



David Peres Da Costa
London Borough of Camden
Development Management
Camden Town Hall Extension
Argyle Street
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WCH1 8EQ

117 Mount Pleasant Road
London
N17 6TQ

17th October 2016

Dear David,

18 – 20 Lancaster Grove, London, NW3 4PB
Minor Material Amendment in relation to Condition 5 of Planning Permission Ref: 2014/2811/P

Please find enclosed a minor material amendment (Section 73) application pursuant to the following planning permission (2014/2811/P):

Erection of 2 storey 6-bedroom single family dwellinghouse with basement.

This application is submitted to remove condition five of this permission which states:

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

This condition restricts the future permitted development rights of the proposed dwelling. The condition restricts any development within Part 1 (Classes A-H) of Schedule 2 of the General Permitted Development Order 1995 as amended.

Planning Practice Guide on the Use of Planning Conditions (ID:21a) sets out that ‘conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances’. The guidance goes on to state that, ‘... Area or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity’.

While it is considered unnecessary and unreasonable to remove permitted development rights in relation to the above property, the Belsize Conservation Area already benefits from an Article 4 Direction which restricts Part 1 (Classes A, C, D, F and G) of Schedule 2 of the GPDO. The Article 4 Direction specifically identifies 18 and 20 Lancaster Grove as being covered by the Direction.

It is therefore considered that any further restrictions, above those identified in the Belsize Conservation Area Article 4 Direction, are unnecessary
. The Article 4 Direction did not identify Classes B (additions etc to the roof of dwellinghouses); E (buildings etc incidental to the enjoyment of a dwellinghouse) and H (satellite antenna) as being required to be restricted within this area, and as such it is not considered reasonable to apply these Classes to this application.

It is worth noting that the Article 4 Direction goes beyond condition 5 and restricts Part 2 (Classes A, B and C) of Schedule 2; Part 31 (Class B) of Schedule 2 and Part 40 (Class A) of Schedule 2.

I trust this application provides everything you need for its assessment however if you require any further information or clarification, please do not hesitate to contact me at your earliest convenience. I look forward to discussing these proposals with you as soon as you have had the opportunity to review the submitted material.

Yours sincerely

Sarah Ballantyne-Way MRTPI
Director
SBW Planning Ltd