

Application ref: 2023/1292/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Email: Josh.Lawlor@camden.gov.uk
Date: 24 July 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

DP9 Ltd.
100 Pall Mall
London
SW1Y5NQ

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:
14 Blackburn Road
London
NW6 1RZ

Proposal:

Variation of Condition 2 (approved plans) of planning permission Ref. PWX0202103 dated 06/01/2004 as amended by non-material amendments Ref. 2022/0509/P dated 04/05/2022 and Ref. 2023/1454/P dated 02/05/2023 for redevelopment of whole site by the erection of a 4-storey eastern block comprising two Class B8 and eight Class B1 units with associated service yard, together with a 4 storey plus basement western block comprising 8 dwellinghouses and 6 self-contained flats with associated underground car parking, changes include revisions to the elevational design, floor levels, lower ground floor, first floor and roof plan.

Drawing Nos: Proposed drawings: P-001, P-099-B, P-100-B, P-101-B, P-102-B, P-103, P-201-A, P-301-A, P-302-A, P-303-A, P-304-A

Supporting Documents: Design and Access Statement, Energy Strategy, Covering Letter, Planning Statement, Statement of Community Involvement, Drawings Register, Sustainability Statement, Transport Statement, Framework Travel Plan, Be Seen Spreadsheet, Biodiversity Metric 3.1 Auditing and Accounting for Biodiversity Calculation Tool, GLA Circular Economy Statement, WLCA Assessment Template, 2021 GLA Carbon Emission Reporting Spreadsheet, Daylight and Sunlight Analysis.

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

Condition(s) and Reason(s):

- 1 Notwithstanding the approved drawings, before the relevant part of work is begun, details of new facing materials, to include photo samples and manufacturer specifications, shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall be carried out in accordance with the details thus approved.

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

- 2 For the purposes of this decision, condition no.1 of planning permission PWX0202103/R2 as amended by 2022/0509/P dated 04/05/2022 and 2023/1454/P dated 02/05/2023 shall be replaced with the following condition:

REPLACEMENT CONDITION 1

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

Proposed drawings: P-001, P-099-B, P-100-B, P-101-B, P-102-B, P-103, P-201-A, P-301-A, P-302-A, P-303-A, P-304-A

Supporting Documents: Design and Access Statement, Energy Strategy, Covering Letter, Planning Statement, Statement of Community Involvement, Drawings Register, Sustainability Statement, Transport Statement, Framework Travel Plan, Be Seen Spreadsheet, Biodiversity Metric 3.1 Auditing and Accounting for Biodiversity Calculation Tool, GLA Circular Economy Statement, WLCA Assessment Template, 2021 GLA Carbon Emission Reporting Spreadsheet, Daylight and Sunlight Analysis.

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

- 3 The roof plant shall be installed in accordance with the details and roof plan (no. 0805-PR-280) as approved under 2009/0651/P dated 17/03/2009 or such other details as the Council may subsequently approve.

Reason: To safeguard the appearance of the building and the character of the area in accordance with policy D1 of the Camden Local Plan 2017.

- 4 The flat roofs on the Blackburn Road frontage of the new residential units hereby approved shall not be used as roof terraces.

Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 The "warehouse" and "office" units, as shown on plans BLK-P- 102a and 103a hereby approved, shall be used only for Class B8 and Class B1(a-c) respectively and for no other purpose, as defined within the Schedule of the Town and Country Planning (Use Classes) Order, 1987.

Reason: To ensure that the future occupation of the building shall be in accordance with the Council's policy for business and employment uses as set out in policies E1 and E2 of the Camden Local Plan 2017.

- 6 The "warehouse" units shall be used for the purpose of a Class B8 warehouse only and no goods shall be available for sale to members of the general public.

Reason: To ensure that the premises are not used for purposes which would conflict with the Council's shopping policies or which would be likely to generate an excessive amount of vehicular traffic in order to ensure compliance with the requirements of policy TC1 and T3 of the Camden Local Plan 2017.

- 7 In respect of the "warehouse" and "office" units, no process shall be carried on or machinery installed which is not such as could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with policies A1 and A4 of the Camden Local Plan 2017.

- 8 The insulation of residential accommodation shall be implemented in accordance with the details approved under the approval of details application 2009/0650/P dated 17/03/2009 or such other details as the Council may subsequently approve.

Reason: To prevent the transmission of noise and vibration throughout the building and or into any neighbouring premises, thus safeguarding the amenities of the premises in accordance with the requirements of policies A1, A4 of the London Borough of Camden Local Plan 2017.

- 9 The insulation of the commercial accommodation shall be implemented in accordance with the details approved under the approval of details application 2009/0650/P dated 17/03/2009 or such other details as the Council may subsequently approve.

Reason: To prevent the transmission of noise and vibration throughout the building and or into any neighbouring premises, thus safeguarding the amenities of the premises in accordance with the requirements of policies A1, A4 of the London Borough of Camden Local Plan 2017.

- 10 Before the use commences, details of the method of waste storage, removal and location shall be submitted to and approved by the Council and the approved method shall thereafter be permanently maintained.

Reason: To ensure suitable provision for the occupiers of the development, to

encourage the sustainable management and collection of waste, and to safeguard the visual amenity of the area in accordance with policies A1, A4, D1, CC5 of the Camden Local Plan 2017.

