

Chris Murfin
Jestico & Whiles
1 Coburgh Street
LONDON
NW1 2HPApplication Ref: **2011/4963/P**
Please ask for: **Amanda Peck**
Telephone: 020 7974 **5885**

23 December 2011

Dear Sir/Madam

DECISIONTown and Country Planning Acts 1990 (as amended)
Town and Country Planning (General Development Procedure) Order 1995
Town and Country Planning (Applications) Regulations 1988**Renewal of Full Planning Permission Granted Subject to a Section 106 Legal Agreement**Address:
**Site to the rear of
202 - 204 Finchley Road
London
NW3 6BX**

Proposal:

Renewal of planning permission granted on appeal on 27/01/09 (2008/0183/P) for erection of a building comprising lower/upper ground and first floor level accessed off Finchley Road, for use as offices (Class B1) with green roof and plant at roof level, green wall, provision of 8 cycle and 3 motorcycle spaces at ground floor level, and associated landscaping (following demolition of existing single-storey porter's lodge).

Drawing Nos: 2069-0101 Rev P2; 2069-0105 Rev P2; 2069-0106 Rev P2; 2069-0107 Rev P2; 2069-0111 Rev P2; 2069-0112 Rev P2; 2069-0115 Rev P2; 2069-0116 Rev P2; 2069-0117 Rev P2; 2069-0500 Rev P5; 2069-0501 Rev P8; 2069-0502 Rev P7; 2069-0503 Rev P7; 2069-0505 Rev P4; 2069-0510 Rev P2; 2069-0511 Rev P3; 2069-0512 Rev P4; 2069-0513 Rev P2; 2069-0514 Rev P2; 2069-0520 Rev P2; 2069-0521 Rev P2; 2069-0530 Rev P1; 2069-0531 Rev P1; 2069-0532 Rev P1; 2069-0535 Rev P1; 256.01; 256.03A; 3551/MSK/501B; 3551/ESK/101B; Environmental Noise Assessment by Bickerdale Allen & Partners dated 11/12/07; Addendum to Environmental Noise Assessment by Bickerdale



Allen & Partners dated 17/12/07; Ecological Assessment (revised layout) by Catherine Bickmore Associates dated September 2011; Transport Statement by i-Transport LLP dated 06/12/07; Travel Plan by i-Transport LLP dated 06/12/07; Desk Study & Preliminary Risk Assessment by Structural Soils Limited dated January 2008; Arboricultural Report by Simon Pryce dated 07/12/07; Design & Access Statement by Jestico & Whiles dated December 2007; Landscape Statement by Philip Cave Associates dated 13/12/07; Tree Survey by Philip Cave Associates dated 31/01/05 Rev A 23/05/07; Manufacturers Details (G-sky) of Green Roofs and Walls; and Letters from Jestico & Whiles dated 21/12/07 and 14/02/08, Servicing Strategy, May 2008, Interpretive report on ground investigation, November 2008; BREEAM Prediction Report by Mott MacDonald dated November 2011; Energy Strategy by Mott MacDonald dated November 2011; Ground Movements Assessment 371014-02(00) stlet, dated 30 November 2011; Ecological Assessment Supplement Bat Survey by Tindal Overseas Ltd dated November 2011.

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 Detailed cross-sections through the north, south, west elevations (1:10) of the building (including through the windows) shall be submitted to and approved in writing by the Council before any 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 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.

- 3 A sample of all facing/cladding materials (including by not limited to the timber infill panels, timber cladding, curtain walling, clear and opaque coloured glazing, coloured render) shall be submitted to, and be approved in writing by, the Local Planning Authority 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.

- 4 Full details of all plant equipment including noise levels, to demonstrate compliance with Condition 5, shall be submitted to and approved in writing by the Council before any work is commenced on the relevant part of the development. The development shall not be carried out otherwise than in accordance with any approval given and shall thereafter be maintained in effective order to the reasonable satisfaction of the Council.

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.

- 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 facade 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 The approved cycle storage facility (to provide 8 additional bicycle stands in addition to the existing on-site cycle storage) shall be provided in its entirety prior to the first occupation of any part of the office development, 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 and DP18 of the London Borough of Camden Local Development Framework Development Policies.

