

Application ref: 2023/4900/P
Contact: Leela Muthoora
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Date: 30 October 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444

SM Planning
80-83 Long Lane
London
EC1A 9ET

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:
5 - 7 Adamson Road
London
NW3 3HX

Proposal:

Variation of condition 2 (approved plans) of planning permission ref. 2022/0706/P dated 26/07/2023 (as amended by 2023/3836/P dated 19/01/2024) for 'Extensions and alterations to enable the reconfiguration of the residential units resulting in a reduction from 19 units to 16 units' (reduced description), namely to retain the existing stair and circulation cores within each building and associated internal layout alterations.

Drawing Nos: SUPERSEDED DRAWINGS:
16 Rev 02; 17 Rev 02; 18 Rev 01; 19 Rev 01; 20 Rev 03.

AMENDED DRAWINGS:

Lower ground Floor Layout Drawing D dated 19-10-2023; Upper ground Floor Layout Drawing C dated 10-11-2023; First Floor Layout Drawing E dated 09-11-2023; Second Floor Layout Drawing A dated 07-10-2023; Third Floor Layout Drawing B dated 19-10-2023.

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 the original planning permission ref 2022/0706/P dated 26/07/2023.

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 2022/0706/P 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:

Basement Impact Assessment by LBHGeo, version 1.1, dated 3 July 2023; Planning & Heritage statement 31/01/2022; Living Quality Note 22/02/2023; 007_Accommodation Schedule 28/11/2022; 007_10A_Compliance Schedule_230215; Capital Energy Certificates Internal Daylight Assessment ref: CEC/22/12/LDI/ADL; DL Addendum Section 6.0.

EXISTING

(007_) 03; 04; 05; 06; 07; 08; 09; 10; 11; 12; 13; 14.

APPROVED

(007_) 15 Rev 03; 21 Rev 03; 22 Rev 03; 23 Rev 02; 24 Rev 03; 25 Rev 02; 26 Rev 04; 28 Rev 00.

AMENDED

Lower ground Floor Layout Drawing D dated 19-10-2023; Upper ground Floor Layout Drawing C dated 10-11-2023; First Floor Layout Drawing E dated 09-11-2023; Second Floor Layout Drawing A dated 07-10-2023; Third Floor Layout Drawing B dated 19-10-2023.

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

- 3 All new external work 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 and D2 of the London Borough of Camden Local Plan 2017.

- 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) Plan, elevation and section drawings, including sections at 1:10 (including jambs, head and cill), of all new window and door openings;

b) Plan, elevation and section drawings of the front boundary wall, piers and gates;

c) Manufacturer's specification details of all facing materials, including roof tiles and balustrades (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 and D2 of the London Borough of Camden Local Plan 2017.

- 5 A 1.8 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected prior to commencement of use of the roof terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 6 The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 8 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment (Basement Impact Assessment by LBHGeo, version 1.1, dated 3 July 2023) hereby approved, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

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

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

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

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

- 11 Prior to commencement of above-ground development, full details of the sustainable drainage system to be submitted to and approved in writing by the local planning authority. Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change such that flooding does not occur in any part of a building or in any utility plant susceptible to water, or on any part of the entire development site for up to and including a 1:30 year storm. The details shall demonstrate a site run-off rate conforming to the greenfield run-off rate or as close as feasibly possible. Up to date drainage details, SuDS pro-forma, a lifetime maintenance plan and supporting evidence should be provided including:
- The proposed SuDS or drainage measures including storage capacities
 - The proposed surface water discharge rates or volumes given in relation to

the greenfield run-off rates

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

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan Policies and Policy SI 13 of the London Plan 2021.

