

Application ref: 2021/1170/P  
Contact: Matthew Dempsey  
Tel: 020 7974 3862  
Email: [Matthew.Dempsey@Camden.gov.uk](mailto:Matthew.Dempsey@Camden.gov.uk)  
Date: 15 December 2021

**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)

henry planning ltd  
163 Church Hill Road  
East Barnet  
BARNET  
EN4 8PQ

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Variation or Removal of Condition(s) Granted**

Address:

**88 Fordwych Road  
London  
NW2 3TJ**

Proposal:

Variation of condition 4 (use of outbuilding) of 2012/5657/P, dated 21/12/2012 for; Erection of conservatory at rear basement level, infilling of existing window and installation of window and door in side elevation at basement level to provide separate access to basement flat and erection of outbuilding in rear garden all in connection with existing flats (Class C3). (Part Retrospective).

Drawing Nos: Approved drawings (2012/5657/P): OS Map, 1035-(01)-01 Rev B, 1035-(01)-02 Rev B, 1035-(01)-03 Rev B, 1035-(01)-04 Rev B, 1035-(01)-05, 1035-(01)-06, 1035-(01)-07, 1035-(01)-08, 1035(01)-09 and 1035-(01)-10.

New documents (2021/1170/P): Site Location Plan LN93511. Planning Statement (Henry Planning).

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 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 of the London Borough of Camden Local Plan 2017.

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

Approved drawings (2012/5657/P): OS Map, 1035-(01)-01 Rev B, 1035-(01)-02 Rev B, 1035-(01)-03 Rev B, 1035-(01)-04 Rev B, 1035-(01)-05, 1035-(01)-06, 1035-(01)-07, 1035-(01)-08, 1035(01)-09 and 1035-(01)-10.

New documents (2021/1170/P): Site Location Plan LN93511. Planning Statement (Henry Planning).

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

- 4 The outbuilding hereby permitted shall be used only for the purposes incidental to the enjoyment of the existing flats, 88 Fordwych Road and shall not be used as an independent self-contained residential unit or for commercial purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and amenities of the area in accordance with policy A1 of the Camdn Local Plan 2021.

#### Informative(s):

- 1 Reasons for granting permission:

The application seeks to vary condition 4 of the approved planning application reference 2012/5657/P dated 21/12/2012. The amendment here seeks to vary the condition to allow all occupants of the host site address use of the rear garden office.

Previously only the occupier of Flat 1 had access to the rear garden studio, despite the rear garden being a communal space for all occupiers of No. 88 Fordwych Road.

The proposed minor variation is considered acceptable in this case given that all occupants already have access to the rear garden. The condition shall be altered to include other residential occupiers of No. 88, but will retain controls

which will ensure the continued protection of neighbouring amenity.

The outbuilding shall not be used as a self-contained residential unit and no commercial activity shall take place from the site.

The full impact of the scheme has been assessed under the application reference 2012/5657/P.

As such the proposed development is in general accordance with policy A1 of the London Borough of Camden Local Plan 2017, the Fortune Green and West Hampstead Neighbourhood Plan 2015, London Plan 2021 and the National Planning Policy framework 2021.

- 2 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) 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 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, 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.
- 4 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).

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 2021.

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', written in a cursive style.

Daniel Pope  
Chief Planning Officer