

Application ref: 2023/1849/P
Contact: Brendan Versluys
Tel: 020 7974 1196
Date: 5 January 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH
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Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
Light Industrial Estate Redevelopment Site
Liddell Road
London
NW6 2DJ

Proposal:

DECISION
Variation of condition 2 (approved plans) of planning permission 2014/7651/P dated 14/04/2015 (for: Phase 2 of comprehensive, mixed-use redevelopment involving the construction of three new buildings: Block A (5 storeys) to provide 3,700 sqm (GIA) of mixed commercial use (Class B1), Block B (11 storeys) and Block C (5 storeys) to provide 106 mixed tenure residential units (Class C3) and associated public realm landscaping works.). Changes include to relocate 50 cycle storage spaces from the internal cycle storage areas at Block C to the front gardens of Block C (south elevation), replace the winter gardens as part of the Block C ground floor units with bike boxes and decking, and reallocate an amenity area for Block C as a biodiversity space.

Drawing Nos: Superseded Plans: MLA / 403 / P2 170, rev A; C-DR-A-05-0002PL, rev P1;

Proposed Plans: BM-BC-XX-DR-A-90-0011, rev C05; BM-BC-XX-DR-A-90-0014, C4; BM-BC-XX-DR-A-90-0015, C2; BM-BC-XX-DR-A-90-0016, rev C2; BM-XX-XX-DR-A-90-0010, rev C06; BM-BC-XX-DR-A-90-0020, rev C01; BM-BC-XX-DR-A-90-0021, rev C01; BM-BC-XX-DR-A-90-0022, rev C01; BM-BC-XX-DR-A-90-0023, rev C01; BM-BC-XX-DR-A-90-0020, rev C01; Secure Cycle Shelter with Green Roof plan prepared by Quanto; BIKE BOXES ALLOCATION PLAN - GROUND FLOOR UNITS, dwg. no. LR_05_001_BIKE

BOXES; BM-BC-00-DR-A-03-0000, rev C8; 3223_051, rev D; 3223_072, rev D; 3223_052, rev D; 3223_071, rev D.

Supporting documents: Cover letter prepared by Icen Projects dated 2/05/2023

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

1 Condition left intentionally blank.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawings:

Architectural drawing; No's (all prefixed "MLUK/403/P2/"):

Site Location Plan (002), 006, 007, 010, 011, 012, 013, 070 A, 071 A, 072 A, 080 A, 081 A, 082 A, 083 A, 084 A, 085 A, 140, 141, 142, 143, 144, 145, 150 A, 151 A, 152 A, 153 A, 154 A, 155 A, 156 A, 157 A, 158 A, 161, , 175, 240, 250 A, 270 A, 540, 541, 550, 551, 552 A, 570 A, 571 A. 35536-A-DR-A-05-0000PL; 35536-A-DR-A-05-0001PL; 35536-A-DR-A-05-0002PL; 35536-A-DR-A-05-0003PL; 35536-B-DR-A-05-0000PL; 35536-B-DR-A-05-0001PL; 35536-B-DR-A-05-0002PL; 35536-B-DR-A-05-0003PL; 35536-C-DR-A-05-0000PL; 35536-C-DR-A-05-0001PL;; 35536-C-DR-A-05-0003PL; BM-BB-09-DR-A-03-0009PL Rev P1; BM-BB-10-DR-A-03-0010PL Rev P1; BM-BC-01-DR-A-03-0001PL Rev P1; BM-BC-02-DR-A-03-0002PL Rev P1; BM-BC-03-DR-A-03-0003PL Rev P1; BM-BC-04-DR-A-03-0004PL Rev P1

Landscape drawing; No's (all prefixed "KL037."):

D.01.LP.RevG; D.01.LP2.RevC; D.02.TP.RevD; D.05.SCP.RevG; D.07.PP2.RevB; D.08.TLP.RevH; D.10.LPRF2.RevC; D.11.LP0.RevC; C.LS.01-03.RevD; C.LS.04.RevA; C.LS.05.RevC; C.LS.06.RevD; C.LS.07.RevC; C.LS.08.RevC; C.LS.09.RevB; C.LS.10.RevB; C.LS.20.RevA; C.LS.22.RevB; C.LS.23.RevC; C.LS.25.RevB.

