

Sarah Avery (ref. SJH/hc/DP1177)

DP9

100 Pall Mall

LONDON

SW1Y 5NQ

Application Ref: **2007/0823/P**

Please ask for: **Adrian Malcolm**

Telephone: 020 7974 **2566**

25 March 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

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

Address:

**Site bounded by Hampstead Road**

**Drummond Street and Triton Square (a.k.a. North East Quadrant)**

**Regents Place London NW1**

Proposal:

Redevelopment involving demolition of remaining buildings, basements and structures and the erection of 26 storey block comprising 101 private residential units plus an 8 storey block comprising 70 affordable units (Class C3) -both blocks positioned on top of a one storey plus mezzanine level podium-; a part 16, part 11, part 9 storey block comprising 47,168sqm Class B1 office floorspace, plus retail/financial & professional services/restaurant/pub or bar/community (Class A1 / A2 / A3 / A4 and D1) uses at ground floor, provision of basement and lower basement levels together with associated access, parking (comprising 182 parking spaces) , servicing, open areas and landscaping, alterations to and enlargement of Triton Square.

Drawing Nos: Environmental Statement: Part I, Part II (Townscape & Visual Assessment-including May 2007 Addendum), Part III (Transport Impact Statement), Part IV (Technical Appendices), Non-Technical Summary.

P351/527A, 328A; C158NEQ 001A & 002; C326D 500 & 901.

P351/029D, 030H, 031E, 050A, 051A, 052B, 053B, 099mE, 099N, 100W, 100MI, 101V,



102O, 103L, 104N, 105U, 106L, 107O, 108O, 109S, 110O, 111K, 112V, 113L, 114M, 115M, 116J, 116AD, 116BD, 117K, 118B, 200D, 201F, 202H, 203E, 204B, 250A, 251K, 253F, 254I, 255E, 256E, 257A, 258A, 259A, 520C, 521C, 522C, 526B,

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 Notwithstanding the drawings hereby approved, detailed drawings of all elevations at a scale of 1:50 and sections and appropriate detail plans at a scale of 1:20 (or another suitable conventional scales previously agreed with the Council) and samples of all facing materials to buildings shall be submitted to and approved in writing by the local planning authority before the relevant parts of the work are commenced, and the approved details/materials shall thereafter be implemented and retained. In respect of samples, a sample materials board of these details shall be displayed erected and maintained on site throughout the construction period that shall include the following:
  - a) Windows frames, window openings [including surrounds and cills],
  - b) glazing, balconies/terraces, balconies and balustrading, doors, facing brickwork, stonework, panels, render, louvres, fins, roof materials and any other facing materials.

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

- 3 Detailed drawings, samples and any other relevant supporting illustrative material of the perforated fins to the balconies of the affordable residential accommodation on the Hampstead Rd frontage of the development shall be submitted to and approved in writing by the local planning authority before the affordable residential block is commenced. The approved details shall be implemented and retained thereafter.

Reason: To ensure the fins have a satisfactory appearance and maintain appropriate levels of privacy between neighbouring occupiers, while allowing sufficient light to penetrate for the benefit of occupiers of the flats in accordance with Policies SD6 and B1 the Camden Replacement Unitary Development Plan 2006.

- 4 No development shall take place (with the exception of demolition of remaining buildings, basements and structures) until:
  - a) The applicant has submitted a programme of ground investigation for the

presence of soil and groundwater contamination and landfill gas and human health risk assessment for the approval by the local planning authority.

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 local planning authority.

c) The applicant shall notify the local planning authority when remediation works commence. All approved remediation measures shall be implemented strictly in accordance with the approved details.

Reason: To protect future occupiers of the development from the possible presence of ground contamination in accordance with the requirements of policy SD10B of the Camden Replacement Unitary Development Plan 2006.

- 5 Details of proposed slab levels of the proposed development, in relation to the existing and proposed levels of the site and the surrounding land, shall be submitted to and approved by the local planning authority before development commences (with the exception of demolition of remaining buildings, basements and structures) . The development shall not be carried out other than in accordance with such details as approved.

