



**BNP PARIBAS
REAL ESTATE**

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Direct dial: 02073384097
Mobile: 07912120453
Email: jeff.field@realestate.bnpparibas

Our ref: 208020

Online Submission

16 November 2022

Dear Sir/Madam,

Section 96A Town and Country Planning Act 1990 (as amended)

76 Fitzjohn's Avenue, London, NW3 5LS

Non-material Amendment Condition 6 in pursuant of permission granted 2017/1047/P

This submission is made by BNP Paribas Real Estate on behalf of Zain Naqi ("The Applicant") and relates to Condition 6 of planning permission 2017/1047/P, granted on 10 June 2019.

Application Context

The London Borough of Camden granted planning permission for various works as part of the 2017 Planning Permission, which has been subject to a Material Start:

"Creation of a single storey basement with light well front and rear, installation of 1 x AC unit within front garden, installation of 3 x roof lights, removal of 1 x palm tree from front garden, alterations to side elevation fenestration, alterations to rear ground floor patio doors and erection of a new fence in the front garden."

Recently, the Council granted approval of pre-commencement conditions:

- Approval of Condition 4 – Ground Investigations dated 28 September 2022 (ref 2022/1577/P)
- Approval of Condition 8 – Landscape Details dated 28 September 2022 (ref 2022/2440/P)

Application Content

This application comprises:

- Application Form; and,
- This Covering Letter

Explanation

Condition 6 adopts an unfortunate choice of wording and could be more precise, recognising that there are a number of elements to the application proposal. This application is therefore submitted to provide clarity to the original Decision Notice.

BNP Paribas Real Estate Advisory & Property Management UK Limited

Registered office: 5 Aldermanbury Square, London EC2V 7BP

Registered in England No. 4176965

www.realestate.bnpparibas.co.uk

ISO 9001
ISO 14001
BUREAU VERITAS
Certification



N° UK4518228/0 / UK4578228/E



008

Regulated by RICS





Condition 6 states:

No construction shall take place until a detailed design and method statement of all foundations and other development proposed below ground level which takes account of the nearby Network Rail asset, has been submitted to and approved by the local planning authority in consultation with the relevant rail infrastructure undertaker. The development shall thereafter be carried out in accordance with the approved design and method statements.

Reason: To ensure that the development does not impact on existing strategic infrastructure in accordance with the requirements of Policies A1 and T1 of the London Borough of Camden Local Plan 2017 and policies BA1 and BA3 of the Hampstead Neighbourhood Plan 2018.

As explained above, the applicant has satisfied the necessary pre-commencement conditions – these were worded as ‘Prior to commencement of any works on site’ (Condition 6), or ‘Prior to commencement of the relevant works’ (Condition 8).

We have taken Condition 6 to relate to the subterranean parts of the development (given its rational and focus) and we simply request that it is re-worded to provide this clarity. We suggest that Condition 6 is re-worded as follows and underlined:

No below ground works shall take place until a detailed design and method statement of all foundations and other development proposed below ground level which takes account of the nearby Network Rail asset, has been submitted to and approved by the local planning authority in consultation with the relevant rail infrastructure undertaker. The development shall thereafter be carried out in accordance with the approved design and method statements.

Summary

This application is straightforward. It was not intended to be a pre-commencement condition but one that related to the subterranean works. Our change simply makes this more accurate and precise.

I trust that this application contains sufficient information to allow Condition 6 to be amended. I would be grateful if you could confirm safe receipt at your earliest convenience, and please do not hesitate to contact me should you have any queries regarding this application.

Yours sincerely,

Jeff Field

Head of London Planning

For and on behalf of BNP Paribas Real Estate