

Abby Dodson-Parker
Turley Associates Ltd
25 Savile Row
LONDON
W1S 2ES

Application Ref: **2012/2089/P**
Please ask for: **Adrian Malcolm**
Telephone: 020 7974 **2529**

16 October 2012

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Councils Own Permission Under Regulation 3 Granted

Address:

Netley Primary School
30 William Road
London
NW1 3EN

Proposal:

Erection of a 5 storey building plus basement to accommodate a Foundation Unit, Primary Pupil Referral Unit and Community Learning Centre and 36 residential units (Class C3) fronting Stanhope Street; erection of a 8 storey building plus lower ground floor to accommodate 34 residential units (Class C3) at the junction of Stanhope Street and William Road (following demolition of existing post-war primary school building); remodelling to the Victorian Board School to accommodate a lift core to provide access to the new play space at roof level. Demolition of Woodhall Garages and erection of a 2 storey block to provide 10 x social rented family houses (Class C3) and associated public realm improvements to Everton Buildings, landscaping and access works.

Drawing Nos: Lighting statement (WSP UK Ltd, 2 April 2012. Ref: 24452040); Residential Acoustic Report (WSP Acoustics, 2 April 2012); BB93 Acoustic Report (WSP Acoustics, 2 April 2012); Energy Report (WSP UK Ltd, 2 April 2012. Ref: 24452040); Air Quality Assessment WSP Environmental UK, 2 April 2012. Ref: 00027042/001); Flood Risk



Assessment (WSP Group, April 2012. Ref 24477036, as updated by e mail from P.Clark dated 11/7/12); Basement Impact Assessment (WSP Environment & Energy, April 2012. Ref 30237/001/BIA); DSO report (Drivers Jonas Deloitte, 3 April 2012); Design & Access Statement (PTEa, April 2012).

Landscape Design Report (Grant Associates, April 2012) & Landscape Design Drawings NSD335-AL-GE/1-001-P.P1, 1-001-P.P1, 2-001-P.P1, 2-002-P.P1, 2-003-P.P1 & NSD335-AL-DL/001-P.P1, 002-P.P1; Transport Statement (Robert West, April 2012. Ref 2961/006/R004B); Contamination Assessment (LBH Wembley Geotechnical & Environmental, 22 March 2012. Ref: LBH 4013); Construction Phasing Drawings (BAM, March 2012); Viability report (Savills, 4 April 2012); Planning Statement (Turley Assoc's, April 2012); Statement of Community Involvement (BAM, April 2012); Arboricultural Implications Assessment (ADAS, March 2012, Version 2); Construction and Demolition Impact Management Plan (BAM, March 2012);

Main planning application drawing no's: D4000; 4002; WSP-2040-GA-694-00-906; NSD335-AL-DL-1-001-P RevP1; 002-P RevP1; GE-1-001-P RevP1; 002-P RevP1; 2-001-P RevP1; 002-P RevP1; 003-P RevP1; PL(90)001 A; 010 A; 020 A; (00)100 A; 101 A; 102 A; 103 A; 110 A; 150 B; 151 B; 152 B; 153 B; 154 B; 155 B; 156 B; 157 B; 160 B; 161 A; 162 A; 210 A; 250 B; 251 A; 252 B; 300 A; 301 A; 302 A; 303A; 310 A; 350 A; 351 A; 353 A; 360 A; 400 A;

Lifetime Homes 2010 Compliance Check (PTEa, Ref 12-528, received 8 June 2012). Lifetime Homes plan no's: NSD335-AL/DL-1-030.P1, DL-1-031.P1, HD-1-030.P1, HD-1-031.P1, HD-3-030.P1, HD-3-031.P1, GE-2-030.P1, HD-3-008.P1, drawing entitled 'ramp & step construction details.'

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 The development hereby permitted shall be carried out in accordance with the following approved plans D4000; 4002; WSP-2040-GA-694-00-906; NSD335-AL-DL-1-001-P RevP1; 002-P RevP1; GE-1-001-P RevP1; 002-P RevP1; 2-001-P RevP1; 002-P RevP1; 003-P RevP1; PL(90)001 A; 010 A; 020 A; (00)100 A; 101 A; 102 A; 103 A; 110 A; 150 B; 151 B; 152 B; 153 A; 154 A; 155 A; 156 A; 157 A; 160 A; 161 A; 162 A; 210 A; 250 A; 251 A; 252 A; 300 A; 301 A; 302 A; 310 A; 350 B; 351 B; 353 A; 360 A; 400 A.

