

2020/5277/P - Land adjacent to 1 Regency Lawn, NW5 1HF



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Image 1. Aerial view.



Image 2. Looking east up Croftdown Avenue



Image 3. Looking west along Croftdown Road



Image 4. Southeast (rear elevation)

Delegated Report (Members Briefing)		Analysis sheet		E xpiry Date: Consultati on Expiry Date:	11/01/2021
		N/A			17/01/2021
Officer			Application Number(s)		
Obote Hope			2020/5277/P		
Application Address			Drawing Numbers		
Land adjacent to 1 Regency Lawn Croftdown Road London NW5 1HF			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Demolition of car port and erection three storey building consisting of 1 x 3 bed dwelling house.					
Recommendation(s):		Grant conditional planning permission subject to s106 legal agreement			
Application Type:		Full planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	6	No. of objections	6
Summary of consultation responses:	<p>A site notice was displayed from 18/12/2020 to 11/01/2021 and the application was advertised in the local paper on 24/12/2020 until 17/01/2021.</p> <p>6 objections and 3 supporting correspondences have been received from the following addresses; 68 Dartmouth Park Road; 75 Chetwynd Road; 1c Laurier Road; 15A Croftdown Road; 19 Churchill Rd; 2 x Objections from 7 Regency Lawn; 11 Brookfield Park and 6 Regency Lawn.</p> <p>The objections were raised on the following grounds:</p> <p>Design</p> <ol style="list-style-type: none">1. No garden space;2. The front gardens within residential streets make an important contribution to the character, this plan reduces the soft landscaping.3. Little detail is given to the digging down into the subfloor to provide disabled access and the effect this will have on the water table and drainage of surface water;4. Policy H3 Neighbourhood plan and Camden guidance attaches considerable importance to the provision of new homes that can accommodate older people or people with disabilities;5. The new 3D picture, submitted on January 13th, shows a feature wall and trees which help to mask the visual impact of the new build. However. Both of the wall and trees are on land which is now in the hands of a new owner who has not yet submitted his plans for the site;6. It is not a brownfield site but just an unattended garden that with a little imagination and a few hours work could be turned into an attractive garden;7. The balconies are not in keeping with the area. The line of the new build does not sit well with the current terrace and the fenestration is completely out of keeping with the area;8. The plans call it a three bedroom house but the drawings show bed no 1 as part of the sitting room so making it really a 2 bed house;9. The site is too small and the location is inappropriate for any such development;10. The is no outdoor space to the rear;11. The plans call it a three bedroom house but the drawings show bed no 1 as part of the sitting room so making it really a 2 bed house. It also mentions housing for elderly or disabled.					

	<p>Other</p> <p>12. It is well known that the whole site was purchased in August 2020 well before this application was submitted and that the new owner has clearly stated he has no intention of building as per the planning granted on appeal to the Mansfield Bowling Club. I conclude that the detail in this application is both out of date and in effect unintentionally misleading as it is built on the premise of it being a gatehouse to a park next to a site for which no such planning has been submitted.</p> <p>Officer's response:</p> <ol style="list-style-type: none"> 1. <i>Whilst the site is constrained, the application is considered acceptable in this instance. It is duly noted that there is limited garden space to the rear; however, the submission includes adequate amenity space to the front garden and through balconies; See design section 3 and standard of accommodation section 4.</i> 2. <i>Please ref to paragraphs 3.3 to 3.4 in the design section 3;</i> 3. <i>There is some excavation works being proposed. However, the depth of the works being proposed is not sufficient to harm ground water conditions and no BIA is required. The ground floor of the house has been lowered to reduce the height of the building and a disabled ramp provides step free access;</i> 4. <i>A condition would be attached requiring details of the hard and soft landscaping to be submitted an approved prior to any associated works;</i> 5. <i>Please refer paragraphs 3.5 in the design section 3;</i> 6. <i>The proposed building responds adequately to its context. See section 3;</i> 7. <i>The submission and floor plans show 3 x bed accommodation with bedroom floor areas adequate for 3 bed; See section 4;</i> 8. <i>Please refer to section 4;</i> 9. <i>As per point 1.</i> 10. <i>As per point 8.</i> 11. <i>Please refer to the land use section 2 and design section 3.</i>
<p>Dartmouth Park Conservation Area Advisory Committee:</p>	<p>A letter of objection was emailed on behalf of the Dartmouth Park Conservation Area Advisory Committee (CAAC). Their objection is summarised below;</p> <ul style="list-style-type: none"> • The height of the dwelling is taller than those on the adjacent terrace <p>Officer's response:</p> <ul style="list-style-type: none"> • The proposed height responds to the natural gradient of the site and street. Please refer to design section 3.

