

Application ref: 2018/2326/P
Contact: David Peres Da Costa
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Date: 1 October 2018

Development Management
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
13 & 13A West Hampstead Mews
London
NW6 3BB

Proposal:

Variation of condition 3 (approved plans) of planning permission 2014/1182/P dated 04/08/2014 as amended by 2016/4846/P dated 15/12/2016 (for change of use of 13A from vehicle spray shop to residential and conversion of property to 2-bed house; and demolition of No.13 and erection of 3 storey office), namely to add 4 high level windows to south elevation and to alter parapet wall (west elevation) to roof eaves.

Drawing Nos:

Superseded: JH-1063-: P01 F; P07 E; P05 E; P04 E

Revised: 1870-: 150A; 151A; 152B

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 the original planning permission ref 2014/1182/P dated 04/08/2014.

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. Specifically, the yellow facing brick work and natural slate roof of 13A shall match the facing materials of adjacent buildings.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies 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 2014/1182/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; A10; A100 A; A101 A; A110 A; A111 B; A1000 E; A1001 B; A1010 D; A1011 D; A1012 A; CHP daylight and sunlight report dated 25/7/13 ; EMTEC noise report dated 2/9/13; Broad Oak Tree Consultants report dated 7/8/13; JH-1063-: DP-01; JH-1063: P04 E; P03 E; P20 B; P08 D; Noise survey prepared by Emtec dated 7th December 2015; 1870-: 150A; 151A; 152B; 102B, 103B

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

- 4 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 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 H6 of the London Borough of Camden Local Plan 2017.

- 5 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 protection details approved in connection with 2015/6271/P on 17/03/2016.

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 policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 6 The dedication plaque on the gable wall of No. 13 shall be carefully removed and re-erected within the ground floor of 13 West Hampstead Mews (as shown on the drawings hereby approved) and retained permanently thereafter.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 Before the use commences, the air source heat pump shall be provided with sound attenuation in accordance with the Emtec Noise survey (dated 7th December 2015) hereby approved. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 9 The development shall be carried out in full accordance with the detailed drawings and samples approved in connection with 2015/6271/P on 17/03/2016 and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 10 The development shall be carried out in accordance with the colour, texture, face-bond and pointing of the sample panel of the facing brickwork approved in connection with 2015/6271/P on 17/03/2016 and the approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 11 The development shall be carried out in full accordance with the energy statement approved in connection with 2015/6271/P on 17/03/2016.

Reason: To ensure a sustainable and resource efficient development in accordance with the requirements of policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 12 The development shall be carried out in full accordance with the Construction Management Statement approved in connection with 2016/0343/P on 10/03/2016.

Reason: To avoid obstruction of the surrounding streets and site and to safeguard amenities of adjacent premises in accordance with the requirements of policies A1 and T4 of the London Borough of Camden Local Plan 2017.

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

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

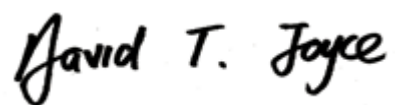
- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 2 This permission does not include the installation of air-conditioning units. If you were to implement the drawings approved under 2014/1182/P dated 04/08/2014 you are reminded you would need to comply with condition 8 of that permission.
- 3 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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 script is cursive and fluid, with the first letters of each word being capitalized and prominent.

David Joyce
Director of Regeneration and Planning