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Mr Tom Sweetman
DP9
100 Pall Mall
LONDON
SW1Y 5NQ

Application Ref: **2009/2827/P**
Please ask for: **Neil McDonald**
Telephone: **020 7974 2061**

28 September 2009

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

Outline Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
132-142 Hampstead Road
London
NW1 2PS

Proposal:

Outline application for the redevelopment of the site to provide 23,863sq.m. of Class B1 floorspace; 2,125sq.m. of Class B8 warehousing; 6,560sq.m. of Class C3 residential and 1,935sq.m. of ancillary space for parking servicing and storage, in two separate buildings of 5 to 7 storeys.

Drawing Nos: PAC 001 - 008; PAC 098 - 107. Supporting documents:- Design & Access Statement (June 2009); Planning Statement (June 2009); Transport Statement (June 2009); Affordable Housing Statement (June 2009); Daylight and Sunlight and Views Statement (March 2009); Air Quality Assessment (March 2009); Environmental Noise Survey and PPG24 Assessment; (June 2009); Sustainability and Renewable Energy Statement (June 2009); Landscape Assessment (March 2009); Crime Impact Assessment (June 2009); Amenity Space Assessment (June 2009).

The Council has considered your application and decided to grant permission subject to the following condition(s):



Condition(s) and Reason(s):

- 1 Before commencement of the development, the site layout, appearance of the buildings and landscaping of the site ("the reserved matters") shall be submitted to and approved in writing by the local planning authority and the approved detailed shall be thereafter implemented and maintained.

Reason: In order that the local planning authority may give consideration to the details of the proposed development.

- 2 Application for approval of the reserved matters shall be submitted to the Council within three years from the date of this permission.

Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development must be begun not later than either five years from the date of this permission or two years from the final approval of the reserved matters, whichever is the later.

Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- 4 The total floorspace of the development shall not exceed 34,483sq m.

Reason: In order to define the permission.

- 5 The total floorspace of the B1 element of the development shall not exceed 23,863sq m.

Reason: In order to define the permission.

- 6 The total floorspace of the B8 element of the development shall comprise 2,125sq m

Reason: In order to define the permission.

- 7 The total floorspace of the development residential element of the Development shall comprise 6,560sq m.

Reason: In order to define the permission.

- 8 The maximum height, lengths and widths of the buildings shall not exceed the parameters set by drawing Nos. PAC105 and PAC107.

Reason: In order to define the permission.

- 9 Vehicular access into the development shall not be located other than from the

private service road to the rear of the development shown on plan Drwg No. PAC099 the widths and design of which shall be agreed in writing with the local planning authority before the development commences.

Reason: In order to define the permission and to secure satisfactory vehicular access and pedestrian safety.

- 10 Pedestrian access across the site shall be provided adjacent to the open space at the southern end of the development or other location the details of which shall be agreed in writing with the local planning authority before the development commences.

Reason: In order to define the permission and to secure satisfactory pedestrian access and safety.

- 11 Accompanying any application for approval of Reserved Matters, there shall be submitted full particulars of the proposed residential accommodation including details of the number of units, size, dwelling and tenure mix, the stage reached in the tendering/procurement of the social rented, shared ownership and/or key worker sub rented market rented units, the confirmed or anticipated ownership or management arrangements for each tenure of affordable housing units and the number, location, unit size and mix of wheelchair accessible homes.

Reason: To ensure a sustainable development and the provision of a variety of housing in terms of size and type of affordability that is in accordance with policies H1, H2, H7 and H8 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 12 Accompanying any application for approval of Reserved Matters, there shall be submitted a detailed access audit for the scheme to demonstrate how it will allow inclusive access for the whole community. This shall refer to all parts of the scheme including each of the uses and any communal entrances and circulation areas. Included within this audit shall be Lifetime Homes information to show that all the 16 relevant points have been met for each residential unit, or where this is not feasible, the provision of a full and detailed justification; and information to show that at least 10% of units are wheelchair accessible or easily adaptable for residents who are wheelchair users.

Reason: In order to secure a suitable level of access for all, in accordance with the requirements of policies SD1C, H7 and B1 of the Camden Replacement Unitary Development Plan 2006.

- 13 The reserved matters shall include full details of an open space and children's playspace strategy for the residential and non-residential parts of the development.