- 7 No development shall take place until:
 - a) The applicant has submitted a programme of ground investigation for the presence of soil and groundwater contamination and landfill gas for approval by the Council;
 - b) The investigation has been carried out in accordance with the approved details and the results and remediation measures (if necessary) have been submitted to and approved by the Council. All approved remediation measures shall be implemented strictly in accordance with the approved details; and

c) All approved remediation measures shall be implemented strictly in accordance with the approved details and a verification report shall be submitted and approved by the Council.

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.

- 8 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 in writing 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.

- 9 No development of the building should take place until a plan that indicates the full hard and soft landscape design details including plant species, sizes and positions and a maintenance plan has been submitted to, and approved in writing by, the local planning authority. Any hard landscaping should be of a permeable construction wherever possible. Implementation of the landscape design and subsequent maintenance shall be carried out in accordance with the approved details.

Reason: To enable the Council to ensure a reasonable standard of visual amenity in the scheme 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.

- 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 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 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.

- 11 Drawings showing full details of the green roof/wall 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/wall, and a programme for a scheme of maintenance shall be submitted to, and approved in writing by, the local planning authority prior to commencement of work on any relevant part of the development. The green roof/wall shall be fully provided prior to occupation, in accordance with the approved details and maintained in accordance with the approved scheme of maintenance.

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.

- 12 Before 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 and the approved facility shall therefore 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 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..

- 13 The development hereby permitted shall be carried out in accordance with the following approved plans:

2069-0101 Rev P2; 2069-0105 Rev P2; 2069-0106 Rev P2; 2069-0107 Rev P2; 2069-0111 Rev P2; 2069-0112 Rev P2; 2069-0115 Rev P2; 2069-0116 Rev P2; 2069-0117 Rev P2; 2069-0500 Rev P5; 2069-0501 Rev P8; 2069-0502 Rev P7; 2069-0503 Rev P7; 2069-0505 Rev P4; 2069-0510 Rev P2; 2069-0511 Rev P3; 2069-0512 Rev P4; 2069-0513 Rev P2; 2069-0514 Rev P2; 2069-0520 Rev P2; 2069-0521 Rev P2; 2069-0530 Rev P1; 2069-0531 Rev P1; 2069-0532 Rev P1; 2069-0535 Rev P1; 256.01; 256.03A; 3551/MSK/501B; 3551/ESK/101B; Environmental Noise Assessment by Bickerdale Allen & Partners dated 11/12/07; Addendum to Environmental Noise Assessment by Bickerdale Allen & Partners dated 17/12/07; Ecological Assessment (revised layout) by Catherine Bickmore Associates dated September 2011; Transport Statement by i-Transport LLP dated 06/12/07; Travel Plan by i-Transport LLP dated 06/12/07; Desk Study & Preliminary Risk Assessment by Structural Soils Limited dated January 2008; Arboricultural Report by Simon Pryce dated 07/12/07; Design & Access Statement by Jestico & Whiles dated December 2007; Landscape Statement by Philip Cave

Associates dated 13/12/07; Tree Survey by Philip Cave Associates dated 31/01/05 Rev A 23/05/07; Manufacturers Details (G-sky) of Green Roofs and Walls; and Letters from Jestico & Whiles dated 21/12/07 and 14/02/08, Servicing Strategy, May 2008, Interpretive report on ground investigation, November 2008; BREEAM Prediction Report by Mott MacDonald dated November 2011; Energy Strategy by Mott MacDonald dated November 2011; Ground Movements Assessment 371014-02(00) stlet, dated 30 November 2011; Ecological Assessment Supplement Bat Survey by Tindal Overseas Ltd dated November 2011.

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

- 14 The development shall not be carried out other than in complete accordance with the submitted BREEAM assessments by an accredited assessor and an accompanying interim certificate stating that the development has been designed to achieve at least a rating of Very Good attaining target credits of 60% in each of the Energy and Water categories and 40% in the Materials and Waste category has been submitted to, and approved in writing, by the local planning authority. The use of the premises shall not commence until a final Post-Construction BREEAM Review Certificate has been submitted to the local planning authority demonstrating that by reasonable endeavours the target credits have been met.