Site Description

The site is located between the major open landscaped space of Hampstead Heath and Highgate Cemetery and lies within the Dartmouth Park Conservation Area. The proposed dwelling would be constructed along the boundary with Regency Lawn consisting of two terrace rows of neo-Georgian style town houses. The site has one point of access from Croftdown Road, currently providing vehicular and pedestrian access. The site is split into two halves on different levels with the lower part (closest to the existing house) accommodating the car port and hardstanding. Regency Lawn is described in the Dartmouth Park Conservation Area as “early 1970s two terraces of neo Georgian style town houses, dominated by their garage doors that, due to the paucity of their design, have a negative impact on the character and appearance of the Conservation Area”.

The grounds of Mansfield Bowling Club, more specifically the entire site with the exception of the indoor bowling facility building, is designated Open Space / Private Open Space (POS) on the Local Development Framework proposals Map (2018). The site is Local Green Space designation at Mansfield Bowling Club, reflecting a land swap amended on the 3rd August 2022.

Relevant History

Subject site

2020/1400/PRE – Pre-application advice was sought for the erection of 1 x3Bed dwelling house. Dated 23/06/2020.

Other relevant history for the adjoining site

Mansfield Bowling Club

2018/1701/P – Planning permission for variation of condition 2 (Approved plans) of planning permission 2015/1444/P granted at appeal on 27/01/2017 for 'Creation of a new publicly accessible open space; enhanced tennis facilities including the reconfiguration and extension of the courts to provide an additional court and increased playing area to accord with LTA requirements; the provision of a new ancillary pavilion (Class D2) to replace existing ancillary buildings and structures providing community and leisure space; a new community garden; and the demolition and replacement of the existing bowling club building with a new part three storey, part 2 storey building providing 21 residential dwellings (Class C3) with associated access, parking and landscaping' namely to alter mix of unit sizes provided (-2x 4bed and +4x 2bed units) and omission of basement level to residential block. **Granted** on 12/04/2019

2015/1444/P: Planning permission was refused but subsequently allowed at appeal subject to conditions and a legal agreement for the 'Creation of a new publicly accessible open space; enhanced tennis facilities including the reconfiguration and extension of the courts to provide an additional court and increased playing area to accord with LTA requirements; the provision of a new ancillary pavilion (Class D2) to replace existing ancillary buildings and structures providing community and leisure space; a new community garden; and the demolition and replacement of the existing bowling club building with a new part three storey, part 2 storey building providing 21 residential dwellings (Class C3) with associated access, parking and landscaping'. **Refused and the appeal allowed (ref. APP/X5210/W/16/3153454) on the 27/01/2017.**

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

Policy A1 Managing the impact of development
Policy A3 Biodiversity
Policy A5 Basements
Policy D1 Design
Policy D2 Heritage
Policy H2 Maximising the supply of self-contained housing from mixed use scheme
Policy H4 Maximising the supply of affordable housing
Policy T1 Prioritising walking, cycling and public transport
Policy T2 Parking and car-free development

