

Application ref: 2023/3592/P
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Date: 1 May 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

www.camden.gov.uk/planning

Didier Ryan
31 Wood Vale
London
N10 3DJ
UK

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Barrington Court
London
NW5 4AT

Proposal:

Erection of a three storey dwellinghouse and associated works at end of existing terrace on Barrington Court.

Drawing Nos:

Design & Access Statement (prepared by Undercurrent Architects, dated 2023);
Location Plan; Location Plan UK 144-P-02 Rev 0; Site Plan Existing UK 144-P-03 Rev 0; Proposed Site Plan UK 144-P-02 Rev 2; Proposed Ground Floor Plan UK 144-P-03 Rev 4; Proposed First Floor Plan UK 144-P-04 Rev 4; Proposed Second Floor Plan UK 144-P-05 Rev 4; Proposed Elevation Grafton Road UK 144-P-06 Rev 6; Proposed Elevation Barrington Court South UK 144-P-07 Rev 5; Proposed Elevation Barrington Court North UK 144-P-08 Rev 6; Proposed Section Grafton Road UK-144-P-10 Rev 0; Proposed Landscape Plan UK 144-P-11 Rev 0; Secure steel cycle store UK 144-P-12 Rev 1; Proposed Elevation Details UK 144-P-13 Rev 0; Land at Barrington Court Tree Document; Sustainability Statement R1 (dated 26/10/2023); Sustainability Proforma; MEU-UK/FTC6/WMXXX/PP1/1Z Rev 0.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Design & Access Statement (prepared by Undercurrent Architects, dated 2023); Location Plan; Location Plan UK 144-P-02 Rev 0; Site Plan Existing UK 144-P-03 Rev 0; Proposed Site Plan UK 144-P-02 Rev 2; Proposed Ground Floor Plan UK 144-P-03 Rev 4; Proposed First Floor Plan UK 144-P-04 Rev 4; Proposed Second Floor Plan UK 144-P-05 Rev 4; Proposed Elevation Grafton Road UK 144-P-06 Rev 6; Proposed Elevation Barrington Court South UK 144-P-07 Rev 5; Proposed Elevation Barrington Court North UK 144-P-08 Rev 6; Proposed Section Grafton Road UK-144-P-10 Rev 0; Proposed Landscape Plan UK 144-P-11 Rev 0; Secure steel cycle store UK 144-P-12 Rev 1; Proposed Elevation Details UK 144-P-13 Rev 0; Land at Barrington Court Tree Document; Sustainability Statement R1 (dated 26/10/2023); Sustainability Proforma; MEU-UK/FTC6/WMXXX/PP1/1Z Rev 0.

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

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority: details including plans, coloured elevations and sections at 1:20 of all typical details (including jambs, head and cill), balustrades, parapets, gates, planters, and associated elements.

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 of the London Borough of Camden Local Plan 2017.

- 4 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 of the London Borough of Camden Local Plan 2017.

- 5 The approved cycle storage facility providing space for two bicycles shall be provided in its entirety prior to occupation and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the London Borough of Camden Local Plan 2017.

- 6 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, and 5 litres/person/day for external water use. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of Policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 8 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of Policies A2, A3, and D1 of the London Borough of Camden Local Plan 2017.

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, and D1 of the London Borough of Camden Local Plan 2017.

- 10 Prior to commencement of development, full details in respect of the living roofs in the areas indicated on the approved plan 'UK 144-P-02 Rev 2' shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies CC1, CC2, CC3, D1, and A3 of the London Borough of Camden Local Plan 2017.

- 11 The flat roofs of the building hereby approved shall not be used at any time as amenity space, and any access out onto this area shall be for maintenance purposes only.

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

- 12 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with Policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 13 No development shall commence until:

(a) a preliminary risk assessment report is submitted to and approved in writing by the local planning authority. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses. A conceptual site model should be produced indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks to identified receptors. All works must be carried out in compliance with LCRM (2020) and by a competent person.

Subsequent parts are subject to the findings of the desk study:

(b) No development shall commence until a site investigation is undertaken and the findings are submitted to and approved in writing by the local planning authority.

