

DATED 06th November 2024

(1) GERALD JOHN MORAN

and

(2) THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF CAMDEN

A G R E E M E N T

relating to land known as

GOULDING HOUSE, 85 HEATH STREET, LONDON, NW3 6UG

pursuant to

Section 106 of the Town and Country Planning Act 1990 (as amended);

Section 16 of the Greater London Council (General Powers) Act 1974;

Section 111 of the Local Government Act 1972; and

Section 1(1) of the Localism Act 2011

Andrew Maughan
Borough Solicitor
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

Tel: 020 7974 6890

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CLS/COM/AK/1800.2815
Final Version 01/10/2024

THIS AGREEMENT is made the 06th day of November 2024

B E T W E E N:

A. **GERALD JOHN MORAN** of 85 Heath Street, London, NW3 6UG (hereinafter called "the Owner") of the first part

B. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the second part

1. **WHEREAS**

1.1 The Owner is registered at the Land Registry as the freehold proprietor with Title absolute of the Property under Title Number 89053.

1.2 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106 of the Act.

1.3 A Planning Application for the development of the Property was submitted to the Council and validated on 5 February 2024 and the Council resolved to grant permission conditionally under reference number 2024/0460/P subject to the conclusion of this legal Agreement.

1.4 The Council is the local planning authority for the purposes of the Act and is the local authority for the purposes of Section 16 of the Greater London Council (General Powers) Act 1974 Section 111 of the Local Government Act 1972; and Section 1(1) of the Localism Act 2011 for the area in which the Property is situated and considers it expedient in the interests of the proper planning of its area that the development of the Property should be restricted or regulated in accordance with this Agreement.

1.5 For that purpose the Owner is willing to enter into this Agreement pursuant to the provisions of Section 106 of the Act.

2. **DEFINITIONS**

In this Agreement the following expressions (arranged in alphabetical order) shall unless the context otherwise requires have the following meanings:-

2.1	"the Act"	the Town and Country Planning Act 1990 (as amended)
2.2	"the Agreement"	this Planning Obligation made pursuant to Section 106 of the Act
2.3	"the Development"	change of use of the part ground floor and first floor from commercial unit (Class E) to create a residential dwelling (Class C3) accessed from Golden Yard; the demolition and replacement of the existing rear extensions; associated internal and external refurbishment works; the creation of a bin and bike store and a separate lock up retail (Class E) unit at ground floor fronting Heath Street; as well as other ancillary works as shown on drawing numbers:- 1955-NMA-00-XX-SK-B-00001; 1955-NMA-00-ZZ-SK-A-00100 REVP4; 1955-NMA-00-XX-SK-A-00200 REVP4; 1955-NMA-00-XX-SK-A-00300 REVP8; 1955-NMA-00-ZZ-SK-A-00100 REVP9; 1955-NMA-00-ZZ-SK-A-00200 REVP8; 1955-NMA-00-XX-SK-A-00700; 1955-NMA-00-ZZ-SK-D-00100 REVP7; 1955-NMA-XX-XX-PH-A-00001; 1955-NMA-00-ZZ-SK-D-00100; 1955-NMA-00-ZZ-SK-B-00100; 1955-NMA-00-XX-SK-B-00200; Heritage Statement by Rogers Mear Architect dated March 2023 and Design and Access Statement by Roger Mears Architects dated 30 January 2024.
2.4	"the Implementation Date"	the date of implementation of the Development by the carrying out of a material operation as defined in Section 56 of the Act and references to "Implementation" and "Implement" shall be construed accordingly
2.5	"Occupation Date"	the date when any part of the Development is occupied and the phrases "Occupy", "Occupied" and "Occupation" shall be construed accordingly
2.6	"the Parties"	mean the Council the Owner