Reason:

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

- 3 Details of the proposed slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land shall not be otherwise than as those submitted to and approved in writing by the local planning authority before any construction work is commenced on the relevant part of the development. 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 and the amenities of nearby occupiers in accordance with the requirements of policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Detailed drawings and/or samples (as appropriate) shall be submitted to and approved in writing by the Local Planning Authority in writing before the relevant parts of construction work are begun:
- (a) A sample panel of the proposed brickwork showing the brick, bond and pointing profile;
 - (b) A sample panel of all facing/cladding materials;
 - (c) A typical elevation and section (at scale 1:5) of typical detail of the railings and any other boundary treatment; and
 - (d) Section drawings (scale 1:10) showing the typical framing details for the proposed windows and how they will be recessed into the external walls of the buildings.

All approved materials shall be erected in the form of a samples board to be retained on site until the development is completed in its entirety and the relevant parts 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 policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No works pursuant to the development of the basement areas of the development hereby approved shall 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 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 (amongst compliance with other matters contained in the submitted Basement Impact Assessment, it shall be ensured that the basement works do not adversely impact upon the public highway or equipment of statutory undertakers). 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 policies DP24 and DP27 of

the London Borough of Camden Local Development Framework Development Policies.

- 6 The relevant parts of the development hereby approved shall not be occupied until full details of the position, specification in terms of luminance and typical design of fixtures in respect of external lighting for that part of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with any such approved details.

Reason: To ensure a satisfactory standard of visual and residential amenity and to secure a safe and secure environment in accordance with the requirements of policies CS5, CS14 and CS17 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.

- 7 Details of security measures including windows, doors, entrances and any other security related measures relevant to the construction of each respective phase of the development shall be submitted to and approved in writing by the local planning authority prior to the commencement of construction of each relevant phase of the development (with the exception of demolition of remaining buildings, basements and structures). The development shall be carried out in accordance with the details thus approved prior to occupation of each respective phase of the development.

Reason: To ensure that suitable measures are taken in respect of security of the site, in accordance with Policy CS17 of the Core Strategy of the Camden Local Development Framework.

- 8 No meter boxes, flues, vents, pipes or satellite dishes shall be fixed or installed on the street and return elevations of the new buildings or any elevations that can be seen from the highway, without the prior written consent of the local planning authority.

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 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Details of hard and soft landscaping including tree/plant species and sizes, all hard landscape materials (including details of permeable surfaces), play structures, and means of enclosure of all unbuilt, open areas shall be submitted to and approved in writing by the local planning authority before the relevant parts of construction work or laying out are begun. Such details shall include details on how the spaces are accessible by all including details on level access, ramp gradients, landings, handrails, step dimensions, colour contrast nosings etc. Implementation of the hard and soft landscaping and the boundary treatment shall be carried out 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 policies DP24 and DP29 of the London Borough of Camden Local Development Framework Development Policies.

- 10 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 relevant part of the development. Any newly planted trees or areas of planting which, within a period of 5 years from the completion of the relevant part 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 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.

- 11 Details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved in writing by the Council as the local planning authority before such foundation works, trench works or other excavation works in the vicinity of any trees on site for the relevant parts of the development are commenced. 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 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.

- 12 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. The trees shall be retained and protected on site in accordance with the recommendations of the Adas Arboricultural Report (version 2) dated March 2012 hereby approved, and shall follow guidelines and standards set out in BS5837:20012 "Trees in Relation to Design, Demolition and 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.

- 13 Prior to the commencement of construction of the buildings for each relevant part of the development, a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for an initial scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be provided in accordance with the details thus approved prior to first occupation of each phase of the development and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason:

To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 14 Prior to the commencement of construction of each relevant part of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to first occupation of each phase of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (Consolidated with Alterations Since 2004) and Camden Planning Guidance 2006 and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 15 Before the relevant educational or residential uses in each respective phase of the development commence, any extract ventilating system, air-conditioning plant or other external plant shall be provided with acoustic isolation and sound attenuation in accordance with a scheme that shall previously have been submitted to and approved by the local planning authority. The acoustic isolation shall thereafter be maintained in effective order to the reasonable satisfaction of the local planning authority.

(i) Any plant machinery, plant or equipment including air ventilation equipment ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated and or sited that the noise generated by the operation of the machinery shall not increase the pre-existing (Daytime (07:00 to 23:00hrs) background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and Night time (23:00 to 07:00hrs) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating (pursuant to BS 4142:1997).