Amendment drawing; No's:

BM-BC-XX-DR-A-90-0011, rev C05; BM-BC-XX-DR-A-90-0014, C4; BM-BC-XX-DR-A-90-0015, C2; BM-BC-XX-DR-A-90-0016, rev C2; BM-XX-XX-DR-A-90-0010, rev C06; BM-BC-XX-DR-A-90-0020, rev C01; BM-BC-XX-DR-A-90-0021, rev C01; BM-

BC-XX-DR-A-90-0022, rev C01; BM-BC-XX-DR-A-90-0023, rev C01; BM-BC-XX-DR-A-90-0020, rev C01; Secure Cycle Shelter with Green Roof plan prepared by Quanto; BIKE BOXES ALLOCATION PLAN - GROUND FLOOR UNITS, dwg. no. LR_05_001_BIKE BOXES; BM-BC-00-DR-A-03-0000, rev C8; 3223_051, rev D; 3223_072, rev D; 3223_052, rev D; 3223_071, rev D.

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

- 3 The development constructed and used pursuant to this permission shall provide when completed:
- (a) no more than 40 residential units in the tower block within a maximum of 4570sqm gross external area of market housing floorspace;
 - (b) no more than 62 residential units in the mansion block within a maximum of 6761sqm gross external area of market housing floorspace;
 - (c) no less than 4 affordable rent residential units within the mansion block within a gross external area minimum floorspace of 443sqm.

Reason: To secure sufficient provision of affordable and other tenures of housing in a balanced and sustainable manner across the development in accordance with the requirements of policies H4, H5 and H6 of the London Borough of Camden Local Plan 2017 Quantum of housing

- 4 The location of the four affordable housing units shall be fully implemented in accordance with the details hereby approved, prior to the first occupation and thereafter retained and maintained in accordance with the approved scheme. The details provided include drawing no. BM-BC-00-DR-A-03-0000PL P1 (ground floor plan Block C).

Reason: To secure sufficient provision of affordable housing in a balanced and sustainable manner across the development in accordance with the requirements of policies H4 and H5 of the London Borough of Camden Local Plan 2017

- 5 The development hereby permitted shall construct 10% of residential units to comply with Part M4(3) of the Building Regulations. All other residential units or 90% of residential units hereby permitted shall be constructed to comply with Part M4(2) of the Building Regulations.

Reason: To secure appropriate access for disabled people, older people and others with mobility constraints in accordance with the requirements of policy H8 of the London Borough of Camden Local Plan 2017.

- 6 Refuse and recycling arrangements shall be fully undertaken in accordance with the details previously approved under ref 2023/0414/P on 19/07/2023, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 7 Disabled parking spaces on site will only be used by people with blue badges.

Reason: In order to ensure that the development contributes to sustainable transport aims in accordance with the requirements of policy T2 of the London Borough of Camden Local Plan 2017.

- 8
- a. Prior to completion of the superstructure of the workspace building, details of cycle parking should be submitted and approved by the Council to provide a minimum of 21 secure and sheltered cycle spaces.
 - b. Prior to completion of the superstructure of the residential mansion block and the tower block, details of cycle parking should be submitted and approved by the Council to provide a minimum of 136 secure and sheltered cycle spaces.
 - c. Prior to first occupation of the workspace building, details of outdoor visitors' parking for 10 cycles should be submitted and approved by the Council.

All such facilities shall thereafter be retained.

Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with policy T1 of the London Borough of Camden Local Plan 2017.

- 9 The play space shall be fully provided in accordance with the details previously approved under ref 2023/2313/P on 31/08/2023, or with other such details as submitted to and approved in writing by the Local Planning Authority, and retained and maintained thereafter.

Reason: In order to ensure adequate play space and amenities are available for the future occupants of the dwellings on site in accordance with the requirements of policy A2 of the London Borough of Camden Local Plan 2017.

- 10 External lighting shall be fully implemented in accordance with the details previously approved under ref 2021/5757/P on 26/04/2022, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in the interests of security in accordance with policies C5, A1, D1 of the London Borough of Camden Local Plan 2017, and in the interests of safety.

- 11 Tree protection measures shall be fully implemented in accordance with the details previously approved under ref 2021/4459/P on 18/03/22, or with other such details as submitted to and approved in writing by the Local Planning Authority.

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 A1 and A3 of the London Borough of Camden Local Plan 2017.

