

Application ref: 2023/1716/P  
Contact: Alex Kresovic  
Tel: 020 7974 3134  
Email: Alex.Kresovic@camden.gov.uk  
Date: 21 February 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)

Miss Julie McLaughlin  
Marrons  
60 Gracechurch Street,  
London,  
EC3V 0HR

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement**

Address:  
**156 West End Lane**  
**London**  
**NW6 1SD**

Proposal: Variation of conditions 2 (approved drawings) and 46 (unit numbers); and variation and approval of Conditions 21 (CHP details), 22 (CHP air inlets) and 38 (CHP noise assessment) of planning permission 2019/4140/P granted 14/07/2021 which itself varied planning permission 2015/6455/P dated 23rd June 2017 for: Comprehensive redevelopment following demolition of all existing buildings to provide self-contained residential dwellings (Class C3), flexible non-residential use (Class A-A3, D1, D2), employment floorspace (Class B1) and community meeting space (Class D1) in buildings ranging from 3 to 7 storeys. New vehicular access from West End Lane and provision of accessible car parking spaces. Provision of new public open space and widening of Potteries Path and associated cycle parking and landscaping; namely, a reduction of 9 market flats following the amalgamation of units to create larger units; and to vary the wording of conditions (21, 22, and 38) to allow the use of Air Source Heat Pump (ASHP) instead of the approved Combined Heat and Power (CHP) unit and to accordingly discharge those conditions.

Drawing Nos:

Superseded drawings: 0001-A-CTA-SKE-98-00-5571, 0001-A-CTA-SKE-98-01-5572, 0001-A-CTA-SKE-98-02-5573, 0001-A-CTA-SKE-98-03-5574, 0001-A-CTA-SKE-98-04-5575, 0001-A-CTA-SKE-98-05-5576, 0001-A-CTA-SKE-98-00-5651 rev A, 0001-A-CTA-SKE-98-01-5652 rev A, 0001-A-CTA-SKE-98-02-5653 rev A, 0001-A-CTA-SKE-98-03-5654 rev A, 0001-A-CTA-SKE-98-04-5655 rev A, 0001-A-CTA-SKE-98-05-5656

rev A, 0001-A-CTA-SKE-98-RF-5657 rev A, 0001-A-CTA-SKE-98-ZZ-1000 rev A.

Amended drawings: 0001-A-CTA-SKE-98-00-5571 P02, 0001-A-CTA-SKE-98-01-5572 P01, 0001-A-CTA-SKE-98-02-5573 P01, 0001-A-CTA-SKE-98-03-5574 P01, 0001-A-CTA-SKE-98-04-5575 P01, 0001-A-CTA-SKE-98-05-5576 P01, 0001-A-CTA-SKE-98-00-5651 rev B, 0001-A-CTA-SKE-98-01-5652 rev B, 0001-A-CTA-SKE-98-02-5653 rev B, 0001-A-CTA-SKE-98-03-5654 rev B, 0001-A-CTA-SKE-98-04-5655 rev B, 0001-A-CTA-SKE-98-05-5656 rev B, 0001-A-CTA-SKE-98-RF-5657 rev B, 0001-A-CTA-SKE-98-ZZ-1000 rev B.

New drawings:

0001-M-FHP-DRG-56-XX-5502 P07, 0001-A-CTA-DRG-20-03-5505 C04, 0001-B-FHP-DRG-25-ZZ-5502 P07.

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 the original permission reference 2015/6455/P dated 23rd June 2017 .

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:

0001-A-CTA-SKE-98-B1-5650, 0001-A-CTA-SKE-98-00-5651 rev B, 0001-A-CTA-SKE-98-01-5652 rev B, 0001-A-CTA-SKE-98-02-5653 rev B, 0001-A-CTA-SKE-98-03-5654 rev B, 0001-A-CTA-SKE-98-04-5655 rev B, 0001-A-CTA-SKE-98-05-5656 rev B, 0001-A-CTA-SKE-98-RF-5657 rev B, 0001-A-CTA-SKE-98-ZZ-1000 rev B, 0001-A-CTA-SKE-98-00-3010, 0001-A-CTA-SKE-98-01-3011, 0001-A-CTA-SKE-98-02-3012, 0001-A-CTA-SKE-98-03-3013, 0001-A-CTA-SKE-98-04-3014, 0001-A-CTA-SKE-98-05-3015, 0001-A-CTA-SKE-98-RF-3016, 0001-A-CTA-SKE-98-B1-5570, 0001-A-CTA-SKE-98-00-5571 P02, 0001-A-CTA-SKE-98-01-5572 P01, 0001-A-CTA-SKE-98-02-5573 P01, 0001-A-CTA-SKE-98-03-5574 P01, 0001-A-CTA-SKE-98-04-5575 P01, 0001-A-CTA-SKE-98-05-5576 P01, 0001-A-CTA-SKE-98-RF-5577, 0001-A-CTA-SKE-98-ZZ-5578, 0001-A-CTA-SKE-98-ZZ-5579, 0001-A-CTA-SKE-98-ZZ-5580, 0001-A-CTA-SKE-98-ZZ-5581, 0001-A-CTA-SKE-98-ZZ-5582, 0001-A-CTA-SKE-98-B1-5583, 0001-A-CTA-SKE-98-ZZ-3020 rev A, 0001-A-CTA-SKE-98-ZZ-3021 rev A, 0001-A-CTA-SKE-98-ZZ-3022 rev A, 0001-A-CTA-SKE-98-ZZ-3023 rev A, 0001-A-CTA-SKE-98-00-3028, 0001-A-CTA-SKE-98-02-5584 rev A, 0001-A-CTA-SKE-98-XX-5661 rev B, 0001-A-CTA-SKE-98-XX-5660 rev B, 0001-A-CTA-SKE-98-ZZ-1350 rev A, 0001-A-CTA-SKE-98-ZZ-1351 rev A, 0001-A-CTA-DR-98-ZZ-5554-P01, 0001-M-FHP-DRG-56-XX-5502 P07, 0001 A CTA DRG 20 03 5505 C04, 0001-B-FHP-DRG-25-ZZ-5502 P07.

