

Application ref: 2022/2145/P
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Date: 24 March 2023

Development Management
Regeneration and Planning
London Borough of Camden
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London
WC1H 9JE

Phone: 020 7974 4444

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SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:

St Johns Lodge
The Studio
Harley Road
London
Camden
NW3 3BY

Proposal:

Substantial demolition of front, side and rear of existing building and re-modelling to form a new 4 storey 5 bedroom house with re-modelled front and rear hardstanding/garden including a bin store, bike store and air source heat pump in front of the new house.

Drawing Nos: Drawing Nos 244: 001 P01, 100 P01, 101 P01, 102 P01, 103 P01, 104 P01, 105 P01, 110 P01, 111 P01, 112 P01, 120 P01, 121 P01, 122 P01, 123 P01, 124 P01, 125 P01, 130 P01, 131 P01, 132 P01, 200 P03, 201 P02, 202 P02, 203 P02, 204 P02, 205 P02, 210 P01, 212 P01, 211 P02, 213 01, 214 P02, 215 P01, 220 P01, 221 P01, 222 P02, 223 P02

Design & Access Statement (Gianni Botsford Architects - September 2022), Daylight, Sunlight & Oveshadowing Assessment (EAL Consult - May 2022), Energy & Sustainability Assessment (EAL Consult - April 2022), Construction/Demolition Management Plan (Pro-forma), Flood Risk Assessment (EAL Consult - April 2022), Heritage Statement (HCUK Group - May 2022), Tree Survey, Arboricultural Implications Assessment & Arboricultural Method Statement (ROAVR Environmental - March 2022)

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 this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings/documents:

Drawing Nos 244: 001 P01, 100 P01, 101 P01, 102 P01, 103 P01, 104 P01, 105 P01, 110 P01, 111 P01, 112 P01, 120 P01, 121 P01, 122 P01, 123 P01, 124 P01, 125 P01, 130 P01, 131 P01, 132 P01, 200 P03, 201 P02, 202 P02, 203 P02, 204 P02, 205 P02, 210 P01, 212 P01, 211 P02, 213 01, 214 P02, 215 P01, 220 P01, 221 P01, 222 P02, 223 P02

Design & Access Statement (Gianni Botsford Architects - September 2022), Daylight, Sunlight & Oveshadowing Assessment (EAL Consult - May 2022), Energy & Sustainability Assessment (EAL Consult - April 2022), Construction/Demolition Management Plan (Pro-forma), Flood Risk Assessment (EAL Consult - April 2022), Heritage Statement (HCUK Group - May 2022), Tree Survey, Arboricultural Implications Assessment & Arboricultutal Method Statement (ROAVR Environmental - March 2022)

Reason:

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

- 3 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 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The brickwork from the demolished walls shall be re-used in the extension of the flank walls with the remainder re-used as hardcore on the site.

Reason: To reduce waste, save/re-use resources and reduce carbon emissions resulting from the disposal of materials and production of new bricks, in accordance with policies CC1 and CC2 of the Camden Local Plan 2017.

- 5 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Sample panel of brickwork including brickwork, glazed terracotta tiles and baguettes
- b) Detailed drawings showing how proposed baguettes will be affixed to the supporting framing at 1:2
- c) Elevations at 1:10 and sections through frames at 1:2 of all windows and glazed doors

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: In the interests of the character and appearance of the site and the Conservation Area in accordance with policies D1 and D2 of the Camden Local Plan 2017.

- 6 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Elevations at a scale of no less than 1:50 of the bins/bicycles/air source heat pump store
- b) Permeable paving blocks on front forecourt

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: In the interests of the character and appearance of the site and the Conservation Area in accordance with policies D1 and D2 of the Camden Local Plan 2017.

- 7 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 8 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of

landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5 (if including basement or lightwell) D1 [and D2 if in CA] of the London Borough of Camden Local Plan 2017.

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or prior to the occupation for the permitted use of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5 (if incl basement or lightwell) D1 [and D2 if in CA] of the London Borough of Camden Local Plan 2017.