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 and amenities of the area, in accordance with policies B1 and SD6 of the Camden Replacement Unitary Development Plan 2006.

- 6 All cycle parking areas shown on the plans hereby approved shall be provided and retained for as long as the development remains in existence. Details of cycle parking bays including racks/housings shall be submitted to and approved by the local planning authority and implemented in accordance with such approved details prior to occupation of the relevant parts of the development served.

Reason: To ensure satisfactory provision is made for the storage of cycles in order to encourage use of this sustainable mode of transport, in accordance with Policy T3 of the Camden Replacement UDP 2006.

- 7 Prior to commencement of development (with the exception of demolition of remaining buildings, basements and structures), impact studies of the existing water supply infrastructure shall be submitted to and approved in writing by the local planning authority (in consultation with Thames Water) in order to determine the magnitude of any new capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient to cope with anticipated additional demand, in accordance with policy SD1 of the Camden Replacement Unitary Development Plan 2006.

- 8 Details of all proposed shopfronts to the shop units hereby approved shall be submitted to the local planning authority for approval prior to their installation and shall only be carried out in accordance with any such approval.

Reason: To ensure the shopfronts have a satisfactory appearance in relation to the building in which they stand and the surrounding area with doorways suitable for use by all people within the community regardless of physical ability, in accordance with policy B4 of the Camden Replacement Unitary Development Plan 2006.

- 9 No meter boxes, flues, vents, pipes or satellite dishes shall be fixed or installed on external elevations of any of the buildings hereby approved without the prior consent of the local planning authority.

Reason: To define the permission and to safeguard the appearance of the premises and the character of the immediate area, in accordance with the requirements of policies B1, B3 and B6 of the Camden Replacement Unitary Development Plan 2006.

- 10 Details of all hard and soft landscaping (including all planting, trees, all hard surfaces, seating and water features) on the site shall be submitted to and approved by the local planning authority prior to commencement of the development (with the exception of demolition of remaining buildings, basements and structures) and shall be carried out in accordance with such approved details no later than the end of the first planting season following completion of the development or any relevant phase of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, no later than the end of the following planting season, with others of similar size, and species, unless the Council gives prior written consent to any variation. The landscaping details shall include those to the following areas:
- a) Triton Square
  - b) Brook St
  - c) Henry St
  - d) Residential courtyard (including water feature and green wall)
  - e) Play area to roof of building.

Reason: To ensure that suitable facilities and areas of circulation and amenity are provided within the development for all occupiers and other users to an acceptable standard and that the development has a sustainable impact upon biodiversity in the locality. This is in accordance with Policies SD1, B1, N5 and N7 of the Replacement Camden UDP 2006.

- 11 Details of security measures including entrance gates to basement car park, external lighting, lighting to entrance areas, windows, entrances and other related measures shall be submitted to and approved by the local planning authority prior to commencement of the development (with the exception of demolition of remaining buildings, basements and structures). The development shall be carried out in accordance with any such approved measures.

Reason: To ensure that suitable measures are taken in respect of security of the site, in accordance with Policy SD1 of the Camden Replacement UDP 2006.

- 12 Details of green roof design and green wall (including details of plant species) and

any other measures to enhance local biodiversity shall be submitted to and approved by the local planning authority and shall be provided and maintained within the development for as long as the development remains in existence.

Reason: To ensure the development makes a suitable contribution to encouraging local biodiversity in accordance with Policy N5 of the Camden Replacement UDP 2006.

- 13 Details of plant (including an acoustic report, sound attenuation and acoustic isolation from the structure) to be installed on each respective part of the development shall be submitted to and approved by the local planning authority prior to commencement of that part of the development. Any Class A3 or A4 use shall only operate in areas indicated on the plans hereby approved provided such details of plant to serve such intended Class A3 or A4 use have been submitted to and approved by the local planning authority and implemented in advance of occupation. The development shall only be carried out in accordance with such approved details, including specified maximum noise levels, and thereafter maintained for as long as the development or Class A3 or A4 uses remain in existence.

