

Mr Alistair Grills
Alistair Grills Associates
4 Chisholm Road
Richmond
TW10 6JH
United Kingdom

Application Ref: **2016/4634/P**
Please ask for: **Robert Lester**
Telephone: 020 7974 **2188**

18 November 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:

**Flats 1 & 2
31 Heath Drive
London
NW3 7SB**

Proposal:

Variation of condition 4 of planning permission ref 2016/2189/P (dated 08/08/2016) for amalgamation of two flats external & internal alterations at basement, ground & first floor levels - to replace the word 'development' with the word 'basement' (therefore the details of the engineer for the basement shall be required prior to the commencement of any basement works)

Drawing Nos:

1193-700 B (Existing Basement Floor Plan), 1193-700H (Existing Original Historic Basement Floor Plan), 1193-710 (Cleaned Existing Basement Floor Plan), 1193-701 C (Existing Ground Floor Plan), 1193-701H (Existing Original Historic Ground Floor Plan), 1193-711 (Cleaned Existing Ground Floor Plan), 1193-709 (Existing First Floor Plan), 1193-708H (Existing Original Historic First Floor Plan), 1193-712 (Cleaned Existing First Floor Plan), 1193-702 A (Location Plan), 1193-703 A (Context Plan), 1193-704 (Existing Front & Rear Elevations), 1193-705 A (Existing Elevation A & B), 1193-706.01 A (Existing Sections), 1193-706.02 (Existing Sections), 1193-706.03 A (Existing Sections), 1193-710 (Existing Basement Floor Plan), 1193-711 (Existing Ground Floor Plan), 1172-100 I



(Proposed Basement Floor Plan), 1193-131 B (Proposed Ground Floor Plan), 1193-132 C (Proposed First Floor Plan), 1193-110 A (Site Set Up Plan), 1193-120 A (Proposed Basement Floor Plan), 1193-121 A (Proposed Ground Floor Plan), 1193-122 (Proposed First Floor Plan), 1193-900 (Site Photographs Sheet 1), 1193-901 (Site Photographs Sheet 2), 1193-902 (Site Photographs Sheet 3), 1193-903 (Site Photographs Sheet 4), 1193-200 A (Basement RCP), 1193-201 A (Ground RCP), 1193-202 (First Floor RCP), 1193-300 A (Proposed Elevations A & B), 1193-301.01 C Proposed Section , 1193-301.02 B (Proposed Section), 1193-301.03 B (Proposed Section), 1193-302 (Basement Sliding Pocket Doors), 1193-303 A (Gnd Flr Drawing Room Elevation A), 1193-304.01 B (Gnd Flr Glazed Stairwell Wall), 1193-304.02 A (Gnd Flr Glazed Stairwell Wall), 1193-310 (Gnd Flr Dining Room French Doors), 1193-316 A (Proposed Rear Elevation), 1193-317 (1st Flr Stairs), 1193-318 (First Floor Balcony), Design and Access Statement with Heritage Assessment - Alistair Grills Associates, BIA - UK-Hydrosciences (May 2015), FRA and Soil Report - Geotechnical & Environmental Associates (May 2015), BIA Audit Response - Geotechnical & Environmental Associates (16.12.15), FRA Audit response - Geotechnical & Environmental Associates (16.12.15), Ground Movement Assessment Report - Geotechnical & Environmental Associates (17.12.15) BIA Final Audit - Campbell Reith (January 2016), CMP Part 1 - Text (CD&B) , CMP Part 2 - Appendix A - Structural Design Calculations (MMP Design), CMP Part 3 - Appendix A - Structural Dwg No 4467 01 (MMP Design), CMP Part 4 - Appendix A - Structural Dwg No 4467 02 (MMP Design), CMP Part 6 - Appendix B - Propping Diagram (CD&B), CMP Part 7 - Appendix C - Proposed Site Set Up (Callender Howorth), CMP Part 8 - Appendix D - Noise, Vibration & Dust Management Plan (NVDMP) (CD&B) , CMP Part 9 - Appendix E - Construction Traffic Management Plan (CTMP) (CD&B), CMP Part 10 - Appendix F - Contractors Method Statement (CMS) (CD&B)

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 4 - The basement works hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of the basement works. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Light wells) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1 Reason for granting planning consent:

This application is for the variation of condition 4 of planning permission ref: 2016/2189/P (dated 08/08/2016) to replace the word 'development' with the word 'basement works'. This would therefore require the details of an engineer to inspect, approve and monitor the basement works to be submitted to and approved by the Council prior to the commencement of any basement works, rather than prior to the commencement of any development on the site.

The proposed variation of condition 4 is considered to be reasonable and the condition as varied would meet the statutory tests of being necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects.

Condition 4 requires details of a qualified engineer to be commissioned to oversee the basement works on the site to be submitted to the Council. The original condition required these details to be submitted prior to the commencement of any development on the site. The condition as varied would require these details to be submitted prior to the commencement of the basement works only. As the engineer is required to oversee the basement works, it is considered reasonable to permit this variation. Condition 4 is related to the basement works only and should not hold up the rest of the development.

The above ground development would still need to be implemented in accordance with the Construction Management Plan (CMP) which was secured by legal agreement on the original permission and would ensure that the development does not impact on highway safety or residential amenity.

The development would otherwise remain the same as previously approved. As such, the proposed development is in general accordance with policies CS5, CS6, CS11, CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP16, DP18, DP20, DP24, DP25, DP26, DP27, DP28, & DP32 of the London Borough of Camden Local Development Framework Development Policies, CPG1, CPG2, CPG4, CPG6, CPG7 & CPG8 and the Redington Froggnal Conservation Area Statement. The proposed development also accords with the London Plan 2016, The London Plan Housing SPG, the National Planning Policy Framework and the National Technical Housing Standards.

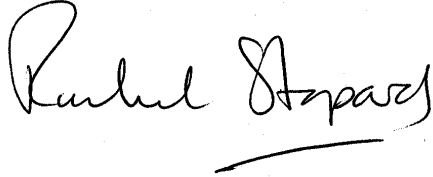
- 2 This approval under Section 73 of the 1990 Act effectively varying condition 4 of the previous planning permission ref 2016/2189/P (dated 08/08/2016) is subject otherwise to the same terms, drawings, conditions and obligations as attached to the previous planning permission. This includes condition 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 the name.

Rachel Stopard
Executive Director Supporting Communities