

Mr Sam Shah  
1 Hill View House  
Hallswelle Parade  
London  
NW11 0DL

Application Ref: **2016/4429/P**  
Please ask for: **Seonaid Carr**  
Telephone: 020 7974 **2766**

13 March 2017

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:

Minor material amendment to existing roof of the new build property to provide additional space granted on 08/12/2015 (ref: 2015/1476/P) for the erection of 3-storey building and conversion to create 14 self-contained flats.

Drawing Nos: Superseded Plans: P\_03\_G200\_001 Rev A, P\_RF\_G200\_001 Rev C and S\_AA\_G200\_001 Rev D

Revised Plans: 3042\_240, 3042\_241, 3042\_242, 3042\_340, 3042\_341, 3042\_370, 371.

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)) as amended by 2015/1476/P dated 08/12/2015 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, 3042\_240, 3042\_241, 3042\_242, 3042\_340, 3042\_341, 3042\_370 and 3042\_371.

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

#### Informative(s):

- 1 The applicant is seeking to amend the roof form to extend the roof pitch of the building to allow the provision of additional habitable accommodation to the top floor flat, there would be no change to the number of units within the development. The approved roof pitch would be extended at the same angle to all sides of the roof, creating a roof extension in the centre of the roof. The siting of the extension to the centre of the roof, would reduce the perceivable impact of the additional height of the roof.

When considering the development against DP25 and H31 of the Conservation Area Statement, given the varied roof forms within the surrounding area, it is considered the development would be in proportion to the building and would not overwhelm the roof or appear disproportionately tall. Furthermore given the topography of the site, the additional height would not be readily perceivable. It is therefore considered the proposed development would be acceptable.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

No objections have been received prior to making this decision. The sites planning history and relevant appeal decisions were taken into account when coming to this decision.

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 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 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

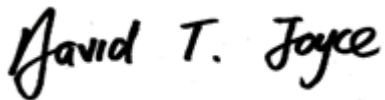
date of the original decision (and not this variation).

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 that reads "David T. Joyce". The signature is written in a cursive style with a large initial 'D'.

David Joyce  
Director of Regeneration and Planning