(All Prefix 13119): PL(SE) P045 B; PL(SE) P046 PA; PL(EL) P053 PB; PL(EL) P054 PB; PL (EL) P055 PB; SK(GE) P211 PA; SK(GE) P212 P-; SK(GE) P213

P-; SK(GE) P214 P-; SK(GE) P215 P-.

Landscape drawings: 0001-L-FAB-DRG-XX-00-1000-T06, 0001-L-FAB-DRG-XX-RF-1001-T02, 0001-L-FAB-DRG-XX-RF-3005-T03, 0001-L-FAB-DRG-XX-00-8001-T05, 0001-L-FAB-DRG-XX-00-8004-T02, 0001-L-FAB-DRG-XX-00-8003-T04, 0001-L-FAB-DRG-XX-00-8002-T04, 0001-L-FAB-DRG -XX-01-8005-T03, 0001-L-FAB-DRG-80-05-8006-T03, 0001-L-FAB-DRG-XX-00-1003-T03.

Proposed flat layout plans:

#### AFFORDABLE

0001-A-CTA-SKE-98-ZZ-1300, 0001-A-CTA-SKE-98-ZZ-1301, 0001-A-CTA-SKE-98-ZZ-1302, 0001-A-CTA-SKE-98-ZZ-1303, 0001-A-CTA-SKE-98-ZZ-1304, 0001-A-CTA-SKE-98-ZZ-1305, 0001-A-CTA-SKE-98-ZZ-1306, 0001-A-CTA-SKE-98-ZZ-1307, 0001-A-CTA-SKE-98-ZZ-1308, 0001-A-CTA-SKE-98-ZZ-1309, 0001-A-CTA-SKE-98-ZZ-1310, 0001-A-CTA-SKE-98-ZZ-1311, 0001-A-CTA-SKE-98-ZZ-1312, 0001-A-CTA-SKE-98-ZZ-1313, 0001-A-CTA-SKE-98-ZZ-1314, 0001-A-CTA-SKE-98-ZZ-1315, 0001-A-CTA-SKE-98-ZZ-1316, 0001-A-CTA-SKE-98-ZZ-1317, 0001-A-CTA-SKE-98-ZZ-1318, 0001-A-CTA-SKE-98-ZZ-1319, 0001-A-CTA-SKE-98-ZZ-1320, 0001-A-CTA-SKE-98-ZZ-1321, 0001-A-CTA-SKE-98-ZZ-1322, 0001-A-CTA-SKE-98-ZZ-1323.

#### PRIVATE

0001-A-CTA-SKE-98-B1-5591, 0001-A-CTA-SKE-98-B1-5592, 0001-A-CTA-SKE-98-B1-5593, 0001-A-CTA-SKE-98-B1-5594, 0001-A-CTA-SKE-98-B1-5595, 0001-A-CTA-SKE-98-B1-5596, 0001-A-CTA-SKE-98-B1-5597, 0001-A-CTA-SKE-98-B1-5598, 0001-A-CTA-SKE-98-00-5599, 0001-A-CTA-SKE-98-00-5600, 0001-A-CTA-SKE-98-00-5601, 0001-A-CTA-SKE-98-ZZ-5602, 0001-A-CTA-SKE-98-ZZ-5603, 0001-A-CTA-SKE-98-00-5604, 0001-A-CTA-SKE-98-00-5605, 0001-A-CTA-SKE-98-00-5606, 0001-A-CTA-SKE-98-00-5607, 0001-A-CTA-SKE-98-00-5608, 0001-A-CTA-SKE-98-00-5609, 0001-A-CTA-SKE-98-00-5610, 0001-A-CTA-SKE-98-00-5611, 0001-A-CTA-SKE-98-ZZ-5612, 0001-A-CTA-SKE-98-ZZ-5613, 0001-A-CTA-SKE-98-ZZ-5614, 0001-A-CTA-SKE-98-ZZ-5615, 0001-A-CTA-SKE-98-ZZ-5616, 0001-A-CTA-SKE-98-ZZ-5617, 0001-A-CTA-SKE-98-ZZ-5618, 0001-A-CTA-SKE-98-ZZ-5619, 0001-A-CTA-SKE-98-ZZ-5620, 0001-A-CTA-SKE-98-ZZ-5621, 0001-A-CTA-SKE-98-ZZ-5622, 0001-A-CTA-SKE-98-ZZ-5623, 0001-A-CTA-SKE-98-ZZ-5624, 0001-A-CTA-SKE-98-ZZ-5625, 0001-A-CTA-SKE-98-ZZ-5626, 0001-A-CTA-SKE-98-ZZ-5627, 0001-A-CTA-SKE-98-05-5628, 0001-A-CTA-SKE-98-05-5629, 0001-A-CTA-SKE-98-05-5630, 0001-A-CTA-SKE-98-05-5631, 0001-A-CTA-SKE-98-05-5632, 0001-A-CTA-SKE-98-ZZ-5633

#### INTERMEDIATE

0001-A-CTA-SKE-98-ZZ-1324, 0001-A-CTA-SKE-98-ZZ-1325, 0001-A-CTA-SKE-98-ZZ-1326, 0001-A-CTA-SKE-98-ZZ-1327, 0001-A-CTA-SKE-98-ZZ-1328, 0001-A-CTA-SKE-98-ZZ-1329, 0001-A-CTA-SKE-98-ZZ-1330, 0001-A-CTA-SKE-98-ZZ-1331, 0001-A-CTA-SKE-98-ZZ-1332, 0001-A-CTA-SKE-98-ZZ-1333, S0001-A-CTA-KE-98-ZZ-1334, 0001-A-CTA-SKE-98-ZZ-1335.