Camden Planning Guidance

Access for all (March 2019)
Air Quality (adopted January 2021)
Home Improvements 2021
Design (adopted March 2021)
Amenity (adopted March 2021)
Basements (adopted March 2021)
Biodiversity (March 2018)
Housing (January 2021)
Trees (March 2019)
Transport (adopted March 2021)
Water and flooding (March 2019)
Developer Contribution adopted March 2019)
Energy efficiency and adaption (March 2021)

Dartmouth Park Neighbourhood Plan 2020

Policy DC1 Enhancing the sense of place
Policy DC3 Requirement for good design
Policy H1 Meeting housing need
Policy H3 Accessible housing
Policy ES1 Green and open spaces
Policy ES3 Biodiversity
Policy ES4 Energy efficiency
Policy TS3 Traffic reduction

Specific Principles for Specific Neighbourhood Sites

Mansfield Bowling Club amended August 2022

Appendix 4 Open Spaces

Part A Local Green Spaces

Dartmouth Park Conservation Area Appraisal and Management Strategy 2009

Assessment

10 Proposal

1.1 Consent is sought for the erection of a three storey dwelling. The proposed house would provide 3x bedrooms over three floors, would be a modern design finished in brick with roof terraces to the front and rear elevation and consist of green roof with photovoltaic panels.

1.2 The proposed dwelling would be three-storey (8.9m high) dwelling with a flat roof with a series of photovoltaic panels and brown roof. The proposal width is 8.3m and a depth of 7.4m m with a footprint of approximately 129sqm. This would have a front garden of 21sqm with bikes, bin storage and soft landscaping area. Two balconies are proposed at first floor, one to front elevation covering approximately 6.4sqm and one at the rear of 4.5sqm.

1.3 The main issues for consideration are:

- Land use
- Design and heritage
- Residential standards
- Amenity
- Transport
- Planning Obligations
- Affordable housing
- Trees
- Sustainability
- CIL

20 Land Use

21 The site is located between the major open landscaped space of Hampstead Heath and Highgate Cemetery, the site sits within the Dartmouth Park Conservation Area. The proposed dwelling would be constructed along the boundary with Regency Lawn consisting of two terraces of neo-Georgian style town houses. The site has one point of access from Croftdown Road, currently providing vehicular and pedestrian access. Amendment is sought for correction to the boundary of a Local Green Space designation at Mansfield Bowling Club, reflecting a land swap and consider the setting of the Local Plan and Neighbourhood Plan designation as assessed in the sections below. However, the site does not extend into this area.

22 The grounds of Mansfield Bowling Club, more specifically the entire site with the exception of the indoor bowling facility building, is designated Open Space / Private Open Space (POS) on the Local Development Framework proposals Map (2018). Views of Croftdown Road are visible from the north side between Nos 4A/6A, 10/14 and 42/44, the rear of Grove Terrace between Nos 9/11 and 15/17, and Laurier Road between Nos 37/39 and 47/49.

23 The site was amended by way of a contract entered into by the previous owner of 1 Regency Lawn and the Mansfield Bowling Club. The contract was conditional on the club obtaining consent for their scheme, which incorporated the land swap as part of the wider improvement to the designated open space, giving the bowling club a wider street frontage and number 1 Regency Lawn a more rectilinear site. It also enabled the tidying up of the boundary to Croftdown Road. The swap comprised the exact same sqm of land. This arrangement was considered and forms part of the scheme at Bowling Club app ref 2015/1444/P allowed at the appeal (see planning history). The Area Neighbourhood Plan have been updated accordingly to reflect changes to the land.

24 The provision of new housing development is encouraged and would provide additional housing within the Borough, in accordance with policy H1 of Camden Local Plan.

25 East of the junction with York Rise and closing the vista from Brookfield Park are Regency Lawn (early 1970s), the conservation area statement describes Regency lawn as *'two terraces of neo-Georgian style town houses, dominated by their garage doors that, due to the paucity of their design, have a negative impact on the character and appearance of the Conservation Area'*.



Image 1. Showing the proposed site with land swap with improved access to the park entrance.

