

Application ref: 2023/2134/P  
Contact: Brendan Versluys  
Tel: 020 7974 1196  
Email: [Brendan.Versluys@camden.gov.uk](mailto:Brendan.Versluys@camden.gov.uk)  
Date: 10 January 2024

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Montagu Evans  
70 St Mary Axe  
London  
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:

**1 Templewood Avenue  
London  
NW3 7UY**

Proposal:

Demolish existing garage and erect a 2 storey house, including the erection of associated cycle storage and refuse enclosures, set behind the front boundary wall to be extended and to incorporate a new pedestrian entrance with a metal gate

Drawing Nos: 1705\_PL\_07\_123, rev P01; 1705\_PL\_07\_122, rev P01;  
1705\_PL\_07\_121, rev A; 1705\_PL\_07\_120, rev P01; 1705\_PL\_07\_100, rev P01;  
1705\_PL\_05\_103, rev P01; 1705\_PL\_05\_102, rev P01; 1705\_PL\_05\_101, rev P01;  
1705\_PL\_05\_100, rev P01; 1705\_PL\_04\_123, rev P01; 1705\_PL\_04\_122, rev P01;  
1705\_PL\_04\_121, rev P01; 1705\_PL\_04\_120, rev P01; 1705\_PL\_03\_123, rev P01;  
1705\_PL\_03\_122, rev P01; 1705\_PL\_03\_121, rev P01; 1705\_PL\_03\_120, rev P01;  
1705\_PL\_03\_100, rev P01; 1705\_PL\_03\_001, rev P01; 1705\_PL\_00\_103, rev P01;  
1705\_PL\_00\_102, rev P01; 1705\_PL\_00\_101, rev P01; 1705\_PL\_00\_100, rev P01;  
Design and Access Statement prepared by Nick Evans, PL.1.3, dated May 2022;  
Proposed Area Schedule, rev Planning; Energy Statement volume 2 prepared by iTS  
Consultancy, dated 17/05/2023; Daylight and Sunlight Report prepared by Delva  
Patman Redler, reference 23052/CH, dated 20/03/2023; Arboricultural Impact  
Assessment prepared by Elemental, reference 220402\_AIA, issue 3, dated  
11/10/2023; Construction Method Statement prepared by Conisbee, version 2,  
reference 220779, dated February 2023; Preliminary Ecological Appraisal prepared by  
Optimis Consulting, reference ECO37, dated 21/10/2022; Planning Statement

prepared by Montagu Evans LLP, dated May 2023; Flood Risk Assessment and Surface Water Drainage Strategy, version 2, reference 220779/A, dated 22/05/2023; Heritage Statement prepared by Montagu Evans LLP, dated May 2023; 220779-CON-XX-00-DR-C-1000, rev P2; Tree Survey Report prepared by Elemental, reference 220402\_TCA, dated 13/02/23; Ground Investigation & Basement Impact Assessment prepared by GEA, rev 0, dated February 2023; Response regarding BIA, Montagu-Evans, received 18/09/2023; Technical Response to LLFA Planning Comments, prepared by Conisbee, reference 220779/A, dated 24/07/2023; Plant Noise Assessment prepared by Acoustics Central, reference 20230609-0 R1, version V1.1, dated 29/06/2023

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:

1705\_PL\_07\_123, rev P01; 1705\_PL\_07\_122, rev P01; 1705\_PL\_07\_121, rev A; 1705\_PL\_07\_120, rev P01; 1705\_PL\_07\_100, rev P01; 1705\_PL\_05\_103, rev P01; 1705\_PL\_05\_102, rev P01; 1705\_PL\_05\_101, rev P01; 1705\_PL\_05\_100, rev P01; 1705\_PL\_04\_123, rev P01; 1705\_PL\_04\_122, rev P01; 1705\_PL\_04\_121, rev P01; 1705\_PL\_04\_120, rev P01; 1705\_PL\_03\_123, rev P01; 1705\_PL\_03\_122, rev P01; 1705\_PL\_03\_121, rev P01; 1705\_PL\_03\_120, rev P01; 1705\_PL\_03\_100, rev P01; 1705\_PL\_03\_001, rev P01; 1705\_PL\_00\_103, rev P01; 1705\_PL\_00\_102, rev P01; 1705\_PL\_00\_101, rev P01; 1705\_PL\_00\_100, rev P01; Design and Access Statement prepared by Nick Evans, PL.1.3, dated May 2022; Proposed Area Schedule, rev Planning; Energy Statement volume 2 prepared by iTS Consultancy, dated 17/05/2023; Daylight and Sunlight Report prepared by Delva Patman Redler, reference 23052/CH, dated 20/03/2023; Arboricultural Impact Assessment prepared by Elemental, reference 220402\_AIA, issue 3, dated 11/10/2023; Construction Method Statement prepared by Conisbee, version 2, reference 220779, dated February 2023; Preliminary Ecological Appraisal prepared by Optimis Consulting, reference ECO37, dated 21/10/2022; Planning Statement prepared by Montagu Evans LLP, dated May 2023; Flood Risk Assessment and Surface Water Drainage Strategy, version 2, reference 220779/A, dated 22/05/2023; Heritage Statement prepared by Montagu Evans LLP, dated May 2023; 220779-CON-XX-00-DR-C-1000, rev P2; Tree Survey Report prepared by Elemental, reference 220402\_TCA, dated 13/02/23; Ground Investigation & Basement Impact Assessment prepared by GEA, rev 0, dated February 2023; Response regarding BIA, Montagu-Evans, received 18/09/2023; Technical Response to LLFA Planning Comments,