- 10 Prior to commencement of development , full details in respect of the green roofs in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include :
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The green roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2(if CA or LB) and A3 of the London Borough of Camden Local Plan 2017.

- 11 Prior to the occupation of the development hereby approved, the cycle store shown on the Proposed Ground Floor Plan (244.201 P02) shall be provided. The cycle store shall be 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.

- 12 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA

where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 13 Prior to use, machinery, plant or equipment (i.e. Air Source Heat Pump) at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 14 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on achieving greenfield levels of runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 15 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The site comprises an existing house in a residential area and there are no 'in-principle' objections in land use terms to the residential development of the existing dwellinghouse.

Under part e. of policy CC1 of the Local Plan it is necessary to retain and improve the existing building where proposals for substantial demolition are put forward.

The redevelopment would include the retention of the flank walls and

foundations of the existing house. This would entail considerable carbon savings when compared with a proposal to wholly demolish and re-build the house. The Planning Statement indicates that the brickwork from the demolished walls is to be reused in the extension of the flank walls with the remainder re-used as hardcore. A planning condition is recommended to be attached accordingly, in the interests of the Council's policies for climate change mitigation and reducing carbon emissions.

In relation to the Elsworthy Conservation Area, the Council's policies and the NPPF require any development proposals to 'preserve and/or enhance' the significance of heritage assets. Where any harm is caused to the significance of a heritage asset, unless there are public benefits which outweigh the harm, development proposals should be resisted.

The existing building, which was built in the 1990's, does not make a positive contribution to the character and appearance of the Conservation Area. It is situated between two positive contributors (St John's Lodge and 1 Harley Road) but it does not share the architectural history of those two buildings.

The siting, scale, form and architectural design of the proposed dwelling would respect the spacial character of the townscape.

The height would be between the height of St John's Lodge and 1 Harley Road. A distinctive gap would be retained (as existing) to 1 Harley Road and the front and rear building lines would respect the configuration of the neighbouring houses and maintain the urban 'grain' of Harley Road (and King Henry's Road to the rear).

The architectural design would be distinctive. The remodelled house would have four storeys with the main building having steep sloping front and rear elevations formed by green glazed horizontal cladding strips. The existing three storey link with St John's Lodge would be glazed at the front (where it would be set back from the front elevation) and sloped at the rear, where it would also be faced with green glazed horizontal cladding strips.

The proposed design is clearly modern with its own identity but it will still be subservient to the neighbouring buildings. The vertical proportion of the façade given by the framing for the cladding, complemented by the horizontal emphasis of the cladding baguettes references the proportions of the flanking buildings.

The external cladding will be green in colour which references the importance of trees and gardens to the conservation area as well as creating greater distinctiveness compared with its neighbours. Historically this site would have been garden space with views through the gardens and trees of King Henry's Road so the proposed colour provides a subtle acknowledgement of this.

- 2 A condition to secure details of the brickwork, glazed terracotta tiles and baguettes, the construction method of the baguettes and elevations/sections of the windows and doors is recommended in the interests of the character and appearance of the Conservation Area.

The layout and treatment of the external areas would preserve the character and appearance of the townscape and Conservation Area. The existing hard surfaced forecourt would be replaced with permeable paving (details to be secured under a planning condition) and a store with a green roof provided to house bins, bicycles and an air source heat pump. Details of the store should also be secured under a planning condition in the interests of the character and appearance of the Conservation Area.

The proposed site plan and a landscaping plan indicate new planting at the front and rear of the site and green roofs (on the store at the front and on the three storey link). This is welcomed in accordance with the Council's policies for conservation, biodiversity and sustainability. However, details of the provision and retention of all landscaping and green roofs should be secured by way of a planning condition.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The proposed dwelling would comply with the nationally described Technical Housing Standards and the room sizes and layouts would provide a good quality of accommodation in accordance with policy H6.

The proposal would not result in any significant loss of amenity for any neighbouring occupiers. The new house would not project in front of or to the rear of St John's Lodge and there should be no undue overshadowing or overbearing/over-enclosing effects on any rooms or the garden at this site.

