

Application ref: 2024/2674/P
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Development Management
Regeneration and Planning
London Borough of Camden
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Robert Hirschfield Architects
6a Leverton Place
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
4 Oak Hill Park
London
NW3 7LG

Proposal:

Variation of condition 2 (approved drawings) of planning permission 2022/4791/P granted 23/05/2023, for: Demolition of the existing house and erection of a new house (Class C3); namely, to make various changes to the proposed roof and external elevations.

Drawing Nos: Proposed drawings: P (2) 21, rev A; P (3) 10, rev A; P (3) 11, rev A; P (3) 20, rev A; P (3) 21, rev A; P (3) 22, rev A; P (4) 02, rev A; P (4) 10, rev B; P (4) 11, rev B; P (4) 13, rev A; P (4) 20, rev D; P (4) 21, rev A; P (4) 22, rev A; P (4) 30, rev A; P (4) 34, rev A; P (4) 50, rev A; P (4) 51, rev *; P (4) 52, rev *; P (4) 60, rev B; P (4) 70, rev A; P (4) 80, rev A;

Supporting information: List of amendments to approved application prepared by Robert Hirschfield

Superseded drawings: P-2-21; P-3-10; P-3-11; P-3-20; P-3-21; P-3-22; P-4-02; P-4-10; P-4-11; P-4-13; P-4-20; P-4-21; P-4-22; P-4-30; P-4-34; P-4-50; P-4-60; P-4-70; P-4-80

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 For the purposes of this decision, condition no.2 of planning permission 23/05/2023 shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, P(2)01, 10/05/22; Existing Site Plan, P(2)02, 18/05/22; Existing Ground Floor Plan, P(2)10; Existing First Floor Plan, P(2)11, 11/05/22; Existing Second Floor Plan, P(2)12, 11/05/22; Existing Roof Plan, P(2)13; 11/05/22; Existing South (Front) Elevation, P(2)20, 28/10/22; Proposed North (Rear) Elevation_Demolition, P(3)21, rev A, 14/02/24; Existing East & West Elevations, P(2)22, 21/04/22; Existing Section A, P(2)30, 21/04/22; Existing Section E, P(2)34, 21/04/22; Proposed Ground Floor Plan_Demolition, P(3)10, rev A, 16/02/24; Proposed First Floor Plan_Demolition, P(3)11, rev A, 14/02/24; Proposed Second Floor Plan_Demolition, P(3)12, 07/07/22; Proposed Roof Plan_Demolition, P(3)13, dated 11/05/22; Proposed South (Front) Elevation_Demolition, P(3)20, rev A, 16/02/24; Proposed North (Rear) Elevation_Demolition, P(3)21, 16/02/24; Proposed East & West Elevations_Demolition, P(3)22, rev A, 16/02/24; Proposed Site Plan, P(4)02, rev A, 16/02/24; Proposed Ground Floor Plan, P(4)10, rev B, 16/02/24; Proposed First Floor Plan, P(4)11, rev B, 16/02/24; Proposed Roof Plan, P(4)13, rev A, 16/02/24; Proposed South (Front) Elevation, P(4)20, rev D, 16/02/24; Proposed North (Rear) Elevation, P(4)21, rev A, 16/02/24; Proposed West (Garage) Elevation, P(4)22, rev A, 19/02/24; Proposed Section A, P(4)30, rev A, 16/02/24; Proposed Section E, P(4)34, rev A, 16/02/24; Proposed Green Roof Details, P(4)50, rev A, 16/02/24; Proposed Green Roof Details, P(4)51, rev *, 16/02/24; Proposed Green Roof Details, P(4)52, rev *, 16/02/24; Proposed Materials_Front Elevation, P(4)60, rev B, 19/02/24; Proposed Materials_Rear Elevation, P(4)70, rev A, 19/02/24; Proposed Materials_West Elevation, P(4)80, rev A, 12/10/23; Landscape Statement (Oak Hill Park), Stephen Woodhams Design Ltd, 20/06/22; Biodiversity Net Gain (BNG) Report, TSA Ecology, October 2022; Preliminary Ecological Appraisal, TSA Ecology, October 2022; Structural Design Report, 7682, John Sime & Associates Ltd, 31/10/2022; Pre-Demolition Audit - 4 Oak Hill Park, JAW Sustainability; Life Cycle Carbon Assessment, JAW Sustainability, 28/10/2022; Energy & Sustainability Statement, JAW Sustainability, rev 2, 1/02/2023; Plant Noise Impact Assessment, Environmental Equipment Corporation Ltd, EEC/EC19306-3, 26/07/2022; Planning and Heritage Statement, DLP Planning Ltd, October 2022;

Arboricultural Impact Assessment and Method Statement, CAS/2022/124, Cantia Arboricultural Services, August 2022; Design, Access & Heritage Statement, BLDA Architects, February 2023, rev A; Daylight, Sunlight and Overshadowing Assessment, BLDA Architects, September 2022; Reasoned Justification for Demolition, Tetlow King Planning, 27/02/2023

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

- 3 Before the brickwork is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to commencement of development, full details in respect of the living roofs 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;
 - 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, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of works, drawings and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment 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. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with the Tree Protection Plan hereby approved. The protection shall then remain in place for the duration of works on site and works should be undertaken in line with the approved arboricultural method statement, unless otherwise agreed in writing by the local authority.

