

Delegated Report		Analysis sheet		Expiry Date:		17/12/2014	
		N/A		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Alex McDougall				2014/6667/P			
Application Address				Drawing Numbers			
114 Greencroft Gardens London NW6 3PJ				See draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Amend from brick to render eastern side elevation of rear extension approved under planning permission 2013/0456/P dated 07/06/13.							
Recommendation(s):		Grant Non-Material Amendment					
Application Type:		Non-Material Amendment					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	N/A	No. of responses No. electronic	N/A	No. of objections	N/A	
Summary of consultation responses:	N/A						
CAAC/Local groups comments:	N/A						
Site Description							
The subject property is located on the northern side of Greencroft Gardens.							
The site is occupied by a three storey dwelling.							
The extension the subject of this application is substantially completed.							
The site is located within the South Hampstead Conservation Area.							
Relevant History							
<u>114 Greencroft Gardens (the application site)</u>							

2013/0456/P - Erection of lower ground floor rear extension with roof terrace over all in connection with existing flat (Class C3). Granted 07/06/2013.

Relevant policies

National Planning Policy Framework 2012

National Planning Practice Guidance

London Plan 2011

London Housing SPG

Camden LDF Core Strategy 2010

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

Camden Development Policies 2010

DP24 Securing high quality design

DP25 Conserving Camden's heritage

Camden Planning Guidance (updated 2013)

CPG1 Design

South Hampstead Conservation Area Appraisal and Management Strategy (CAAMS)

Assessment

Proposal

The application seeks determination as to whether rendering the eastern side elevation of the rear extension, approved as brick, would constitute a non-material amendment to planning permission 2013/0456/P.

The applicant has submitted a revised drawing which shows the eastern side elevation as rendered.

The two conditions of planning permission 2013/0456/P relevant to such a determination are as follows:

Condition 2 currently reads as follows:

All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

Condition 3 currently reads as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Design and Access Statement; jw542-100 rev E.

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

While the extension as built is contrary to the first part of Condition 2, the condition includes the exception '*unless otherwise specified in the approved application*'. As such, if Condition 3 is amended to include reference to the revised drawing, the extension as built would be in compliance with all conditions of consent.

Principle

Section 190 of the Town and Country Planning Act 2008 (as amended) states, "*in deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted*". Whilst there is no statutory definition of 'non-material', the LPA must be satisfied that the amendment sought is non-material in order to grant approval. In order for the proposal to be considered acceptable in this case it will need to be established that the changes will have a non-material impact on the appearance of the building and the character of the conservation area.

Design

The proposed amendment is considered to have a non-material impact on the appearance of the building and the character of the area for the following reasons:

- The side elevation is not readily visible from any public areas.
- Several adjoining and nearby properties have lower level rear walls which have been rendered. As such the proposal would not stand out.
- The rear elevation of the extension has been constructed of bricks which match the original building. This elevation is most visible from properties to the rear, and as such the extension overall is considered to be adequately in keeping with the appearance of the existing building, as required by CPG1.

Recommendation

Approve non-material amendment by way of amending Conditions 3 to read as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Design and Access Statement; jw542-100 rev F.

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