

Application ref: 2017/5127/P
Contact: Gideon Whittingham
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Date: 21 March 2018

Development Management
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Frampton-Martin Sage Design
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29 Park Road
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WD78EG

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:
39 Rossllyn Hill
London
NW3 5UJ

Proposal:

Variation of Condition 3 (approved plans) to planning permission granted on 14/04/2016 (ref: 2014/5285/P), for excavation for subterranean extension beneath the rear garden of flat, namely alteration of external stair, height and width of lower ground floor extension and inset windows.

Drawing Nos: Approved/Superseded: 1411_L_021 Rev A; 1411_L_022 Rev A; 1411_L_023 Rev A; 1411_L_024 Rev A; 1411_L_025 Rev A.

Proposed: 1411_L_021 Rev B; 1411_L_022 Rev B; 1411_L_023 Rev B; 1411_L_024 Rev B; 1411_L_025 Rev B.

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 this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and

Country Planning Act 1990 (as amended).

- 2 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 For the purposes of this decision, condition no.3 of planning permission 2014/5285/P dated 14/04/2016 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 [1411_L_001; 1411_L_011; 1411_L_013; 1411_L_014; 1411_L_021 Rev B; 1411_L_022 Rev B; 1411_L_023 Rev B; 1411_L_024 Rev B; 1411_L_025 Rev B; Independent review of Basement Impact Assessment (LBH 4315), prepared by LBH Wembley, dated 7th December 2015; Structural Engineering considerations associated with the Basement Impact Assessment and Basement Construction Plan Rev H (Ref 140321/HH), prepared by Conisbee, Dated 13 November 2015; Ground Investigation & Basement Impact Assessment Report (J15236), prepared by Geotechnical & Environmental Associates Limited, dated 16th November 2015; Arboricultural impact analysis Rev A, prepared by Skerratt, dated 07.08.14; Draft Arboricultural method statement, prepared by Skerratt, dated 10.08.14; Interpretive Report on site Investigation Report G4099-14, prepared by Environmental Scientifics group, dated January 2015.]

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

- 4 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season prior to the occupation for the permitted use of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period

and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5 , D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 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 the approved protection details.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5 , D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission.

The proposal would see amendments to openings at rear lower ground floor level, with newly introduced bays or solid/glazed elevations, the increase in height of the 'linkway' by 300mm and the split of the stairway up to garden floor level. The proposed alterations have been designed sensitively to the garden setting and would not cause harm to adjacent trees. These amendments are all minor and are considered acceptable in terms of design, size and location. They would have a minimal impact on the overall character and appearance of the building and the surrounding conservation area.

The nature and extent of alterations, by virtue of their lower ground floor level position and proximity to neighbouring residential properties would not result in detrimental harm to the amenity levels enjoyed.

The full impact of the scheme has already been assessed by virtue of the previous approval granted on 14/04/2016 reference 2014/5285/P. In the context of the permitted scheme, it is considered that the amendments would not have a significant effect on the approved development in terms of appearance and neighbouring amenity.

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.

As such, the proposed development is in general accordance with policies G1, H1, H3, H6, A1, A3, A5, D1, D2, CC1, CC2, CC3, CC4, T1, T4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

- 2 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

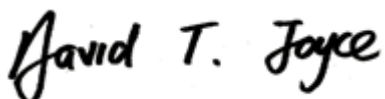
- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 This approval under Section 73 of the 1990 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).
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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, slightly slanted style.

David Joyce
Director of Regeneration and Planning