

Ms Virginia Newman  
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UK

Application Ref: **2019/0698/P**  
Please ask for: **Rachel English**  
Telephone: 020 7974 **2726**

11 March 2019

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Grant of Non-Material Amendments to planning permission**

Address:  
**36 Avenue Road**  
**London**  
**NW8 6HS**

Proposal: Amendments to wording of conditions 5, 6, 7 and 8 of planning permission 2015/3328/P granted on 4th May 2016 (for demolition of the existing single family dwelling house and replacement with a three storey detached house with two storey basement with associated hard and soft landscaping.)

Drawing Nos: Cover letter dated 5th February 2019 (ref 17043/V1)

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, conditions 5, 6, 7 and 8 of planning permission 2015/3328/P shall be replaced with the following conditions:

#### **REPLACEMENT CONDITION 5**

Before the end of the next available planting season, prior to occupation of the dwellinghouse, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.



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 CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy.

#### REPLACEMENT CONDITION 6

Prior to commencement of development (other than demolition and other site preparation works) details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a 1:100 year event with 30% provision for climate change demonstrating 50% attenuation of all runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

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 CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

#### REPLACEMENT CONDITION 7

The planting process should take into account the standards set out in BS8545:2014. Any trees removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees of a similar size and species to those originally required to be planted.

Reason: In order to comply with the provisions of Section 206 of the Town and Country Planning Act 1990 (as amended).

#### REPLACEMENT CONDITION 8

Prior to the implementation of the relevant part of the development, 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 CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

#### Informative(s):

- 1 The applicant has submitted a request to vary the wording of four conditions from the 2015/3328/P decision notice.

Condition 5 refers to replacement tree planting. The original wording of the condition was ambiguous as it did not refer to time for construction. The proposed

revised wording of the condition ensures that the replacement trees are planted during the next available planting season before the dwellinghouse is occupied. This is considered an acceptable change.

Condition 6 relates to sustainable urban drainage (SUDS). The condition seeks details of SUDS before commencement of the development however the applicant seeks to demolish and do other site preparation works before they are required to submit this information. It is considered that this revised wording still achieves the aims of the original condition.

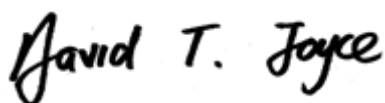
Condition 7 relates to the types of replacement trees to be planted. The wording of the condition is revised to include the correct British Standard and ensure that any trees that are severely damaged or become seriously damaged within 5 years of planting shall be replaced with similar tree size and species.

Condition 8 relates to hard and soft landscaping. The applicant seeks to vary the wording by adding "prior to the implementation of the relevant part of the development" instead of requiring the submission of details before any construction work starts. The applicant also seeks removal of wording about earthworks and grading. This revised wording still achieves the aims of the original condition.

The full impact of the scheme has already been assessed by virtue of the previous approval granted on 4th May 2016 under ref 2015/3328/P. In the context of the permitted scheme, it is considered that the amendments would not have any material effect on the approved development in terms of landuse and environmental impact. It is considered that the changes are relatively minor in the context of the approved scheme and can therefore be regarded as a non-material variation of the approved scheme.

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 2019.

Yours faithfully



David Joyce  
Director of Regeneration and Planning

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