26 The open space of the site contributes to the character and the site has relevance to the historic development of the Dartmouth Park area. Surrounding houses and gardens are also generally positive contributors to the conservation area. However, the 1980s faux Georgian Terrace is considered as having a negative impact. This is according to the conservation area statement that described the property as “two terraces of neo-Georgian style town houses, dominated by their garage doors that, due to the paucity of their design, have a negative impact on the character and appearance of the Conservation Area”.

27 Policy DC3 of the Dartmouth Park Neighbourhood Plan 2020 requires new development to demonstrate good quality design that response to and integrating with local surroundings and landscape context. Moreover, the neighbourhood plan stipulates that new development should achieving high quality design that respects the scale, mass, density and character of existing and surrounding buildings and preserves the open and green character of the area.

28 The site is shares it borders with Local Green Space which provide attractive, visual breaks to the built environment, keeping a quality of openness. This local designation is broadly equivalent to the Green Belt, meaning development is only permitted in very special circumstances. A significant number of open spaces are designated for their nature conservation importance and Policies A2 Open Space and A3 Biodiversity relate to the safeguarding and improvement of these sites.

30 Design

31 The proposed building would be a high quality three storey, modern addition to Croftdown Road. This would represent a well-designed structure that acts as a book-end to the existing neighbouring terrace of houses to the west and the height would be consistent with the existing step-up arrangement that forms part of the terrace row, and as such the proposal would sit comfortably adjacent to 1 Regency Lawn. The proposed scale and projection of the new building would respond positively to the character of the Dartmouth Park Conservation Area.

32 The modern design is in contrast to the elaborate, highly decorative architecture adjacent to the application site and seen elsewhere in the conservation area. The key elements of the architectural detailing of Gate House would be clearly visible as well as other “buff brick” houses in the wider area. The building would introduce a projecting balcony, clad in stone to the frontage onto Croftdown Road which wraps around the corner to the side elevation. This element neatly

interlocks with the buff brick facades. The proposed sills and parapet copings are also in stone which create consistency and add character to the elevations. Details of facing materials will be secured by condition.

3.3 The set back from the street frontage would result in a small garden to the front. This includes an area of soft landscaping with boundary wall planter. The stone wall which the sinuous garden wall follows the curved back of pavement line and makes the transition along the street frontage, expands into bin and cycle storage, located discretely off the road.

3.4 To the rear, wide openings are proposed and long inset balcony at first floor, surrounded by railings. This would create contrast with the front and balance out the volume.



Image 2. CGI image of the front elevation

3.5 The overall design and appearance are considered acceptable, using high quality materials and details. The proposed building would add architectural interest on the site, replacing a low quality car port. The proposal calmly aligns to the existing frontage of the neighbour with a more expressive corner formed by a projecting terrace on the north-eastern corner. The proposed architectural detailing and use of materials draw on some of the language used in examples of modernist housing found locally in the Conservation Area. The building being proposed here consists of simple brickwork facades, punched with deeply recessed windows and balconies that activate the streetscape. A condition would be attached restricting permitted development rights in order to preserve the design and appearance of the host building.

3.6 In conclusion, the proposal is considered to make excellent use of a restricted site to provide a well-designed family home. The proposed building sits comfortably within its plot and as a termination of the existing terrace in terms of height, bulk and massing, and as a new building in its own right. It successfully serves a role as a perceived gate house to the open space to the south and provides passive surveillance to this entrance area. By placing the garden and primary

balcony space at the front of the dwelling, activation is provided to the street scene whilst this also references the generous front garden spaces typically found in the Conservation Area. The approach for the building and associated landscaping is considered to both preserve and enhance the character and appearance of the street scene and wider Conservation Area. As such the proposal is considered to comply with policies D1 and D2 of the Local Plan 2017.