Reason: In order to ensure the provision of open space and play space to meet the needs of the development in accordance with policies N4 and C3B of the London Borough of Camden Replacement Unitary Development Plan 2006 and the London Plan SPG on Providing for Children and Young People's Play and Informal Recreation March 2008.

- 14 The reserved matters shall include full details of service and delivery areas for both the residential and commercial parts of the development including provision to ensure that all vehicles will be able to enter and leave the site in forward gear.

Reason: In order to ensure satisfactory arrangements for servicing of the site in accordance with policy T16 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 15 The reserved matters shall be accompanied by a statement explaining the underlying approach to the design of the proposed buildings and how a high quality of design will be achieved in relation to the proposed site access and layout and the surrounding urban context.

Reason: In order to ensure a good standard of design for the development in accordance with policies B1 of the London Borough of Camden Replacement Unitary Development Plan 2006 and policies 4B.1, 4B.2 and 4B.3 of the London Plan.

- 16 The proposed building housing the B1 floorspace shall be designed and constructed in accordance with a specification to be agreed in writing by the local planning authority to ensure its suitability for use for B1(c) light industrial purposes.

Reason: To ensure the development is suitable for a range of employment purposes in accordance with policy E2 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 17 None of the dwellings hereby permitted shall be occupied until a detailed scheme has first been submitted to and approved in writing by the local planning authority, indicating sound insulation and attenuated ventilation so as to ensure that noise from external sources shall not exceed the following levels:

Living rooms - 40dB LAeq, 16 hours 07.00 to 23.00

Bedrooms - 35 dB LAeq, 8 hours 23.00 to 07.00

The approved scheme shall be implemented prior to the first occupation of each dwelling and thereafter maintained.

Reason: In the interests of the amenities of future occupiers of the development and in accordance with policies SD6 and SD7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 18 Details of the proposed air conditioning and ventilation design for the proposed development, including an assessment of how the likely exposure of new residents to pollutants included in the Air Quality (England) Regulations 2000 has been minimised, shall be submitted to and approved by the local planning authority prior to the commencement of the development. This assessment shall include consideration of any site related boiler emissions.

Reason: In the interests of the amenities of future occupiers of the development and in accordance with policies SD6 and SD9 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 19 Any Combined Heat and Power (CHP) installations included within the scheme shall not be commissioned until details of NOx emissions abatement to be incorporated within the CHP Plant have been submitted to and approved by the local planning authority.

Reason: In the interests of protecting the air quality of the area in accordance with policy SD9 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 20 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; and 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. 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 SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 21 Before commencement of the relevant parts of the development, detailed drawings at an appropriate scale [including sections, all elevations and plans where appropriate] and/or samples of materials, as appropriate, shall be submitted to and approved in writing by the local planning authority; and the approved details/materials shall thereafter be implemented and retained. Such details shall include:

All external facing materials with respect to the following elements: windows, window openings [including surrounds and cills], glazing, balconies/terraces, balustrading, doors, facing materials (inc stonework), render, louvres, roof materials and green roof elements.

A sample materials board of these details shall be displayed erected and maintained on site throughout the construction period.

Reason: In order to safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies S1, S2 and B1 of the Camden Replacement Unitary Development Plan 2006.

- 22 Before commencement of the development, details of proposed slab levels of the development, in relation to the existing and proposed levels of the site and the surrounding land, shall be submitted to and approved in writing by the local planning authority and the approved details shall be thereafter implemented and maintained.

Reason: In order to ensure that the height of the development is no greater than indicated on the approved drawings, so as to protect the availability of light enjoyed

by nearby residential premises, in accordance with the requirements of policy SD6 of the Camden Replacement Unitary Development Plan 2006.

- 23 Before commencement of the development, a method statement for the protection of all trees within the site to be retained and affected by construction works, shall be submitted to and approved in writing by the local planning authority; and the approved measures shall be thereafter implemented and maintained.

Reason: To ensure a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies B1, B7 and N7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 24 All hard and soft landscaping works approved in compliance with a reserved matters application 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 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 B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 25 Before the development is commenced details of a Sustainable Urban Drainage System (SUDS) including green or brown roofs and collection of rain water for reuse shall be submitted to and approved in writing by the local planning authority. Such details shall, with the greenfield run-off rate as the target point of reference, demonstrate how the proposed system will minimise the site surface water run-off and amount and rate of waste water discharged to the sewer. The approved details shall be implemented prior to first occupation and maintained in the development.