#### SHARED OWNERSHIP

0001-A-CTA-SKE-98-B1-5585, 0001-A-CTA-SKE-98-B1-5586, 0001-A-CTA-SKE-98-00-5587, 0001-A-CTA-SKE-98-00-5588, 0001-A-CTA-SKE-98-ZZ-5589, 0001-

## SUPPORTING DOCUMENTS

Design and Access Statement (August 2019) prepared by CGL Architects; Planning Statement (9th August 2019) prepared by WYG; Sustainability Statement Addendum (11th July 2019) prepared by Silver EMS; Energy Statement Addendum (29th July 2019) prepared by Silver EMS; Waste Strategy Addendum (29th July 2019) prepared by WSP. Planning Statement dated November 2015; Planning Statement Addendum dated June 2016; Design and Access Statement dated June 2016; Design and Access Statement Addendum Dated September 2016; Employment Policy Statement dated August 2016; Townscape Heritage and Visual Impact Assessment dated November 2015; Townscape Heritage and Visual Impact Assessment Addendum dated June 2016; Revised Landscape Statement produced by Fabrik Revision dated November 2016; Economic Impact Study prepared by Turley dated November 2015; Transport Statement dated November 2015 ; TTP Consulting Technical Note dated July 2016 (Morgan Tucker); TTP Consulting Technical Note dated July 2016 (MEC); Revised Framework Travel Plan dated June 2016, Revised Sustainability Statement dated June 2016 (including superseded BREEAM Assessment); Revised BREEAM Assessment dated September 2016; Revised Energy Statement dated June 2016; Revised Energy Statement Addendum dated September 2016; Revised Daylight and Sunlight Assessment, within Development, dated September 2016; Revised Daylight and Sunlight Assessment, Neighbouring properties, dated June 2016; Revised Daylight and Sunlight Assessment for 10 Lymington Road; Workspace provider Dialogue dated June 2016; Revised Air Quality Neutral Assessment dated November 2016; Revised Air Quality Assessment dated June 2016; Revised Noise and Vibration Assessment dated June 2016 Letter from Accon Development Consultants dated 24 October 2016; Overshadowing Assessment/Sun-path Analysis Images 001-020 dated 5 December 2016; Geotechnical Desk Study, prepared by RSA Geotechnics dated November 2015; Waste Management Strategy, prepared by WSP UK Dated November 2015; Waste Management Strategy Addendum Dated October 2016; Revised Archaeological Desk-Based Assessment dated June 2015; Revised Preliminary Ecological Appraisal Dated June 2016; Construction Management Plan Dated November 2015; Statement of Community Involvement dated November 2015; Revised Overheating Assessment dated June 2015; Overheating Assessment Cover Letter dated 26 October 2016; Revised Tree report dated June 2016; Tree Constraints Plan dated November 2015; Flood Risk Assessment, Rev H submitted in November 2016 by Tim Trotman; IES TaP BREEAM Assessment, Energy Efficiency and Renewable Energy and Sustainability Plan S106 Pro-forma V.3, FHP Energy Strategy ref; 0001-L-FHP-DES-058-0001 Rev - P7, Air Source Heat Pump (ASHP) & Gas Boiler details dated 14 March 2022, Assessment of mechanical plant noise dated 23rd December 2021, Technical information UltraGas (250D-700D).

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

### 3 Proposed slab levels

Prior to commencement of development of any phase other than site clearance & preparation, relocation of services, utilities and public infrastructure and demolition, details of proposed slab levels, in relation to the existing and proposed levels of the site and the surrounding land, shall be submitted to and

approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the details thus approved.

Reason: In order to ensure that the height of the development is no greater than indicated on the approved drawings, so as to protect the amenity enjoyed by nearby residential premises, in accordance with the requirements of policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

#### 4 Brickwork samples

Facing brickwork shall be erected in accordance with the details approved on 27/04/2022 under reference 2022/0128/P, or other such details demonstrating the proposed colour, texture, face-bond and pointing which shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the approved panels 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 policy D1 (Design) of the London Borough of Camden Local Plan 2017.

#### 5 Detailed drawings

Prior to the commencement of works on site, other than demolition, site clearance and preparation, piling and below ground works, 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) Shopfronts; including sections elevations and materials.

The following details shall be installed in accordance with the approved details:

b) Windows, external doors, balconies, balustrades, communal entrance screens, and gates shall be installed in accordance with the details approved on 29/03/2022 under reference 2022/1020/P, or other details as submitted for approval including sections at 1:10.

c) Parapet/eave junctions shall be installed in accordance with details approved on 29/03/2022 under reference 2022/1020/P or other such details as submitted for approval.

d) External facing materials shall be installed in accordance with details approved on 04/05/2022 under reference 2022/0129/P or other such details submitted for approval including manufacturer's specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials demonstrating the proposed colour, texture, jointing and fixing (to be provided on site - 2 metres by 2 metres in size).

e) All play areas including equipment and associated structures and surfaces shall be installed in accordance with the details approved on 25/07/2023 under reference 2022/0746/P or other such details as submitted for approval.

f) Controlled vehicular and pedestrian access points to the northern access route shall be installed in accordance with the details approved on 15/03/2022

under reference 2022/0536/P or other such details as submitted for approval.

