

Remo De Lucia
Octiv Architecture Design
Highwood Studios
13 Aylmer Drive
Stanmore
Middlesex
HA7 3EJ

Application Ref: **2015/5174/P**
Please ask for: **Kate Phillips**
Telephone: 020 7974 **2521**

20 January 2016

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:
67 Goldhurst Terrace
London
NW6 3HB

Proposal:

Variation of condition 2 (approved plans) of planning permission 2013/6914/P dated 28/07/2015 for the excavation of basement, single storey rear extension, rear dormer roof extension, installation of side entrance door and other associated works, namely to allow the creation of 2 no. 2-bed units instead of 1 no. 3-bed unit at the basement and ground floor level

Drawing Nos: 900/15/01-A; 900/15/02-A.

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

Condition(s) and Reason(s):

1 **REPLACEMENT CONDITION 2:**

The development hereby permitted shall be carried out in accordance with the following approved plans:



900/15/01-A; 900/15/02-A; ED/67GT/1001; ED/67GT/101-a; ED/67GT/1002;; ED/67GT/3002a; ED/67GT/3003;; ED/67GT/4002a; ED/67GT/4003a; ED/67GT/4004; 15104/GN01; 15104/S001; 15104/S002; 15104/S003; 15104/S004; 15104/S005; 15104/S006; 15104/S007; 15104/S008; 15104/S009; 15104/S010; 15104/TW1; 15104/TW2; 15104/TW3.

Informative(s):

1 Reasons for granting

The proposed changes would allow the creation of 2 no. 2-bed units at ground and basement level (1 per floor) instead of 1 no. 3-bed unit across the 2 floors. Insofar as 2-bed units have a high priority in the Dwelling Size Priorities Table (Policy DP5), the proposal to alter the dwelling mix in this way is acceptable.

The proposed residential units would each exceed the current technical housing standards in terms of size and they would each provide a good standard of residential accommodation in terms of layout, space and room sizes, storage and utility spaces, daylight and sunlight, privacy and security, and noise. The lightwell to serve the basement flat would extend around the end of the rear outrigger and the ground floor window above would feature a Juliet-balcony. The plans have been revised to provide an obscured-glass roof over the end of the lightwell, to prevent overlooking and noise transfer between the separate residential units.

A Flood Risk Assessment (FRA) has been submitted with the application. The application site is within Flood Risk Zone 1 and the Camden Strategic Flood Risk Assessment identifies the site as having a 'Very Low' risk of flooding. The FRA sets out satisfactory mitigation measures to prevent flooding (e.g. the use of SUDS and upstands to the lightwells). The provision of a self-contained flat in the basement is therefore considered to be acceptable.

The proposed changes would only affect the appearance of the rear of the host building. The proposed lightwell is considered to relate well to the host building and it would still be subordinate in size. The Juliet balcony to serve the ground floor window above also represents an acceptable design solution. Overall, the proposed changes are considered to be in keeping with the character and appearance of the host building and it is considered that the works would preserve the character and appearance of the South Hampstead Conservation Area.

It is not considered that the proposed changes would cause undue harm to nearby and neighbouring residential properties in terms of visual privacy and overlooking; overshadowing and outlook; sunlight, daylight and artificial light levels.

The application site has a Public Transport Accessibility Level (PTAL) of 6a and is within South Hampstead Controlled Parking Zone. Policy DP18 expects development to be car-free in the Central London Area. This permission is therefore subject to a legal agreement to ensure the new dwellings will be car-free. The legal agreement will also secure a contribution towards repairing any damage

caused to the public highway as a result of the works.

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

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with Policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and Policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with Policies 7.4, 7.6 and 7.8 of the London Plan 2015; and the provisions of paragraphs 14, 17, 56-66 and 126-141 of the National Planning Policy Framework 2012.

- 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.
- 4 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 6941).
- 5 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.
- 6 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 Noise and Licensing

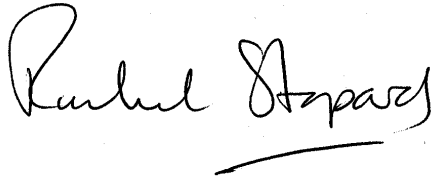
Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website
<http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment