

Application ref: 2020/2738/P
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Date: 12 August 2020

Development Management
Regeneration and Planning
London Borough of Camden
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Matthew Wood Architects Ltd
The Tea Factory
110 Endwell Road
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SE4 2LX

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**14 Prince Arthur Road
London
NW3 6AU**

Proposal:

Removal of condition 4 (tree protection) of planning permission ref 2018/4749/P dated 19/12/2018 (as amended by permission ref 2019/2710/P dated 30/07/2020) for 'Erection of rear lower ground floor extension involving lowering existing floor level with ground floor terrace and removal of rear external staircase. Replacement of all existing dormers and rooflights. Side/rear fenestration alterations and garden level alterations'

Drawing Nos: TH/A3/2373/TPP; Air Spade Method Statement and Risk Assessment by Goroots dated 15th June 2020; letter from MW Architects dated 4th August 2020.

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 2018/4749/P dated 19/12/2018.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

EO.1; E0.2; E1.0; E1.1; E1.2; E1.3; E1.4; E1.4 Rev. B; E1.09; E2.0 Rev.B; E2.1 Rev.B; E3.0; E3.1 Rev.A; P0.2; P1.O Rev.D; P1.1; P1.2; P1.3; P1.4 Rev.B; P1.09 Rev.C; P2.0 Rev.B; P2.1 - MMA Rev.D and P2.2 - MMA Rev.B; P3.0; P3.1 Rev.A; 613/1; arboricultural impact assessment ref. 613/2 by Michael Runge Garden Consultant dated September 2018; TH/A3/2373/TPP; Air Spade Method Statement and Risk Assessment by Goroots dated 15th June 2020, letter from MW Architects dated 4th August 2020

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

Informative(s):

- 1 Reason for granting consent:

The rear extension granted permission under ref. 2018/4749/P (as amended by ref. 2019/2710/P) was commenced on site without this condition requiring tree protection details having been approved prior to works commencing on site. The development has now been completed. Tree protection cannot be approved retrospectively on site as the protection methods were not sufficiently installed. Therefore following an enforcement investigation, the applicant has submitted details of basic tree protection fencing and soil decompaction to mitigate any adverse effects of soil compaction that may have occurred. The Council's Tree Team has assessed this information and the photos submitted which show that the trees appear not to have been adversely affected by the lack of tree protection in terms of crown condition. It is considered that the applicant as done as much as reasonably possible to ensure the continuing health of the trees, given the breach of tree protection condition. In this instance it is considered acceptable to remove condition 4 regarding tree protection.

There are no alterations to the plans/elevations and therefore the removal of this condition will not impact on the character and appearance of the host property, streetscene and conservation area nor impact on the amenity of neighbouring properties.

No comments or objections were received during the consultation period. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1,

A3, D1 and D2 of the Camden Local Plan 2017 and policies DH1, DH2 and NE2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with policies of the London Plan 2016 and 2019 (intended to publish) and of the National Planning Policy Framework 2019.

- 2 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.
- 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 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.

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 in the upper left corner of the page.

Daniel Pope
Director of Economy, Regeneration and Investment