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 (Design) of the London Borough of Camden Local Plan 2017.

6 No lights, meter boxes, etc.

No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of 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 (Design) of the London Borough of Camden Local Plan 2017.

7 Details of boundary treatments

Boundary treatments shall be installed in accordance with the details approved on 29/03/2022 under reference 2022/1017/P or other such details as submitted to and approved in writing by the local planning authority. Such details shall include detailed plans of all boundary treatments at a relevant scale of 1:10. The finished wall height adjacent to the northern boundary shall be a minimum of 2.4 m in height from the finished ground level of the site. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the application site and the character of the immediate area and reduce the risk of crime and anti-social behaviour in accordance with the requirements of policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

8 Permitted development rights

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

9 Details of compliance with Building Regulations Part M4 (3)

Prior to the commencement of internal walls, details of unit numbers: W.01.03, W.01.05, W.01.09, W.01.10, W.02.09, W.02.11, W.02.15, W.02.16 demonstrating compliance with Building Regulations Part M4 (3) 2b; and details of unit numbers: W.03.09, W.03.11, W.04.09, W.04.11, W.05.09, E-1.02, E-1.03, E-1.04, E-1.05, and E00.04 demonstrating compliance with Building Regulations Part M4 (3) 2a shall be submitted to and approved in writing by the Local Planning Authority.

The subsequently approved wheelchair housing features and facilities shall thereafter be provided in their entirety prior to the first occupation of the relevant unit.

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 policies H6 (Housing choice and mix) and C6 (Access for all) of the London Borough of Camden Local Plan 2017.

#### 10 Details of compliance with Building Regulations Part M4 (2)

Prior to the commencement of internal walls, full details of all units, other than those required to comply with Building Regulations Part M4 (3), demonstrating compliance with Building Regulations Part M4 (2), shall be submitted to and approved in writing by the Local Planning Authority. The subsequently approved wheelchair housing features and facilities shall thereafter be provided in their entirety prior to the first occupation of the relevant unit.

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 policies H6 (Housing choice and mix) and C6 (Access for all) of the London Borough of Camden Local Plan 2017.

#### 11 Lighting Strategy

Lighting shall be installed in accordance with the Lighting Strategy approved under reference 2022/0130/P on 28/11/2022, or other such strategy as submitted to and approved in writing by the Local Planning Authority. Such strategy shall provide details of all external lighting fixtures and fittings and shall demonstrate how their design, location and specification has taken account of community safety & security, reducing light spillage to neighbouring properties, trees and lines of vegetation, and nearby signalling apparatus and/or train drivers vision on approaching trains.

The development shall not be occupied until the relevant approved details have been implemented. These works shall be permanently retained and maintained thereafter.

Reason: To safeguard the appearance of the premises and the character of the immediate area, to ensure community safety and to conserve biodiversity by minimising light pollution in accordance with the requirements of policies A1 (Managing the impact of development), and A3 (Biodiversity) and D1 (Design) of the London Borough of Camden Local Plan 2017.

## 12 Details of building foundations

Building foundations shall be installed in accordance with the details granted on 20th March 2020 (ref: 2020/0750/P) or other such details of building foundations submitted and approved in writing by the Local Planning Authority showing dimensions and levels, details of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site. 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 will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A1 (Managing the impact of development), A3 (Biodiversity) and D1 (Design) of the London Borough of Camden Local Plan 2017.

## 13 Details of Living Roofs

Living roofs shall be installed in accordance with details approved on 12/10/2021 under reference 2021/3841/P or other such details as submitted to and approved in writing by the local planning authority, including full details of biodiverse, substrate-based extensive living roofs in the areas indicated on the approved roof plans. The design and planting scheme should seek to maximise potential to enhance the strategic wildlife corridor and should reflect the local conditions and species of interest. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the development is first occupied.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3 (Biodiversity) and CC3 (Water and flooding) of the London Borough of Camden Local Plan 2017.

## 14 Details of Bird and Bat Boxes

Bird and bat nesting features shall be installed in accordance with the details approved under reference 2021/3732/P granted on 16/08/2023 prior to the first occupation of the development and thereafter permanently retained; or other such details which shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the exact location, height, aspect, specification and indication of species to be accommodated.

Reason: To ensure the development provides the appropriate provision towards creation of habitats and valuable areas for biodiversity in accordance with Policy A3 (Biodiversity) of the London Borough of Camden Local Plan 2017.

## 15 Details of hard and soft landscaping

Hard and soft landscaping shall be installed in accordance with the details approved on 25/07/2023 under reference 2022/0936/P or other such details as



submitted for approval in writing by the local planning authority.

Such details shall include full details of all hard and soft landscaping and means of enclosure of all un-built, open areas, including tree/plant species, sizes and positions and full details regarding the design, materials and location of outdoor furnishings and planters. They shall also include retention of climbing plants on the northern boundary and new planting for biodiversity to enhance the missing link in the strategic wildlife corridor.

The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the end of the first planting season after the relevant phase of the development is first occupied.

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 D1 (Design) and A3 (Biodiversity) of the London Borough of Camden Local Plan 2017.

#### 16 Hard and soft landscaping

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 relevant phase of the development or prior to the occupation for the permitted use of the relevant phase of the development, whichever is the sooner. 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 D1 (Design) and A3 (Biodiversity) of the London Borough of Camden Local Plan 2017.

#### 17 Piling method statement

Impact piling to the east building shall be carried out in accordance with the details approved on 11/10/2021 under reference 2021/3480/P and impact piling to the west building shall be carried out in accordance with the details approved on 18/07/2022 under reference 2022/1632/P or other such details as submitted to and approved in writing by the local planning authority should the methodology be amended.