- 12 External brickwork and all facing materials shall be fully implemented, and the approved sample panels shall be retained onsite until the work has been completed, in accordance with the details previously approved under ref 2023/0073/P on 10/03/2023, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 13 The gates beside the tower block and the workspace building shall be fully implemented in accordance with the details previously approved under ref 2023/1180/P on 31/03/2023, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies C5 and D1 of the London Borough of Camden Local Plan 2017.

- 14 No flat roofs within the development shall be used as terraces, unless shown on the approved drawings, without the prior express approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 15 All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details by not later than the end of the planting season following completion of the development.

Any newly planted 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 satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, D1 of the London Borough of Camden Local Plan 2017.

- 16 The Sustainable Urban Drainage System shall be fully implemented in accordance with the details previously approved under ref 2021/4852/P on 18/03/2022, or with other such details as submitted to and approved in writing by the Local Planning Authority, and retained and maintained thereafter.

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 and CC3 of the London Borough of Camden Local Plan 2017.

- 17 Living roofs shall be fully implemented in accordance with the details previously approved under 2023/2216/P on 2/11/2023, or with other such details as submitted to and approved in writing by the Local Planning Authority, and retained and maintained thereafter.

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.

- 18 Building foundations and the layout, shall be fully undertaken in accordance with the details approved under ref 2021/4723/P on 18/03/2023, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development undertakes reasonable measures to take account of trees and biodiversity in accordance with policies policies A1 and A3 of the London Borough of Camden Local Plan 2017.

- 19 Drainage works shall be fully implemented in accordance with the details approved under ref 2021/4856/P on 8/04/2022, or with other such details as submitted to and approved in writing by the Local Planning Authority.

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 A1, CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 20 Water supply infrastructure shall be fully implemented in accordance with the details approved under ref 2021/5410/P on 18/03/2022, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand, in accordance with policies A1, CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 21 Piling shall be fully undertaken in accordance with the details approved under ref 2021/5844/P on 22/06/2022, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the existing public sewer infrastructure and to protect the structural stability of the neighbouring structures, in accordance with policy CC3 of the London Borough of Camden Local Plan 2017.

- 22 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

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 and TC3 of the London Borough of Camden Local Plan 2017.

- 23 Hard and soft landscaping shall be fully implemented in accordance with the details approved under ref 2023/1976/P on 31/08/2023, or with other such details as submitted to and approved in writing by the Local Planning Authority, and retained and maintained thereafter.

Reason: In order to ensure the provision of high quality landscaping in accordance with policies A2, A3, A5, and D1 of the London Borough of Camden Local Plan 2017.

- 24 Ground investigation works and remediation works shall be fully implemented in accordance with the details approved under ref 2021/4598/P on 8/04/2022, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

- 25 Vibration levels shall be fully provided and vibration mitigation measures fully implemented in accordance with the details approved under ref 2021/4457/P on 18/03/2022, or with other such details as submitted to and approved in writing by the Local Planning Authority, and retained thereafter.

Reason: To safeguard the amenities of future occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 26 Sound insulation details for adjoining dwellings shall be fully implemented in accordance with the details approved under ref 2021/5846/P on 2021/5846/P, or with other such details as submitted to and approved in writing by the Local Planning Authority, and retained thereafter.

Reason: To safeguard the amenities of future occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 27 Anti-vibration measures shall be fully implemented in accordance with the details approved under ref 2021/5846/P on 18/04/2022, or with other such details as submitted to and approved in writing by the Local Planning Authority and retained thereafter.

Reason: To safeguard the amenities of future occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 28 Plant/machinery/equipment shall be fully implemented in accordance with the details approved under ref 2023/3347/P on 15/11/2023, or with other such details as submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 29 Prior to the occupation of the 'Block C' ground floor units, the brick wall at the top of Maygrove Open Space and adjoining the pedestrian accessway to the south of Block C, shall be lowered to no greater than 1.1m in height, as measured from the edge of the pedestrian accessway.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 30 The ground floor units of 'Block C' shall be allocated a bike storage unit at the front of the 'Block C' building, in accordance with the schedule within the approved plan titled BIKE BOXES ALLOCATION PLAN - GROUND FLOOR UNITS, dwg. no. LR_05_001_BIKE BOXES.

Reason: In order to limit overlooking and noise nuisance to the ground floor units, in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 31 The areas of open space within the demise of the ground floor units in Block C and adjoining the ground floor balconies at the south elevation, as depicted in the plan titled 'Ground Floor Plan Building C General Arrangement', rev C8, shall be constructed using permeable materials.