No new windows would be created on the boundary with this site, or any other adjoining site, such that there would be increased and unacceptable overlooking of any adjoining rooms or gardens.

The new house would extend further to the rear than the existing house and 7.5m beyond the rear elevation of 1 Harley Road. It would be 1.8m deeper than the existing house and 1.4m higher.

However, situated to the side of 1 Harley Road, the proposed massing and siting would not result in an unacceptable loss of outlook/aspect from the rear windows and garden at this site. The outlook towards the trees at the rear of this site and King Henry's Road to the rear would not be unduly affected.

The Sunlight & Daylight Assessment which accompanies the application confirms that daylight levels at all the rear facing rooms at 1 Harley Road (measured by the Vertical Sky Component) would remain the same with the development in place.

- 3 The same is true at St John's Lodge apart from the top window in the side elevation which would experience a minor (0.8%) reduction in Vertical Sky Component.

It is a similar story at the rear (157 King Henry's Road) where there would be

very minor (0.1% - 0.3%) reductions in Vertical Sky Component to 5 of the 13 windows on the rear elevation.

All of the facing windows at all of the immediately neighbouring properties (1 Harley Road, St John's Lodge and 157 King Henry's Road) would retain Annual and Winter Probable Sunlight Hours in excess of the recommended levels following the development.

The Sunlight/Daylight Assessment also confirms that more than 50% of the neighbouring rear gardens will receive the minimum of 2 hours of sunlight on the 21st March. No. 1 Harley Road itself is situated to the south of the application site and so the proposal would not obscure any sunlight to the garden at this site.

The use of the new dwelling and its external areas would not result in any significant increases in noise levels for neighbouring occupiers. However, operations during construction would have the potential for noise nuisance and disturbance. The Council seeks to control operations during construction through a Construction Management Plans (CMP). A CMP would also be required to ensure that there was no adverse impact on highway conditions (see below). A separate legal agreement would be required to secure the submission, approval and implementation of the CMP.

There would be no increase in 'on-site' parking and as such, the development is in accordance with the Council (and London Plan) policies for limiting car use in the interests of mitigating against carbon emissions. Additionally, a bicycle store for at least 2 bicycles is proposed in accordance with the cycle parking standards and the policies for promoting sustainable transport.

The requirement to prevent future occupiers from obtaining car parking permits, which relates to proposals for new dwellings, to reduce car use in the Borough, does not apply in this case, which relates to the re-modelling of an existing dwelling.

Given the large amount of demolition and construction works proposed, it is considered that a full Construction Management Plan and associated Implementation Support Contribution of £3,920 and Impact Bond of £7,500 be secured by means of a Section 106 Agreement.

Furthermore, it will be necessary to agree a highways contribution for re-paving the crossover and adjacent footway, which are likely to become damaged during the demolition and construction works. This contribution needs to be agreed with LB Camden Highways and secured by a legal agreement.

An Arboricultural Survey, Implications Assessment and Method Statement has been provided. No trees would be removed as a result of the development. The new dwelling would encroach slightly on the root protection of a Lime tree at the rear of 1 Harley Road and the paved forecourt would encroach on the root protection area of an Ash tree at St John's Lodge. It is proposed to tie in the foundations with the existing foundations so that there is no impact on the roots of the Lime and a no-dig cell web system is proposed on the new driveway.

A 'tree protection measures' condition is also proposed to ensure that adequate tree protection measures are put in place, and retained, during the course of the development.

As mentioned above, the proposed front and rear garden treatments and green roofs would preserve and enhance the character and appearance of the site and maintain/improve upon the green coverage and natural drainage potential at the site. However, conditions are necessary to secure the submission and approval of details and their retention thereafter.

- 4 Policy CC3 (Water and Flooding) of the Local Plan requires new development to seek to not increase flood risk and reduce the risk of flooding where possible. The policy calls for water efficiency measures and the utilisation of Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a greenfield run-off rate where feasible. Planning conditions are included to secure the submission, approval and implementation of these measures.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies H6, H7, A1, A3, D1, D2, T1, T3, CC1, CC2 and CC3 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 5 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).
- 6 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.
- 7 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) 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.

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:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer