

Mr. Thomas Price
DP9
100 Pall Mall
London
SW1Y 5NQ

Application Ref: **2015/4452/P**
Please ask for: **Hugh Miller**
Telephone: 020 7974 **2624**

11 February 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
42 Chester Terrace
London
NW1 4ND

Proposal:
Amendments to drawing numbers referred to in planning permission reference 2014/4977/P dated 10/12/14 for change of use from 2 dwellinghouses to a single house.

Drawing Nos: Superseded plans - 421 D_2_01-A; 421 D_2_05- A; 421 PL_2_05-A;
Proposed plans- 421 D_2_01-B; 421 D_2_05-B; 421 PL_2_05-B; 421 PL_2_06-A;

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 granted on 10/12/2014 under reference number 2014/4977/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-

Site Location Plan: OS_1_01 Rev. A;

Existing: EX_01_01A, 02A, 03A, 04A, 05A, 06A, 07A, EX_2_01A, 02A, 03A, 04A, 05A, 06A, 07A, 08A, 09A;

Approved Drawings: N1915-PP_SP_01, BF_02, GF_03, FF_04, SF_05, TF_06, RP_07, AA_08, BB_09, CC_10, DD_11, EE12, FF_13, NE_14, SW_15, P_16, DP_17;

Demolition Plans: 421D_1_01B, 02A, 03A, 04A, 05B, 06A, 07A; 421 D_2_01-B; 02A, 03A, 04A, D_2_05-B; 06A, 07A, 08A, 09A, 10A; D_3_01A, 02A, 03A

Proposed Drawings: 421 PL_1_01A, 02A, 03A, 04A, 05A, 06A, 07A; PL_2_01B, 02A, 03A, 04A, PL_2_05 B; 421 PL_2_06-A; 07A, 08A, 09A, 10A; PL_3_01A, 02A, 03A.

Garden Plans: 0404_000-_001

Internal Drawings: HB-01- B [GF-1F-2F-3F Cornices]; HB-02-B [GF Entrance Hall-Cornice - C01]; HB-03-B [GF Living room - Cornice - C 02]; HB-04-B [GF Dining room and kitchen - Cornice - C 03]; HB-05-B [GF Cloakroom Cornice C04]; HB-06-B [GF - Ceiling Plate - CP 01]; HB-07-B [1F+2F Landing Cornice C05]; HB-08-B [1F Master Bedroom and Bathroom - Cornice C 06]; HB-09-B [1F Master Bedroom and Bathroom - Cornice C 06]; HB-10-B [1F Master Bedroom and Bathroom - Ceiling Plate CP02]; HB-11-B [1F Dressing Room - Cornice C07]; HB-12-B [2F Bedrooms - Cornice]; HB-13-B [3F Landing - Cornice C09]; HB-14-B [3F Bedrooms - Cornice C10]; HB-15-B [GF Entrance hall + 1F Landing Pilaster Mouldings - PIL 01]; HB-16-B [2F Landing - Pilaster Moulding - PIL 02]; HB-17-B [3F Landing - Pilaster Moulding PIL 03]; HB-18-B [GF-1F-2F-3F Skirting]; HB-19-B [GF-1F-2F-3F Doors]; HB-20-B [GF Entrance hall - Internal Door - D 01]; HB-21-B [GF Kitchen - Internal Door - D 02]; HB-22-B [1F Landing - Internal Door - D 03]; HB-23-B [2F+3F Landing - Internal Door - D 02 + D 03]; HB-24-B [GF+2F+3F Architraves]; HB-25-B [1F Landing - Architrave AR 03]; HB-26-C [Panel Mouldings]; HB-27-C [GF Windows and Shutters]; HB-28-C [GF Windows and Shutters - Details]; HB-29-C [GF Window with apron door]; HB-30-C [1F Windows and Shutters]; HB-31-C [1F Windows and Shutters - Details]; HB-32-C [GF+1F Windows and Shutters - Details]; HB-33-B (Staircase - Balustrade)]; Design and Access Statement prepared by MMM Architects dated July 2014; Heritage Justification Statement prepared by Stephen Levrant Heritage Architecture Ltd, July 2014; Stucco. Condition Report Rev A prepared by R Greer at PAYE Architecture dated 15/07/2014.

