

Application ref: 2023/5365/P
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Development Management
Regeneration and Planning
London Borough of Camden
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planning@camden.gov.uk
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Detailed Planning Ltd
Greenside House
50 Station Road
London
N22 7DD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Westcott Court
13 Holmdale Road
London
NW6 1BH

Proposal:

Demolition of existing garage block and erection of a three storey family dwelling. Erection of three-storey rear extension to block of flats

Drawing Nos: 2327FS_FUL: SH1 Rev B, 2327FS_FUL: SH2 Rev B, 2327FS_FUL: SH3 Rev B, 2327FS_FUL: SH4 Rev B, 2327FS_FUL: SH5 Rev B, 2327FS_FUL: SH6 Rev B, 2327FS_FUL: SH7 Rev B, 2327FS_FUL: SH8 Rev B, 2327FS_FUL: SH9 Rev B, 2327FS_FUL: SH10 Rev B, 2327FS_FUL: SH11 Rev B, 2327FS_FUL: SH12 Rev B, 2327FS_FUL: SH13 Rev B, Sustainability Statement 2 (March 2024), Energy Statement 5566.1 (March 2024), Design, Access and Planning Statement (December 2023), Daylight and Sunlight Assessment (December 2023)

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

Condition(s) and Reason(s):

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

Reason: In order to comply with the provisions of Section 91 of the Town and

Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans 2327FS_FUL: SH1 Rev B, 2327FS_FUL: SH2 Rev B, 2327FS_FUL: SH3 Rev B, 2327FS_FUL: SH4 Rev B, 2327FS_FUL: SH5 Rev B, 2327FS_FUL: SH6 Rev B, 2327FS_FUL: SH7 Rev B, 2327FS_FUL: SH8 Rev B, 2327FS_FUL: SH9 Rev B, 2327FS_FUL: SH10 Rev B, 2327FS_FUL: SH11 Rev B, 2327FS_FUL: SH12 Rev B, 2327FS_FUL: SH13 Rev B, Sustainability Statement 2 (March 2024), Energy Statement 5566.1 (March 2024), Design, Access and Planning Statement (December 2023), Daylight and Sunlight Assessment (December 2023)

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

- 3 All new external work to the existing dwelling house shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

- 5 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plans 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 G1, CC1, CC2, CC3, D1, and A3 of the London Borough of Camden Local Plan 2017, and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

- 6 Before the development commences, details of secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its 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 of the London Borough of Camden Local Plan 2017 and policy 8 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

- 7 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 G1, D1, and A1 of London Borough of Camden Local Plan 2017, and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

- 8 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

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

- 9 The new-build house hereby approved shall be constructed in accordance with the approved energy statement (Energy Statement, 5566.1 dated March 2024), to achieve a 71% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan (2017).

- 10 The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

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 policy C6 of the London Borough of Camden Local Plan (2017).

- 11 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 G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 12 Part A:

No development shall commence until 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:

Part 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.

Part 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.

Part 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.

- 13 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a demonstrating 50%. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 14 Prior to first occupation of the buildings, detailed plans showing the location of the Air Source Heat Pump to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include product details and 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 G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The application site is located on the northeast side of Holmdale Road. The site is not located within a conservation area, but lies to the immediate west of the West End Green Conservation Area. The site lies within the Fortune Green and West Hampstead Neighbourhood Forum area. This application is following pre-application advice under 2021/2091/PRE where extensions and a new residential unit was proposed.

The principle of the loss of garages and provision of a new unit in its place is acceptable. The new build home, consisting of a 2 bed house complies with policy H7 and provides a 'high' priority unit for the borough. The overall scheme exceeds the 100sqm requirement (total GIA is 137.2sqm) and provides an additional unit which technically triggers an affordable housing contribution. However the two elements are not connected as the occupants of the new unit will not benefit from the new floorspace from the extensions which will be on existing units. Therefore, in this case, the Council considers an affordable housing payment is not required in this instance.

Design

In relation to the rear extensions to 13 Holmdale Road, the ground and first floor extension are acceptable in scale and overall remain subordinate to the host building. The half width nature of the first and second floor extension means that the rear elevation can still be appreciated. The presence of three storey rear outriggers of a greater depth means the scale and massing fits in with the prevalent character of the area. The use of aluminium frames, red bricks and a green roof (which will be secured by condition) give the extensions a softer and sympathetic overall appearance and is therefore acceptable.

Following pre-application advice, the demolition and erection of a three storey dwelling house in this location is supported in design terms and proposes an appropriate height and width in relation to the infill nature of the design and plot size. The unit maintains the prevailing building height and scale but also provides a similar fenestration pattern compared with other properties. The dwelling is set behind a garden wall and along the same building line as other properties, meaning it both fits in with the prevailing character but also provides enough defensible space for residents.

The dwelling will be made out of brick and tiled roof conforming to the prevailing character of the area. There will be aluminium windows and door which is acceptable. The use of green roofs and proposed materials are supported and will be secured by condition

The garage forecourt is also to be improved and landscaped, with the inclusion of greening, cycle and bin store which is supported and considered a benefit to the scheme.