Such details shall include a piling method statement, prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works. Any piling must be undertaken in accordance with the terms of the approved

piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy A5 (Basements) of the London Borough of Camden Local Plan 2017.

18 Water supply impact study.

The development shall be completed in accordance with the water supply impact study approved under reference 2021/4114/P granted 29/09/2021. Should there be any changes, impact studies of the existing water supply infrastructure shall be submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with this additional demand, in order to safeguard the amenities of the area generally, in accordance with the requirements of policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

19 Surface water drainage scheme

The development shall be completed in accordance with the surface water drainage scheme approved on 5th March 2020 (ref: 2020/0395/P); or other such details of a surface water drainage scheme for the site, based on the approved Flood Risk Assessment (Flood Risk Assessment, Rev H submitted in November 2016 by Tim Trotman of IESIS) submitted to and approved in writing by the Local Planning Authority. The scheme shall include 1500sqm of green/brown roofs, rainwater harvesting, and attenuation tank with hydrobrake (10m x 16m x 1.6m) and achieve a reduction in surface water run-off rates to 14 l/s.

The development shall not be implemented other than in complete accordance with the surface water drainage scheme incorporating any required changes as a result of the details that have been approved.

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 policy CC3 (Water and flooding) of the London Borough of Camden Local Plan 2017.

20 Rainwater Harvesting

The development shall be completed in accordance with the Rainwater harvesting details approved on 5th March 2020 (ref: 2020/0395/P), or other such details of the feasibility of rainwater recycling proposals as submitted to the local planning authority and approved in writing. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CC3 (Water and flooding) of the London Borough of Camden Local Plan 2017.

## 21 Details of plant and emission standards

The development shall be completed in accordance with the mechanical plant details and emission standards approved on 21 February 2024 (ref: 2023/1716/P).

Or other such details submitted to and approved in writing by the Local Planning Authority of the proposed plant including confirmation that it will comply with the Mayor's emission standards as set out in the Mayor's Sustainable Design and Construction SPG, and details of any necessary NO2 abatement mechanisms.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 (Managing the impact of development) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.

## 22 Plant air inlets

The development shall be completed in accordance with the mechanical plant details approved on 21 February 2024 (ref: 2023/1716/P).

Or other such details submitted to and approved in writing by the Local Planning Authority of any emission sources and their height relative to the mechanical ventilation and air inlet locations.

Air inlet locations should be located away from roads and emission sources to protect internal air quality.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 (Managing the impact of development) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.

## 23 Air quality monitoring

The air quality monitors shall be retained and maintained on site for the duration of the development in accordance with the details approved on 20th March 2020 (ref: 2019/6364/P) and 20th September 2020 (ref: 2020/3633/P) and monthly reporting shall be submitted to the Council.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CC4 of the London Borough of Camden Local Plan 2017.

## 24 Water efficiency

The development hereby approved shall achieve a maximum internal water use of 105litres/person/day for all residential dwellings, allowing 5 litres/person/day for external water use in accordance with the details approved on 31/05/2023 under ref. 2023/1006/P or other such evidence submitted for

approval by the Local Planning Authority demonstrating that this has been achieved.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CC3 (Water and flooding) of the London Borough of Camden Local Plan 2017.

## 25 Details of PV panels

Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells 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. 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 policy CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.

## 26 Land contamination

A Validation or Verification Statement detailing the implemented remediation measures for soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority prior to occupation. The remediation measures outlined in the approved Geotechnical and Geoenvironmental Interpretative Report - Phase 2 (Rev2, October, 2020) approved on 12th November 2020 (2020/1618/P) should inform the written statement.

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 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

## 27 Land contamination

In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

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 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

## 28 Details of flexible non-residential space separation

Prior to the occupation of the ground floor 'Flexible Non-Residential' space shown on plan 0001-A-CTA-SKE-98-00-3010, a revised plan showing the separation of this space into a minimum of 3 separate units shall be submitted to and approved in writing by the Local Planning Authority. The approved layout shall be implemented prior to the first occupation of the first unit and retained as such thereafter. No more than one of the three approved units may be used as any use, other than A1 (retail) at any one time. At all times one of the units shall be in A1 use.

Reason: To safeguard the character, function vitality and viability of the West Hampstead Town Centre and Core Retail Frontage in accordance with policies TC1 (Quantity and location of retail development), TC4 (Town centre uses) and A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

## 29 Class D Uses

Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the Class D1 floorspace hereby approved shall only be used as non-residential education and training centres, public halls or clinics and health centres, and for no other purpose.

Reason: To ensure that the future occupation of the Class D1 floorspace does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies A1 (Managing the impact of development), A4 (Noise and vibration), and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden 2017.

## 30 CCTV

Prior to the first occupation of the development, details of the proposed CCTV strategy, including full location, design and management details of any proposed CCTV equipment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the development is first occupied.

Reason: In order to seek to protect the amenity of occupiers from possible instances of crime, fear of crime and anti-social behaviour and to safeguard the appearance of the premises and the character of the immediate area, in accordance with policies A1 (Managing the impact of development) and D1 (Design) of the London Borough of Camden Local Plan 2017.