The site investigation should assess all potential risks identified by the desktop study and should include a generic quantitative risk assessment and a revised conceptual site model. The assessment must encompass an assessment of risks posed by radon and by ground gas. All works must be carried out in compliance with LCRM (2020) and by a competent person.

(c) No development shall commence until a remediation method statement (RMS) is submitted to and approved in writing by the local planning authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This document should include a strategy for dealing with previously undiscovered contamination. All works must be carried out in compliance with LCRM (2020) and by a competent person.

(d) Following the completion of any remediation, a verification report demonstrating that the remediation as outlined in the RMS have been completed should be submitted to, and approved in writing, by the local planning authority. This report shall include (but may not be limited to): details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil and waste management documentation. All works must be carried out in compliance with LCRM (2020) and by a competent person

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 14 Prior to commencement of development, full details of the sustainable drainage system shall be submitted to and approved in writing by the local planning authority. Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change such that flooding does not occur in any part of a building or in any utility plant susceptible to water, or on any part of the entire development site for up to and including a 1:30 year storm. The details shall demonstrate a site run-off rate conforming to the greenfield run-off rate or as close as practically possible will then be approved by the Local Planning Authority. An up to date drainage statement, SuDS pro-forma, a lifetime maintenance plan and supporting evidence should be provided including:

a) The proposed SuDS or drainage measures including storage capacities
;

b) The proposed surface water discharge rates or volumes

Systems shall thereafter be retained and maintained in accordance with the approved details.

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 CC2 and CC3 of the London Borough of Camden Local Plan and Policy SI 13 of the London Plan 2021.

Informative(s):

1 Reasons for granting permission:

The proposed single family dwelling would be constructed in a vacant end-of-terrace plot located adjacent to no.12 Barrington Court. The existing plot is empty besides from some shrubbery and a birch tree and is bounded by a small brick wall with metal railings. There was previously a permission granted for the development of the site to provide a three-storey house (ref. 2014/4270/P), but this has since expired. The site was also previously Council-owned but was sold as a self-build site.

The proposed development would involve the construction of a three-storey house that is made up of separate flat-roofed volumes that come together to form one building. The property would include three bedrooms, and private amenity spaces in the form of a roof terrace at second floor level and a courtyard to the rear of the property at ground level. The structure would integrate with the scale of the surrounding area; although the adjacent properties on Barrington Court are mostly two-storey, the immediately neighbouring property does have planning permission to extend upwards by one-storey. Additionally, the proposed height is slightly less than the height of the previously consented scheme, and the site itself is located in an area of varying building heights of differing architectural character, including those at Kiln Place on the opposing side of Grafton Road. Therefore, the proposed building appropriately addresses both the lower and higher buildings it sits between and therefore contributes to its surrounding context and wider streetscene.

The building would utilise materials such as reclaimed red brick (informed by the site's historical use as a Brick Works), timber panelling, and red metal cladding. The various volumes making up the building's massing would also all feature flat green roofs, which would ensure a good level of greenery and soften the visual appearance of the building, as well as reflect the use of flat roofs locally. The glazed openings are proposed in a regular arrangement but with varying dimensions and brick tile reveal detailing surrounding them. The design of these openings would engage with the streetscene and would contribute to the visual interest of the building. Detailed drawings of relevant features (including parapet walls, balustrades, platners, etc) are secured by

condition.

Although the scale and massing of the building is larger than the existing adjacent properties on Barrington Court, it is considered to be of a high quality design and would respect the wider context and constitute an appropriate addition to the surrounding area. The architectural design and materials used would complement the buildings in the immediate vicinity and would make a positive contribution to the wider streetscene.

The proposed dwelling would provide an adequate living area at ground level and three bedrooms in the floors above, as well as a home office space. Given the arrangement of windows, all bedrooms and living areas would have good amounts of light availability. The building would have a GIA of 128 sqm, which exceeds the minimum national space standards for a dwelling of this size, and all bedrooms are a decent size. Waste and recycling facilities are proposed to the front entrance courtyard, which is considered appropriate. The standard of accommodation provided is therefore acceptable.