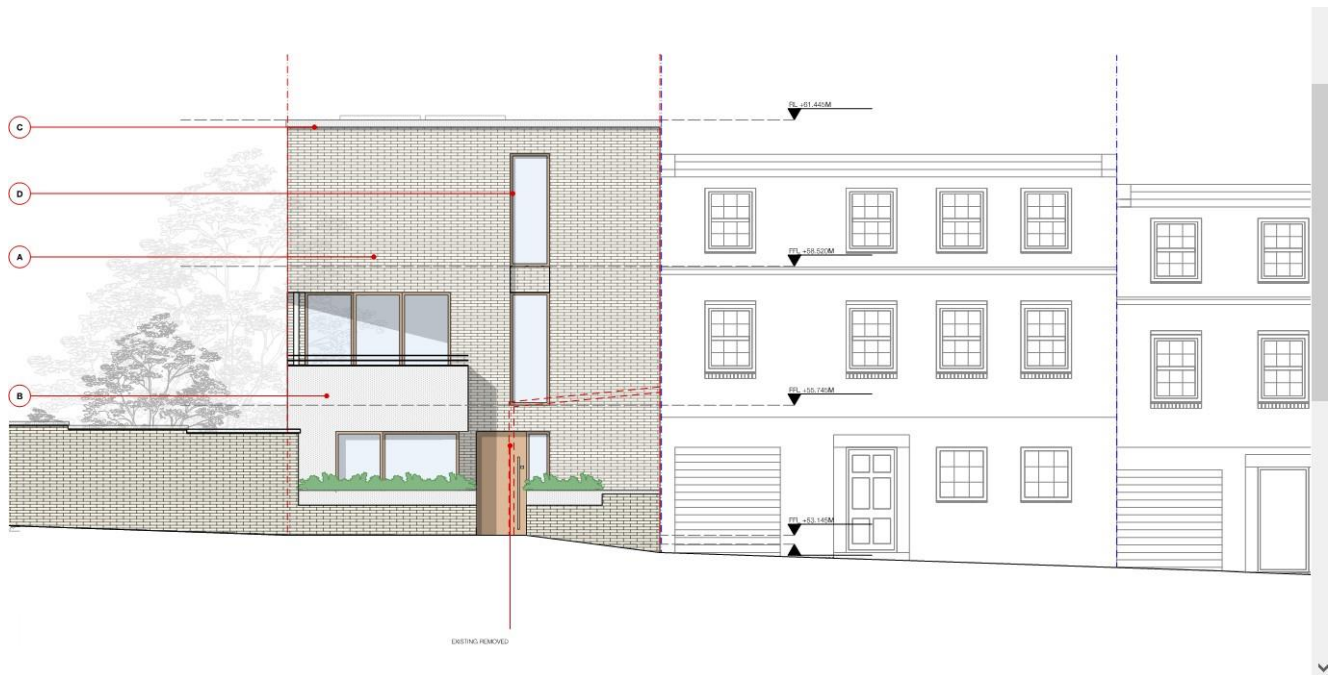


Image 2. Proposed front elevation showing the step design.

3.7 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, scale, design and location of the proposed alterations, would ensure no harm is caused to the character of the host building and surrounding conservation area, in accordance with policies D1 and D2 of the Camden Local Plan.

4.0 Residential standards

4.1 The proposed building would provide a 3-bedroom house over three floors with a gross internal floorspace of approximately 129sqm which exceeds National Minimum requirements for 3 bedroom house for 6 persons over three floors of 108sqm. All rooms would be adequately sized Bedroom 01 is 15.4sqm, bedroom 02 (single) is 8.6sqm, bedroom 03 is 12.2sqm respectively. The dwelling would have step free access and therefore accessible for people with mobility issue, which would comply with part M4(2) of Building Regulations.

4.2 The house would be single aspect, and have acceptable outlook, access to sunlight and daylight and natural ventilation due to the proposed openings and orientation. Adequate storage is proposed, including cycle and bin storage at ground floor level in front garden.