## 31 Details of privacy screening to communal space

The timber privacy screening to the deck access and communal open space on

the western building, and to the private roof terraces as indicated on the approved drawings shall be installed in accordance with the details approved under reference 2023/2442/P on 03/08/2023; or other such details which shall have been submitted to and approved in writing by the local planning authority. The approved privacy screening shall be installed prior to the occupation of the development and permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring properties in accordance with the requirements of policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

### 32 Details of privacy screens

Privacy screening shall be installed to the northern elevation of the terraces of flats E01.05, E01.20, E02.05, E02.20; W01.09, W02.15 and W02.16; and to the eastern elevations of the terraces of flats E01.02 and E02.02 in accordance with the details approved under reference 2023/2442/P on 03/08/2023; or other such details which shall have been submitted to and approved in writing by the Local Planning Authority. The approved privacy screening shall be installed prior to the occupation of the development and permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring occupiers within and outside the development in accordance with the requirements of policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

### 33 Obscure Glazing

Prior to occupation of the development the north facing windows coloured blue on drawing 0001-A-CTA-SKE-98-02-5584 shall be obscure glazed and fixed shut to a height of 1.7m from finished internal floor level.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

### 34 Use of flat roofs

No flat roofs within the development, other than those specifically identified on the approved plans as terraces, shall be used as amenity space.

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

### 35 Details of building vibration levels.

Building vibration levels shall meet a level that has low probability of adverse comment when assessed in accordance with BS 6472:2008, in accordance with the details approved under reference 2021/3732/P granted on 16/08/2023.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by ground- or airborne vibration in accordance with the requirements of policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.

### 36 Sound insulation

Sound insulation measures between adjoining dwellings shall be installed in accordance with details approved on 27/04/2022 under reference 2022/0530/P or other such details submitted to and approved in writing by the Local Planning Authority, demonstrating an enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings. The details approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of occupiers of the proposed use in accordance with the requirements of policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.

### 37 Commercial and residential sound insulation

Sound insulation measures between commercial and residential units shall be installed in accordance with details approved on 27/04/2022 under reference 2022/0530/P or other such details submitted to and approved in writing by the Local Planning Authority of the sound insulation of the floor, ceilings and walls separating the commercial and residential elements of the development. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within any noise sensitive premises. Approved details shall be implemented prior to occupation of the development and permanently retained thereafter.

Reason: To safeguard the amenities of occupiers of the proposed use in accordance with the requirements of policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.

### 38 Plant noise assessment

The development shall be completed in accordance with mechanical plant details approved on 21 February 2024 (ref: 2023/1716/P) or other such details submitted to and approved in writing by the Local Planning Authority which shall include a noise impact assessment of the proposed heat and power system to be installed, including any necessary mitigation measures.

No occupation of the development shall be permitted until the mitigation measures recommended by the report have been implemented.

Reason: To safeguard the amenities of the future occupiers in accordance with the requirements of policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.

39 A3 odour mitigation

Prior to commencement of any A3 use on site, details of odour mitigation and ventilation systems including an accompanying acoustic report with details of any necessary acoustic isolation and sound attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. All odour and acoustic mitigation measures shall be implemented in accordance with the details thus approved and shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the surrounding area in accordance with the requirements of policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.

40 Music noise levels

No music emanating from the commercial (Classes A1, A3, A4, B1 or D1) uses in the development shall be audible within any adjoining premises between 2100 hrs and 0800 hrs.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.

41 A3 hours

The proposed A3 use hereby permitted shall not be carried out outside the following times 07.00 to 20.00 Monday to Friday, 08:00 to 20:00 on Saturday and 08:00 to 18:00 on Sunday and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 (Managing the impact of development), A4 (Noise and vibration) and TC4 (Town centre uses) of the London Borough of Camden Local Plan 2017.

42 Noise levels

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 A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.

#### 43 Car Parking

The development shall not be occupied until the whole of the car parking provision shown on approved drawing 0001-A-CTA-SKE-98-00-3010 is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the occupiers of the wheelchair adapted units of the development.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets which would be contrary to policies T1 (Prioritising walking, cycling and public transport) and T2 (Parking and car free development) of the London Borough of Camden Local Plan 2017.

#### 44 Cycle parking details

Prior to commencement of internal walls, full details of cycle parking shall be submitted to and approved by the local planning authority. The details of the cycle parking shall include the following:

- 24 Long-stay cycle parking spaces for non-residential use (located as per drawing 0001-A-CTA-SKE-98-00-3010).
- 42 Short-stay cycle parking spaces for non-residential use (located as per drawing 0001-L-FAB-DRG-XX-00-1000 T06).
- 287 Long-stay cycle parking spaces for residential use, 5 of which are adaptive cycle spaces (located as per drawings: 0001-A-CTA-SKE-98-00-3010 and 0001-A-CTA-SKE-98-B1-5570).
- 10 Short-stay cycle parking spaces for residential use (located as per drawing 0001-L-FAB-DRG-XX-00-1000 T06).
- Details of either a 'Sheffield' or 'Camden M' stand for adaptive cycles to be locked securely for the 5 adaptive cycle parking spaces.
- Showers and lockers for staff use for the non-residential development as located per drawing 0001-A-CTA-SKE-98-00-3011.
- Details showing all doors on route to any cycle parking to be automated and have sufficient clearance for a person to manoeuvre through it easily whilst standing next to their cycle; and a minimum of 2m wide.

The approved cycle parking requirements shall thereafter be provided in their 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 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

#### 45 Electric vehicle charging and monitoring

Two of the vehicle parking spaces hereby approved (accessible spaces) shall

be provided with two operational (active) electric vehicle charging points and the remaining 6 spaces shall be provided with passive provision (cabling to parking spaces to enable simple installation and activation at a future date) prior to first occupation and shall thereafter be retained.

Reason: To ensure that the scheme promotes the use of sustainable transport means in accordance with policy T2 (Parking and car-free development) of the London Borough of Camden Local Plan 2017.

46 Number of units

The development hereby permitted is for 171 units and shall be carried out in accordance with the approved plans set out in condition 2 of this planning permission.