Neighbouring amenity

In relation to the neighbours to the north (no.15), the extensions are set behind the existing closet wing and therefore any impact on amenity for these neighbours will be very limited and considered acceptable. The extensions do look onto West Cottages and in particular no. 11-13 West

Cottages. However whilst there is the introduction of new windows and Juliet balconies slightly closer to the boundary, these views are oblique and will not result in a harmful increase of overlooking compared with the existing arrangement

The new dwelling, whilst taller than the existing garages, is now set away 4.0m, from the boundary of the West Cottages which does give neighbours more relief and overcomes harmful amenity issues including loss of outlook and enclosure

- 2 In relation to privacy and overlooking, as with the extension the views onto the properties on West Cottages are oblique and there are a limited number of windows which face this way. Whilst the increase in storeys in this location may slightly increase the level of overlooking this will not be harmful.

In terms of daylight/sunlight, an assessment has been submitted in support of the application. The assessment confirms that in terms of neighbouring properties there will be very little impact to both daylight and sunlight with all windows complying with BRE standards. Whilst the design has increased in height, the height change is relatively small and the very limited impact the development had to start with means the Council is satisfied the impact would not be harmful.

Standard of accommodation

The extensions on the original house improves the standard of accommodation of existing units, increasing the GIA and living space.

The new unit which is replacing the existing garage, exceeds the minimum GIA standards for 3b5p unit measuring 99.5sqm. The double bedrooms also meet technical standards as well. There is a suitable amount of defensible space due to the landscaping and building line being set back to match the street prevailing building line. This provides a good level of privacy and is helped by the proposal only having a few windows on the side of no.13. A condition is not necessary securing the obscured glazing though given these windows only look onto a flank wall of the new house, and bathrooms and toilets are generally obscure glazed anyway. The unit contains functional and open plan layout, with dual aspect on both floors and a good level of amenity space. The ceiling heights on both floors are also acceptable. Overall the standard of accommodation is an acceptable standard. The units benefit from bin and bike store which will be secured via a condition

Transport

In line with Policy T1 of the Camden Local Plan, we expect cycle parking at developments to be provided in accordance with the standards set out in the London Plan. For residential units with 2 or more bedrooms the requirement is for 2 spaces per unit. A 2 space cycle store is shown within the front garden of the proposed new house. The provision of this cycle store should be secured by condition. No cycle parking is shown for the existing flats and whilst disappointing, as they are being extended and not increased in number, this is considered acceptable.

In accordance with Policy T2 of the Camden Local Plan, the new house should be secured as on-street residents parking permit (car) free by means of a Section 106 Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. The proposed loss of the 3 garages and forecourt parking is supported by Policy T2.

Given the extent of construction works proposed in this predominantly residential area, it is recommended that the development be subject to a Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 to be secured by means of the Section 106 Agreement. This will help ensure that the proposed development is carried out without unduly impacting neighbouring amenity, or the safe and efficient operation of the local highway network, in line with Policy A1 of the Camden Local Plan.

The removal of the garages will also lead to the existing crossover becoming redundant, whilst the construction works are likely to lead to damage to the adjacent carriageway. The cost of the highway works will be secured by means of the Section 106 legal agreement.

3 Sustainability

The application is supported by both an energy statement and sustainability statement for the extensions and new build. Whilst these documents are not required for the extensions, the document for the new build element confirms the water efficiency and other sustainability measures have been considered as part of the scheme with operational energy savings well beyond the 19% target. The new build element contains both PV panels and ASHPs which will be conditioned. Integrating these aspects is supported and contributes to a new, low carbon using residential unit

The planning history of the site was taken into account when coming to this decision. No objections were received. Fortune Green and West Hampstead Neighbourhood Forum area have removed their objection

As such, the proposed development is in general accordance with policies H1, H6, H7, C6, A1, A4, D1, D2, CC1, CC2, CC3, CC5, T1, T2, T3, T4 and DM1 of the London Borough of Camden Local Plan (2017). The proposed development also accords with the London Plan (2021) and the National Planning Policy Framework (2023). The development also complies with policies 1, 2, 7, 8, 9, 17 and 18 of the Fortune Green and West Hampstead Neighbourhood Plan (2015)

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5

Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 5 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 6 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.

- 7 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.
- 8 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 9 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.
- 10 With regard to condition ...above the preliminary risk assessment is required in accordance with CLR11 model procedures for management of contaminated land and must include an appropriate scheme of investigation with a schedule of work detailing the proposed sampling and analysis strategy. You are advised that the London Borough of Camden offer an Enhanced Environmental Information Review available from the Contaminated Land Officer (who has

access to the Council's historical land use data) on 020 7974 4444, or by email, <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-contaminated-land-officer.en>, and that this information can form the basis of a preliminary risk assessment. Further information is also available on the Council's Contaminated Land web pages at <http://www.camden.gov.uk/ccm/navigation/environment/pollution/contaminated-land/>, or from the Environment Agency at www.environment-agency.gov.uk.


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 positioned above the printed name and title of the signatory.

Daniel Pope
Chief Planning Officer