(ii) On commissioning the machinery and prior the building being occupied a noise survey shall be carried out to ascertain the above noise levels from the machinery are being met.

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.

- 16 i) Before construction works commence for the residential parts of the respective phases of the development, a scheme shall be submitted to and approved by the Local Planning Authority providing full details of the acoustic measures to be incorporated to ensure that the steady noise level does not exceed 50 LAeq,T dB in open spaces (including balconies) and open communal areas.

ii) On completion of each relevant part of the development, a test of one sample representative open communal area including balcony (chosen by a relevant local authority representative) shall be carried out to verify compliance with this condition.

Reason: To ensure that the proposed dwellings and the surrounding area will not be unduly affected by external noise in accordance with Policy CS5 of the Core Strategy and DP26 of the Development Policies of the Camden Local Development Framework.

- 17 i) Before construction works commence on the relevant phase of the new educational areas that may reasonably be expected to accommodate activities that may generate noise levels with the potential to cause noise disturbance, a scheme shall be submitted to and approved by the Local Planning Authority for the sound insulation (for both airborne and impact sound at separating walls and floors). The scheme shall provide adequate sound insulation to prevent the transmission of noise and/or vibration from the normal activities (including the use/operation of equipment) performed at the lower levels to the upper floors to a level that the internal noise levels (including LAmax) are increased and vibration levels are not perceived as measured in BS 6472-1:2008 Guide to evaluation of human exposure to vibration in buildings (having regard to the criteria in BS 8233:1999- Sound Insulation and Noise Reduction for Buildings Code of Practice).

ii) On completion a test on one sample representative dwelling that may potentially be affected shall be carried out to verify compliance with this condition.

Reason: To ensure that neighbouring occupiers will not be unduly affected by noise generated by use of the premises in accordance with Policy CS5 of the Core Strategy and DP26 of the Development Policies of the Camden Local Development Framework

- 18 The educational areas of the development shall be constructed in such a way to achieve the noise levels established in Noise report 21893.spr.dsg BB93 Acoustic Report - April 2012.

On completion, a test on one sample representative area (as chosen by a relevant local authority representative) that is stipulated in BB93 shall be carried out to verify compliance with the noise levels recommended by BB93. The quality of construction may be continually monitored and recorded via regular site visits to ensure workmanship is of a sufficient standard to meet the target acoustic performances. A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority for its approval. The Noise report shall clearly contain standards used, measurements locations, raw tabulated and graphically represented data, time, date and any other relevant information.

Reason: To ensure that the users of the educational spaces will not be unduly effected by external noise in accordance with Policy CS5 of the Core Strategy and DP26 of the Development Policies of the Camden Local Development Framework

- 19
- i) Before construction works commence on the residential parts of the development in the respective phases of the development, a scheme shall be submitted to and approved by the Local Planning Authority providing for the insulation of the proposed dwelling units so that externally generated noise levels externally from road traffic during the night time period (23:00 to 07:00) do not cause internal noise levels to exceed an indoor ambient noise levels in unoccupied rooms of 30 dB(A) LA eq (1hour) and individual noise event shall not exceed 45 dB LAmax and having regard to the highest measured A-weighted sound pressure level averaged over an hour during the night time period, LAeq,1hr.
 - ii) On completion of the relevant part of the residential development, a sample test shall be carried out to verify compliance with this condition.

Reason: To ensure that the proposed dwellings will not be unduly effected by external noise in accordance with Policy CS5 of the Core Strategy and DP26 of the Development Policies of the Camden Local Development Framework

- 20
- Before each phase of the development commences:
- i) a site investigation shall be undertaken in accordance with the approved scheme of assessment and the written results provided to the planning authority for their approval. Laboratory results must be provided as numeric values in a formatted electronic spread sheet. Before development commences a remediation scheme shall be agreed in writing with the planning authority and the scheme as approved shall be implemented before any part of the development hereby permitted is occupied.
 - ii) Any additional significant contamination discovered during development shall be fully assessed and any necessary modifications made to the remediation scheme shall be submitted to the Local Planning Authority for written approval. Before any part of the development hereby permitted is occupied the developer shall provide written confirmation that all works were completed in accordance with the revised remediation scheme.