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

47 Fire statement

The development shall be completed in accordance with the fire statement approved on 27/04/2022 under reference 2022/1036/P or other Fire Statement as submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The relevant uses of the development shall be carried out in accordance with the approved details.

Reason: In order to provide a safe and secure development in accordance with policy D12 (Fire safety) of the New London Plan.

Informative(s):

1 Reasons for granting permission

Planning permission was first granted under reference 2015/6455/P on 23/06/2017 for the complete redevelopment of the site, which included the provision of 164 new residential dwellings. Following this approval, there have been a number of non-material and minor-material amendment applications at the site, including an application in 2019 (reference 2019/4140/P) which approved an increase in the number of homes to 180 and changes to the dwelling mix. The proposed changes resulted in an overall increase of 16 units to provide a total of 94 private units (verses the previously approved 85), 54 affordable social rent units (verses the previously approved 44) and 32 intermediate units (versus the previously approved 35).

The current application seeks to amalgamate 18 market units into 9, resulting in a loss of 9 units. This is as a result of enquiries from potential occupiers of

units within the east block, leading to a design review within this building. Enquiries have been for larger units which can only be accommodated by amalgamating units. The proposals would see the amalgamation of a number of 1-bed/2-person and 2-bed/4-person units to provide six new 3-bed/6-person units and one 4-bed/8-person unit.

Planning permission was previously sought for the amalgamation of four market units into two, resulting in the loss of two units (ref. 2022/5313/P). The application was recommended for approval subject to a deed of variation of the original S106 which had not yet been completed. The current application incorporates the changes proposed by that application, resulting in the loss of an additional 7 units compared to those already considered. Planning ref: 2022/5313/P has been withdrawn, as the current application is recommended for approval.

Although the amendments would see the loss of more than one home which policy H3 seeks to resist, there would be no overall loss of residential floorspace, and the proposals would deliver an improved housing mix, seeing a reduction in 1 bedroom units to provide larger 3 and 4 bedroom homes when none were originally proposed. Policy H7 sets out that for market homes, 1 bedroom units are low priority, whereas 2 and 3 bedroom units are the highest priority, and the Council supports the provision of larger homes to provide more homes for families in the borough. The proposed changes to the dwelling mix are therefore supported.

Furthermore, the 2019 minor material amendment application saw an increase in the number of 1 bedroom units from 34 to 56, and a decrease in 2-bed units from 51 to 38, so the current proposals would help to re-balance and provide a better mix of market dwelling sizes which is welcomed. There would be no impact on the number or mix of affordable homes.

The larger units would continue to provide a good standard of accommodation, with the bedroom sizes and overall dwelling size exceeding the Nationally Described Space Standards.

It is therefore proposed to amend condition 46 which sets out the approved number of homes, reducing it from 180 to 171, and condition 2 (approved drawings) to reflect the revised floor plan layouts.

## 2 Reasons for granting permission (continued)

Following the approval of the original application, the applicant's energy and sustainability consultants have been working on improvements to the approved Energy Strategy following changes in policy and a move away from gas engine Combined Heat and Power Plant (CHP). It is now proposed to replace the approved CHP with more efficient Air Source Heat Pumps (ASHPs) with a supplementary gas boiler to be located within the approved plant room of the lower ground floor in the East building. Consequently, it is proposed to amend and re-discharge conditions 21, 22 and 38 which all refer to the original CHP system.

Condition 21 required details of the CHP plant and emission standards,

alongside confirmation that the plant will comply with the Mayor's emission standards as set out in the Mayor's Sustainable Design and Construction SPG, and details of any necessary NO<sub>2</sub> abatement mechanisms. Condition 22 required details of the CHP stack emission sources and its height relative to the mechanical ventilation and air inlet locations. The condition stipulated that air inlet locations should be located away from roads and the CHP stack to protect internal air quality. Both conditions were previously discharged on 20th March 2020 (ref: 2019/6364/P).

Details of the new ASHP and supplementary gas boiler have been provided in order to amend and re-discharge conditions 21 and 22. It is proposed to install five ASHP units (Mitsubishi Electric CAHV-P500YB-HPB) and one gas boiler (Hoval Ultragas 600D). The emissions produced from the plant are less than that stated in Mayor's Sustainable Design and Construction SPG. The plant will be located within the approved plant room at lower ground floor level within the east building. The flue associated with the gas boiler will discharge at roof level of the third floor in the East building. The flue will discharge between 1.5m and 2.5m above roof level. There are no air inlets located on the roof, and the closest inlets/windows/balconies are located a minimum of 14m away eliminating the risk of the flue gasses contaminating any ventilation intakes. As such, the submitted details are acceptable, and there is no objection to the proposed amendment of conditions 21 and 22.

Condition 38 required the submission of a noise impact assessment of the CHP plant prior to installation, including any necessary mitigation measures. It is proposed to amend condition 38 to refer to the updated plant system and discharge the condition at the same time.

A noise impact assessment has been submitted, prepared by Ian Sharland Ltd. The assessment considers how the future occupiers of the new building will be safeguarded from plant noise and how noise levels affecting neighbouring properties will meet the limits defined in Condition 42. Acoustic mitigation measures have been confirmed as follows:

- (i) ASHPs to be fitted with exhaust attenuators.
- (ii) ASHPs to be operated at night on a moderated 'night mode' setting.

The assessment concludes that with these mitigation measures in place, the proposed plant will safeguard the amenities of the future occupiers and that of adjoining premises and the area generally. The noise impact assessment has been reviewed by the Council's Environmental Health Officer who confirms the assessment meets Local Plan guidelines, and that there is no objection to vary and discharge the condition.