2.7	"the Planning Application"	a planning application in respect of the development of the Property submitted to the Council and validated on 5 February 2024 for which a resolution to grant permission has been passed conditionally under reference number 2024/0460/P subject to conclusion of this Agreement
2.8	"Planning Obligations Monitoring Officer"	a planning officer of the Council from time to time allocated to deal with all planning obligations pursuant to S106 of the Act to whom all notices, correspondence, approvals etc must be sent in the manner prescribed at clause 6.1 hereof
2.9	"the Planning Permission"	a planning permission granted for the Development substantially in the draft form annexed hereto
2.10	"the Property"	the land known as Goulding House, 85 Heath Street, London, NW3 6UG the same as shown edged red on the plan annexed hereto
2.11	"Residents Parking Bay"	a parking place designated by the Council by an order under the Road Traffic Regulation Act 1984 or other relevant legislation for use by residents of the locality in which the Development is situated
2.12	"Residents Parking Permit"	a parking permit issued by the Council under section 45(2) of the Road Traffic Regulation Act 1984 allowing a vehicle to park in Residents Parking Bays

NOW THIS DEED WITNESSETH as follows:-

- 3.1 This Agreement is made in pursuance of Section 106 of the Act, and is a planning obligation for the purposes of Section 106 as aforesaid, and is also made in pursuance of Section 16 of the Greater London Council (General Powers) Act 1974 Section 111 of the Local Government Act 1972; and Section 1(1) of the Localism Act 2011 and shall be enforceable by the Council against the Owner as provided herein and against any person deriving title to any part of the Property from the Owner and insofar as it is not a planning obligation its provisions may be enforceable by the Council under any relevant statutory powers.

- 3.2 Words importing the singular shall include the plural and vice versa and any words denoting actual persons shall include companies, corporations and other artificial persons.
- 3.3 Any reference to a specific statute or statutes include any statutory extension or modification amendment or re-enactment of such statute and any regulation or orders made under such statute.
- 3.4 The clause and paragraph headings do not form part of this Agreement and shall not be taken into account in its construction of interpretation.
- 3.5 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 3, 5, 6, 8, and 9 hereof all of which shall come into effect on the date hereof the covenants undertakings and obligations contained within this Agreement shall become binding upon the Owner upon the Implementation Date.
- 3.6 The Council hereby agrees to grant the Planning Permission on the date hereof.
- 3.7 The Parties save where the context states otherwise shall include their successors in title.
- 3.8 The Parties acknowledge that the Development shall be treated as being permanently designated as "car free" housing in accordance with Clause 4.1 and 4.2 for all relevant purposes.

4. OBLIGATIONS OF THE OWNER

The Owner hereby covenants with the Council as follows:-

4.1 CAR FREE

- 4.1.1 To ensure that prior to occupying any residential unit (being part of the Development) each new occupier of the Development is informed by the Owner of the Council's policy that they shall not be entitled (unless they are the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970) to:

- (i) be granted a Residents Parking Permit to park a vehicle in a Residents Parking Bay; and
- (ii) buy a contract to park within any car park owned, controlled or licensed by the Council.

4.1.2 Not to Occupy or use (or permit the Occupation or use of) any residential unit (being part of the Development) at any time during which the occupier of the residential unit holds a Residents Parking Permit to park a vehicle in a Residents Parking Bay or is permitted to park a vehicle in any car park owned, controlled or licensed by the Council unless the occupier is the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970).

4.1.3 The Owner for itself and its successors in title to the Property hereby acknowledges that the provision in Clause 4.1.1 and 4.1.2 in this Agreement shall continue to have effect in perpetuity.

4.1.4 On or prior to the Occupation Date the Owner shall inform the Council's Planning Obligations Monitoring Officer of the official unit numbers of the residential units forming part of the Development (as issued and agreed by the Council's Street Name and Numbering Department), identifying those residential units that in the Owner's opinion are affected by the Owner's obligation in Clause 4.1.1 and 4.1.2 of this Agreement.

5. NOTICE TO THE COUNCIL/OTHER MATTERS

5.1 The Owner shall give written notice to the Council on or prior to the Implementation Date specifying that Implementation of the Development has taken or is about to take place.