Reason: To protect future occupiers of the development from the possible

presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 21 Before construction work on the relevant part of the development commences, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved in writing by the Council. The approved facility shall be provided prior to the first occupation of any of the new units and permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally, in accordance with the requirements of policies CS5 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 22 No construction works for relevant parts of the development shall commence until details of a sustainable drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme should be prepared in accordance with the information submitted by email from Philip Clark of WSP Group on 11 July 2012. The scheme shall:
- a) include green roofs for both school buildings (half of block A and all of block B), and green roofs to all the housing units (block E) as well as details of the construction of those roofs;
 - b) demonstrate no off-site run-off or flooding affecting building during the critical duration 1 in 100-year storm event including an allowance for climate change;
 - c) demonstrate that the rate of surface water discharge from the overall site will be no higher than 21 l/s during the mean annual flood, 45 l/s during the 1 in 30-year event, 60 l/s during the 1 in 100-year event and 77 l/s during the 1 in 100-year event including an allowance for climate change;
 - d) include details of how the drainage scheme will be maintained and managed after completion.

The sustainable drainage scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason:

To reduce the risk of flooding, both on and off site, by ensuring the satisfactory storage and control of surface water runoff from the site in accordance with Policy 5.13 of the London Plan and Policy CS13 of the Core Strategy and Policy DP23 of the Development Policies of the Camden Local Development Framework.

- 23 The cycle storage area for 78 cycles for the private residential flats, 20 cycles for the affordable houses and 83 cycles (or any other number of cycles previously agreed in writing with the local planning authority) for the educational uses shown on the drawings hereby approved shall be provided in their entirety for each appropriate phase of the development prior to the first occupation of any of the new

residential units or use of the educational areas in each relevant phase, 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.

- 24 * Prior to first occupation of the relevant residential parts of each respective phase of the development hereby approved, the landowner would ensure through agreement that each new occupier of the premises is informed of the Council's policy that they shall not be entitled (unless they are the holder of a disabled person's badge issued pursuant to s. 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a residents parking bay, shall not be able to buy a contract permanently to park within any car park owned, controlled or licensed by the Council and nor shall they be entitled to be granted a Business Parking Permit.

Reason: In order to ensure that there is no additional parking pressure within the vicinity, in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP18 and DP19 of the London Borough of Camden Local Development Framework Development Policies.

- 25 * Prior to first occupation of the relevant phase of development a management plan for the public and semi public open spaces (including the new spaces in front of the mews houses on the current site of the street of Everton Buildings) which secures the maintenance of and access to the those open spaces shall be submitted to and approved in writing by the local planning authority.

Reason: 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.

- 26 * The development (including demolition) of all phases hereby approved shall be carried out in accordance with the Construction/Demolition Management Plan hereby approved that sets out measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the demolition and construction period. The measures contained in the Construction/Demolition Management Plan shall at all times be complied with during the relevant construction phase.

The approved Construction/Demolition Management Plan (C/DMP) shall be kept on site. It shall be reviewed as necessary and all revisions shall be signed by authorised persons on behalf of the local planning authority and the applicant and dated in an addendum format forming part of the original C/DMP.

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 CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17, DP20 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 27 * No part of the educational floorspace within the development hereby approved shall be occupied until a Service Management Plan setting out measures for managing deliveries to and from the development has been submitted to and approved in writing by the local planning authority. The measures contained in the Service Management Plan shall at all times remain implemented.

Reason: In order to ensure that the servicing of the development does not significantly impact on the existing transport system nor the amenities of the area and to accord with Policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17, DP20 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 28 * No part of the residential or educational areas for the relevant phases of the development hereby approved shall be occupied until a Travel Plan for the relevant educational space (including the school, Pupil Referral Unit and Community Learning Centre) and residential units for that phase respectively (as applicable) setting out measures for promoting sustainable transport modes for staff and visitors to those corresponding areas of the development, have been submitted to and approved in writing by the local planning authority in consultation with Transport for London. The measures contained in the Travel Plan shall at all times remain implemented.

Reason: In order to ensure that the travel demand arising from the development does not significantly impact on the existing transport system and to accord with the requirements of policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 29 * No relevant phase of the development hereby approved shall be occupied until the Council has confirmed in writing that highways works for an appropriate number and location in respect of on-street disabled car parking spaces to serve those phases of the development have been secured or that arrangements have been made to have them secured and those relevant phases of the development shall not be occupied until those on-street disabled car parking spaces have been provided and marked out and secured.

Reason: To ensure that the scheme is accessible for all, in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP18 and DP19 of the London Borough of Camden Local Development Framework Development Policies.

- 30 * No part of the phase of the development for the erection of the affordable mews houses (Building E) shall commence until the Council has confirmed in writing that highways works for the temporary stopping up of Everton Buildings and the relevant parts of the associated walkway for the duration of the construction of the development has been secured or that arrangements have been made to have it secured. This phase of the development shall not be first occupied until that walkway is reopened to the public, unless otherwise previously agreed in writing with the local planning authority.

