

Application ref: 2023/0207/P
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Date: 29 November 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

Savills
33 Margaret Street
London
W1G 0JD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Ames House
26 Netherhall Gardens
London
NW3 5TL

Proposal:

Erection of 3 storey side extension to provide 3 self-contained flats with front cycle and refuse stores, following demolition of existing 2 storey side garage extension and 1- bed flat.

Drawing Nos: P-100 Rev. 1; P-110 Rev. 1; P-200 Rev. 1; P-201; P-202 Rev. 1; P-210 Rev. 1; P-211 Rev. 1; P-212 Rev. 1; P-213 Rev. 1; P-300 Rev. 3; P-301 Rev. 3; P-302 Rev. 1; P-303 Rev. 2; P-340 Rev. 1; P-341 Rev. 3; P-342 Rev. 2; P-343 Rev. 2; P-344 Re. 1; P-351 Rev. 3; P-500 Rev. 1; Arboricultural Report (prepared by Crown Tree Consultancy, dated 11/10/2022); Bat Emergence and Re-entry Surveys (prepared by Arbtech, dated 23/06/2023); Daylight and Sunlight Report (Neighbouring Properties) (prepared by Right of Light Consulting, dated 09/08/2023); Daylight and Sunlight Report (Within Development) (prepared by Right of Light Consulting, dated 15/11/2022); Design and Access Statement (prepared by TG Studio, dated 19/12/2022); Email received from Savills dated 30/08/2023; Energy Statement (prepared by The Design Collective, dated December 2022); Environmental Noise Assessment ref. 104461A.ad.Issue1 (prepared by Acoustics Plus, dated 27/03/2023); Nesting Bird Scoping Note (prepared by Greengage); Planning Statement (prepared by Savills); Preliminary Roost Assessment (prepared by Arbtech, dated 14/12/2022); Structural Report (prepared by SR Brunswick, dated October 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:

P-100 Rev. 1; P-110 Rev. 1; P-200 Rev. 1; P-201; P-202 Rev. 1; P-210 Rev. 1; P-211 Rev. 1; P-212 Rev. 1; P-213 Rev. 1; P-300 Rev. 3; P-301 Rev. 3; P-302 Rev. 1; P-303 Rev. 2; P-340 Rev. 1; P-341 Rev. 3; P-342 Rev. 2; P-343 Rev. 2; P-344 Re. 1; P-351 Rev. 3; P-500 Rev. 1; Arboricultural Report (prepared by Crown Tree Consultancy, dated 11/10/2022); Bat Emergence and Re-entry Surveys (prepared by Arbtech, dated 23/06/2023); Daylight and Sunlight Report (Neighbouring Properties) (prepared by Right of Light Consulting, dated 09/08/2023); Daylight and Sunlight Report (Within Development) (prepared by Right of Light Consulting, dated 15/11/2022); Design and Access Statement (prepared by TG Studio, dated 19/12/2022); Email received from Savills dated 30/08/2023; Energy Statement (prepared by The Design Collective, dated December 2022); Environmental Noise Assessment ref. 104461A.ad.Issue1 (prepared by Acoustics Plus, dated 27/03/2023); Nesting Bird Scoping Note (prepared by Greengage); Planning Statement (prepared by Savills); Preliminary Roost Assessment (prepared by Arbtech, dated 14/12/2022); Structural Report (prepared by SR Brunswick, dated October 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Detailed drawings / samples of materials

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 including windows

and door frames and roof tiles (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site) with a sample panel of not less than 1m by 1m demonstrating, the proposed colour, texture, face-bond and pointing of brickwork.

c) Typical details of new railings at a scale of 1:10 including materials and finish.

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.

- 5 Prior to first use of the air source heat pumps hereby approved, detailed drawings of the acoustic enclosure, including materials, colour and finish, shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be thereafter built in accordance with the approved details.

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.

6 Brickwork

Before the brickwork is commenced, a sample panel (1m by 1m) of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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.

- 7 No development except for demolition 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. Such details shall include details of replacement tree planting and any proposed earthworks including grading, mounding and other changes in ground levels. 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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 8 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to the occupation for the permitted use of the development or any phase of the development. 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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 9 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" and shall include a schedule of arboricultural monitoring throughout the duration of development. 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.

- 10 Green roof

Prior to commencement of the relevant part, full details in respect of the living roof above the cycle store 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 living 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 CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 11 Cycle store

Prior to occupation of the development hereby approved, details of secure and covered cycle storage area for 6 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 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.