prepared by Conisbee, reference 220779/A, dated 24/07/2023; Plant Noise Assessment prepared by Acoustics Central, reference 20230609-0 R1, version V1.1, dated 29/06/2023

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

- 3 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) Manufacturer's specification details of all facing materials, including the boundary wall (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.

- 4 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 the London Plan (2016) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

- 5 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason: To ensure that the amenities of future occupiers are protected in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 6 Prior to commencement of site works (other than demolition), details, drawings and data sheets showing the location, Seasonal Performance Factor of at least 2.5 and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, 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. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The equipment 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 policy CC1 of the London Borough of Camden Local Plan 2017.

- 7 Prior to commencement of site works (other than demolition) , full details in respect of the living roof 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 and other features of value to biodiversity

Details are to be consistent with the Green Roof Organisation (GRO) Code.

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 G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 8 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.

- 9 Prior to commencement of site works (other than demolition) full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be submitted to and approved by the local planning authority in writing. Details of soft landscaping are to comprise native species and species identified of value to biodiversity such as those on Royal Horticultural Societies' Plants for Pollinators list. 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

- 10 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 any phase 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 11 Prior to occupation of any relevant part of the development, the applicant will have constructed and implemented all the measures contained in the Energy Statement prepared by iTS, v2, dated 17/05/2023, 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.

- 12 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment (Ground Investigation & Basement Impact Assessment, prepared by GEA dated February 2023, rev 0) 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.

- 13 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, 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. 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 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.

- 14 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 proposal involves the removal of the existing garage at the north-eastern end of the site, and construction of a new three-level dwelling in its place.

The existing garage is heavily overgrown with vegetation and does not contribute to the character or appearance of the area and streetscape, as such its removal would not cause any harm.

The proposed building is designed with a relatively low profile, being partly built into the existing slope at the site, and would be heavily obscured by existing and proposed vegetation. The bulk of the building would therefore have a limited visibility from and impact on the streetscape and wider neighbourhood.

The proposed building is designed with a modest footprint and occupy approximately a third of the existing garden. Being positioned at the far end of the site in the footprint of the existing garage and sheds, would not result in a perception of overdevelopment at the site, nor significantly erode the sense of openness of the garden. The small footprint of the house, together with the orientation of the building means that the main bulk of the building is away from the street frontage. By removing the existing drive and raising the garden level back to its original level it means that the proposed lower ground floor level is largely hidden from view and only a narrower, pedestrian opening is visible in the boundary wall.

The cladding materials for the building, including rough cut stone and light weight timber cladding, are reminiscent of materials used to form garden structures and retaining walls and would complement the garden character of the site. The proposed bike and bin store would be set behind the new boundary wall with minimal impact to the street setting. The extended boundary wall, with new metal gate, would complement and comfortably integrate within the existing road frontage treatment.

The discreet appearance of the building with no fenestration on the visible part from the street combined with the use of timber cladding and a green roof are appropriate in this garden setting. As such, the new house would preserve and enhance the character of the conservation area.

While the proposal would require the removal of a number of trees at the site, care has been taken to minimise tree removal. Trees to be removed at the site are generally lower quality in terms of their contribution to the setting of the site and the wider area. The trees together do have a cumulative ecological value, however the ecological value lost can be mitigated through the provision of replacement planting. The works will be undertaken in accordance with arboricultural works to minimise impacts and protect the trees to be retained.

The removal of existing trees and landscaping would be balanced through the removal of the existing driveway, with the proposed landscaping at the front of the site and replacement with a narrower pedestrian accessway, in part reinstates the garden character at this part of the property. The proposed landscaping would be secured by a condition of consent. Proposed replacement planting would comprise native species and species identified of value to biodiversity. The provision of a green roof over the new dwelling, along with new bird and bat boxes, to be secured by conditions of consent, would also assist in mitigating biodiversity outcomes for the site.

