

Mr Grant Leggett  
Boyer Planning  
117 Waterloo Road  
London  
SE1 8UL

Application Ref: **2011/1828/P**  
Please ask for: **Gavin Sexton**  
Telephone: 020 7974 **3231**

17 January 2012

Dear Sir/Madam

## **DECISION**

Town and Country Planning Acts 1990 (as amended)  
Town and Country Planning (General Development Procedure) Order 1995  
Town and Country Planning (Applications) Regulations 1988

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**Garages to rear of 15 Elsworthy Terrace**  
**Elsworthy Road**  
**London**  
**NW3 3BT**

Proposal:

Erection of single-storey building with two basement levels and front lightwells for use as a single-family dwellinghouse (Class C3) and alterations to boundary raising the brickwork and installing sliding timber gates (following the demolition of existing garages).

Drawing Nos: P001, P002, P101, P111, P112, P113, P114, P121, P122A; P201F, p202F, P203E, P204B, P205B, P211B, P212B, P213B, P214B, P221E, P222B, P253A, P254A, P260; Basement impact assessment by Aecom 5th July 2011; Planning statement by Boyer Planning dated April 2011 with Appendix 2 (Aecom Initial Statement on Ground Conditions dated 01 March 2011), Appendix 3 (Aecom Initial Statement on Basement construction), Appendix 4 Geotechnical Report by Geotechnical Engineering Ltd dated 16 March 2011), Appendix 5 (Aecom Initial Statement on Sustainability Energy and services dated 22 March 2011) and Appendix 6 (Watersdade statement on daylight and sunlight dated 7th April 2011); Arboricultural Development Report by Tree:Fabrik dated March 2011; Design and Access Statement by Boyer Planning (dated April 2011) incorporating Statement on Lifetime Homes; Emails from Grant Leggett (Boyer Planning agents) dated



4th October 2011 (suitability of Green roof), 27th October (revised site runoff figures), 11th October (landscaping, plant equipment and runoff calculations);

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 A sample panel of all facing materials (including brickwork to dwelling boundary walls demonstrating the proposed colour, texture, face-bond and pointing) shall be provided on site and approved by the Council before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The sample 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 policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 No development shall take place until full details of hard and soft landscaping, including tree planting and means of enclosure of all un-built, open areas have been submitted to and approved by the Council in writing. Such details shall include any alterations to the boundary treatment with 25 Elsworthy Road, including design of new or altered boundary footings in so far as they may affect trees adjoining the site. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 4 All hard and soft landscaping works shall be carried out to a reasonable standard 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. Any trees or areas of planting 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 Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(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 10dB(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 policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 6 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 to the satisfaction of the Council. Details shall be submitted to and approved by the Council before works commence on site to demonstrate how trees to be retained shall be protected during construction work: such details shall follow guidelines and standards set out in BS5837:2005 "Trees in Relation to Construction"

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 7 Before the development commences, details of the proposed cycle storage area for two cycles shall be submitted to and approved by the Council. The approved storage shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no

development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Council.

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 CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies..

- 9 The development hereby permitted shall be carried out in accordance with the following approved plans The development hereby permitted shall be carried out in accordance with the following approved plans: P001, P002, P101, P111, P112, P113, P114, P121, P122A; P201F, p202F, P203E, P204B, P205B, P211B, P212B, P213B, P214B, P221E, P222B, P253A, P254A, P260, P131, P132; Basement impact assessment by Aecom 5th July 2011; Planning statement by Boyer Planning dated April 2011 with Appendix 2 (Aecom Initial Statement on Ground Conditions dated 01 March 2011), Appendix 3 (Aecom Initial Statement on Basement construction), Appendix 4 Geotechnical Report by Geotechnical Engineering Ltd dated 16 March 2011), Appendix 5 (Aecom Initial Statement on Sustainability Energy and services dated 22 March 2011) and Appendix 6 (Watersdade statement on daylight and sunlight dated 7th April 2011); Arboricultural Development Report by Tree:Fabrik dated March 2011; Design and Access Statement by Boyer Planning (dated April 2011) incorporating Statement on Lifetime Homes; Emails from Grant Leggett (Boyer Planning agents) dated 4th October 2011 (suitability of Green roof), 27th October (revised site runoff figures), 11th October (landscaping, plant equipment and runoff calculations);

Reason:

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

- 10 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. Such details to include sections through the roof showing drainage, specifications/ manufacturers details of the green roof, details of species and a scheme of maintenance. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 11 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, approve and monitor the critical elements of both the permanent and temporary basement construction works

throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 12 Prior to commencement of development, design details of all on site Sustainable Urban Drainage (SUDs) demonstrating how the site would achieve a maximum combined (surface and foul water) discharge rate of less than 3.83l/s in the event of a 1 in 100 year storm, shall be submitted to and approved by the Council in writing. Such system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 13 Before the use commences, a detailed report prepared by a suitably qualified engineer including details of existing noise levels on site and demonstrating how the noise from any mechanical equipment installed on site shall meet with the Council's noise standards as set out in condition 5, shall be submitted to and approved in writing by the Council. Any acoustic or vibration mitigation measures recommended as necessary in the report shall be installed prior to first use of the the equipment and shall thereafter be retained and maintained in accordance with the manufacturers standards.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 14 Prior to commencement of the relevant part of the development the following details shall be submitted to and approved by the Council in writing:

- a) Plan, elevation and section drawings of all new doors and windows at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1.
- b) Plan, elevation and section drawings of all new doors (including entrance gate) and windows at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 2 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.
- 3 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 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
- 5 You are advised that the Transport Strategy Team should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 3343 for further advice and information.

**Disclaimer**

***This is an internet copy for information purposes. If you require a copy of the signed original please telephone Contact Camden on (020) 7974 4444***