

Application ref: 2018/6020/P
Contact: Alyce Keen
Tel: 020 7974 1400
Date: 5 February 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Patalab
15 Garrett Street
London
EC1Y 0TY
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

38-39 & 40A
Hampstead High Street
London
NW3 1QE

Proposal:

Variation of condition 3 (approved plans) of planning permission 2018/0613/P granted on 29/05/2018 (for external alterations including demolition of ground floor rear extension and replacement with part single storey, part two-storey rear extension, installation of residential front entrance at ground floor level, alterations to front and rear fenestration and change of use of first floor from ancillary restaurant use (Class A3) to flexible A1/A3/B1 use) namely to alter the rear fenestration at second & third floors.

Drawing Nos: PA1009-01, PA1010-01, PA1011-01, PA1012-01, PA1013-01, PA1014-01, PA1101-01, PA1102-01, PA1104-01, PA3101-02, PA3104-03, PA3009-03, PA3010-03, PA3011-03, PA3012-03, PA3013-03, PA3014-03, PA3102-05, PA3104-04.

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 2018/0613/P

(29/05/2018).

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 The development hereby permitted shall be carried out in accordance with the following approved plans:
PA1009-01, PA1010-01, PA1011-01, PA1012-01, PA1013-01, PA1014-01,
PA1101-01, PA1102-01, PA1104-01.
PA3101-02, PA3104-03, PA3009-03, PA3010-03, PA3011-03, PA3012-03,
PA3013-03,
PA3014-03, PA3102-05, PA3104-04.

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

- 4 Before the brickwork is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. 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.

Informative(s):

- 1 Reason for granting permission-

The proposed variation in terms of the rear fenestration at second and third floors are considered appropriate in design terms and would maintain the character and appearance of the property and streetscene as well as preserve the special character of the conservation area.

The proposed variations would also not be considered to result in any detrimental impact upon the amenities of any adjoining occupier in terms of outlook, light, privacy or noise by virtue of the existing extension and existing openings.

No objections were received in relation to the proposed variation. The site's planning history was 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 Hampstead 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 D1, D2 and A1 of the Camden Local Plan 2017.

- 2 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).

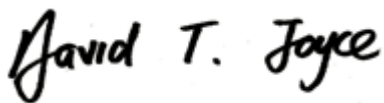
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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