### 3 Reasons for granting permission (continued)

The proposed minor material amendments to the three planning conditions relating to plant noise, air inlets and details of the plant and emission standards, will allow the development to be built with a more efficient heat and power system, which is welcomed. The submitted documents, which detail the overall Energy Strategy alongside the necessary detail on the ASHP and gas boiler, including emission standards and the noise impact assessment, all

show that the proposed system is more efficient than the approved CHP unit and in accordance with the original reasons for the conditions, will safeguard the amenities of adjoining premises and the area generally; and will safeguard the amenities of future occupiers.

No objections were received prior to the determination of this application and the planning history of the site has been taken into account when coming to this decision.

The GLA have assessed the proposals and confirmed the amendments do not give rise to any new strategic issues and the Council may therefore determine application without further reference to the GLA.

As such, the proposed development is in general accordance with policies A1, A4 and CC4, H3 and H7 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 4 You are advised that the Development has been begun within the time limit prescribed by condition 1 [and so this condition has been complied with].
- 5 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.
- 6 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 7 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 be 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](mailto:CIL@Camden.gov.uk)

- 8 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 9 You are advised that condition 41 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 10 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 11 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.
- 12 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 13 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.
- 14 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.
- 15 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's

Environment Services (Recycling) on 0207 974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

- 16 In respect of condition 17 piling has the potential to impact on local underground sewerage and water utility infrastructure. You are advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.
- 17 Thames Water requests for the proposal to incorporate protection to the properties by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow waste at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 18 With regard to surface water drainage Thames Water advises that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that you ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Should you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 19 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
- 20 Thames Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. This is as failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 21 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. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."
- 22 You are advised that the biodiversity information/ecological assessment provided as part of this application will be made available to Greenspace Information for Greater London [GIGL], the capital's environmental records centre. This will assist in a key principle of PPS9 (Biodiversity and Geological Conservation) by building up the data base of up-to-date ecological information and this will help in future decision making.
- 23 Active bird nests are protected under Part 1 of the Wildlife and Countryside Act

1981 (as amended) which states that it is an offence to disturb, damage or destroy the nest of any wild bird while that nest be in use or being built. Active nests are highly likely to be present within the site during peak nesting season, considered by Natural England as between 1 March and 31 July. It should be noted that active nests are afforded legal protection at all times and can be encountered throughout a nesting season which may extend between mid-February and October depending on bird species and weather conditions. Nesting habitats which includes trees, shrubs, climbing plants, grounds flora, buildings and other structures may be cleared at any time of year where survey (undertaken by a suitably experienced person) can establish active nests are absent. For further information contact Natural England on 0845 600 3078.

- 24 Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation (Natural Habitats) Regulations 1994 which protect bats from intentional or deliberate actions which may kill, injure capture a bat and from actions that intentionally or recklessly damage, destroy or obstruct access to a bat roost (whether bats are present or not) or disturb a bat when occupying a roost. Actions such as demolition and renovation works to a building, and tree felling or significant tree surgery are likely to result in a breach of the above legislation if bats or bat roosts are present. For further information contact Natural England on 0845 600 3078.
- 25 In relation to condition 13 (living roofs) it is recommended for the proposed substrate to be sourced from site (for example: soil and crushed brick) for sustainability reasons and to provide better conditions for local species.
- 26 With regard to condition 19 (Surface water drainage scheme), the Environment Agency advises that the following information must be provided based on the agreed drainage strategy:
  - a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
  - b) Confirmation of the critical storm duration.
  - c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
  - d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.
  - e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
  - f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.
- 27 Network Rail advises that prior to the commencement of any works on site, the developers must contact Network Rail to inform them of their intention to



commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.

- 28 Due to the nature of the development and its location adjacent to Network Rail's operational railway, Network Rail strongly recommends that the developer contacts Network Rail's Anglia Asset Protection team at [AssetProtectionAnglia@networkrail.co.uk](mailto:AssetProtectionAnglia@networkrail.co.uk) prior to any works commencing on site and agrees an Asset Protection Agreement with Network Rail to enable approval of detailed works. More information can be obtained from the following website [www.networkrail.co.uk/aspx/1538.aspx](http://www.networkrail.co.uk/aspx/1538.aspx).
- 29 Network Rail advises that any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. To avoid scaffold falling onto operational lines, netting around the scaffold may be required. In view of the close proximity of the proposed works to the railway boundary you are advised to contact Network Rail's Asset Protection team before any works begin.
- 30 Network Rail advises that any future maintenance of the development should be designed to be conducted solely on the applicant's land, and not that of Network Rail. Any construction and any subsequent maintenance should be carried out without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space. Therefore Network Rail advises that all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. If it is necessary to close the railway and restrict rail traffic, "possession" of the railway must be booked via Network Rail's Territory Outside Parties Engineer and are subject to a minimum prior notice period for booking of 20 weeks.
- 31 Network Rail advises that any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Outside Parties Engineer before the development can commence. Given the closest demolition to the boundary with Network Rail land is 16m away (Broadstone), the developer is advised to seek confirmation from Network Rail's Outside Parties Engineer as to whether a method statement is required in this instance.
- 32 Network Rail advises that no water or effluent should be discharged from the site or operations on the site into the railway undertaker's culverts or drains. Furthermore, suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 - 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be

investigated and remedied at the applicants' expense.

- 33 With regard to condition 11 (Lighting Strategy) Network Rail advises that any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's approval of their detailed proposals regarding lighting. It is advised that this should be obtained in writing from Network Rail in advance of the relevant approval of details application, where appropriate.
- 34 Network Rail advises in respect of landscaping that any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted by Network Rail are: Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina". Not Permitted: Alder (Alnus Glutinosa), Aspen - Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).
- 35 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

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 2023.

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