5.2 Within seven days following completion of the Development the Owner shall certify in writing to the Planning Obligations Monitoring Officer in the manner outlined at clause 6.1 hereof quoting planning reference 2024/0460/P the date upon which the Development will be ready for Occupation.

5.3 The Owner shall act in good faith and shall co-operate with the Council to facilitate the discharge and performance of all obligations contained herein and the Owner shall

comply with any reasonable requests of the Council to have access to any part of the Property or any requests to provide documentation within the Owner's possession (at the Owner's expense) for the purposes of monitoring compliance with the obligations contained herein.

- 5.4 The Owner agrees declares and covenants with the Council that it shall observe and perform the conditions restrictions and other matters mentioned herein and shall not make any claim for compensation in respect of any condition restriction or provision imposed by this Agreement and further shall jointly and severally indemnify the Council for any expenses or liability arising to the Council in respect of breach by the Owner of any obligations contained herein save to the extent that any act or omission of the Council its employees or agents has caused or contributed to such expenses or liability.

6. **IT IS HEREBY AGREED AND DECLARED** by the Parties hereto that:-

- 6.1 The provisions of Section 196 of the Law of Property Act 1925 (as amended) shall apply to any notice or approval or agreement to be served under or in connection with this Agreement and any such notice or approval shall be in writing and shall specifically refer to the name, date and Parties to the Agreement and shall cite the clause of the Agreement to which it relates and in the case of notice to the Council shall be addressed to the London Borough of Camden, Planning Obligations Officer, Urban Design and Renewal, Planning and Public Protection, Culture and Environment Directorate, Town Hall Annex, Argyle Street, London WC1H 9LP quoting the planning reference number 2024/0460/P and in the case of any notice or approval or agreement from the Council this shall be signed by a representative of the Council's Environment Department.
- 6.2 This Agreement shall be registered as a Local Land Charge.
- 6.3 The Owner agrees to pay the Council its proper and reasonable legal costs incurred in preparing this Agreement on or prior to the date of completion of the Agreement.
- 6.4 The Owner hereby covenants with the Council that it will within 28 days from the date hereof apply to the Chief Land Registrar of the Land Registry to register this Agreement

in the Charges Register of the title to the Property and will furnish the Council forthwith with official copies of such title to show the entry of this Agreement in the Charges Register of the title to the Property.

- 6.5 Nothing contained or implied in this Agreement shall prejudice or affect the Council's powers to enforce any specific obligation term or condition nor shall anything contained or implied herein prejudice or affect any provisions, rights, powers, duties and obligations of the Council in the exercise of its functions as Local Planning Authority for the purposes of the Act or as a local authority generally and its rights, powers, duties and obligations under all public and private statutes, bye laws and regulations may be as fully and effectually exercised as if the Council were not a party to this Agreement.
- 6.6 Neither the Owner nor their successors in title nor any person deriving title from them shall be bound by the obligations in this Agreement in respect of any period during which it no longer has an interest in the Property but without prejudice to liability for any breach committed prior to the time it disposed of its interest.
- 6.7 For the avoidance of doubt the provisions of this Agreement (other than those contained in this sub-clause) shall not have any effect until this Agreement has been dated.
- 6.8 If the Planning Permission is quashed or revoked or otherwise withdrawn or expires before effluxion of time for the commencement of Development this Agreement shall forthwith determine and cease to have effect.

7. MORTGAGEE EXEMPTION

- 7.1 The Parties agree that the obligations contained in this Agreement shall not be enforceable against any mortgagee or chargee of the whole or any part of the Property unless it takes possession of the Property in which case it will be bound by the obligations as a person deriving title from the Owner.