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.

- 7 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/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 and CC3 of the London Borough of Camden Local Plan 2017.

- 8 The development hereby approved shall be constructed in accordance with the approved energy statement [Energy and Sustainability Statement, JAW Sustainability, rev 2, 1/02/2023] to achieve a 78.71% in carbon dioxide emissions beyond Part L 2021 Building Regulations in line with the energy hierarchy, and at least 20% reduction in carbon dioxide emissions through renewable technologies. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted and approved in writing by the Local Planning Authority.

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

- 9 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

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

- 10 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

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.

- 11 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. 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.

- 12 The garage shall be fitted with an electric vehicle charging point. The charging point shall be positioned so that both vehicles in the two car garage can be charged.

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 13 Prior to demolition and construction on site as appropriate, a Demolition Management Plan (DMP) and a Construction Management Plan (CMP) shall be submitted to and approved by the local planning authority.

The DMP and CMP shall set out all measures that the Owner will adopt in undertaking the demolition of the existing buildings and the construction of the development using good site practices in accordance with the Council's Considerate Contractor Manual. Such plan shall include measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the demolition and construction periods and which demonstrates consideration of and liaison with other local concurrent developments. The plan shall also include details of a community working group involving local residents and businesses, a contractor complaints/call-line and measures to be carried out to mitigate the impact of the noise arising from construction and demolition activities on local residents and businesses, a waste management strategy and means of monitoring and reviewing the plan from time to time.

The measures contained in the Construction Management Plan shall at all times remain implemented during all works of construction and demolition. Where separate Construction Management Plans are submitted for the demolition and the construction phases the provisions of this condition will apply to both plans.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with policies T1, T2 and T3 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting approval-

The applicant has sought to amend condition 2 of the approved planning permission ref. 2022/4791/P, which requires the consented development to be carried out in accordance with the approved plans.

The existing/demolition drawings have been updated to; show the party wall boundary correctly, show the abutment with 99a Frognal outbuilding correctly, and clarify the extent of demolition. These changes are inconsequential and do not represent a material change to the development as approved.

The proposed drawings have been amended to; update the roof on the site plan; change the front door position and a side light and overhang added; show a solid wall to the ground floor courtyard in lieu of fencing; remove fixed vertical fins from void window on first floor; bring the bedroom wall forward on first floor and remove sliding/folding louvres; show the green roof gravel margin correctly on the first floor; remove brise soleil, glazed clerestory window and glazed roof and replace with green roof on roof plan and rear elevation; update the roof plan to correctly show all solar panels and acoustic enclosures for plant; add Juliet balcony balustrades to south facing bedrooms; update green roof details.

The changes to the roof do not extend the roof out any further beyond the footprint of the approved house. The amount of solar panels would be similar to that shown on the approved house. The changes to the first floor are also relatively minor and result in a minor reduction in the external folding louvres/fins.

The changes to the acoustic enclosures at roof level keep the enclosures at the same general position on the roof as the approved roof plan. The enclosures would not occupy a disproportionate amount of roof space and would be adequately setback from the roof edges.

The addition of Juliet balcony balustrades to south facing bedrooms is also a subtle change and would not materially affect the appearance of the approved building. The glass material is appropriate for the architecture of the building.

The removal of the glazed clerestory window, glazed roof and brise soleil to the south elevation would also not materially affect the appearance of the building and an appropriate amount of architectural detail on this elevation would remain.

The amount of green roof would increase with the increase in the amount of roofing. Full details of the green roof would remain as needing to be submitted

to and approved to the local planning authority in accordance with condition 4 of 2022/4791/P. Similarly, drawings and data sheets of the solar panels would still need to be submitted to and approved by the local planning authority in accordance with condition 5 of 2022/4791/P.

Given the nature and scale of the works, the proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, A3, A4, D1, D2, CC1, CC2, CC3 and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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 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 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

- 6 Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because the application for the original permission to which this s73 permission relates was made before 2 April 2024.

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



Daniel Pope
Chief Planning Officer