

Application ref: 2021/2793/P
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Date: 11 October 2023

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

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

Montagu Evans
70 St Mary Axe
London
EC3A 8BE
UK

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**5 Templewood Avenue
London
NW3 7UY**

Proposal:

Conversion of 3 existing units to provide 2 units (C3); erection of rear extension with terrace above and part replacement side extension; installation of plant enclosure to rear; excavation of single storey basement and car lift for 1 vehicle; hard and soft landscaping works; and alterations to fenestration on all elevations

Drawing Nos: 1046-S01; 1046-S02; 1046-S03; 1046-S04; 1046-S05; 1046-S06; 1046-S07; 1046-S08 (Rev A); 1046-S09; 1046-S10; 1046-S11; 1046-S12; 1046-S13; 1046-AP01 (Rev D); 1046AP02 (Rev C); 1046-AP03 (Rev E); 1046-AP04; 1046-AP05; 1046-AP06; 1046-AP07; 1046-AP08 (Rev D); 1046-AP09 (Rev C); 1046-AP10 (Rev A); 1046-AP11 (Rev A); 1046AP12 (Rev A); 1046-AP13; 1046-S14 (Location Plan); 1046-AP15

Planning, Heritage, Design and Access Statement Prepared by Montagu Evans LLP in association with Brod Wight Architects dated February 2017; February 2017 Daylight and Sunlight dated 12/05/2017 (prepared by GIA); Historic Environment Desk-Based Assessment (Heritage Statement) Archaeology South-East Issue 3 (dated October 2016); Environmental Noise Assessment prepared by Acoustics Plus dated 10/10/2016; Report on the impact on trees of proposals for development at 5 Templewood Avenue prepared by John Cromar's Arboricultural Company Limited dated 24th January; Letter from John Cromar's Arboricultural Company Limited to Brod Wight Architects dated 17th May 2017; Basement Impact Assessment (BIA) dated November 2016 by Chelmer Consultancy Services; Structural Engineering Report

(SER) and Subterranean Construction Method Statement dated December 2016 by Elliot Wood; M&E Services and Sustainability Report, ref JB/625 dated January 2017 by ME7 Ltd; Outline Substructure Temporary Works Sketches (SK/TW/01-04) rev P1 dated June 2017 by Elliott Wood Partnership Ltd; Cover letter prepared by Montagu Evans (dated 8 June 2021); Policy Addendum from Montagu Evans (Dated 27 August 2021)

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 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies SD2, SD4 and SD6 of the Redington Froggnal Neighbourhood Plan (2021).

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 1046-S01; 1046-S02; 1046-S03; 1046-S04; 1046-S05; 1046-S06; 1046-S07; 1046-S08 (Rev A); 1046-S09; 1046-S10; 1046-S11; 1046-S12; 1046-S13; 1046-AP01 (Rev D); 1046-AP02 (Rev C); 1046-AP03 (Rev E); 1046-AP04; 1046-AP05; 1046-AP06; 1046-AP07; 1046-AP08 (Rev D); 1046-AP09 (Rev C); 1046-AP10 (Rev A); 1046-AP11 (Rev A); 1046-AP12 (Rev A); 1046-AP13; 1046-S14 (Location Plan); 1046-AP15

Planning, Heritage, Design and Access Statement Prepared by Montagu Evans LLP in association with Brod Wight Architects dated February 2017; February 2017 Daylight and Sunlight dated 12/05/2017 (prepared by GIA); Historic Environment Desk-Based Assessment (Heritage Statement) Archaeology South-East Issue 3 (dated October 2016); Environmental Noise Assessment prepared by Acoustics Plus dated 10/10/2016; Report on the impact on trees of proposals for development at 5 Templewood Avenue prepared by John Cromar's Arboricultural Company Limited dated 24th January; Letter from John Cromar's Arboricultural Company Limited to Brod Wight Architects dated 17th May 2017; Basement Impact Assessment (BIA) dated November 2016 by Chelmer Consultancy Services; Structural Engineering Report (SER) and Subterranean Construction Method Statement dated December 2016 by Elliot Wood; M&E Services and Sustainability Report, ref JB/625 dated January 2017 by ME7 Ltd; Outline Substructure Temporary Works Sketches (SK/TW/01-04) rev P1 dated June 2017 by Elliott Wood Partnership Ltd; Cover letter prepared by Montagu Evans (dated 8 June 2021);

Reason:

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

- 4 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant and mitigation measures as specified. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA 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. Approved details shall be implemented prior to occupation of the development 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 plant/mechanical installations in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017.

- 5 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies A1 and A5 of the Camden Local Plan 2017 and policy UD1 of the Redington Frogna! Neighbourhood Plan (2021).

- 6 The development hereby approved shall be carried out strictly in accordance with the BIA compiled by Chelmer Consultancy Services dated November 2016 and the recommendations in the Campbell Reith Audit dated August 2017 specifically insofar as it relates to a detailed works programme, condition surveys of neighbouring properties, movement monitoring and trigger values, trial pitting, groundwater monitoring, protection of the party wall, and boundary drainage.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the Camden Local Plan 2017 and policy UD1 of the Redington Frogna! Neighbourhood Plan (2021).

- 7 The cycle storage for 4 cycles as shown on drawing no.1046-AP14 shall be provided in its entirety prior to the first occupation of any of the new units, 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 All hard and soft landscaping works, including but by no means limited to the soft landscaped area of the front driveway, shall be carried out in accordance with the approved landscape details prior to the occupation of the development. Any trees or areas of planting 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, T1, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies SD2, SD4, SD5, BG1 and BG2 of the Redington Froggnal Neighbourhood Plan (2021).

- 9 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 10 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

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 and A3 of the London Borough of Camden Local Plan 2017 and policies SD2, SD4, SD5, BG1 and BG2 of the Redington Froggnal Neighbourhood Plan (2021).

- 11 The window to the swimming pool area on the southwest elevation at lower ground floor level shall be obscure glazed and fixed shut. The window shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To prevent unreasonable overlooking to the lightwell area associated with the 2-bed unit in accordance with policy A1 of the Camden Local Plan 2017.

- 12 The rooflight on the flat roof element of the main roof shall be obscure glazed and shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To prevent unacceptable levels of light spillage at high level in accordance with the requirements of D1 and D2 of the 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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to
CIL@Camden.gov.uk

- 3 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.
- 4 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.

- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 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-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 in the upper left corner of the page.

Daniel Pope
Chief Planning Officer