8. JOINT AND SEVERAL LIABILITY

8.1 All Covenants made by the Owner in this Agreement are made jointly and severally and shall be enforceable as such.

9. **RIGHTS OF THIRD PARTIES**

9.1 The Contracts (Rights of Third Parties) Act 1999 shall not apply to this Agreement.

IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and the Owner have executed this instrument as their Deed the day and year first before written

EXECUTED AS A DEED BY
GERALD JOHN MORAN
in the presence of:-

.....
Gerald J Moran

Witness Signature:

Witness Name: DEAN JORDAN

Address: 184 DIVERSON ROAD, LONDON NW6 2DH

Occupation: DIRECTOR PLANNING CONSULTANTS.

THE COMMON SEAL OF THE MAYOR
AND BURGESSES OF THE LONDON
BOROUGH OF CAMDEN was hereunto
Affixed by Order:-

.....
Authorised Signatory



GOULDING HOUSE, 85 HEATH STREET, LONDON, NW3 6UG



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Application ref: 2024/0460/P
Contact: Obote Hope
Tel: 020 7974 2555
Date: 1 October 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

DARA
21-23 Egerton Gardens
Flat 6
London
SW3 2DF
United Kingdom

Dear Sir/Madam

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

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
Goulding House
85 Heath Street
London
NW3 6UG

Proposal:

Change of use of the part ground floor and first floor from commercial unit (Class E) to create a residential dwelling (Class C3) accessed from Golden Yard; the demolition and replacement of the existing rear extensions; associated internal and external refurbishment works; the creation of a bin and bike store and a separate lock up retail (Class E) unit at ground floor fronting Heath Street; as well as other ancillary works.

Drawing Nos: 1955-NMA-00-XX-SK-B-00001; 1955-NMA-00-ZZ-SK-A-00100 REVP4; 1955-NMA-00-XX-SK-A-00200 REVP4; 1955-NMA-00-XX-SK-A-00300 REVP8; 1955-NMA-00-ZZ-SK-A-00100 REVP9; 1955-NMA-00-ZZ-SK-A-00200 REVP8; 1955-NMA-00-XX-SK-A-00700; 1955-NMA-00-ZZ-SK-D-00100 REVP7; 1955-NMA-XX-XX-PH-A-00001; 1955-NMA-00-ZZ-SK-D-00100; 1955-NMA-00-ZZ-SK-B-00100; 1955-NMA-00-XX-SK-B-00200; Heritage Statement by Rogers Mear Architect dated March 2023; Design and Access Statement by Roger Mears

Architects dated 30 January 2024 and letter from TK International dated July 2024.

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: 1955-NMA-00-XX-SK-B-00001; 1955-NMA-00-ZZ-SK-A-00100 REVP4; 1955-NMA-00-XX-SK-A-00200 REVP4; 1955-NMA-00-XX-SK-A-00300 REVP8; 1955-NMA-00-ZZ-SK-A-00100 REVP9; 1955-NMA-00-ZZ-SK-A-00200 REVP8; 1955-NMA-00-XX-SK-A-00700; 1955-NMA-00-ZZ-SK-D-00100 REVP7; 1955-NMA-XX-XX-PH-A-00001; 1955-NMA-00-ZZ-SK-D-00100; 1955-NMA-00-ZZ-SK-B-00100; 1955-NMA-00-XX-SK-B-00200; Heritage Statement by Rogers Mear Architect dated March 2023; Design and Access Statement by Roger Mears Architects dated 30 January 2024 and letter from TK International dated July 2024.

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 and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2025.

- 4 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.

Informative(s):

- 1 Reasons for granting permission.

Planning permission is sought for the conversion of part of the ground floor and the first floor from commercial unit (Class E) into a residential dwelling (Class C3) with accessed from Golden Yard (rear); the demolition of the existing extensions and the construction of a with associated internal and external refurbishment works, including the reinstatement of and installation of new window all to the rear of the site, the creation of a bin and bike store and a separate lock up retail unit (Class E) at ground floor fronting Heath Street.