- 2 Given that the proposal is providing a new dwelling and the proposed internal floor area of 128.7 sqm, the development would ordinarily be subject to an affordable housing contribution, however Policy H4 also makes clear that factors such as the context, character, and scale of development should be taken into account when determining whether affordable housing provision should be sought. Given the nature of this proposal as a self-build development involving the addition of a single unit with relatively little floorspace, it is not considered to be appropriate to seek affordable housing in this specific circumstance in line with the Written Ministerial Statement dated 28 Nov 2014. However, a mechanism would be included in the Section 106 legal agreement to ensure that if a disqualifying event were to take place and the development was no longer considered to be 'self-build' (such as the applicant selling the property within three years of completion), an affordable housing payment-in-lieu would be sought.

The proposal would sit adjacent to the properties on the north side of Barrington Court and opposite the gardens of the houses on the south side of Lambie Street. The front elevation of the proposed dwelling does extend slightly beyond the building line of adjacent properties, however due to its recessed entrance area and the staggered design of front projections, it is not considered to cause harm in terms of loss of light, outlook, or privacy to adjacent properties. Similarly, there is a distance of approximately 16m between the front elevation of the property and the rear elevations of the properties on Lambie Street and the arrangement of glazed openings is such that it is not considered there would be any new opportunities for overlooking or impacts on privacy. Grafton Road runs to the east and south of the site, so it is not considered that there would be any impacts in these directions either.

The proposal takes into account the impact on trees and vegetation, and although a birch tree and a hornbeam tree are proposed to be removed, the former of these is of poor quality and the latter is considered to be acceptable for removal provided replacement planting is provided. Two replacement trees are proposed to be provided on site - a silver birch to the rear and a cherry to the entrance area. The details of these replacement trees are secured through

a condition, as well as tree protection measures to avoid harm to nearby off-site trees. Details of the green roofs are also secured by condition, and the application has been reviewed by the Council's Trees and Landscaping Officer, who has confirmed that the proposed works are acceptable.

The development would be secured as car-free in line with Council's policies, which would be secured via a Section 106 legal agreement. The proposal also includes the provision of a cycle store to the entrance courtyard, which would provide two cycle parking spaces housed within a secure steel store, which would be secured by condition. Given the level of construction proposed in this predominantly residential area, it is recommended that a Construction Management Plan is secured that would ensure that the development can be carried out without unduly affecting residential amenity or the safe operation of the local highway network. This, along with associated contributions, would be secured via a Section 106 legal agreement. It is also deemed necessary to secure a highways contribution to protect against any potential damage to the adjacent footway - particularly due to the site location on a prominent corner plot. This would also be secured via legal agreement.

- 3 In line with the Council's policies, the proposed development would achieve a carbon reduction of 19% through passive design principles and the use of an Air Source Heat Pump (ASHP). The use of green roofs would also contribute to lowering carbon emissions whilst also acting to slow the flow of water and reduce the risk of flooding. Details of the proposed ASHP have been provided though only the approximate location is provided, which is to the flat roof of the building above the home office space. Provided that the ASHP is installed in line with the conditions and requirements outlined in the relevant legislation (referenced in an informative attached to this decision), this would fall under permitted development and would therefore not require planning permission. The applicant is reminded that all of these requirements and conditions should be observed, including the distance to roof edges and the minimisation of its effect on the external appearance of the building.

No objections were received prior to making this decision, and three letters of support were received. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with Policies G1, H1, H4, H7, A1, A3, A4, D1, CC1, CC2, CC3, CC5, T1, T2, and DM1 of the London Borough of Camden Local Plan 2017. The development would also accord with the London Plan 2017 and the National Planning Policy Framework 2023.

- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

7 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

8 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

9 You are reminded that the Air Source Heat Pump indicated in the plans and supporting documents for this application should be installed in line with the conditions and requirements outlined in Class G of Schedule 2, Part 14 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

10 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.

It is noted that this permission relates to a "self-build project", and so may be exempt from CIL payment. The applicant has submitted an exemption claim form to the Council that will be reviewed by CIL officers.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer