

Miss Grace Mollart
Planning Potential Ltd.
Magdalen House
148 Tooley Street
London
SE1 2TU

Application Ref: **2017/0367/P**
Please ask for: **Gideon Whittingham**
Telephone: 020 7974 **5180**

13 March 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**41 Highgate West Hill
London
N6 6LS**

Proposal:

Variation of Condition 2 (approved plans) to planning permission granted on 20/11/2014 (ref: 2014/6083/P), for erection of 2 service yard stores to west of tennis court on boundary with 5 Highfields Grove, namely enlarge footprint of store.

Drawing Nos: Superseded:

2228-16/00/01; 2228-16/00/02; 2228-16/00/03; 2228-16/01/01; 2228-16/01/02;
222816/01/03; 2228-16/01/04.

Proposed:

2228-16/00/01 Rev A; 2228-16/00/02 Rev A; 222816/00/03 Rev A; 2228-16/01/01 Rev A;
2228-16/01/02 Rev A; 222816/01/03 Rev A; 2228-16/01/04 Rev A.

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

Condition(s) and Reason(s):



- 1 The development hereby permitted must be begun not later than the end of three years from the date of planning permission granted on 20/11/2014 (Ref: 2014/6083/P).

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans - (2228-16/00/00; 2228-16/00/01 Rev A; 2228-16/00/02 Rev A; 222816/00/03 Rev A; 2228-16/01/01 Rev A; 2228-16/01/02 Rev A; 222816/01/03 Rev A; 2228-16/01/04 Rev A)

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

- 3 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction".

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 Reasons for granting permission.

The proposal would enlarge the consented 'carport' to match that of the adjacent approved 'tool shed', both in terms of size and detailed design. The proposal is located and designed sensitively to the garden setting and would not cause harm to adjacent trees. No objection is raised to the proposal in listed building (setting) or conservation area terms.

The nature and extent of the enlarged structure, by virtue of its position and proximity to neighbouring residential properties would not result in detrimental harm to the existing or extant amenity levels enjoyed.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

English Heritage advised that the application be determined in accordance with national and local policy guidance.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest and character and appearance of the Hampstead conservation area under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy, policies DP24 and DP25 of the London Borough of Camden Local Development

Framework Development Policies, and policies D1, D2, A2 and A3 of the emerging London Borough of Camden Local Plan. The proposed development also accords with the London Plan 2016, and 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).
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 5 The emerging Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

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

David T. Joyce

David Joyce
Director of Regeneration and Planning