The building at the application site is a commercial unit (Class E) and is currently being used as an Interior Design Studio, the commercial units has a total floor area of approximately 107sqm at ground and first floors. The proposal involves the change of use of the rear part of the ground floor and the entire first floor combined measures approximately 87sqm into a residential maisonette (Class C3). The remainder of the building (approximately 20sqm) would be refurbished with internal reconfigurations and alterations to retain the commercial floor space to the front of the property.

The proposals do not seek to extend the property. However, the existing two storey structure to the rear would be demolished including the glass roof and a new single storey rear extension and glass link building would be constructed. The proposed extension would be smaller in bulk and scale which would be built with brick to match the existing. A new single storey glazed extension is also proposed to the rear ground floor and the proposed extensions are considered to be sympathetic additions to the host building, to the rear elevation a new window is proposed at ground floor level and a window would be reinstalled also to the rear at first floor level.

A green roof is proposed on the new single storey rear extension which would increase the overall biodiversity of the site and would ensure that the potential to enhance biodiversity is maximised and given the nature of the works combined with the application being a householder application, the proposal is exempt from biodiversity net gain.

The existing concrete pavers removed to reveal former staircase which would provide access from the ground to the rear raised ground floor and the existing stair handrail is pre-existing and it is proposed that this would be incorporated into the design. Thus, no objection is raised in terms of its design and appearance. The submitted plans show a single vertical rack in the rear yard of the property. The use of such racks is not supported by the Council as they are difficult to use, offer low levels of security and can lead to wheel damage. Given the lack of space available on site, a contribution would be sought towards the provision of off-site (on-street) cycle parking in the form of a bike hanger to be provided in the vicinity of the site this would secure by means of a Section 106 Agreement.

2 Reason for approval continued:

Policy E2 (Employment premises and sites) states that the Council will protect premises or sites that are suitable for continued business use, in particular premises for small businesses, businesses and services that provide employment for Camden residents or the local economy. Council will resist development of business premises and sites for non-business use unless it is demonstrated to the Council's satisfaction:

a) The site or building is no longer suitable for its existing business use; and b) That the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.

In relation to point (a), supporting text paragraph 5.37 explains that when considering whether there is potential for business use to continue, the following points will be considered would be a) if the suitability of the location for any business use; b) Whether the premises are in a reasonable condition to allow the use to continue; c) The range of unit sizes it provides, particularly suitability for small businesses and; d) Whether the business use is well related to nearby land uses.

While Policy E2 typically seeks to protect viable office floorspace, it is recognised that the refurbishment of the retained employment floorspace will secure the long-term and optimal use of the currently vacant employment floorspace. The existing employment floorspace is compromised as a consequence of the current internal layout and arrangements, including split level floors with low ceiling height and overall the application site would not provide accessible floorspace and therefore represents poor quality commercial accommodation that does not meet the needs of future users. In contrast, the proposed refurbishment and consolidation of the existing poor quality employment floorspace would be converted back into its optimal viable use as a residential dwelling and overall the proposed change of use would respond creatively to the potential owner/occupier's modern needs and also enhance the existing Grade II Listed building.

The Marketing Information from TK International confirm that the premises could be used as a small boutique shop, with an attractive frontage, set within a Georgian building. Moreover, the proposed floor area from a jewellers. However, independent shop such as chocolatiers, manicurists, masseuse, interior and fashionwear designers, and coffee vendors would make the most of the floor space and none of these independent shop would require much if any ancillary storage in addition and considered in conjunction with the above, the conversion of office space to residential would be acceptable.

Lastly, the change of use to residential would reinstate the original use as the property was purpose-built as two separate residential properties, which is an important heritage consideration when considering the acceptability of the change of use. The dwelling would accommodate two bedrooms at first floors, with the living areas being located at ground floor.

3 Reason for approval continued:

Policy H1 of the Local Plan states that self-contained housing is the priority land use for the Council. The proposed part change of use to provide a self-contained flats is in accordance with Policy H1. Doughty Street and Guilford Street generally have a residential character, with the terraces having originally been built for residential use, with many being converted to alternative uses over the intervening years. The proposed dwelling would therefore appropriately integrate within the context of the existing environment, with a predominant residential character.

