

Miss Anna Russell-Smith
Montagu Evans
5 Bolton Street London W1J 8BA

Application Ref: **2016/2201/P**
Please ask for: **Michael Cassidy**
Telephone: 020 7974 **5666**

26 August 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:
44-44A Gloucester Avenue
London
NW1 8JD

Proposal:

Variation to the wording of Condition 19 (temporary/permanent works, method statement and risk assessment) of planning permission 2015/1243/P (redevelopment of site to create 40 residential units and employment floor area (Class B1a), car parking and landscaping within the courtyard) dated 30/11/2015 to allow part discharge and for development to commence.

Drawing Nos: Letter from Montagu Evans dated 19 April 2016

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

Condition(s) and Reason(s):

- 1 Condition 19 of planning permission granted on 30/11/15 under reference number 2015/1243/P shall be replaced by the following condition:

REPLACEMENT CONDITION 19:



a) Prior to the commencement of any demolition works on site, details of temporary and permanent works in relation to the demolition works (down to ground floor slab level) on site and a method statement and risk assessment in consultation with Network Rail shall be submitted to the local planning authority; and

b) Prior to the commencement of construction works of the relevant part of the development, details of temporary and permanent works on site and a method statement and risk assessment in consultation with Network Rail shall be submitted to the local planning authority.

Reason: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs and integrity of the neighbouring railway land in accordance with the requirements of policy CS5 and CS13 of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 This application seeks to vary Condition 19 attached to permission reference 2015/1243/P, which states: "Prior to the commencement of work on site, details of temporary and permanent works on site and a method statement and risk assessment in consultation with Network Rail shall be submitted to the local planning authority".

The condition as currently drafted assumes that the demolition and construction works would be undertaken in one contract, and, as such, the detailed design would have been completed for both the temporary and permanent works prior to any works being undertaken. The applicant has confirmed that this is not going to be the case and the demolition works are to be carried out as a separate contract to the construction works, with a two month separation between the completion of the demolition and the commencement of construction. The reasons for this, as set out in the accompanying Montagu Evans letter dated 19/04/2016, are in part to facilitate a better programming sequence, to improve the purchasing of these contracts, to allow time in the programme for the Network Rail negotiations, to provide sufficient level of detail to enable the discharge of the conditions related to Network Rail and to allow the design team more time to design the temporary and permanent basement design. The letter provides a breakdown of the works setting out the intended Demolition and Construction Phases of the development.

The amendment does not alter the development significantly from what was described within planning permission 2015/1243/P and does not conflict with any conditions of the permission. Furthermore, the amendment does not change the use nor does it introduce a new use within the development. There is no increase in overall floorspace within the proposed development.

The proposed amendment would not result in any increase to the overall bulk and massing that would raise amenity or townscape impacts. The amendment proposed would not increase the impact of the development on neighbouring

occupiers by way of overlooking, loss of light, sense of enclosure or noise.

No objections have been received prior to making this decision and the Council's Environmental Health Section is satisfied with the proposed rewording of Condition 19. The sites planning history has been taken into account when coming to this decision. The details submitted have been assessed in relation to the approved scheme, the site and its surroundings. The full impact of the proposed development has already been assessed by virtue of the previous approval granted on 30/11/2015 under reference 2015/1243/P. In the context of the permitted scheme, it is considered that the proposed amendments are minor and constitute a minor material amendment to the development. The amendments raise no land use issues, significant townscape, amenity, transport or environmental impacts.

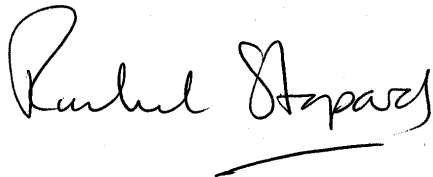
- 2 You are advised that this decision relates only to the changes set out in the description and on the application form and shall only be read in the context of the substantive permission granted on 30/11/15 under reference 2015/1243/P and is bound by all the conditions and obligations (as amended by the Deed of Variation accompanying this application) attached to that permission.

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
Executive Director Supporting Communities