

Mr. Ian Trehearne  
Ian Trehearne  
20 New End Square  
London  
NW3 1LN

Application Ref: **2016/6333/P**  
Please ask for: **Rob Tulloch**  
Telephone: 020 7974 **2516**

15 March 2017

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Variation or Removal of Condition(s) Granted

Address:  
**1A Well Road**  
**London**  
**NW3 1LJ**

Proposal: Variation of condition 3 (approved plans) of planning permission dated 24th February 2014 (ref 2013/7179/P) for the erection of single storey infill rear extension with associated a roof terrace, installation of a rear dormer window and other alterations in association with change of use from 2x flats to single dwellinghouse, namely to correct plans to show accurate heights of neighbouring buildings.

Drawing Nos: Superseded drawings: SE-120 Rev B; EL-110 Rev B  
Drawings for approval: SE-120-Rev C; EL-110 Rev D; SE-122;  
Supporting documents: EL-111; Letter from Ian Trehearne dated 15th November 2016;  
Statement from TG Studio Ltd.

The Council has considered your application and decided to grant permission subject to the following conditions:

#### Conditions and Reasons:

- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2013/7179/p dated 24/02/2014.



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

- 2 For the purposes of this decision, condition no. 3 of planning permission 2013/7179/P shall be replaced with the following condition:

#### REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan OS-000 Rev A; EXT-EL-010 Rev A; EXT-FF-000 Rev A; EXT-FF-001 Rev A; EXT-SE-020 Rev A; EXT-SE-021 Rev A; EL-110 Rev D; FF-100 Rev A; FF-101 Rev A; SE-120 Rev C; SE-121 Rev B; SE-122; Design and Access Statement by TG Studio dated 28/11/2013.

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 4 The use of the roof as a terrace shall not commence until the screening, as shown on the approved drawings, has been constructed and installed. The screening shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 5 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of the approved residential unit.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 (Lifetime homes and wheelchair homes) of the London Borough of Camden Local Development Framework Development Policies.

- 6 A Construction Management Statement outlining how construction work will be carried out and how this work will be serviced shall be submitted to and approved by the Council before development commences. The development shall not be carried out otherwise than in accordance with the statement thus approved.

Reason: To protect the local transport network and the amenity of pedestrians and other road users in accordance with the requirements of policy CS5 (Managing the impact of growth) of the London Borough of Camden Local Development Framework Core Strategy and policies DP20 (Movement of goods and materials) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

#### Informatives:

- 1 Reasons for granting permission.

The proposed amendment does not seek to amend the approved scheme, but seeks to correct inaccurate survey drawings. The approved scheme featured, among other things, a new terrace at rear 1st floor level. The terrace is formed by infilling a small rear ground floor courtyard, laying decking on top to create a terrace, and raising the height of the party walls at first floor level to prevent overlooking.

Whilst the terrace, and the remainder of the approved scheme, has been built largely in accordance with the approved plans, the problem arises from inaccuracy in the survey drawings which show the heights of the surrounding buildings incorrectly and therefore the development's relationship with its neighbours. The survey drawings show the neighbouring terrace to no. 2a Well Road to be 0.47m higher than it actually is, and the roof of the adjacent property, no 1 White Bear Place 0.315m higher than it actually is. So although the terrace and associated balustrading were accurately shown on the approved plans in relation to the host building there is a discrepancy in the relationship between the balustrading and neighbouring properties.

The amended plans rectify this showing the correct heights and levels of the neighbouring buildings. The plans have been further revised to show the correct location of the party wall.

The amendments are not considered to harm the character or appearance of the host building or conservation area as the development does not change in relation to the host building and there is limited visibility from the public realm with only a narrow view of the site from New End Square over the rear yard of the White Bear public house.

The actual level of the rear terrace of no. 2A Well Road is lower than shown on the approved plans which effectively means the party wall is 0.47m higher than shown on the approved plans when viewed from no. 2A. However, as the terrace is already heavily obstructed and the increase in height largely comprises frosted

glass, it is considered that the impact of the changes from the approved scheme would not result in significant additional harm to the sunlight or daylight to the habitable rooms of the neighbouring property.

Objections have been received from 2A Well Road and have been summarily addressed. The planning history of the site has been taken into account when coming to this decision.

Considerable importance and weight has been attached to the harm and 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

As such, the proposed development is in general accordance with policies CS5, and CS14 of the London Borough of Camden Local Development Framework Core Strategy, policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies, and policies A1, D1 and D2 of the Draft Local Plan 2016. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

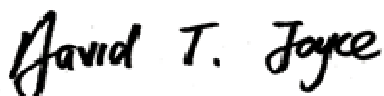
- 2 The emerging Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination 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 Joyce  
Director of Regeneration and Planning