Reason: To ensure that the scheme is accessible for all, in accordance with 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.

- 31 * No construction works for the development hereby approved shall be commenced until the Council has confirmed in writing that it has received full payment for the cost of repaving the footways around the perimeter of the site on completion of the development (currently estimated at £54,094.22). The highway works would include the removal of all temporary features installed during the enabling and construction phases including temporary accesses and loading bays.

Reason: To ensure that the pedestrian environment is maintained and improved in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP17 and DP21 of the London Borough of Camden Local Development Framework Development Policies.

- 32 * No construction works for the development shall commence until the Council has confirmed in writing that it has received full payment of the financial contribution of £50,000 towards Pedestrian, Cycling and Environmental improvements in the vicinity of the site.

Reason: To ensure that the pedestrian environment is maintained and improved in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP17 and DP21 of the London Borough of Camden Local Development Framework Development Policies.

- 33 * Prior to occupation of any part of the relevant private residential blocks A and B, the eight units set out as being readily adaptable to wheelchair user standards in blocks A and B shall be laid out as such; and prior to occupation of the social rented mews block containing the one affordable wheelchair unit hereby approved, the affordable wheelchair unit shall be fully fitted out.

Reason: To ensure the provision and delivery of wheelchair housing in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 34 * The lifetime homes features and facilities as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first

occupation of any of the new residential units in each relevant phase of the development and shall be permanently maintained and retained thereafter.

Reason: To ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 35 *Affordable housing shall be provided as follows: 10 social rented residential units; undertaking construction and fitting out so that the affordable housing units as approved by the Council are suitable for occupation as affordable housing; construction of the affordable housing units shall commence prior to occupation of no more than 55 of the private residential units and the affordable housing units shall be completed and ready for occupation by no later than 31/12/2014; ensuring the affordable housing units will only be occupied and shall be retained in perpetuity for no purpose other than for the provision social rented housing in accordance with the targets set by the Regulator; not disposing of any interest in the Affordable Housing Units (except by way of mortgage) other than to any other Registered Social Landlord registered with the Regulator or any other body organisation or company registered with the Charity Commissioners for England and Wales and approved by the Homes and Communities Agency or the Regulator or the Council.

Reason: To secure sufficient provision of affordable housing in the development in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policies DP3 and DP4 of the London Borough of Camden Local Development Framework Development Policies.

- 36 * At any time following commencement of construction the developer shall pay the Council the Deferred Affordable Housing Contribution in full. A Post Construction Viability Assessment shall be submitted to the local planning authority for approval in writing either:
- (a) on the date of issue of the Certificate of Practical Completion of all the private residential units (in Buildings A and B); or
 - (b) after commencement of construction provided the Owner has exchanged on the sales for no less than 50 residential units forming part of the Development and provides sufficient information to the Council to evidence the same.
- Not to complete on the sale of more than 55 residential units until such time as the Post Construction Viability Assessment has been submitted to the Council for approval in writing.
- Upon the issue of the approval of the Post Construction Viability Assessment the Council will provide to the Owner the following:-
- (a) a certificate specifying the sum ("the Assessment Certified Sum") reasonably and properly expended by the Council in assessing the Post Construction Viability Plan;
 - (b) a summary of the report received by the Council on the Post Construction Viability Assessment and to which the sum referred to in (a) above relates, with a

date for any comments of the Owner to be received by the Council on the summary to which the Council will have due regard;

(c) a certificate specifying the sum ("the Viability Certified Sum") properly assessed by the Council as being recoverable from the Affordable Housing Deferred Contribution .

If the Assessment Certified Sum exceeds the payment then the Owner shall within 28 days of the issuing of the said certificate pay to the Council the amount of the excess.

In the event the approved Post Construction Viability Assessment shows a Deficit the Viability Certified Sum shall be zero and the Owner shall have no obligation to pay the Deferred Affordable Housing Contribution or any part thereof. In the event the Post Construction Viability Assessment shows a Surplus that is less than two times the Deferred Affordable Housing Contribution the Viability Certified Sum shall be half of the Surplus up to the limit of the Deferred Affordable Housing Contribution. In the event the Post Construction Viability Assessment shows a Surplus that is greater than or equal to two times the Deferred Affordable Housing Contribution the Viability Certified Sum shall be the full amount of the Deferred Affordable Housing Contribution. The Owner shall within 28 days of receipt of the Viability Certified Sum pay to the Council the sum specified within the Viability Certified Sum. Not to Occupy or permit Occupation of any more than 57 private residential units until such time as the Council has confirmed receipt of the Viability Certified Sum in writing.

