

Application ref: 2021/3999/P
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Date: 18 March 2022

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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:

**40 Ornan Road
London
NW3 4QB**

Proposal: Non-Material Amendment to application ref: 2019/6141/P dated 27/10/2021 for the "Erection of a ground floor front extension; conversion of the existing garage into a habitable room; erection of a ground floor rear extension including a green roof; excavation of a single storey basement below the host dwelling; erection of a garden room ..." namely to alter boundary wall and Tree Protection Measures.

Drawing Nos: Superseded: 623_PL_01; 623_PL_03; 623_PL_11; 623_PL_12;
Arboricultural Method Statement & Tree Protection Plan Rev 3

Approved: 623_PL_01 Rev A; 623_PL_03 Rev A; 623_PL_11 Rev A; 623_PL_12 Rev A;
Arboricultural Method Statement & Tree Protection Plan Rev 4b

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, condition no.3 of planning permission 2019/6141/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the

following approved plans [Design and Access Landscape Appendix; All Tree Plans; Arboricultural Report & Impact Assessment; Tree Schedule; Arboricultural Method Statement & Tree Protection Plan Rev 4b; 19100-001 P00; 19100-101 P00; 19100-102 P00; 19100-103 P00; 19100-104 P00; 19100-150 P00; 19100-151 P02; 19100-152 P01; 19100-153 P01; 19100-154 P00; 19100-200 P00; 19100-201 P00; 19100-202 P00; 19100-203 P00; 19100-250 P02; 19100-251 P02; 19100-252 P02; 19100-253 P00; 19100-255 P01; 19100-300 P00; 19100-350 P02; 623_PL_01 Rev A; 623_PL_02; 623_PL_03 Rev A; 623_PL_10; 623_PL_11 Rev A; 623_PL_12 Rev A; 10395 rev 3; MBP-7749-0110-P1].

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

Informative(s):

1 Reason for granting approval:

The non-material amendment application has been submitted to amend the approved northern boundary wall. The immediate off-site TPO ash tree had roots inside the application site, the application seeks to amend the design of the wall, albeit keeping the same height as approved, to account for and accommodate the findings of trial pits.

The revised layout and method statement is considered sufficient to demonstrate the tree will be adequately protected throughout development. There are also minor associated amendments to the surrounding landscaping to accommodate the need for an amended boundary wall. These amendments are considered to be acceptable.

The full impact of the scheme has already been assessed by virtue of the previous approval ref 2020/0874/P dated 24.08.20. In the context of the permitted scheme, it is considered that the amendment would not have any material effect on the approved development in terms of appearance and neighbour impact. It is considered that the changes are relatively minor in the context of the approved scheme and can therefore be regarded as a non-material variation of the approved scheme.

2 You are advised that this decision relates only to the changes highlighted on the plans and/or set out in the description and on the application form and shall only be read in the context of the substantive permission granted on 27/10/2021 under reference number 2019/6164/P and is bound by all the conditions attached to that permission.

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.

Yours faithfully



Daniel Pope
Chief Planning Officer

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