- 12 Prior to commencement of development, full details to demonstrate:
- Further consideration of the risk of surface water & other sources of flooding to the property, this should include:
 - an analysis of local, and site, topography in relation to surface water flooding sources (assume nearby highways & other hard standing channels in respect of surcharging sewer drains and/or overland flows from higher elevations);
 - attributes of the existing/proposed buildings in relation to position of potential water ingress points;
 - application of a freeboard of 300 mm;
 - this should not exercise strict reliance on EA/Camden published flood risk modelling results.
 - the proposed internal measures to ensure the development has been designed to mitigate flood risk and cope with potential flooding including a suitable positive pump device to protect against sewer flooding;
 - the proposed flood protection measures for the property to reduce the risk of internal flooding to the property.
 - the proposed internal water efficiency and/or water recycling equipment to ensure that the development will pose no additional strain on adjoining sites or the existing drainage infrastructure; and

Should be submitted to the Local Planning Authority and approved in writing.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan Policies and Policy SI 13 of the London Plan 2021.

- 13 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.

- 14 The cycle storage area for 22 cycles spaces shown on drawing named 'Lower ground Floor Layout Drawing D dated 19-10-2023' hereby approved 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

- 15 The waste storage and recycling facilities shown on drawing named 'Lower ground Floor Layout Drawing D dated 19-10-2023', hereby approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1 and D1 of the London Borough of Camden Local Plan 2017.

- 16 The roof of the mansard extension hereby permitted shall only be used in connection with the repair and maintenance of the extension and at no time be used as an amenity or sitting out area.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application site consists of numbers 5 and 7 Adamson Road which form a pair of semi-detached five-storey villas, both with a lower ground floor, three upper floors, and attic level. The pair are not connected internally at present. The existing use of the site is residential, with nine flats in 5 Adamson Road and ten flats in 7 Adamson Road.

The original planning application 2022/0706/P dated 26/07/2023 granted permission for extensions and alterations to enable the reconfiguration of the residential units. The description of development included a shared access core. The development description was amended by a Section 96a application (2023/3836/P dated 19/01/2024) to omit 'create a shared access core' which allows for this amendment to be possible under a Section 73 application.

The variation proposed under Section 73 seeks to amend the approved plans to retain independent stair and circulation cores for each of the two attached buildings, with associated minor alterations to the internal layout of the flats. In the context of the original planning permission, the amended internal layouts would still remain an improvement on the existing arrangement, and there would be no amendments to the external alterations.

Whilst there is a reduction in the number of bedrooms to the flats on the lower ground level (from two five-bedroom flats to two four-bedroom flats) and upper ground level (from one four-bedroom and one three bedroom flats to two three-bedroom flats), they would remain larger family units, which is acceptable. Overall, the number of residential units below national space standards would be reduced, with improvements to size and quality of accommodation to all units. The retention of the stair and circulation cores within each building and associated internal layout alterations would not raise any new issues or alter

the substance of the approved scheme. Therefore, the proposals are considered acceptable as an amendment to the approved scheme.

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

It is not considered that the nature of the proposed amendments would introduce any new amenity impacts, and as such the development is not considered to cause undue harm to residential amenity.

Overall, the proposed amendments would be minor in the context of the approved scheme, and are considered acceptable. The full impact of the proposed scheme has already been assessed by virtue of the previous permission 2022/0706/P dated 26/07/2023, as amended by 2023/3836/P dated 19/01/2024.

The acceptability of the original scheme relies on the implementation of the proposals within numbers 5 and 7 Adamson Road, and this permission seeks to retain as two separate planning units. As the planning balance for the loss of residential units lies with the improvement to quality of living accommodation and amenity, there would be potential loss of residential units if only one site is implemented. Therefore, a variation to the legal agreement as granted by 2022/0706/P will be required, which would ensure the scheme is fully implemented, including the alterations to both houses.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were considered when coming to this decision.

As such, the proposal is in general accordance with policies H1, H3, H6, H7, A1, A2, A3, A5, D1, D2, CC1, CC2, CC3, and T1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework 2023.

- 2 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).
- 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 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 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.
- 6 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.
- 7 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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.

Daniel Pope
Chief Planning Officer