Reason: In order to secure sufficient provision of affordable housing in the development in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policies D3 and DP4 of the London Borough of Camden Local Development Framework Development Policies.

- 37 *The development shall not be carried out other than in complete accordance with the submitted Code for sustainable homes pre-assessment; and BREEAM pre-assessment for the educational uses; to achieve a minimum Code for sustainable homes level 4 and BREEAM 'excellent'.

Prior to first occupation of each relevant phase of the development in respect of the appropriate residential or educational areas (as applicable), post-completion certificates which demonstrate that the approved Code for Sustainable Homes or BREEAM rating (as applicable) has been achieved for the development in that phase shall be submitted to and approved in writing by the local planning authority.

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with the requirements of policies CS13, CS16 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 38 * The development shall not be carried out other than in complete accordance with the submitted Energy statement to achieve a reduction in CO2 emissions of 32% across the site compared to the current Building Regulations (36% for the educational facilities, 28% for the private flats in blocks A and B, and 34% for the affordable housing in block E).

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with the requirements of policies CS13, CS16 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 39 * Prior to the relevant parts of the works commencing, or at any other stage previously agreed in writing with the local planning authority, the applicant and/or developer shall have entered into an agreement with Kings Cross Working (KCW) to ensure that all job vacancies during the construction phases are registered with KCW at least 2 weeks prior to other recruitment efforts. Best endeavours will be used to reach a local employment target of 20% of workers during the construction stage being Camden residents.

There shall be a minimum of 7 construction apprenticeships, comprising 1 full term apprenticeship and 6 apprentices working towards a construction apprenticeship framework. The contractor will work with KCW to deliver an outreach programme with local schools and bodies. There shall also be a 10% to 15% target for local procurement. The applicant and end-users will also be encouraged to use the services of Camden Working (a Camden employment initiative).

Reason: In order to create training and employment opportunities for local people and businesses, in accordance with Policies CS8 and CS19 of the Core Strategy of the Camden Local Development Framework.

- 40 * No construction works for the development shall commence until the Council has confirmed in writing that it has received full payment of the financial contribution of £70,182 which is to be applied to the provision of educational facilities within the Borough.

Reason: To ensure that the educational facilities in the area accommodate the increased demand generated by the development in accordance with the requirements of policies CS10 and CS19 of the London Borough of Camden Local Development Framework Core Strategy and policy DP15 of the London Borough of Camden Local Development Framework Development Policies.

- 41 * No construction works for the development hereby approved shall be commenced until the Council has confirmed in writing that it has received full payment of the financial contribution of £98,622 which is to be applied to the provision of public open space within the Borough.

Reason: To ensure that the increased demand for open space generated by the development has been met in accordance with the requirements of policies CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP31 of the London Borough of Camden Local Development Framework Development Policies.

- 42 * No works shall be commenced on site until such time as any owners of the land with the legal locus to enter into a Section 106 Agreement have entered into such an Agreement incorporating obligations in respect of the matters covered by

conditions 26-46 above namely Car Free Housing; Travel Plans; Affordable Wheelchair Units; 10% Wheelchair Units; Lifetimes Homes; Energy Plan; Service Management Plan; Construction/Demolition Management Plan; On-Street Disabled Car Parking Spaces; Stopping up for Everton Buildings; Highways Works; Local Employment and Training; Education and Public Open Space contributions ; Affordable Housing and Deferred Payments; and Community Use Plan.

Reason: In order to define the permission and to secure development in accordance with policy C19 of the London Borough of Camden Local Development Framework Core Strategy.

- 43 A community use plan shall be submitted to and approved in writing by the local planning authority prior to first use of the school building hereby approved. The plan shall detail how and when school spaces such as (but not confined to) the two school halls shall be made available to the local community outside school hours. The approved plan shall be complied with for as long as the school building remains in use for educational purposes, or unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure community use of the building is optimised, in accordance with Policy CS10 of the Core Strategy and Policy DP15 of the Development Policies of the Camden Local Development Framework.

