

Application ref: 2022/4764/P
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Mr & Mrs Rory Brooks
298 Finchley Road
London
NW3 7AG
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**298 Finchley Road
London
NW3 7AG**

Proposal:

Demolition of the existing pool house and replacement with a two storey plus basement dwelling house (Class C3).

Drawing Nos: Planning Design and Access Statement prepared by Rory Brooks, Proposed First Floor Plan, no.298.01MM; Proposed Ground Floor Plan, no. 298.02MM; Proposed Basement Floor Plan, 298.03; Proposed basement structure, no. 298.04; Proposed Roof Plan, no. 298.05MM; Proposed Site Plan, no. 298.06MM; Proposed West Elevation, no. 298.07MM; Proposed East Elevation, no. 298.08MM; Proposed Section A-A, no. 298.10M; Proposed Section B-B, no. 298.11MM; Proposed North Elevation, no. 298.12MM; Proposed Long elevation, no. 298.29M; Existing pool house, no. 298.32; Topographic Map Existing, no. 298.36; Proposed Basement detail, no. 298.41; Proposed Ground Floor detail, no. 298.42; Location Plan, no. TQRQM22254152814788; Construction / Demolition Management Plan pro forma prepared by Rory Brooks; Surface Water Drainage Assessment, rev 1.0, prepared by LBHGEO dated 27/10/2022; Basement Impact Assessment, rev 1.0, prepared by LBHGEO dated 25/10/2022

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 plans Planning Design and Access Statement prepared by Rory Brooks, Proposed First Floor Plan, no.298.01MM; Proposed Ground Floor Plan, no. 298.02MM; Proposed Basement Floor Plan, 298.03; Proposed basement structure, no. 298.04; Proposed Roof Plan, no. 298.05MM; Proposed Site Plan, no. 298.06MM; Proposed West Elevation, no. 298.07MM; Proposed East Elevation, no. 298.08MM; Proposed Section A-A, no. 298.10M; Proposed Section B-B, no. 298.11MM; Proposed North Elevation, no. 298.12MM; Proposed Long elevation, no. 298.29M; Existing pool house, no. 298.32; Topographic Map Existing, no. 298.36; Proposed Basement detail, no. 298.41; Proposed Ground Floor detail, no. 298.42; Location Plan, no. TQRQM22254152814788; Construction / Demolition Management Plan pro forma prepared by Rory Brooks; Surface Water Drainage Assessment, rev 1.0, prepared by LBHGEO dated 27/10/2022; Basement Impact Assessment, rev 1.0, prepared by LBHGEO dated 25/10/2022

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 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) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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: 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 and Policy SD2 of the Redington and Frognal Neighbourhood Plan 2021

- 5 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 and policy BGI2 of the Redington and Frognal Neighbourhood Plan 2021

- 6 Prior to commencement of the development, the applicant will have constructed and implemented all the measures contained in the Sustainability Statement, titled Planning Design and Access Statement prepared by Rory Brooks, and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with Policies G1, C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017 and policy SD4 of the Redington and Frognal Neighbourhood Plan 2021

- 7 Before the development commences, details of secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of the new dwelling, 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.

- 8 The demolition hereby approved shall divert 85% of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to reducing waste and supporting the circular economy in accordance with the requirements of Policy CC1 of the London Borough of Camden Local Plan 2017.

- 9 The sustainable urban drainage system referenced in the document titled 'Surface Water Drainage System, rev 1, prepared by LBHGEO, dated 27/10/2022 and listed in condition 2 of this permission, 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.

- 10 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.

- 11 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, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies SD2, SD4 and SD5 of the Redington and Frognal Neighbourhood Plan 2021

- 12 No development shall take place until full details of privacy measures between the existing 'Croftway House' and proposed ancillary dwelling house, 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: Reason: To ensure that the development provides a reasonable standard of visual privacy between 'Croftway House' and proposed ancillary dwelling house, in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017 and policies SD2, SD4 and SD5 of the Redington and Frognal Neighbourhood Plan 2021

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) there shall be no improvement, alteration, removal or erection of any means of enclosures, other than as approved under this permission or other condition attached to it, without the prior written permission of the local planning authority.

Reason: To safeguard the visual amenity of the area, and the amenity space and privacy of occupiers, in accordance with policies G1, D1 and A1 of the

Camden Local Plan 2017 and policies SD2, SD4 and SD5 of the Redington and Frognal Neighbourhood Plan 2021

- 14 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment (Basement Impact Assessment, rev 1.0, prepared by LBHGEO dated 25/10/2022) hereby approved, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017 and policies UD1 of the Redington and Frognal Neighbourhood Plan 2021 .

- 15 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy A3 of the Camden Local Plan 2017.

- 16 During any internal or external demolition of buildings or any site clearance, a precautionary measure is required that all contractors are aware of potential roosting bats and that external features such as roof tiles and other features which may support bats (i.e. areas with cracks or holes providing access routes for bats) should be removed by hand. There is a required formalisation of a protocol as to the steps to be taken in the event that a bat or bats is/are found during the demolition works. Should bats or their roosts be identified then works must cease and the applicant will be required to apply for, and obtain, a European Protected Species Licence and submit proof of this to the authority before work recommences. Additionally they will be required to submit a method statement detailing features to be retained and added to site to maintain and replace roost and foraging features on the site.

Reason: In order to ensure the development safeguards protected and priority species in accordance with policy A3 of the Camden Local Plan 2017.

- 17 The proposed demolition or any site clearance should be undertaken outside the breeding bird season (i.e. it should be undertaken in the period September to January inclusive). Should it prove necessary to undertake demolition or clearance works during the bird nesting season, then a pre-works check for nesting birds should be undertaken by a qualified ecologist. If any active nests are found, works should cease and an appropriate buffer zone should be

established (the qualified ecologist would advise). This buffer zone should be left intact until it has been confirmed that the young have fledged and the nest is no longer in use.

Reason: In order to ensure the development safeguards protected and priority species in accordance with policy A3 of the Camden Local Plan 2017.

- 18 Basement construction works will be restricted to 9 am till 5.30 pm on weekdays. At no time shall there be any works on Saturdays, Sundays or public holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017 and policy UD2 of the Redington and Frognaal Neighbourhood Plan 2021

- 19 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and construction phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies G1, A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 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) 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 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

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-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



Daniel Pope
Chief Planning Officer