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.

- 32 ** Community Facilities

Condition 32 has been transferred to a s106 legal agreement (refer to clause 4.3.3(iv) of the agreement) and subsequently discharged on 27/04/2022.

- 33 ** Affordable housing

Condition 33 has been transferred to a s106 legal agreement (refer to clause 4.9.1 of the agreement) and subsequently discharged on 31/03/2023.

- 34 ** Car capping

Prior to first occupation of the development hereby approved, the landowner shall ensure through agreement that each occupier of the premises is informed of the Council's policy that they shall not be entitled (unless they are the holder of a disabled person's badge issued pursuant to s. 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a residents parking bay, shall not be able to buy a contract permanently to park within any car park owned, controlled or licensed by the Council (with the exception of the carpark hereby approved) and nor shall they be entitled to be granted a Business Parking Permit.

Reason: In order to ensure that there is no additional parking pressure within the vicinity, in accordance with the requirements of policy T2 of the London Borough of Camden Local Plan 2017.

35 ** Open Space

Condition 35 has been transferred to a s106 legal agreement (refer to clause 4.19 of the agreement) and subsequently discharged on 27/04/2022.

36 ** Employment Element

Condition 36 has been transferred to a s106 legal agreement (refer to clause 4.15 of the agreement) and subsequently discharged on 30/01/2023.

37 ** Employment travel plan

Condition 37 has been transferred to a s106 legal agreement (refer to clause 4.7(a) of the agreement) and subsequently discharged on 27/04/2022.

38 ** Bus Shelter contribution

Condition 38 has been transferred to a s106 legal agreement (refer to clause 4.18 of the agreement) and subsequently discharged on 27/04/2022.

39 ** CMP

Condition 36 has been transferred to a s106 legal agreement (refer to clause 4.1 of the agreement) and subsequently discharged on 04/03/2022.

40 ** Energy Efficiency and renewables plan

Condition 40 has been transferred to a s106 legal agreement (refer to clause 4.12.1 of the agreement) and subsequently discharged on 11/02/2022.

41 ** Highways works

Condition 41 has been transferred to a s106 legal agreement (refer to clause 4.17 of the agreement) and subsequently discharged on 27/04/2022.

42 ** Level plans

Condition 42 has been transferred to a s106 legal agreement (refer to clause 4.5 of the agreement) and subsequently discharged on 24/11/2021.

43 ** Local employment

Condition 43 has been transferred to a s106 legal agreement (refer to clause 4.3 of the agreement) and subsequently discharged on 30/01/2023.

44 ** BREEAM

Condition 44 has been transferred to a s106 legal agreement (refer to clause 4.13.3 of the agreement) and subsequently discharged on 30/08/2023.

45 ** Servicing and Vehicle Management Plan

Condition 46 has been transferred to a s106 legal agreement (refer to clause 4.6 of the agreement) and subsequently discharged on 20/12/2022.

46 ** Pedestrian and Environmental Improvements contribution

Condition 47 has been transferred to a s106 legal agreement (refer to clause 4.17 of the agreement) and subsequently discharged on 27/04/2022.

47 ** Public open space delivery

Condition 48 has been transferred to a s106 legal agreement (refer to clause 4.11 of the agreement) and subsequently discharged on 29/04/2022.

48 ** Residential travel plan

Condition 49 has been transferred to a s106 legal agreement (refer to clause 4.8(c) of the agreement) and subsequently discharged on 27/04/2022.

49 In the event that any owners of the land have the legal locus to enter into a Section 106 Agreement no works shall be commenced on site until such time as they have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked with ** in the planning permission granted on XXXXXXXXXXXXXXXX (Camden reference 2014/7651/P) and those obligations shall apply to all conditions above marked with ** which supersede those of permission 2014/7651/P.

Reason: In order to define the permission and to secure development in accordance with policy DM1 of the London Borough of Camden Local Plan 2017.

50 ** Residential travel plan monitoring contribution

Condition 51 has been transferred to a s106 legal agreement (refer to clause 4.8(d) of the agreement) and subsequently discharged on 05/10/2018.

51 ** Employment travel plan monitoring contribution

Condition 52 has been transferred to a s106 legal agreement (refer to clause 4.7(b) of the agreement) and subsequently discharged on 05/10/2018.

52 ** Electric Car charging point

Condition 53 has been transferred to a s106 legal agreement (refer to clause 4.10 of the agreement) and subsequently discharged on 28/10/2021.