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

Informative(s):

1 Reasons for granting planning permission:

The proposed amendments involve the following:

A] Include condition 5 of planning permission ref. 2013/1426/P as a new condition on planning permission ref. 2014/4977/P and remove informative 3 from the latter.

B] Remove condition 6 from planning permission ref. 2014/4977/P

C] Amend approved drawings in condition 3 of planning permission 2014/4977/P

A) it is not considered necessary to include condition 5 on the previous permission 2014/4977/P that was imposed on the original permission, as it is sufficient to discharge this from the original permission.

As background, planning permission granted 12th June 2013 ref 2013/1426/P was subject to 8 conditions; plus 2 informatives. Of the 8 conditions, only 2 conditions required approval - condition 5 (details of any external plant, attenuation grills or inlets; including an acoustic report); condition 6 (full details of hard and soft landscaping).

Condition 5 remains outstanding and needs to be submitted for assessment. Condition 6 has been submitted under reference 2013/7694/P and approved on 28/3/2014.

The subsequent amended application reference 2014/4977/P granted on 10th December 2014 was subject to 9 conditions. Of the 9 conditions, only 4 conditions required reserved matters to be approved by the Council - conditions 4- (Detailed samples of facing materials); 6- (Prior to works commencing on site, a methodology of removal and repair of railings to external boundary wall); 7- (detailed drawings of all new security cameras); 9- (full details of soft landscaping and planting to an area to the west of the main dwelling). 3 informatives were attached - 2 standard informatives and 1 specific informative related to condition 5 of the original permission.

Condition 4 - (Detailed samples of facing materials) - this has been discharged under ref. 2015/3819/P dated 18/11/2015. An informative was attached reminding the need to discharge outstanding conditions 6, 7 and 9.

Condition 6 - (Prior to works commencing on site, a methodology of removal and repair of railings to external boundary wall); an application has been made to discharge this under reference 2015/6952/P and a decision is pending.

Condition 7- (detailed drawings of all new security cameras) - an application has been made to discharge this under reference 2015/4467/P and a decision is pending.

Condition 9 - (full details of soft landscaping and planting to an area to the west of the main dwelling). - Details are still outstanding.

The informative 03 attached to permission ref 2014/4977/P reminds the need for discharging Condition 5 of the earlier permission which it amends. This condition cannot be transferred as a new condition to another planning permission as the later decision is an amendment to the original one and is still subject to any relevant conditions on that original permission; instead it is sufficient to refer to it as an informative reminding the applicant that such details are outstanding and should be submitted for assessment.

B] it is not considered necessary to remove condition 6 from the previous permission 2014/4977/P as a new application now has been submitted under reference 2015/6952/P to approve these details and discharge the condition and a decision is pending.

2 (Reasons continued)

C) the amended drawing numbers (involving updated demolition information and

design changes) are acceptable as they correct and update various discrepancies arising from the approved list of drawings referred to on the previous permission.

No objections have been raised as a result of consultation. The site's planning history was taken into account when coming to this decision.

The full impact of the scheme has already been assessed by virtue of the previous approval granted on 10/12/14 under reference 2014/4977/P.

In the context of the permitted scheme, it is considered that the amendments would not have any further impact on the building, streetscene and Conservation Area or on nearby occupiers.

Special attention has been paid to the desirability of preserving the listed building and its features of special architectural or historic interest, and of preserving or enhancing the character or appearance of the conservation area, under s.16 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, 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, DP26, DP27 and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with Policies 7.2, 7.4, 7.6 and 7.8 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17 and 126-141 of the National Planning Policy Framework.

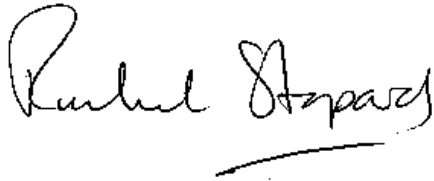
- 3 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 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).
- 4 You are reminded that condition 5 (details of any external plant, attenuation grills or inlets; including an acoustic report) relating to permission dated 12.6.13 ref 2013/1426/P, which requires details to be submitted to and approved in writing by the local planning authority, remains outstanding.
- 5 You are reminded that condition 9 (details of soft landscaping and planting) relating to permission dated 10.12.14 ref 2014/4977/P, which requires details to be submitted to and approved in writing by the local planning authority, remains outstanding.

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 drawn underneath it.

Rachel Stopard
Director of Culture & Environment