4.3 The main amenity space for the property is the front garden, and balconies at upper levels. The properties within the row have small front and rear gardens. Whilst the proposal would not benefit from rear garden, it is considered that the provision of front garden with storage integrated in the form of bin and bike storage is acceptable and the proposal would provide a good standard of residential accommodation.

5.0 Amenity

51 Local plan policy A1 seeks to protect the amenity of residents by ensuring the impact of development is fully considered. The quality of life of occupiers and neighbours are protected by only granting permission for development that would not harm the amenity of neighbouring residents. This includes factors such as light, outlook, privacy, noise and disturbance.

52 The neighbouring site no.1 Regency Lawn consist of windows to the side elevation that serves the bedrooms at first and second floor level looking out to Croftdown Road. The ground floor window is to a garage which is a non-habitable space, therefore no significant impact would be caused. In relation to the windows at first and second floor, the rooms which these serve have openings to the front elevation as well, and the impact on their daylight/sunlight and outlook would be limited. Therefore, it is not anticipated that the blocking up of these windows would have a detrimental impact on daylight/sunlight to these room due to being secondary windows to those to the front elevation.

53 In regards to 72 Croftdown Road, the closest neighbour to the north-east side of the site, this has a window to the side elevation at first floor level. The proposed dwelling house would be setback by more than 18m from no. 72. As such, the proposal would not have a detrimental impact to the amenity of no. 72. with the loss of light nor would the proposed dwelling have an impact on sense of enclosure.

54 In terms of loss of privacy, due to the proposed scale of the building and its alignment with the others within the row, there would be no new opportunities of overlooking. The proposed balcony to the rear would be located on the opposite side of the terrace row and would be set in within the elevation, which would minimise any overlooking impact.

60 Transport

61 As required by policy T2, the proposed 3 bedroom dwellinghouse would be car-free, which would the reduce the availability of both off-street and on-street parking, and ensure that no additional parking congestion occurs in the area. This would be secured by a section 106 legal agreement.

62 Secure, accessible, and covered cycle parking should be provided in accordance with Policy T1, cycle facilities section of CPG Transport, and the new London Plan. For a three bedroom house the requirement would be of 2 cycle parking spaces. The proposed drawings indicate that a bike store would be provided in the front garden for 3 bicycles. Given the limited details provided for the cycle store a pre-commencement condition would be attached to require details of secure storage for 2x cycles.

70 Planning Obligations

71 As part of the existing crossover will become redundant, it will be necessary to a secure a Highways Contribution for removing this part of the crossover and reinstating the footway. This will be secured by the means of the Section 106 Agreement. The highway works would be implemented by the Council's highways contractor on completion of the development. A cost estimate for the highway works has been calculated as £4,491.

72 Due to the site being in a mainly residential area and the amount of construction works proposed, a Construction Management Plan (CMP) would need to be secured to minimize the impact on the highway infrastructure and neighbouring community. Transport officers advised requirement for a CMP implementation support contribution of £3,136 and a Construction Impact Bond of £7,500 as section 106 planning obligations

73 A Construction Management Plan (CMP, in the form of the pro-forma, would need to be approved by the Council prior to any works commencing on site. The CMP pro-forma is available on the [Camden website:](https://www.camden.gov.uk/documents/20142/1269042/CMP+pro+forma+03-02-2020.docx)
<https://www.camden.gov.uk/documents/20142/1269042/CMP+pro+forma+03-02-2020.docx>.

Details on Construction Impact Bonds is available on the Camden website: <https://www.camden.gov.uk/documents/20142/1269042/Construction+Impact+Bonds+-+Guidance+-+05-02-2020.pdf/>.

80 Affordable Housing Contribution

8.1 Policy H4 aims to maximise the supply of affordable housing. The Council expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm Gross Internal Area (GIA) or more. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity.

