and encouraging recycling); and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP19 (Managing the impact of parking), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours), DP27 (Basements and lightwells) and DP29 (Improving access). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be

heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ
- 6 You are reminded of the need to comply with the conditions attached to the original planning permission dated 28/05/2010 (ref. 2010/0861/P). You are also advised to take note of the informatives attached to that original decision notice.

**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***