Reason: In order to minimise the risk from flooding in accordance with policy SD9 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 26 Before the development is commenced details of a scheme for provision of wildlife habitats within the scheme shall be submitted to and approved in writing by the local planning authority; and the approved details shall be thereafter implemented and maintained.

Reason: In order to conserve and enhance the biodiversity of the area in accordance with policy N5 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 27 The development shall be constructed in accordance with the maximum parking standard of 1 space per 1,500sqm gross floor area for the B1/B8 uses of the scheme, details of location, design, layout and access of which [including disabled

parking] shall be submitted to and approved in writing by the local planning authority prior to the uses commencing. Such details shall include 1 wheelchair accessible space for the residential part of the development. No other parking than has been approved shall be provided unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to ensure a sustainable development in accordance with policies T1, T3 and Appendix 6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 28 Unless otherwise agreed in writing by the local Planning Authority, the development shall be constructed in accordance with the cycle parking/storage standards as set out in Appendix 6 of the London Borough of Camden Replacement Unitary Development Plan 2006, details of location, design, layout and access of which shall be submitted to and approved in writing by the local planning authority prior to the uses commencing.

Reason: In order to ensure a sustainable development and satisfactory provision for cyclists in accordance with policies T1, T3 and Appendix 6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 29 No works shall be carried out under this planning permission on the land or any part of the land within the development unless and until all parties with any legal or equitable interest (including for the avoidance of doubt any chargees) in the land under title numbers NGL593264, NGL122843 and NGL130744 have entered into an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (and other appropriate powers) in the terms set out in the Section 106 Agreement annexed to this permission for the respective area of land, and title to the such area of land has been properly deduced to the Council.

Reason: In order to ensure the provision of appropriate mitigating infrastructure as required to meet the needs of the development in accordance with policy SD2 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

- 1 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, namely SD1 - Quality of life, SD2 - Planning obligations, SD3 - Mixed use development, SD4 - Density of development, SD6 - Amenity for occupiers and neighbours, SD7B - Noise/vibration pollution, SD8 - Disturbance from demolition, SD9 - Resources and energy, SD12B - Reuse of construction waste, H1 - New Housing, H2 - Affordable housing, H7 - Lifetime homes and wheelchair housing, H8 - Mix of units, B1 - General Design Principles, N2B - Development bordering public and private open space, N4 - Providing public open space, N5 - Biodiversity, T1 - Sustainable transport, T2 - Capacity of transport provision, T3 - Pedestrians and cycling, T7 - Off-street parking, city car clubs and bike schemes, T8 - Car-free

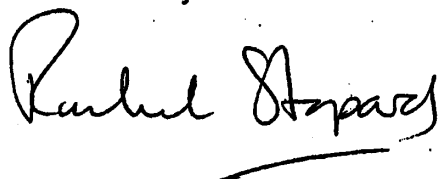
housing, T12 - Works affecting highways, T16 - Movement of goods, E1 - Location of business uses, E2 - Retention of existing business uses, C3B - Play facilities and LU1 - Land use proposal (site 20). Furthermore, the proposed development would provide a sustainable solution for the future of this site which offers valuable affordable housing and other uses in compliance with Camden's UDP policies. The proposed height, bulk and mass are acceptable for the site as assessed in its current context. The applicant has entered into a section 106 agreement to ensure that various matters such as affordable housing, sustainability, energy efficiency, open space, play space and community facilities will be addressed at the reserved matters stage to an appropriate extent to comply with the relevant policies stated above.

- 2 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).
- 3 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Highways Engineering Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 4444) or email highwayengineering@camden.gov.uk
- 4 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.
- 5 You are advised of the presence of London Underground rail infrastructure (tunnels and a construction shaft) underneath the proposal site. It is the responsibility of the developer to consult London Underground Limited prior to the commencement of any works in connection with the construction of underground structures, foundations, or excavations that may have the potential to impact upon this infrastructure. Please contact London Underground Infrastructure Protection, 25 Eccleston Place, London, SW1W 9NF 020 7126 2774 lulcedip@tube.tfl.gov.uk
- 6 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, Urban Design and Renewal, Camden Town Hall, Argyle Street, WC1H 8EQ.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.