Informative(s):

- 1 You are advised that the biodiversity information/ecological assessment provided as part of this application will be made available to Greenspace Information for Greater London [GIGL], the capital's environmental records centre. This will assist in a key principle of PPS9 (Biodiversity and Geological Conservation) by building up the data base of up to date ecological information and this will help in future decision making
- 2 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £270,900 (5,418sqm x £50). This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the Additional Information Requirement Form or other changing circumstances. This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.
- 3 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest

the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

- 4 Your attention is drawn to the need to undertake a TRAVL after study and provide Transport for London and Camden's Transport Strategy Service with the results on completion of the development, in accordance with TfL practice to improve the TRAVL database
- 5 The term "the Post Construction Viability Assessment" used above is defined as an assessment which shall be undertaken by the Owner and submitted to the Council in accordance with the terms of this Agreement such assessment to:-
 - (a) be presented substantially in the same form as the Application Viability Assessment or such other form as may be proposed by the Owner and agreed by the Council in writing; and
 - (b) be based on the same percentage developer's return on market housing value as the Application Viability Assessment or such alternative percentages as agreed by the Council in writing
 - (c) referencing on the Application Viability Assessment an Alternative Use Value and a deficit against the Alternative Use Value, or other mechanism as agreed in writing with the local planning authoritywith a view inter alia to evidencing to the Council's reasonable satisfaction the residual site value of the Property such assessment shall include (but not be limited to) the following:-
 - (c) a copy of the Application Viability Assessment;
- 6
 - (d) receipted invoices; certified costs; certified copies of sales contracts; and best estimates of costs yet to be incurred and value of any unsold space and any other evidence reasonably required by the Council to show any revenue and/or costs incurred in relation to the Development;
 - (e) a solicitors certification confirming the sales of the residential units forming part of the Development were arm's length third party bona fide transactions and not:-
 - (i) designed to reduce the revenue received from sales of the residential units forming part of the Development;
 - (ii) confined to transactions between the Owner and subsidiary companies of the Owner;
 - (iii) transactions between the Owner and its employees; or
 - (iv) transactions including deferred consideration coverage or loans or finance deals from the Owner;
 - (f) payment of £5,000 to cover the Council's costs in verifying the material and information contained within the assessment;
- 7 You are advised to liaise with the Council's Transport Strategy Service with regard to procedures required to secure the stopping up of Everton Buildings. Highways licences will also need to be agreed with the Council's Highways Management Team.

- 8 Active bird nests are protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended) which states that it is an offence to disturb, damage or destroy the nest of any wild bird while that nest be in use or being built. Active nests are highly likely to be present within the site during peak nesting season, considered by Natural England as between 1 March and 31 July. It should be noted that active nests are afforded legal protection at all times and can be encountered throughout a nesting season which may extend between mid February and October depending on bird species and weather conditions. Nesting habitats which includes trees, shrubs, climbing plants, grounds flora, buildings and other structures may be cleared at any time of year where survey (undertaken by a suitably experienced person) can establish active nests are absent. For further information contact Natural England on 0845 600 3078.
- 9 Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation (Natural Habitats) Regulations 1994 which protect bats from intentional or deliberate actions which may kill, injure capture a bat and from actions that intentionally or recklessly damage, destroy or obstruct access to a bat roost (whether bats are present or not) or disturb a bat when occupying a roost. Actions such as demolition and renovation works to a building, and tree felling or significant tree surgery are likely to result in a breach of the above legislation if bats or bat roosts are present. For further information contact Natural England on 0845 600 3078.
- 10 Reasons for granting planning permission

The development generally accords with L.B. Camden Local Development Framework Core Strategy and Development Policies with particular regard to Policies CS1 (Distribution of growth), CS4 (Areas of More Ltd Change), CS5 (Managing growth & development impact), CS6 (Providing Quality Homes), CS8 (Promoting a successful & inclusive Camden economy), CS10 (Supporting Community Facilities & Services), CS11 (Promoting sustainable & efficient travel), CS13 (Tackling climate change through higher environmental standards), CS14 (Promoting high quality places & conserving our heritage), CS15 (Protecting & improving our parks, open spaces & encouraging biodiversity), CS16 (Improving Camden's health & well-being), CS17 (Making Camden Safer), CS18 (Dealing with Our Waste & Recycling), CS19 (Delivering & Monitoring the Core Strategy), DP1 (Mixed Use Development), DP2 (Making Use of Camden's Housing Capacity), DP3 (Contributions to Affordable Housing Supply), DP5 (Homes of Different Sizes), DP6 (Lifetime Homes & Wheelchair Homes), DP13 (Employment Premises & Sites), DP16 (The Transport Implications of Development), DP17 (Walking, cycling & public transport), DP18 (Parking Standards & Limiting Car Parking), DP19 (Managing parking impact), DP20 (Movement of Goods & Materials), DP21 (Development Connecting to the Highway Network), DP22 (Promoting sustainable design and construction), DP23 (Water), - continued

- 11 Reasons for granting planning permission (continued)

The development also generally accords with LB Camden Local Development

Framework Development Policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers & neighbours), DP27 (Basements & lightwells), DP28 (Noise and vibration), DP29 (Improving Access)

DP31 (Provision & Improvements to Open Space, Outdoor Sport & Recreation Facilities), DP32 (Air Quality & Camden's Clear Zone).

