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Development Management  
Camden Town Hall Extension  
Argyle Street  
London WC1H 8EQ

Application for removal or variation of a condition following grant of  
planning permission. Town and Country Planning Act 1990.  
Planning (Listed Buildings and Conservation Areas) Act 1990

**Publication of applications on planning authority websites.**

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

**1. Site Address**

Number

Suffix

Property name

Address line 1

Address line 2

Address line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

**2. Applicant Details**

Title

First name

Surname

Company name

Address line 1

Address line 2

Address line 3

Town/city

## 2. Applicant Details

Country	<input type="text"/>
Postcode	<input type="text" value="NW2 3RH"/>
Primary number	<input type="text"/>
Secondary number	<input type="text"/>
Fax number	<input type="text"/>
Email address	<input type="text"/>

Are you an agent acting on behalf of the applicant?

Yes  No

## 3. Agent Details

No Agent details were submitted for this application

## 4. Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Reference number

Date of decision (date must be pre-application submission)

Please state the condition number(s) to which this application relates

Condition number(s)

Has the development already started?

Yes  No

If Yes, please state when the development was started (date must be pre-application submission)

Has the development been completed?

Yes  No

If Yes, please state when the development was completed (date must be pre-application submission)

## 5. Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed

I would like to remove condition 2 (which was to carry out the development in accordance with the approved plans [595/1; 595/2; 595/3; 595/4; 595/5 Rev C; 595/6 Rev C; 595/7 Rev C; 595/8 Rev C]). This is because the back rail of the terrace is not in the location as described in these plans. The plans included a set back to avoid overlooking the garden belonging to the flat below (Flat B) following an objection by the owner of Flat B. However, subsequent to the planning permission with the above condition being granted, I came to an agreement with the owner of Flat B that instead of a set back, planters with tall plants would be placed along the edge of the terrace in order to provide a pretty view when looking up from Flat B's garden, and also to prevent overlooking. The back rail of the terrace was therefore moved back (removing the set back) so that the planters could be maintained. If they were placed on the other side of the rail (within the area of the set back) they could not be easily maintained from either flat, as the owner of Flat B could not carry out the maintenance from a ladder and I could not carry out maintenance through the rails. Another reason for removing the set back was security concerns that someone could easily climb up onto the set back area from Flat B's garden, and then climb over the railing to enter my flat through the glass doors. The modification was therefore carried out for practical reasons and the result is the same (i.e. preventing overlooking) if not improved by the fact that (i) the planting adds to a sense of privacy to the gardens below and (ii) it was a request from the neighbour to have planting at that level to soften the look of the terrace. The complaint received by the Council from the owner of Flat A relates to concerns of overlooking from the terrace into Flat A's garden; however it is extremely

## 5. Condition(s) - Removal

difficult to see anything more than a tiny glimpse of that garden from the terrace as currently built. In any event, there is a clear view of Flat A's garden from three rooms in my flat, being the bedroom, kitchen and living room, all of which are considerably closer to that garden than the terrace is, and which afford a full and unrestricted view of that garden. The owner of Flat A made a similar objection during the consultation period for the planning application, and the Council decided that her objection was not relevant/justified and as such did not take it into account when making the decision to grant the application. I am unclear as to why this is now suddenly considered a justified complaint. In addition, Flat A's complaint does not truly relate to the roof terrace as the position of the rail does not affect Flat A. The reason for the complaint is due to a separate disagreement which is not related to the roof terrace.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Removal of condition 2 from planning decision dated 19 July 2016 ref. 2016/2545/P.

## 6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes  No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

- The agent  
 The applicant  
 Other person

## 7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes  No

## 8. Ownership Certificates and Agricultural Land Declaration

**CERTIFICATE OF OWNERSHIP - CERTIFICATE A - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14**

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner\* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding\*\*

\* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run. \*\* 'agricultural holding' has the meaning given by reference to the definition of 'agricultural tenant' in section 65(8) of the Act.

**NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.**

Person role

- The applicant  
 The agent

Title

First name

Surname

Declaration date (DD/MM/YYYY)

Declaration made

## 9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date (cannot be pre-application)