

Application ref: 2018/4499/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Email: [Obote.Hope@camden.gov.uk](mailto:Obote.Hope@camden.gov.uk)  
Date: 8 July 2020

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

SM Planning  
80-83 Long Lane  
London  
EC1A 9ET

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:  
**22 Rose Joan Mews**  
**London**  
**NW6 1DQ**

#### **Proposal:**

Variation of conditions 2 (approved drawings) and 5 (secure cycle storage) and removal of condition 3 (privacy screen) of planning permission dated 26.6.14 ref 2013/6672/P (as later amended by Non-Material Amendment approvals dated 16.12.15 ref 2015/5731/P and dated 18.7.16 ref 2016/2848/P) for the construction of a three storey single family dwelling (Class C3).

Drawing Nos: 1852a- A01 rev A, A10 rev G, A40; Planning Statement by SM Planning dated 7th September 2018

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 2013/6672/P dated 26.06.2014.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1852a- A01, Design & Access Statement (DMFK: October 2013), Planning Statement (DMFK: October 2013), 1852a- A01 rev A, A10 rev G, A11 rev F, A15 rev F, A20 rev E, A40, A50 rev B, A90, A95, A96; Planning Statement by SM Planning dated 7th September 2018.

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

- 3 The cycle storage area shall be permanently maintained and retained on site in accordance with the approved plans.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 4 The privacy screens shall be permanently maintained and retained on site in accordance with the approved plans.

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

- 5 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies D1 and A1 of London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reason for granting permission-

As part of the planning permission ref 2013/6672/P, two pre-commencement conditions were required to be discharged. However, no application was submitted for the approval of these conditions nos. 3 (privacy screen) and 5 (cycle storage). Notwithstanding this, the permission was implemented in late 2014 and the development is now complete, incorporating the provision of privacy screening and cycle storage.

It is noted that planning permission ref 2013/6672/P was amended twice by virtue of Non-Material Amendment (NMA) approvals, refs 2015/5728/P and 2016/2848/P. The latter one provided detail of all terrace screening and the proposed types of privacy screens on the upper floors, which were considered to be minimally different to the approved scheme. Thus, the detail of all privacy

screens required by condition 3 has been provided in plans approved by the NMA decision; they have been implemented in accordance with the approved details. Therefore, there is no need to discharge the outstanding condition 3 and there is no objection to the removal of this condition in this proposed variation. Condition 4 is retained in this decision to ensure the approved privacy screen is permanently retained onsite.

The submitted plans show an enclosed cycle storage area which has now been implemented on site. The cycle storage area shows a wall-mounted Sheffield cycle stand within a secure and fully enclosed storage area, located within the undercroft area of the building. These submitted details are considered acceptable and meet the requirements of policy T1 of the Local Plan 2017. Thus, as with condition 3 above, it is necessary to vary the wording of condition 5 to ensure that the newly installed cycle store, as approved by this decision, is permanently retained onsite.

Finally condition 2 needs to be revised and updated to ensure it refers to the correct and up-to-date plans and documents, including those approved by previous NMA decisions and those showing the new cycle store.

2 objections were received prior to making this decision. These and the planning and appeal history of the site have been taken into account when coming to this decision.

No other aspects of the original scheme have been changed. The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

As such, the proposed development is in general accordance with policies A1, D1 and T1 of the London Borough of Camden Local Plan 2017 and policy 8 of the Fortune Green and West Hampstead Neighbourhood Plan. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2018.

- 2 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.
- 3 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).
- 4 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.

- 5 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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



Daniel Pope  
Director of Economy, Regeneration and Investment