53 ** School access road

Condition 54 has been transferred to a s106 legal agreement (refer to clause 4.16 of the agreement) and subsequently discharged on 28/10/2021.

Informative(s):

1 Reasons for granting permission/consent-

The proposal involves changes to the design and layout of cycle spaces and outdoor areas, as part of the 'Block C' mansion block, approved under 2014/7651/P as part of a comprehensive, mixed-use redevelopment of the site. Block C is under construction and is nearing completion.

The changes to the cycle parking have been led by further detail design development, which has resulted in the approved bin stores and plant rooms needing to be enlarged. 50 cycle spaces would be reallocated into bike storage boxes, which would be located at the front of Block C's ground floor units, between the ground floor units outdoor living spaces and at the northern edge of the communal pedestrian accessway adjoining Maygrove Open Space. The cycle boxes would partly replace a winter gardens on the front elevation of the ground floor units.

The bike boxes would have green roofs, in the form of planter boxes, to soften their appearance and avoid the boxes from creating a hostile edge between the pedestrian accessway and the ground floor units. The planter boxes would be maintained by the residents of the respective adjoining units, or otherwise by the building management. The adjacent communal pedestrian accessway is designed with a sufficient width such that its safe and efficient functioning would not be compromised by the opening or use of the bike boxes. In addition, the applicant has agreed to a condition of condition to ensure that the existing high wall at the

top of the Maygrove Open Space, at the southern edge of the communal pedestrian accessway, would be lowered in accordance with the plans approved under 2014/7651/P . The lowering of the wall would ensure the bike boxes did not cause an undue sense of enclosure to the pedestrian accessway.

The bike boxes would also be allocated principally to their respective adjoining ground floor unit, limiting the nuisance and overlooking effects, and providing added convenience to residents of the ground floor units. The height of the bike boxes along with the provision of the green roofs, and separation distance from the ground floor units and their adjoining terrace, would limit any overlooking into the ground floor units occurring through use of the bike boxes. Equally, given the depth of the proposed outdoor living spaces of the ground floor units, including the approved terraces and the remainder of the reallocated winter garden space, as well as the boxes being planted with green roofs, the bike boxes would not unduly disrupt the quality of outlook from the ground floor units.

The loss of the winter gardens and reallocation of these spaces to bike boxes, and outdoor living space for the ground floor units would, increase the amount of outdoor living for these units. At the same time, the green roofs over the bike boxes would ensure an appropriate green threshold and buffer to the ground floor units is maintained. The metal gates between the approved ground floor terraces and the remaining outdoor living space, would be non-obtrusive and acceptable. The additional outdoor living spaces would be constructed with permeable surfaces and with the provision of green roofs over the bike boxes, any impacts to drainage would be marginal.

The reallocation of part of the ground floor outdoor living spaces to biodiversity purposes is acceptable as an appropriate area and quality of outdoor living space would remain for the ground floor units. In particular, the loss of a part of the rear outdoor living space provision, would be offset by the increase in areas of north-facing outdoor living spaces through the reallocation of the winter garden areas. The reallocated area would increase the amount of green area at the site and would be managed by the estate. The provision of a guard rail delineating this space is suitable.

- 2 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. Fortune Green and West Hampstead Neighbourhood Forum have been consulted but did not comment on the proposal

As such, the proposed development is in general accordance with policies G1, H1, H2, H4, H5, H6, H7, C5, C6, E1, E2, A1, A2, A3, A4, A5, D1, CC1, CC2, CC3, CC4, CC5, T1, T2, T3 and DM1 of the Camden Local Plan 2017, and Policies 1, 3, 6, 7, 8, 9, 10, 11, 15, 16, 17 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 3 The matters covered by conditions marked with an ** are matters which would usually be incorporated into a Section 106 Agreement. On Council own schemes because the Council cannot enter into an agreement with itself the usual practice would for the permission to reference the Section 106 requirements for information.

If the Council retains ownership of the application site although the reference to Section 106 requirements would not be legally binding they would act as a record of the requirements the Council as planning authority expects the Council as landowner to comply with. If the Council disposes of a relevant interest in the Application Site (which for the avoidance of doubt will not include disposals to individual tenants and occupiers) the incoming owner will be required to enter into a Section 106 giving effect to those requirements which will then become a legally binding document.

- 4 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.
- 5 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.

- 6 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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>.

Yours faithfully

