

Application ref: 2019/2115/P
Contact: Leela Muthoora
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Date: 27 June 2019

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:
28 Heath Hurst Road
London
NW3 2RX

Proposal: Variation of condition 3 (approved plans) of planning permission ref: 2017/6334/P dated 17/01/2018, for the erection of a single storey rear extension and side infill to 28 and 30 Heath Hurst Road, namely to alter the design of roof, doors and cladding.

Drawing Nos:
Superseded drawings: PL401E, PL402F, PL407F, PL409F and PL410D.

Amended drawings: PL401F, PL402G, PL407G, PL409G and PL410E.

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 2017/6334/P dated 17/01/2018.

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 For the purposes of this decision, condition no.3 of planning permission 2017/6334/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- Design and Access Statement Nov2017, Addendum to Design and Access Statement dated 08.02.2019, EX00, EX01, EX02, EX03, EX04, EX05, EX06, EX07, PL401F, PL402G, PL407G, PL408E, PL409G and PL410E.

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

Informative(s):

- 1 Reason for granting permission-

The original application related to numbers 28 and 30 Heath Hurst Road. This proposal is to vary the approved plans related to number 28 Heath Hurst Road only. The variation proposal seeks to amend the approved extension including alterations to the roof profile, materials and extent of glazing to the roof. In detail, the alterations would be to the rear elevation doors to align with rear building line; squaring the form of the extension to match the roof height of the neighbouring extension at number 30 Heath Hurst Road and amending the angular glazed roof profile to a part-sloping roof with roof lights; amending the materials to part brick and part timber cladding to the infill element of extension. The proposed extension would be the same height and location as the approved extension and would be subordinate to the host property. Overall, the variations are considered appropriate in design terms and given their rear siting, they would have limited visibility and would preserve the character and appearance of the host property and historic interest of the Hampstead Conservation Area.

Given the modest nature of the proposed alterations to the approved extension and reduction in the amount of glazed roof, the amendments would not result in undue harm to neighbouring amenity in terms of overlooking, reduced privacy or light spill, by virtue of the existing extension and openings and are considered acceptable.

The full impact of the proposed scheme has already been assessed by virtue of the previous permission (2017/6334/P) dated 17/01/2018. In the context of

the approved scheme, the proposed amendments are considered to be minor and would not raise any new issues or alter the substance of the approved scheme. Therefore the proposals constitute a minor material amendment to the approved development.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in general accordance with policies D1, D2 and A1 of the Camden Local Plan 2017, policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2019.

- 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 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction

Management Plan is approved by the Council.

- 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).

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.

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, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer