

Ms Kate Fisher
TP Bennett
1 America Street
LONDON
SE1 0NE

Application Ref: **2010/4890/P**
Please ask for: **Charles Thuaire**
Telephone: 020 7974 **5867**

25 November 2010

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

Address:

Wellesley Road Elderly Person's Home
1 Wellesley Road
London
NW5

Proposal:

Demolition of the existing building and the erection of a part 2 part 3 storey building comprising a 60 bed care home (Class C2) and associated parking facilities and landscaping.

Drawing Nos: Site Location Plan; WPA02, 03, 04A, 05A, 06, 07, 08, 09, 10, 11, 12; 797.03 Rev J; 797.05 Rev A; Schedule of Accommodation; Planning Statement Dated Aug 2010; Draft Construction Management Plan; Outline Servicing Management Plan Dated Aug 2010; Ground Investigation Report Dated Dec 2009; Appendix C.20.1.A Bid Renewable Energy Strategy Report Dated Nov 2009; Appendix C.21.1.A Bid Part L2A Carbon Emissions Report Dated Nov 2009; Appendix C.20.2.A Bid Care Home Bedroom Summer Overheating Dated Nov 2009; Appendix C.20.2.B Bid Communal & Support Areas Summer Overheating; Breeam Assessment Report Dated Aug 2010; Report on Tree Inspections Dated Nov 2008; Internal Daylight Assessment Dated Aug 2010; Daylight & Sunlight Neighbourhood Impact Assessment Dated Aug 2010; External Appearance &



Visual Impact Studies Dated Sep 2010

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 details of a typical facade on the Wellesley Road elevation at scale of at least 1:50 and details of all architectural features (including windows, doors, timber panels, balconies, sunscreens) and their materials (including sunsreen and fenestration colours) to be used on the building shall not be otherwise than as those submitted to and approved 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 panel of the facing brickwork 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 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The use of the building shall not commence until details of privacy measures for the proposed 1st floor south facing lounge, hall and stair windows of House Group 3 (such details to show methods such as obscure glazing or angled window design to prevent direct overlooking) have been submitted to and approved by the Council. Such details shall be permanently retained and maintained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of 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.

- 5 The details of the proposed plant enclosure screens and solar panels at roof level to be used on the building shall not be otherwise than as those submitted to and approved 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.

- 6 Prior to occupation of the building, full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be submitted to and approved by the Council. Such details shall show hard surfacing to be of a permeable construction wherever possible. 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 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.

- 7 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, whichever is the sooner. 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.

- 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. Trees to be retained shall be protected during construction work in accordance with the drawings hereby approved and 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 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 by the Council before any works on site 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.

- 10 Prior to first occupation 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 the occupation of the development and thereafter permanently retained and maintained.

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 policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 11 Prior to first occupation of the building, full details of the green roofs (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 fully provided in accordance with the approved details prior to first occupation and thereafter permanently retained 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 and 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.

- 12 Prior to works commencing on site, details of when the tree protection measures hereby approved have been implemented shall be submitted to and approved by the Council.

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 works commencing on site, a method statement detailing how hard surfacing will be constructed within the root protection area of trees to be retained on site and on adjoining sites, will be submitted to and approved in writing by the local planning authority prior to the commencement of works on site. Hard surfacing will be implemented in accordance with the approved details.

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.

- 14 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.

- 15 Before the use commences, details of all plant for the ventilation of and the extraction of fumes from the premises, including details of sound attenuation and screening enclosures for such plant, shall be submitted to and approved by the Council. 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.

- 16 The refuse and recycling stores hereby approved shall therefore be provided prior to the first occupation of the building 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.

- 17 No development shall take place until:
- a) The programme of ground investigation for the presence of soil and groundwater contamination and landfill gas has been carried out in accordance with the details, as identified in the AMEC report dated December 2009, and the results and remediation measures have been submitted to and approved by the Council.
 - b) All 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.

- 18 The development shall not be occupied until the whole of the car parking provision shown on the approved drawings is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the occupiers and users of the development.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets which would be contrary to policy CS5 and CS11 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.

- 19 No development shall commence before a contract has been entered into with the Local Highway Authority to secure the provision of the new entrance off Wellesley Place with associated footway and highway works and the reinstatement of a level public footway around the entire site. The new building hereby permitted shall not be occupied until details of the layout and design of the new entrance off Wellesley Place have been submitted to and approved by the local planning authority and until all the works that are the subject of the contract have been completed.

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.

- 20 Prior to occupation of the building, details of the proposed cycle storage area for 20 cycles shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of the building, and thereafter permanently maintained and retained.

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.

- 21 Prior to occupation of any relevant part of the development, the applicant will have constructed and implemented all the measures contained in the Renewable Energy Strategy and Carbon Emissions reports hereby approved and such measures 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.

- 22 Prior to occupation of the development, a post-construction review of the BREEAM Assessment shall be submitted to the local planning authority demonstrating that the targets set out in the BREEAM Pre-Assessment report dated 16.8.10 hereby approved have been met and that the development has been constructed and fitted out incorporating these measures. The owners and occupiers will use reasonable measures to ensure that these sustainability measures are retained and maintained

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.

- 23 No part of the development (including demolition) hereby approved shall be commenced until a Construction Management Plan 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. The measures contained in the Construction Management Plan shall at all times during the construction phase remain implemented.

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 policy 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.

- 24 No part of the development hereby approved shall be occupied until a Service Management Plan, setting out measures for managing deliveries, has been submitted to and approved 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 and to accord with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP16 of the London Borough of Camden Local Development Framework Development Policies.

- 25 Prior to first occupation of the development hereby approved, the landowner would ensure through agreement that each new resident 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 and shall not be able to buy a contract permanently to park within any car park owned, controlled or licensed by the Council.

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.

- 26 The development shall not commence until a Community Working Group for construction management relating to the development, has been set up and its operation agreed in writing by the local planning authority, a minimum of 3 weeks prior to commencement of demolition. The Working Group shall continue in operation as agreed throughout the duration of the construction phase works.

Reason: In order to protect the pedestrian environment and the amenities of the area 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.

- 27 Prior to occupation of the building, details of community safety measures for crime prevention shall be submitted to and approved by the Council. The approved measures shall be provided in their entirety prior to the first occupation of the building, and thereafter permanently maintained and retained.

Reason: In order to prevent opportunities for crime and ensure the safety of residents and visitors to the Borough in accordance with policy CS17 of the London Borough of Camden Local Development Framework Core Strategy.

- 28 No development shall commence on site before a contract has been entered into with the Local Authority to:
- a) Provide two work placements for a construction trade apprentice to be recruited via the Kings Cross Construction Skills Centre, the Council's construction training centre in York Way.
 - b) An agreement to use reasonable endeavours to work with the Kings Cross Construction Skills Centre to provide opportunities to Camden residents to apply for construction vacancies on the site with a target of 15% of the construction

workforce to comprise Camden residents.

c) An agreement to liaise with i-CAM2, the Council's local procurement service, in relation to the tendering of contracts and to use reasonable endeavours to provide opportunities for local businesses to tender for the supply of goods and services during the construction of the development.

Reason: To secure local employment and training opportunities to local unemployed people during the construction phase and to source goods and services from local businesses in accordance with policy CS8 of the London Borough of Camden Local Development Framework Core Strategy.

- 29 No works shall be commenced on site and no part of the development shall be occupied until such time as all parties with an interest in the land with the legal locus to enter into a Section 106 Agreement with the Council have entered into such an Agreement incorporating obligations in respect of the matters covered by the following conditions namely:- 19 (highway works), 21 (renewable energy), 22 (BREEAM), 23 (Construction Management Plan), 24 (Service Management Plan), 25 (car free housing), 28 (local employment).

Reason: In order to define the permission and to secure development in accordance with the provisions of policy CS19 the London Borough of Camden Local Development Framework Core Strategy.

- 30 The development hereby permitted shall be carried out in accordance with the following approved plans- Site Location Plan; WPA02, 03, 04A, 05A, 06, 07, 08, 09, 10, 11, 12; 797.03 Rev J; 797.05 Rev A; Schedule of Accommodation; Planning Statement Dated Aug 2010; Draft Construction Management Plan; Outline Servicing Management Plan Dated Aug 2010; Ground Investigation Report Dated Dec 2009; Appendix C.20.1.A Bid Renewable Energy Strategy Report Dated Nov 2009; Appendix C.21.1.A Bid Part L2A Carbon Emissions Report Dated Nov 2010; Appendix C.20.2.A Bid Care Home Bedroom Summer Overheating Dated Nov 2009; Appendix C.20.2.B Bid Communal & Support Areas Summer Overheating; Breeam Assessment Report Dated Aug 2010; Report on Tree Inspections Dated Nov 2008; Internal Daylight Assessment Dated Aug 2010; Daylight & Sunlight Neighbourhood Impact Assessment Dated Aug 2010; External Appearance & Visual Impact Studies Dated Sep 2010.

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

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 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 Planning and Public Protection Division (Compliance and Enforcement Team), Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 5613 or by email ppp@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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 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 Council's Records and Information Team, Culture and Environment Directorate, Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ (tel: 020-7974 5613).
- 4 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or from the Council's One Stop Reception, Environment Department, Camden Town Hall, Argyle Street WC1H 8EQ. (Tel: 020 7974 5613 or email env.devcon@camden.gov.uk)
- 5 Reasons for granting planning permission.

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Local Development Framework Core Strategy: CS1 - Distribution of growth, CS4 - Areas of more limited change, CS6 - Providing quality homes, CS8 - Promoting a successful and inclusive Camden economy, CS11 - Promoting sustainable and efficient travel, CS13 - Tackling climate change, CS14 - Promoting high quality places and conserving our heritage, CS15 - Protecting and improving open spaces & encouraging biodiversity, CS16 - Improving Camden's health and well-being, CS17 - Making Camden a safer place, CS18 - Dealing with waste, CS19 - Delivering and monitoring the Core Strategy; and the London Borough of Camden Local Development Framework Development Policies: DP2 - Making full use of Camden's capacity for housing, DP3 - Contributions to supply of affordable housing, DP4 - Preventing the loss of affordable housing, DP6 - Lifetime homes and wheelchair homes, DP7 - Care homes for older people, DP16 - Transport implications of development, DP17 - Walking, cycling and public transport, DP18 - Parking standards and the availability of car parking, DP19 - Managing the impact of parking, DP21 - Development connecting to highway network, DP22 - Sustainable construction, DP23 - Water, DP24 - Securing high quality design, DP25 - Conserving Camden's heritage, DP26 - Managing the impact of development on occupiers and neighbours, DP28 - Noise and vibration, DP29 - Improving access, DP32 - Air quality.

- 6 Furthermore the proposal accords with the specific policy requirements in respect of the following principle considerations: The new building follows from the previous scheme granted outline permission last year and is based on its parameters and principles of landuse, layout and form. The landuse accords with new LDF policy on care homes and will help achieve objectives for a range of housing in the

borough. The building remains acceptable in terms of bulk, height and footprint, and is considered to have an appropriate facade design within its context. It will retain the most important trees on the site and have a good standard of landscape and biodiversity. The new building will be sustainable in construction and operation, subject to a post-construction review to ensure it meets anticipated standards. The new building will not harm neighbour amenity in terms of outlook, light and privacy, subject to conditions protecting the latter. The scheme continues to be acceptable in terms of traffic generation and parking.

- 7 In relation to condition 19, you are advised that such highways works will be required by Section 278 of the Highways Act 1980 and shall be carried out by the local highway authority.
- 8 In relation to submission of details for condition 11, you are advised that the Council would prefer a more biodiverse form of green roof rather than sedum where possible.
- 9 Thames Water requests that your proposal should include a non-return valve or other suitable device to avoid risk of backflow at a later date to protect the property from sewerage surcharge during storm conditions. You are advised of the need to make proper provision for surface water drainage and sewerage connections and to gain prior approval from Thames Water (tel 0845-8502777) for discharge to a combined public sewer.
No impact piling shall take place until a piling method statement has been submitted to and approved by Thames Water and such piling shall take place only in accordance with the approved details, in order to protect underground water and sewerage infrastructure.
Thames Water recommends the installation of a properly maintained fat-trap on all catering establishments. You are also advised that a minimum pressure and flow rate of water should be taken account of in the design of the development.
For further information and advice on all these matters, please contact Thames Water Developer Services (tel 0845-8502777)

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613