

Application ref: 2020/5230/P  
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Date: 22 July 2021

**Development Management**  
Regeneration and Planning  
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WC1H 9JE

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Donald Shearer Architects  
Unit 4, Scholars' House  
Shottery Brook Office Park  
Timothy's Bridge Rd  
Stratford-upon-Avon  
CV37 9NR

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:  
**9-11 Mansfield Road**  
**London**  
**NW3 2JD**

#### Proposal:

Variation of condition 3 (approved plans) of planning permission 2013/7934/P dated 27/10/2014 for the erection of a part 2-part 3-storey building, as amended by planning permission 2018/1872/P dated 01/05/2020 allowed under appeal reference APP/X5210/W/19/3236736 for (extending the height of the roof and depth of the side (west) parapet wall; replacement of the roof lights; replacement of the glazed roof slope to the side (west) elevations; installation of new roof light, re-location of the bin stores to the front (side) elevations; and alterations fenestration to the front and rear elevation, retrospective) Namely, use of part of second floor flat roof to the south as a terrace area including installation of glazed balustrade and planter screening.

#### Drawing Nos: Superseded drawings:

1110-BA-112 C; 1110-BA-113 C; 1110-BA-114 B; 1110-BA-115 B; 1110-BA- 116 B;  
1110-BA-117 B; 1110-BA-119 B, 120 B; 1110-BA- 121 B; 1110-BA-122 B; 1110-BA-  
124 B, 1110-BA-125 B; 1110-BA- 127 B; 1110-BA-128 B; 1110-BA- 129 B.

#### Proposed drawings:

1110-BA-112 REVE; 1110-BA-113 REVE; 1110-BA-114 REVE; 1110-BA-115 REVE;  
1110-BA-116 REVE; 1110-BA-117 REVE; 1110-BA-119 REVE; 1110-BA-120 REVE;  
1110-BA-121 REVE; 1110-BA-122 REVE; 1110-BA-124 REVE; 1110-BA-125 REVE;  
1110-BA-127 REVE; 1110-BA-128 REVE; 1110-BA-129 REVE.

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

Condition(s) and Reason(s):

1 Approved plans:

The development hereby permitted shall be carried out in accordance with the following approved plans: 1110-BA-112 REVE; 1110-BA-113 REVE; 1110-BA-114 REVE; 1110-BA-115 REVE; 1110-BA-116 REVE; 1110-BA-117 REVE; 1110-BA-119 REVE; 1110-BA-120 REVE; 1110-BA-121 REVE; 1110-BA-122 REVE; 1110-BA-124 REVE; 1110-BA-125 REVE; 1110-BA-127 REVE; 1110-BA-128 REVE; 1110-BA-129 REVE and Design and Access Statement prepared by Donald Shearer Chartered Architecture dated 11th November 2020; Code for sustainable Homes by BRE Global dated 14th April 2014 and Lifetime Homes Statement prepared by Donald Shearer Chartered Architecture 11th December 2013.

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

2 The details of secure and covered cycle storage area for 7 cycles as shown on the drawings hereby approved shall be provided in its entirety and permanently retained thereafter.

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.

3 The proposed bins within the site as shown approved drawings shall be provided in its entirety and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

4 The privacy screens, planters and glass balustrade to be fitted to the proposed second floor terrace shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In order to protect the amenity of residents in accordance with policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the 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 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings without the prior approval in writing of 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 G1, D1, and A1 of London Borough of Camden Local Plan 2017.

- 6 The planting on the 1st floor rear balconies shall be in accordance with plan nos 1110-BA-114 D and 1110-BA-128 E shall be permanently maintained and retained.

Reason: In order to protect the amenity of residents in accordance with policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the Local Plan 2017.

- 7 The flat roofs marked 'A and B' at 1st floor level shown on plan no 1110-BA-114 D and the flat roof marked 'C and D' at 2nd floor level shown on plan no 1110-BA-115 E shall not be used as roof terraces and shall be used for maintenance purposes only.

Reason: In order to protect the amenity of residents in accordance with policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the Local Plan 2017.

- 8 The use of the roof as a terrace shall not commence until the screen and planting as shown on the approved drawings, has been implemented. The privacy screen and planters shall be permanently retained and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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, 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 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.

- 4 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.

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  
Chief Planning Officer