

Mr Brendan Hodges
Nathaniel Lichfield & Partners
14 Regent's Wharf
All Saints Street
London
N1 9RL

Application Ref: **2015/2083/P**
Please ask for: **Obote Hope**
Telephone: 020 7974 **2555**

19 November 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

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

Address:
48 Elsworthy Road
London
NW3 3BU

Proposal:

Variation of condition 3 (development in accordance with approved plans) and deletion of condition 6 (car lift) of planning permission dated 27/11/2013 (ref 2013/2545/P) for Excavation of basement, demolition of existing single storey side extension at ground floor level, and replacement with the construction of a single storey side extension, installation of a car lift in front driveway and associated landscaping of front garden, namely to allow omission of approved containing car lift and creation of associated internal alterations to side basement extension.

Drawing Nos: Heritage Statement and Design and Access Statement; Basement Impact Assessment, prepared by Michael Alexander Engineers, 19th April 2013; Site Investigation Report; Design Method Statement; Desk Study & Geotechnical Geo-Environmental Interpretative Report; Arboricultural Report, prepared by Keith Macgregor Dip Arb (RFS), M Arbor A, on 21/10/2013; 400/PP/01; 400/PP/02 B; 400/PA/03 A; 400/PP/04; 400/PA/04 A; 400/PA/07 C; 400/PA/10 A; TPP 13/718 001; 14/0296/23rev01, 53rev01, 48rev01, 70rev01, 71rev01; covering letter from nlp dated 9.4.15.



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

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.3 of planning permission 2013/2545/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans - Heritage Statement and Design and Access Statement; Basement Impact Assessment, prepared by Michael Alexander Engineers, 19th April 2013; Site Investigation Report; Design Method Statement; Desk Study & Geotechnical Geo-Environmental Interpretative Report; Arboricultural Report, prepared by Keith Macgregor Dip Arb (RFS), M Arbor A, on 21/10/2013; 400/PP/01; 400/PP/02 B; 400/PA/03 A; 400/PP/04; 400/PA/04 A; 400/PA/07 C; 400/PA/10 A; TPP 13/718 001; 14/0296/23rev01, 53rev01, 48rev01, 70rev01, 71rev01; covering letter from nlp dated 9.4.15.

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

Informative(s):

- 1 Reason for granted planning permission

The amendments to the approved scheme involve the omission of the previously approved car lift and associated basement excavation and the consequent alteration to the openings and room layout of the remaining approved basement extension. The omission of the basement car lift is considered acceptable as it would involve less excavation works, thus have less impact on hydrology and land stability, and as it would not involve any external works, thus have no impact on the appearance of the property, conservation area or streetscene. The associated alterations at basement level are acceptable and have no impact on the appearance or size of the house.

As a consequence of the omission of the car lift, there is no need for condition 6 of the original permission (2013/2545/P) as it relates to the operation of the car lift which is clearly now superfluous.

The amended permission will require a Deed of Variation to the S106 attached to the original planning permission (2013/2545/P) to ensure that it is still subject to a Construction Management Plan.

The full impact of the scheme has already been assessed by virtue of the previous planning permission dated 27.11.13 ref no 2013/2545/P. In the context of the approved scheme, it is considered that the variation would not have any further impact than the original scheme in terms of ground conditions, conservation area, transport or neighbour amenity.

No objections have been received in the course of this application. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under section 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed details are in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25, DP26 and DP27 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4 and 7.6 of the London Plan 2015; and paragraphs 14, 17, 56-66 and 126-141 of the National Planning Policy Framework.

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 3 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson
Director of Culture & Environment