- 12 Prior to use of the installation, details of the external noise level emitted from the hereby approved air source heat pumps, a site specific lifetime maintenance strategy, and mitigation measures as specified in acoustic report submission ref: 104461A.ad.Issue1, shall be submitted to and approved by the local planning authority. The measures shall ensure that the external noise level emitted from the installation will be lower than the typical background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS 4142:2014 "Methods for rating and assessing industrial and commercial sound" 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 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 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 first use of the air source heat pumps hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pumps shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC2 of the London Borough of Camden Local Plan 2017.

- 15 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building, including an overshadowing assessment, shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems and a site specific lifetime maintenance strategy. The cells shall be

installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

16 Noise insulation

The development shall be constructed with an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 10dB above the Building Regulations value, for all floor/ceiling structures separating different types of rooms in adjoining dwellings, namely the bedrooms of Flat 2 above the living room of Flat 1, and the living rooms of Flats 2 and 3 above bedrooms of Flats 1 and 2.

The sound insulation measures shall be installed prior to first occupation of the residential units and shall be permanently retained thereafter.

Reason: To ensure that the amenity of occupiers of the development is not adversely affected by noise from elsewhere within the development, in accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

17 Before the relevant part of the work is begun, details of the elevation, height, and species to be supported for two integrated bird boxes 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 the London Plan 2021 and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

18 Bat / Bird report compliance

The development shall not be carried out other than in accordance with the methodologies, recommendations and requirements of the Bat Emergence and Re-entry Surveys report prepared by arbtech dated 23/06/2023, the Preliminary Roost Assessment prepared by arbtech dated 14/12/2022, and the Bird Scoping Note prepared by Greengage.

Reason: In order to safeguard protected and priority species, in accordance with the requirements of the London Plan (2016) and policy A3 of the London Borough of Camden Local Plan 2017.

19 Bat survey

If more than 2 years elapse between the previous bat survey and the due commencement date of works, an updated bat survey shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted

and approved in writing by the Local Planning Authority before construction works commence on site. The mitigation measures shall be implemented in full in accordance with the agreed time scales.

Reason: In order to protect wildlife habitats and biodiversity, in accordance with the requirements of policy A3 of the London Borough of Camden Local Plan 2017.

- 20 The first and second floor roof terraces hereby approved shall not be used or accessed, other than for emergency egress, until the privacy screens shown on drawings P-341 Rev. 3, P-342 Rev. 2, and P-343 Rev. 2 have been fully installed. The approved privacy screens shall thereafter be retained for the duration of the development.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with policy A1 of the Camden Local Plan 2017.

- 21 The development hereby approved shall be constructed in accordance with the approved energy statement (Energy Statement prepared by The Design Collective, dated December 2022) to achieve an 85% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to, a changing climate in accordance with policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 22 Water efficiency

The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, and 5 litres/person/day for external water use. 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 and CC3 of the London Borough of Camden Local Plan.

- 23 The waste / recycling store hereby approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policies CC5 and A1 of the London Borough of Camden Local Plan 2017.

- 24 Part M4(2) compliance

Flat 1, as indicated on plan numbers hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local

Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the London Borough of Camden Local Plan.

- 25 No excavation shall commence until the following have been submitted to and approved in writing by the local planning authority:
- a) an updated structural report showing the proposed methods of excavation, temporary propping, and construction for review by Campbell Reith or an alternative consulting engineer as selected by the local planning authority.
 - b) Details of the appointment of a suitably qualified chartered engineer with membership of the appropriate professional body to inspect, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration.

The works shall be undertaken in accordance with the approved details and any subsequent change or reappointment of the supervising chartered engineer shall be confirmed forthwith for the duration of the construction works.

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.

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 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.
- 5 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 6 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 8 The development hereby approved involves construction of foundations close to neighbouring boundary walls. Structural impacts are a civil matter and the development will 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 contact the neighbouring property owners as soon as possible and consult a suitably qualified and experienced Building Engineer.
- 9 Thames Water - Waste

The proposed development is located within 15 metres of Thames Waters

underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

10 Thames Water - Surface Water Drainage

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

11 Thames Water - Water

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

12 Tree and vegetation felling should be undertaken outside of the main bird nesting season (March-August). If this is not possible, an Ecological Clerk of Works should check areas to be cleared to determine if nesting birds are present. Any area containing nesting birds will need to be retained until an ECoW confirms nesting has ended.

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