- 2 The proposed development would provide adequate cycle parking, with the new bin store being suitable to accommodate to bicycles. The proposed dwelling would be secured as on-street Residents parking permit (car) free through a s106 agreement. In terms of construction traffic effects, a Construction Management Plan and associated Implementation Support Contribution and Impact Bond, to be secured by a s106 agreement, would be appropriate in mitigating the temporary effects of construction work on the transport network. Lastly, a highways contribution for repaving the footway adjacent to the site and removing the crossover and reinstating the footway over, would also be secured by a s106 agreement.

With regard to basement works, it is unlikely groundwater would be encountered during the excavation. If groundwater is encountered, a contingency can be made to implement sump pumping to account for groundwater. Adequate provision is made for drainage, with surface water to be attenuated before it is discharged to the sewer network. Contiguous pile walls and retaining structure have been designed to maintain the stability of the surrounding ground, with temporary propping being implemented during the construction phase. damage to neighbouring properties through the excavation works, will be within Category 0 - negligible of the Burland Scale and therefore acceptable. The proposal is supported by a Basement Impact Assessment which has been audited by the Council's third party structural engineers. The audit confirms the excavation would not cause harm to the structural stability of the host and neighbouring buildings, the natural environment and local amenity including the water environment, ground conditions and biodiversity, in line with Policy A5 and CPG Basements.

In summary, the works will not harm the character and appearance of the host

building, streetscene and conservation area. 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.

With regard to noise effects, the applicant's submitted noise assessment report indicates that the proposed air source heat pump, being enclosed within an acoustic enclosure, should be capable of achieving the proposed environmental noise criteria with specified noise mitigation at the nearest and potentially most affected noise sensitive receivers. In addition, the noise levels from the proposed outdoor living area would be within acceptable levels.

The Council's Environmental Health Officer is satisfied that the submitted acoustic submission should meet Camden Local Plan 2017 guidelines. Therefore, the air condenser units are acceptable in environmental health terms. Conditions of consent are proposed which would ensure the plant met noise and vibration criteria.

The proposed floor area of 138m<sup>2</sup> would be in excess of the minimum 102m<sup>2</sup> floor area, for a 3 x bedroom, 6 x person dwelling under the of the National Space requirements. Full height sliding doors in combination with the openness of the courtyard area and the addition of rooflights, would ensure the habitable rooms receive adequate sunlight and daylight.

- 3 With regard to general external amenity effects, although there is an increased scale of the proposed building in comparison to the existing one, the proposed building would not result in a noticeable reduction in sunlight or daylight levels to existing buildings within adjacent properties. Specifically with regard to 3 Templewood Avenue, there would be a notable loss of sunlight through a secondary kitchen window, however the overall kitchen space would not experience a noticeable alteration in daylight levels. Overall, the development would have a negligible effect on daylight levels to this property and all habitable rooms will remain well-lit in the post development condition.

Given the separation distances from outdoor living spaces and habitable windows of adjoining properties, the design of the proposed building being partly built into the existing landform, and existing and proposed vegetation and boundary treatments obscuring views from the proposed dwelling, the proposal would not cause an adverse impact in terms of increased overshadowing or overlooking to adjacent properties, in particular their outdoor living spaces.

In terms of sustainability outcomes, the existing garage is in poor condition and the public benefits of providing a new dwelling, provides adequate justification for the demolition of the garage and replacement with the new building. Council's Sustainability Officer has reviewed the proposal and confirmed the submitted energy strategy provides for a good reduction in onsite carbon and is acceptable. The non-provision of solar panels is acceptable due to the nature of the site being overshadowed by trees (to be retained). The proposal for a green roof will mitigate stormwater runoff at the site and provide for biodiversity outcomes. As the basement will be built into the topography of the site with all thresholds considerably raised from road level, the risk of flooding to the



basement is negligible.

Policy H4 indicates that where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing. As the proposal involves a new dwelling, the applicant has agreed to making a payment-in-lieu of affordable housing. Payment of the affordable housing contribution would be secured via a s106 legal agreement.

Construction impacts will be temporary in nature and as the site is located in an urban area, construction noise and impacts on the traffic network are anticipated as part of the development of sites. An informative is attached reminding the consent holder of the standard hours of building works which are controlled under the Control of Pollution Act.

Due to the amount of demolition and construction, to minimize the impact on the highway infrastructure and neighbouring community, a Construction Management Plan (CMP) would need to be submitted to and approved by Council prior to the commencement of works. A CMP will be secured via a s106 legal agreement.

No objections were received prior to making this decision. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A3, A4, A5, D1, D2, CC1, CC2, CC3 and T1, T2 of the Camden Local Plan 2017, and policies SD 2, SD 3, SD 4, SD 5, BGI 2, UD 1 and UD 2 of the Redington and Frognal Neighbourhood Plan 2021. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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 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](http://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.

- 8 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>.
- 9 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.

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