

Mr G Wise  
Netherhall Gardens Ltd  
Hillview House  
1 Hallswelle Parade  
London  
NW11 0DL

Application Ref: **2015/1476/P**  
Please ask for: **Seonaid Carr**  
Telephone: 020 7974 **2766**

8 March 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:  
**14 Netherhall Gardens**  
**London**  
**NW3 5TQ**

Proposal:  
Variation of condition 2 (approved plans) of planning application 2013/2213/P & 2013/2216/C (granted 15/04/2014 by appeal (ref APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358)) for the erection of a 3-storey building and conversion to create 14 self-contained flats, namely removal of 2 x trees, rearrangement of internal flats and alteration to the treatment of the front lightwell.

Drawing Nos: Superseded Plans: E\_05\_G200\_001, P\_01\_G200\_001 A, P\_02\_G200\_001, P\_03\_G200\_001, P\_B1\_G200\_001 E and P\_00\_G200\_001 E.

Revised Plans: E\_05\_G200\_001 Rev D, P\_01\_G200\_001 Rev C, P\_02\_G200\_001 Rev D and P\_03\_G200\_001 Rev C, P\_B1\_G200\_001 F and P\_00\_G200\_001 F

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.2 of planning permission 2013/2213/P & 2013/2216/C (granted 15/04/2014 by appeal (ref APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358)) shall be replaced with the following condition:

#### REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: E\_01\_G200\_001; E\_02-03\_G200\_001; E\_04\_G200\_001; E\_05\_G200\_001 Rev D; E\_06\_G200\_001; E\_07\_G200\_001. P\_B1\_G200\_001 F; P\_00\_G200\_001 F; P\_01\_G200\_001 C; P\_02\_G200\_001 Rev D, P\_03\_G200\_001 Rev C; P\_RF\_G200\_001 D; S\_AA\_G200\_001 A; S\_AA\_G200\_001 A.

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

- 2 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

#### Informative(s):

- 1 Reasons for granting permission:

In terms of design, it is proposed to amend the treatment of the lightwell from covered in glass to open and surrounded by railings. Such lightwells have been approved in other locations around the site. This is considered to be an acceptable change which would be well integrated into the design of the building. There would also be some amendments to the internal layout of the building, however the number of units and mix would remain as approved.

There would be some harm caused by the loss of an additional two trees. To ensure the Council is satisfied with the replacement trees a condition is recommended which attains details of the type, height and species of tree that will be planted to replace the two trees to be removed.

One objection has been received and taken into account in the determination of this application. The site's planning history has also been taken into account in 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 s.72 (CA's) 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, CS14 and CS15 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 7.21 of the The London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56 -66, 109-125 and 126-141 of the National Planning Policy Framework.

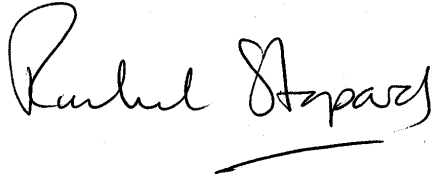
- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 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).

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