

Application ref: 2019/3817/P  
Contact: Kate Henry  
Tel: 020 7974 3794  
Date: 11 February 2020

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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James Gorst Architects Ltd  
35 Lamb's Conduit Street  
London  
WC1N 3NG

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement**

Address:  
**3 Fitzroy Square**  
**London**  
**W1T 5HG**

**Proposal:**

Variation of condition 7 (approved plans) of planning permission reference 2011/4445/P, dated 29/02/2019 (for: replacement mews building; excavation underneath mews building, courtyard and main building; refurbishment works to main house), namely to amend the design of the mews building and the link to the main building, alterations to main building

**Drawing Nos: Proposed drawings**

LKB09\_101-AB; LKB09\_101C; LKB09\_102C; LKB09\_103B; LKB09\_104B;  
LKB09\_105B; LKB09\_200B; LKB09\_201D; LKB09\_202D; LKB09\_302B; LKB09\_303B;  
LKB09\_902D; LKB09\_903B; LKB09\_100B; Planning, Heritage and Design & Access  
Statement Rev 2, dated August 2019.

**Superseded drawings:**

LKB09\_100A; LKB09\_101A; LKB09\_101-AA; LKB09\_102; LKB09\_103; LKB09\_104;  
LKB09\_105; LKB09\_200; LKB09\_201A; LKB09\_202A; LKB09\_302; LKB09\_303;  
LKB09\_901A; LKB09\_902A; LKB09\_903.

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 shall be carried out in accordance with the following approved plans: LKB09\_001; LKB09\_003; LKB09\_101-AB; LKB09\_101C; LKB09\_102C; LKB09\_103B; LKB09\_104B; LKB09\_105B; LKB09\_200B; LKB09\_201D; LKB09\_202D; LKB09\_302B; LKB09\_303B; LKB09\_902D; LKB09\_903B; LKB09\_100B; Planning, Heritage and Design & Access Statement Rev 2, dated August 2019.

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

- 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 Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The use of the rear first floor level roof as a terrace shall not commence until details of a privacy screen have been submitted to and agreed in writing with the local planning authority. The privacy screen shall be permanently retained and maintained thereafter.

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

- 4 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 facade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of Policy A4 of the Camden Local Plan 2017.

- 5 The proposed works shall be carried out in accordance with the submitted Structural Engineering Report D133388 rev C by URS Scott Wilson, approved as part of planning permission reference 2011/4445/P, dated 29/02/2012.

Reason: To ensure the structural stability of the host building and neighbouring buildings is preserved and that ground water and surface water conditions are not adversely affected in accordance with Policy A5 of the Camden Local Plan 2017.

- 6 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate

professional body has been appointed to supervise the construction works throughout their duration, in accordance with the recommendations of the structural engineering details hereby approved. The appointment shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To protect the structural stability of the host building and neighbouring buildings, in accordance with Policy A5 of the Camden Local Plan 2017.

Informative(s):

- 1 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.
- 2 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.

- 3 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 4 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).
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is

granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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 positioned above the typed name and title.

Daniel Pope  
Chief Planning Officer