Reason: To ensure that the appearance of any external plant is compatible with the appearance of the building and the area and to ensure that residential amenities are protected, in accordance with the requirements of policies SD6, SD7 and SD8 of the Camden Replacement Unitary Development Plan 2006.

- 14 Surveys shall be carried out immediately prior to construction and on completion of each part of the development to assess the impact of that part of the development on terrestrial television reception. The surveys including any necessary mitigation measures to ensure satisfactory terrestrial television reception for nearby residents shall be submitted to the local planning authority for approval in writing, prior to first occupation of that part of the development, and thereafter implemented within 2 months of any such approval and maintained as long as the development remains in existence (unless otherwise previously agreed in writing with the local planning authority).

Reason: In order to safeguard the amenity of adjoining occupiers in accordance with the requirements of policy SD6 of the Camden Replacement Unitary Development Plan 2006.

- 15 No individual Class A3 or A4 use that operates from any shop unit on the Hampstead Rd frontage of the development (beneath the affordable residential accommodation) shall occupy more than 200sqm of gross floorspace (including ground floor, mezzanine, basement and any other area of floorspace), unless otherwise previously agreed in writing with the local planning authority.

Reason: In order to safeguard the amenity of adjoining occupiers in accordance with the requirements of policy SD6 of the Camden Replacement Unitary Development Plan 2006.

- 16 Refuse storage and recycling areas serving commercial and residential areas of

the development shall be provided as shown on the approved plans before the areas of floorspace they are intended to serve are occupied. These areas shall be retained solely for these purposes for as long as the development remains in existence, unless otherwise previously agreed in writing with the local planning authority.

Reason: In order to ensure that adequate refuse and recycling provision is provided on site, thus avoiding the need for potentially hazardous storage of refuse on the public highway in accordance with Policy B1 of the Camden Replacement Unitary Development Plan 2006.

- 17 Before the development commences (with the exception of demolition of remaining buildings, basements and structures) details of sound insulation to windows/walls and balconies to all residential premises shall be submitted to and approved to the local planning authority. The development shall only be carried out in accordance with any such approved details and any approved measures maintained thereafter.

Reason: To safeguard the amenities of the residential occupiers of the development, adjoining premises and the area generally in accordance with the requirements of policy SD7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 18 Notwithstanding the drawings hereby approved, detailed drawings shall be submitted to and approved by the local planning authority prior to commencement of the development (with the exception of demolition of remaining buildings, basements and structures) showing details of measures (e.g. obscure glazing, screening or other appropriate measures) to prevent potential intrusive overlooking from the east elevation of the Triton Square office building and terrace to residential premises within the private tower windows and premises on the northern side of Drummond Street. The development shall only be carried out in accordance with any such approved details and shall remain as such for as long as the development remains in existence, unless previously approved otherwise in writing by the local planning authority.

Reason: In order to protect the privacy of residents within and neighbouring the development from loss of privacy through overlooking, in accordance with Policy SD6 of the Replacement Camden UDP.

- 19 Detailed drawings, samples and any other relevant supporting illustrative material of measures to the balconies to the private residential tower in order to ensure sufficient light penetrates to the flats below each relevant balcony (as indicated in the application) shall be submitted to and approved in writing by the local planning authority before the private residential block is commenced and thereafter implemented prior to occupation.

Reason: To ensure the private residential units enjoy satisfactory levels of sunlight and daylight in accordance with Policies SD6 and B1 the Camden Replacement Unitary Development Plan 2006.

- 20 Notwithstanding the plans hereby approved, 10 private residential flats and 7

affordable flats shall be provided to wheelchair user standards and shall be retained as such for as long as those flats remain in existence, unless otherwise agreed in writing with the local planning authority.

Reason: In order to ensure that an adequate proportion of housing is provided that would be suitable for occupation by wheelchair users in accordance with Policy H7 of the Camden Replacement Unitary Development Plan 2006.