Furthermore the proposal accords with the specific policy requirements in respect of the following principle considerations:- provision of educational facilities; high standard of design having regard for local context; provision of housing (including affordable) public realm & sustainable development.

12 General Definitions:

"Construction " means any work of construction in the course of the erection of a building and for the avoidance of doubt does not include any operation that is a Preparatory Operation;

"Preparatory Operation" means an operation or item of work of or directly connected with or ancillary to archaeological investigation, remediation works associated with decontamination, exploratory boreholes, demolition and site clearance, digging of trenches for foundations, the erection of fences and hoardings, construction of temporary access and service roads, preliminary landscaping diversion, piling, decommissioning and/or laying of services for the supply or carriage of water, sewerage, gas, electricity, telecommunications or other media or utilities, and other works and site establishment preparatory to the commencement of Construction, including operations permitted by the Town and Country Planning (General Permitted Development) Order 1995;

13 Deferred Affordable Housing Definitions:

"Deferred Affordable Housing Contribution" means the sum of £5,576,000 (five million five hundred and seventy six thousand pounds) to be paid by the Owner to the Council in accordance with the terms of this Agreement to be applied by the Council in the event of receipt towards the provision of Affordable Housing within the Borough

"Deficit" means a negative figure or figure of zero produced from the Post Construction Viability Assessment by taking the total projected revenues of the Development and subtracting the total projected costs of the Development

"Post Construction Viability Assessment" an assessment to be undertaken by the Owner and submitted to the Council in accordance with the terms of this Agreement such assessment to

(a) be presented substantially in the same form as the Owner's viability assessment submitted on 5 April 2012 (entitled 'The Netley Project- Viability Report 4 April 2012', as updated) or such other form as agreed by the Council in writing; and... (Text continues in next informative))

- 14 Deferred Affordable Housing Definitions (first continuation of text from last informative):
- (b) be based on the same percentage developer's return on market housing value and the same percentage contractor's return on affordable housing cost as the Owner's viability assessment submitted on 5 April 2012 (as updated) or such alternative percentages as agreed by the Council and the Owner in writing with a view inter alia to evidence to the Council's reasonable satisfaction the projected return to the Owner from the development such assessment shall include (but not be limited to) the following:-
 - (c) a copy of the Owner's viability assessment submitted on 5 April 2012 showing the figure of -£157,795 (minus £157,795) produced by taking the total projected revenues of the Development and subtracting the total projected costs of the Development;
 - (d) receipted invoices; certified costs; certified copies of sales contracts; and best estimates of costs yet to be incurred and value of any unsold space and any other evidence reasonably required by the Council to show any revenue and/or costs incurred in relation to the Development;....
(text continues in next informative)
- 15 Deferred Affordable Housing Definitions (second continuation of text from last informative):
- (e) a solicitors certification confirming the sales of Residential Units were arm's length third party bona fide transactions and not-
 - (i) designed to reduce the revenue received from sales of the Residential Units;
 - (ii) confined to transactions between the Owner and subsidiary companies of the Owner
 - (iii) transactions between the Owner and its employees; or
 - (iv) transactions including deferred consideration coverage or loans or finance deals from the Owner;
 - (f) payment of £5,000 to cover the Council's costs in verifying the material and information contained within the assessment;
 - (g) details of any grant funding received in relation to the Development; and
 - (h) any further information the Council acting reasonably requires.

"Surplus" means a positive figure produced from the Post Construction Viability Assessment by taking the total projected revenues of the Development and subtracting the total projected costs of the Development

- 16 In respect of condition 19: For the residential accommodation the design and construction criteria for development of building shall have regard to the good criteria set out in BS 8233:1999 Sound insulation and noise reduction for buildings - Code of Practice The scheme shall include full details on noise mitigation measures to be incorporated including window glazing and room ventilation provisions. Where ventilation is required it should be capable of achieving the same noise reduction as the closed glazing or building structure.

Disclaimer

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