Reason: To ensure a sustainable and resource efficient development in accordance with the requirements of 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..

- 15 The development shall not be carried out other than in complete accordance with the submitted Energy Statement (***name, date and reference to be confirmed and inserted here**). Such measures outlined in the approved strategy shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation 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.

- 16 No part of 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 by the local planning authority in consultation with Transport for London. The measures contained in the Service Management Plan shall at all times remain implemented.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16 and DP20 of the London Borough of Camden Local Development Framework Development Policies.

- 17 Prior to commencement of development details showing measures to ensure that the approach to and internal design of the new office accommodation is fully accessible to wheelchair users shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be provided in their entirety prior to the first occupation of any of the building hereby approved 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP29 of the London Borough of Camden Local Development Framework Development Policies.

- 18 No part of the development (including demolition) of any phase hereby approved shall be commenced until a Construction Management Plan (including an Air Quality Assessment) setting out measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the demolition and construction period, has been submitted to and approved by the local planning authority in consultation with Transport for London. The measures contained in the Construction Management Plan shall at all times remain implemented during the relevant construction phase.

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 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 The development hereby approved must be carried out in strict compliance with the plans referred to in this permission. Any alteration to the approved scheme resulting either from the requirements of Building Regulations, or for any other cause, must not take place except with the written agreement of the Council as local planning authority.
- 2 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.

- 3 Transport for London had requested that you are advised that the footway of Finchley Road is not blocked or obstructed during construction and maintenance of the proposal. Temporary obstruction should be kept to a minimum and should not encroach on the clear space needed for pedestrians to pass safely or to obstruct the flow of traffic. Vehicles involved in construction and maintenance should adhere to the Traffic Regulation Orders on the Transport for London Road Network at all times.
- 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 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 7 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests, whilst being built or in use. For further information contact Natural England on 0300 060 3900 or www.naturalengland.org.uk
- 8 Reasons for granting planning permission

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy with particular regard to policies CS1 - Distribution of growth, CS3 - Other highly accessible areas, CS5 - Managing the impact of growth and development, CS8 - Promoting a successful and inclusive Camden economy, CS11 - Promoting sustainable and efficient travel, CS13 - Tackling climate change through promoting higher environmental standards, CS14 - Promoting high quality places and conserving our heritage, CS15 - Protecting and improving our parks and open spaces and encouraging biodiversity, CS16 - Improving Camden's health and wellbeing, CS17 - Making Camden a safer place, CS18 - Dealing with our waste and encouraging recycling, CS19 - Delivering and monitoring the Core Strategy and with the London Borough of Camden Local Development Framework Development Policies with particular regard to policies DP1 - Mixed use development, DP13 - Employment premises and sites, DP16 - The transport implications of development, DP17 - Walking, cycling and public transport, DP18 - Parking standards and limiting the

availability of car parking, DP19 - Managing the impact of parking, DP20 Movement of goods and materials, DP21 - Development connecting to the highway network, DP22 - Promoting sustainable design and construction, DP23 - Water, DP24 - Securing high quality design, DP25 - Conserving Camden's heritage, DP26 - Managing the impact of development on occupiers and neighbours, DP27 - Basements and lightwells, DP28 - Noise and vibration, DP29 - Improving access, DP31 provision of and improvements to open space and outdoor sport and recreation facilities, and DP32 - Air quality and Camden's clear zone.

- 9 Furthermore the proposal accords with the specific policy requirements in respect of the following principle considerations: The policies regarding the majority of other matters, most notably mixed use development, design, amenity and transport considerations, have not changed significantly in thrust since the original permission. Notwithstanding this, a mixed use development has not been sought in this instance due to the nature and constraints of the site. The bulk and mass of the building reflects the backland nature of the site. The proposed materials have been carefully selected to assist in integrating the development into the site and ensuring that relates it to the diverse surrounding architectural styles. The proposed development will not adversely impact on the amenity of neighbouring properties. The proposed office accommodation has been designed to a high standard with both access and sustainability in mind.

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