- 21 Detailed drawings of all main entrances to commercial areas of the development, communal entrances to residential flats and areas of public realm on the site such as Brook St, Henry St and Triton Square (including seating, hazard paving and general areas of circulation) shall be submitted to and approved in writing by the local planning authority before the development is commenced (with the exception of demolition of remaining buildings, basements and structures) and thereafter implemented prior to occupation.

Reason: In order to ensure that an adequate provision is made on the site for the needs of wheelchair users in accordance with Policy H7 of the Camden Replacement Unitary Development Plan 2006.

- 22 The parking spaces designed to wheelchair user standards shall be marked out and provided before the respective residential and commercial areas of the development that they are intended to serve are occupied and shall be retained for such use for as long as the development remains in existence. Priority shall be given to disabled blue badge parking permit holders in the use of such spaces.

Reason: In order to ensure that an adequate provision is made on the site for the needs of wheelchair users in accordance with Policy H7 of the Camden Replacement Unitary Development Plan 2006.

- 23 Any Class A3 or A4 use that occupies the shop units/floorspace with frontages to Hampstead Road or Henry Street (beneath residential accommodation) on the approved plans shall be closed and cleared of customers and staff between midnight and 0700 hours and 2330 hours and midnight on Sundays to Thursdays and bank and public holidays, and between midnight and 0700 hours on Fridays and Saturdays, and shall not be open at any other time without the prior written consent of the local planning authority. No sound emanating from these premises shall be audible within any adjoining premises between these hours.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6, R1B, R2, and R3 of the Camden Replacement Unitary Development Plan 2006.

- 24 Before the development is occupied, the basement vehicle ramps and service bays within the site shall be clearly marked out in thermoplastic paint stating 'No Parking'. Thereafter, at no time shall parking be permitted in these areas and no goods vehicles, plant equipment or other obstruction shall be left in this area. The markings shall be permanently maintained and retained, unless prior written consent is given by the local planning authority.

Reason: In order to satisfactorily provide space for the manoeuvring of vehicles within the site in the interests of highway and pedestrian safety in accordance with policies T16 of the 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, with particular regard to policies SD1-10, SD11, SD12, H1-3, H7-8, B1, B2, B4, B6, B7, B9, N3-5, N7, T1-5, T7-9, T12, T15, T16, R1-3, R7, E1-3, C1-3. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

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 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email [env.health@camden.gov.uk](mailto:env.health@camden.gov.uk) or on the website [www.camden.gov.uk/pollution](http://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.

4 You are urged to contact London Underground Ltd with regard to the impact of the development upon London Underground tunnels, and other railway infrastructure so that the continued safety of the railway can be assured. Please contact the Assistant Infrastructure Protection Manager, LUL, Engineering Directorate, 105 Victoria St, London SW1E 6AD (Tel 020 7027 9557).

5 You are urged to contact the Environment Agency (Tel 01707 632323) and Thames Water Authority (Tel 01923 898072) to discuss compliance with condition 7 and impact upon the water table and water efficiency measures.

6 You are urged to draw to the immediate attention of any potential A3 or A4 occupiers to the existence of condition 14 and the need for details of ventilation to comply with the condition to be submitted to and approved by the local planning authority before any occupation would be allowed, as such occupation would not be possible if the issue of potential nuisance or unsightliness of ventilation equipment could not first be addressed to the local planning authority's full satisfaction.



- 7 For the sake of clarification, notwithstanding conditions 4, 5, 7, 10, 11, 17, 18 and 21, the demolition of remaining buildings, basements and structures at the time of the planning permission may take place prior to submission and approval of matters under those conditions.
- 8 The remaining buildings basements and structures referred to in condition 4, 5, 7, 10, 11, 17, 18 and 21 are identified on attached drawings (including photographs) no's P351/010A and 351/009 and comprise Block Q (the single storey building directly north of the Euston Tower); undemolished remnants of Block B (former Beatty House) comprising the ground level slab, a single storey structural bay measuring circa 6m x 6m and three columns at south-west corner of former block; the ground level slabs of former Blocks C and E; and all basement areas across the application site.

**Disclaimer**

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