- 11 At 1 metre outside the windows of any neighbouring habitable room, the level of noise from all plant and machinery shall be at least 5 decibels below the existing background noise levels, expressed in dB (A) at such locations. Where the noise from plant and machinery is tonal in character the differences in these levels shall be at least 10 dB (A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 12 Before the use commences, details of the design and location of the proposed cycle racks for both residential and commercial uses shall be submitted to and approved by the Council. The cycle racks shall be implemented in accordance with these details prior to the first occupation of the units and thereafter permanently maintained.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport in accordance with policies A1 and T1 of the Camden Local Plan 2017.

- 13 The whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the parking of vehicles of the occupiers and users of the remainder of the building.

Reason: To ensure adequate car parking provision on site in accordance with policies A1 and T2 of the Camden Local Plan 2017.

- 14 The areas shown on the approved drawings as parking, access, loading and manoeuvring areas shall be provided and thereafter be maintained, and shall not be used other than for the purposes shown. In particular a maximum of 1 car space per residential unit shall be provided and permanently maintained in the basement car park.

Reason: To ensure adequate car parking provision on site in accordance with policies A1 and T2 of the Camden Local Plan 2017.

- 15 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the building.

Reason: To ensure the availability of the facilities in accordance with the approved scheme in order to ensure compliance with the requirements of policies E1 and E2 of the Camden Local Plan 2017.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no enlargement, improvement, alteration, building, or enclosure permitted by Schedule 2, Part 1 of the Order shall be carried out or erected without the prior written permission of the local planning authority.

Reason: To safeguard the visual amenities of the area, to ensure that the external appearance of the building is satisfactory and to avoid overdevelopment of the plot and to safeguard the character and appearance of the area in accordance with policies G1, D1, and A1 of the Camden Local Plan 2017.

- 17 The disabled access provision shall be built out in accordance with the details approved under application 2008/5478/P dated 14/01/2009 or such other details as the Council may subsequently approve.

Reason: To secure appropriate access for disabled people, older people and others with mobility constraints in accordance with policies H6 and C6 of the Camden Local Plan 2017.

- 18 The programme of investigation of contaminated land shall be followed in accordance with the details approved under application 2009/0639/P dated 17/03/2009 or such other details as the Council may subsequently approve.

Reason: To safeguard future users or occupiers of this site and the wider environment from irreversible risks associated with the contaminants which are present by ensuring that the contaminated land is properly treated and made safe before development. Depending on the outcome of any ground investigation and subsequent risk assessment, it may be necessary for remediation to be carried out. If this is the case, it will be necessary to demonstrate that any work has been carried out effectively and the environmental risks have been satisfactorily managed in accordance with policies D1 and A1 of the Camden Local Plan 2017 and policy 5.21 of the London Plan.

- 19 The goods lifts serving the Class E and B8 units shall be fully provided in accordance with the details shown on the approved drawings hereby approved prior to the first occupation of any of these units, and thereafter permanently maintained.

Reason: To ensure that the units are capable of providing a full range of employment opportunities within Class E and B8 Use Classes in accordance with the requirements of policy E1 and E2 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for approval:

This application submitted under S73 of the Town and Country Planning Act makes amendments that would not change the nature of the implemented development. The residential accommodation at the site's western end would remain unaltered. The amendments include changes and revisions to the elevational design, floor levels, lower ground floor, first floor, and roof plan.

A warmer material pallet of textured and soft stone and corten gates is provided at the base of the building, and more glazing is provided to create an

active ground floor. The new design of the upper floors uses red brick with banding, reveals, and textured brick with chamfer detailing above and to one side of the windows. There is now a strong top band which differentiates from the commercial ground floor and depth to the façade. These are improvements to the design when compared with the extant (implemented) development Ref. PWX0202103 dated 06/01/2004.

Internally, the cores have been revised to accommodate an additional evacuation lift in accordance with Building Regulations requirements. The lower ground floor layout has been amended. The parking ramp width has been increased to 3500mm. There is a loss of one commercial car parking space. The proposal makes provision for bike storage for the eastern block and shower room. The proposal makes provision for adequate refuse and plant equipment space. There are amendments to the upper ground floor warehouse space on the upper ground floor. On the first floor, there are amendments to allow for showroom space. The internal floor levels were adjusted.

As the original permission has been implemented, securing a construction management plan, or the related impact bond and implementation support contribution is not considered necessary given the changes are limited to design changes.

The proposed cycle parking consists of a mix of two-tier racks, Sheffield Stands, and wall-mounted cycle stands. Wall-mounted storage is not typically supported or seen as the optimal storage solution, and details of the 117 long-stay and 17 short-stay spaces are secured by condition.

The amendments are considered minor material amendments to the extant scheme. The application's assessment is limited to façade design changes. The improved energy and sustainability and transport-related revisions, such as increased cycle parking, are welcomed as additional benefits; however, they are not secured under a new S106 Legal Agreement. The provisions from the original s106 agreement will still apply and be secured by a deed of variation.

The revised façade and internal changes are not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

Two objections and one support were received prior to this decision, and these are responded to in the consultation summary sheet.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and policy 2 of the Fortune Green West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of

proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

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

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

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