Policy H7 seeks to provide a range of unit sizes to meet demand across the borough. For market units, table 1 of the policy considers 1 bedroom/studios to have a lower priority, 2 and 3 bedroom units to be of high priority and 4 bedroom or more to be of lower priority. The proposal would provide a 2Bed 4Person dwelling. The floor area of the proposed dwelling would have a generous floor area (87sqm) and comfortably exceed the Nationally Described Space Standards minimum requirements of 79sqm for a two bedroom dwelling over two floors. The proposed family dwelling would have acceptable levels of outlook would be provided for the bedrooms and living areas. All bedrooms and living areas have adequate access to sunlight and daylight.

The provision of the external courtyard to the rear would provide adequate outdoor living space for residents of the dwelling. The proposed dwelling provides generous storage areas, in particular at the ground floor level. For these reasons above, the proposed unit is considered to provide an acceptable standard of accommodation for future occupants and would be in accordance with policies H6 and D1.

Policy H4 ensures development maximises the provision of affordable housing. The Council will expect 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 GIA or more, and where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing. Given the proposal would not reach the threshold of being over 100sqm a contribution to affordable housing would not be required in this instance.

Policy T2 requires all new residential developments in the borough to be car-free. Parking is only considered for new residential developments where it can be demonstrated that the parking to be provided is essential to the use or operation of the development (e.g. disabled parking). It should be noted that Policy T2 is wide ranging and is not merely about addressing parking stress or traffic congestion.

The existing office space does not have any associated on-street parking permits. No dedicated onsite car parking is proposed for the new dwelling. The applicant has agreed for the dwelling to be 'car free', which would exclude the owner/occupier from obtaining any on-street parking permit for the dwelling. The 'car free' provision would be secured via a s106 legal agreement.

4 Reason for approval final:

Policy T1 requires cycle parking facilities in the form of 2 x long-stay cycle spaces, to be provided for the new dwelling, in accordance with the London Plan. No cycle parking is proposed, mainly due to the spatial constraints from the existing building footprint. In lieu of providing on-site cycle parking, a cycle parking contribution would be secured towards the provision of a cycle hanger in the vicinity of the site, would be secured as part of a s106 legal agreement

Due to the building being Grade II listed, there are constraints in implementing further significant sustainability improvements, such as building fabric upgrades or glazing upgrades, as part of the refurbishment and conversion works. However, were considered however existing roofs would not likely have the structural integrity to house the panels.

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.

Given the relatively modest height and depth of the rear extension occurring at ground floor level which would be lower than the existing extension being replaced the rear extension would not result in a significant reduction in sunlight and daylight to neighbouring residential dwelling [s]. Similarly, given the setting of the new window within the flank wall and the re-installation of the original window both to the rear of the property would not exacerbate any overlooking from the proposed dwelling. Thus, the proposal would have negligible amenity effects.

Comments was received from owner/occupier of 7 Golden Yard who raised concern that the application would lead to trespassing. However, the site plan that was submitted with the application indicate that the application site encompass No 6 Golden Yard and if trespassing occurs that you be a private issue between both parties. Concern was also raised in regard to the destruction / erection of enclosing wall and this would not be a material consideration and would be a Party Wall issue, as such an informative is attached to ensure that any Party wall issues are independently addressed. Concern was raised in regards to the loss of the chimney stack. However, no change is proposed and no further comments/objection were received following statutory consultation. The planning history of the site and surrounding area has been considered when determining this application.

As such, the proposed development is in general accordance with policies A1, E2, D1, D2, H1, H3, H6 and H7 of the London Borough of Camden Local Plan 2017, policies DH1, DH2, NE1, NE2, TT4 and HC1 of the Hampstead Neighbourhood Plan 2025, The London Plan 2021 and the National Planning Policy Framework 2023.

- 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 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.
- 7 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.

- 8 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>.
- 9 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.

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