8.2 The proposal includes a new home and an uplift of 129sqm GIA of floorspace. This would result in a requirement for 2% affordable housing (capacity is rounded up to the nearest 100sqm (i.e. 200sqm), with 30sqm and above being rounded up). This would equate to a requirement of 2.6sqm of affordable floorspace. Where developments have capacity for fewer than 10 additional dwellings, the Council accepts a payment-in-lieu (PIL) of affordable housing as set out in Policy H4.

8.3 The Camden Local Plan 2017 has adopted GIA to assess self-contained housing and affordable housing requirements under Policies H2 and H4. For consistency, the payment rates incorporated in the updated CPG Housing are expressed as payments per sqm of GIA and have been updated for housing and affordable housing. PIL of affordable housing required by Policy H4 is £5,000 per sqm GIA. The PIL required for the proposed development is calculated below:

- Based on an uplift in GIA of **129sqm** the percentage AH target would be **2%** contribution)
- The affordable housing floorspace target is **2% x 129sqm = 2.58sqm**
- A PIL is sought at a rate of £5,000 per m² of GIA, as per CPG Housing January 2021
- The financial contribution is therefore **2.58m² x £5,000 = £12,900**
- This is based on measurements **taken from the submitted plans** and the final financial contribution would be dependent on the PIL figure at the time of agreeing the Section 106 Agreement

8.4 On this basis, a payment in lieu of £12,900 towards affordable housing would be required.

90 Trees and landscaping

9.1 There are no trees on site, and no substantial trees either within or adjacent to the site, or any that overhang the site boundaries. BS 5837:2012 'Trees in relation to design, demolition and construction' advises that a tree survey is required to record the position of trees with an estimated stem diameter of 75mm or more that overhang a site or are located beyond the site boundary within a distance 12x their estimated stem diameter. In this case, there are some trees adjacent to the application site, which are self-seeded trees, very small, with no particular amenity value and therefore their removal would not result in harm to the character and appearance of the streetscene and wider area.

9.2 The front garden includes an area of soft landscaping, which would contribute to the streetscene and amenity of the future occupiers. Further details in relation to this would be secured by conditions to ensure high quality landscaping will be proposed and maintained.

10.0 Sustainability

10.1 The building would have large south facing windows for solar gain and would be required to limit water consumption of 105 litres per person per day. A condition would require a sustainability statement to be submitted and approved prior to construction and require evidence to demonstrate that such water efficiency has been achieved.

10.2 A sustainability statement has been submitted which provides reference to the energy hierarchy and policies CC1 and CC2 of Camden Local Plan, however no detailed calculations have been provided to demonstrate reduction of carbon emissions at Be Lean stage by 19% as required by London Plan 2021 for this type of development. The report states the building would have heating and hot water from Air Source Heat Pump (ASHP), however no details of where these would be located have been provided. As such, a complete Sustainability Statement which includes SAP10 calculations would be required as well as details of any plant equipment, prior to commencement of any development on site. This would be secured by condition.

10.3 The proposed dwelling would be constructed with a green roof and photovoltaic panels. The proposed green roof would increase the biodiversity of the site and has potential to provide habitat for invertebrates and ground nesting birds. The proposed green roof would help to lower peak rainfall runoff, reducing the risk of floods. Further details in relation to the green roof would be secured by condition.

10.4 The proposal includes provision of solar PV panels, combined with the green roof. A combined solar PV and green roof also has the potential for increased plant diversity as they will provide variations in moisture, sunlight and wind exposure. This can lead to a greater biodiversity when compared with a fully exposed green roof with no photovoltaic panels. Further details of the PV panels would be secured by condition.

