

Application ref: 2020/3575/P
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Rosenfelder Associates
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Various locations in London

NW1

NW3

NW5

NW8

Proposal:

Variation of condition 2 (approved drawings) of planning permission reference 2016/1436/P dated 26/11/2019 (as amended by 2019/6076/P dated 15/01/2020 and 2020/1674/P dated 19/06/2020, and 2020/2947/P dated 17/08/2020) for the 'Erection of pairs of poles with clear wire between the poles at 37 locations across the Borough comprising the Camden Eruv'; namely, relocation of location 1 pole A (King Henry's Road).

Drawing Nos:

Superseded drawing: 868.01 rev. C

Amended drawing: 868.01 rev. B

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 permission (reference 2016/1436/P)

approved 26/11/2019).

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

- 2 For the purposes of this decision, condition no.2 of planning permission 2016/1436/P dated 26/11/2019 (as amended by 2019/6076/P dated 15/01/2020, 2020/1674/P dated 19/06/2020 and 2020/2947/P dated 17/08/2020) shall be replaced with the following condition:

REPLACEMENT CONDITION 2

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

868.001 rev. B, 868.002 rev. B, 868.01 rev. C, 868.02 rev. B, 868.03A rev. C, 868.03B rev. C, 868.04A rev. B, 868.04B rev. B, 868.05A rev. B, 868.05B rev. C, 868.06 rev. B, 868.07 rev. B, 868.08, 868.23 rev. A, 868.24A rev. B, 868.24B rev. B, 868.25A rev. A, 868.25B rev. B, 868.26 rev. C, 868.27A rev. C, 868.27B rev. C, 868.28A&B.1 rev. A, 868.28C&D.1 rev. A, 868.30 rev. C, 868.31A rev. A, 868.31B rev. A, 868.31B rev. A, 868.32A rev. B, 868.32B rev. B, 868.33A rev. B, 868.33B rev. B, 868.34A rev. C, 868.34B rev. D, 868.35A rev. C, 868.35B rev. C, 868.37A rev. E, 868.37B rev. D, 868.38A rev. B, 868.38B rev. B, 868.40A rev. A, 868.40B rev. A, 868.41A rev. B, 868.41B rev. C, 868.42A rev. B, 868.42B rev. B, 868.43A rev. D, 868.43B rev. D, 868.43C rev. D, 868.43D rev. D, 868.47A, 868.47B, 868.48 rev. A, 868.49 rev. B, 868.50 rev. C, 868.51 rev. A, 868.52 rev. A, 868.53 rev. D, 868.54 rev. A, 868.54.1, 868.54.2, 868.54.3, 868.54.4, 868.54.5, 868.54.6, 868.55A rev. D, 868.55B rev. D, 868.55.1 rev. A, 868.55.2, 868.57 rev. A, 868.61B rev. B, 868.SK.53 and Design, Heritage, Social Cohesion and Access Statement ref: C.868.

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

- 3 Pole 28A must be painted white to match the side elevation of Capo di Monte.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 Pole 41B shall be painted in accordance with details approved under reference 2019/5978/P dated 03/03/2020 or other such details as submitted to and approved in writing by the local planning authority.

Reason: In order to safeguard the special architectural and historic interest of the building and streetlamp in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 5 The heritage poles shall be erected in accordance with the final technical details and schedule approved under reference 2019/5978/P dated 03/03/2020 or other such details submitted to and approved in writing by the local planning authority before the relevant part of the work is begun.

Reason: In order to safeguard the special significance of the heritage assets in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 6 The temporary poles shown on drawing reference numbers 868.27A rev. C, 868.27B rev. C, 868.37A rev. F shall be removed on or before 17/08/2021, the parking sign in front of 16 Christchurch Hill shall be reinstated as per the existing condition, and all sites made good.

Reason: The structures are not such as the local planning authority is prepared to approve, other than for a limited period, in view of their location and appearance. The permanent retention of the structures would be contrary to the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission

The proposed amendments include the re-siting of previously approved pole A at location 1 on King Henry's Road. Pole A would be moved from directly in front of the flank elevation of Flats 6 - 12 Primrose Hill Road further eastwards to sit adjacent to the access gates to the rear of the flats. The eruv wire would connect to an existing lamppost adjacent to 6 - 12 Primrose Hill Road before crossing to the previously approved pole B in front of Elsworthy Court. Although the pole would be slightly more visible in the streetscene as it would no longer sit in front of a building, the revised location would be less visible from neighbouring windows which is welcomed. Furthermore, the applicant has informed the LPA that this location is unlikely to be utilised as the eruv wire has been fixed directly to the building, eradicating the need for the pole. The proposed pole would therefore only be used should this location no longer prove feasible for any reason.

Overall, the proposed amendments are considered acceptable, and would preserve the character and appearance of the local area.

The Council's Transport Officer has assessed the proposed amendments and confirmed they are acceptable in transport terms.

Two objections were received and duly considered prior to issuing this decision. The planning and appeal history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with A1, C6, D1, and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 2 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 'DP', is positioned above the typed name and title.

Daniel Pope
Director of Economy, Regeneration and Investment