11.0 CIL

11.1 The proposal will be liable for both the Mayoral and the Camden CIL as the proposal is for a new residential unit.

12.0 Recommendation:

12.1 The proposed development would provide a new high quality home, which responds to Council's housing priority and provides a good standard of accommodation to future occupiers. The proposal would improve on the current use of the site. As such the recommendation is to:

Grant conditional planning permission subject to a Section 106 Agreement with the following heads of terms:

- Car-free development
- Construction Management Plan and associated Implementation Support Contribution of £3,900
- Construction Impact Bond of £7,500
- Highways contribution £4,441
- Affordable Housing Contribution of £12,900

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 17th October 2022, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2020/5277/P

Contact:

Tel: 020 7974

Date: 13 October 2022

Telephone: 020 7974 **OfficerPhone**

Mr & Mrs Kaye & Tristan Stout

1 Regency Lawn

Croftdown Road

London

NW5 1HF

Dear Sir/Madam

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

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

Land adjacent to 1 Regency Lawn

Croftdown Road
London

NW5 1HF

DECISION
Proposal: Demolition of existing and replacement of existing dwelling consisting of 1 x 3Bed dwelling house.

Drawing Nos: 2008_P_100; 2008_P_101; 2008_P_102; 2008_P_200; 2008_P_201
REVR1; 2008_P_401; 2008_P_410; 2008_P_411; 2008_P_412; 2008_P_413; CGI Image;
Design and Access Statement commissioned by JPA dated November 2020 and
Sustainability and Energy Strategy commissioned by Hoare Lea dated 22/09/2020.

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

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

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

Condition(s) and Reason(s):

- 1 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: 2008_P_100; 2008_P_101; 2008_P_102; 2008_P_200; 2008_P_201 REVR1; 2008_P_401; 2008_P_410; 2008_P_411; 2008_P_412; 2008_P_413; CGI Image; Design and Access Statement commissioned by JPA dated November 2020 and Sustainability and Energy Strategy commissioned by Hoare Lea dated 22/09/2020.

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

- 3 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.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policy DC3 of the Dartmouth Park Neighbourhood Plan 2020.

- 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DC1 and DC3 of the Dartmouth Park Neighbourhood Plan 2020.

- 5 Prior to relevant part of work begun, 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, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DC1 and DC3 of the Dartmouth Park Neighbourhood Plan 2020.

- 6 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 or prior to the occupation for the permitted use 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, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DC1, DC3 and ES3 of the Dartmouth Park Neighbourhood Plan 2020.

- 7 Before the development commences, details of secure and covered cycle storage area for 2 x 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 TS3 of the Dartmouth Park Neighbourhood Plan 2020.

- 8 Prior to first occupation of the building, 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 Policies G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017 and policy ES4 of the Dartmouth Park Neighbourhood Plan 2020.

- 9 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.

- 10 Prior to relevant part of work begun, full details in respect of the living roof in the area indicated on the approved roof plan 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 showing a variation of substrate depth with peaks and troughs
 - 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, D2 and A3 of the London Borough of Camden Local Plan 2017 and policies DC1, DC3, ES1 and ES3 of the Dartmouth Park Neighbourhood Plan 2020.

- 11 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) 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, D2 and A1 of London Borough of Camden Local Plan 2017 and policies DC1 and DC3 of the Dartmouth Park Neighbourhood Plan 2020.

- 12 Prior to commencement of any part of the development, a comprehensive Energy Strategy for the development shall be provided including energy efficiency measures, the feasibility for appropriate renewable or low carbon sustainable energy sources with the aim of reducing the development's carbon emission by at least 19% and detailed plans scale 1:50, 1:100 showing the proposed heating system and its location, shall be submitted to and approved in writing by the local planning authority.

The development shall thereafter not proceed other than in complete accordance with all the measures as recommended in the approved strategy, which shall be permanently retained and utilised as the main power sources for the development. The measures shall include the installation of a meter to monitor the energy output from the approved systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies G1, C1 , CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017 and policy ES4 of the Dartmouth Park Neighbourhood Plan 2020.

Informative(s):

- 1 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 NW12QS (tel: 020-7974 6941).
- 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.

- 4 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.
- 5 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.

- 6 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.
- 7 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 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.

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

You can find advice about your rights of appeal at:

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

Yours faithfully

Supporting Communities Directorate

2022/5277/P - Land adjacent to 1 Regency Lawn, NW5 1HF



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