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71 Regent studios  
8 Andrews Road  
London  
E8 4QN

Application Ref: **2014/7285/P**  
Please ask for: **Rob Tulloch**  
Telephone: 020 7974 **2516**

6 January 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**Phoenix Community Garden**  
**21 Stacey Street**  
**London**  
**WC2H 8DG**

Proposal:

Erection of a single storey community and ecology centre building (Class D1) ancillary to community gardens, following demolition of three existing single-storey outbuildings at the junction of Stacey Street and New Compton Street.

Drawing Nos: Site Location Plan; A01 Rev A; A02; A05; A10 Rev A; A11 Rev A; A15 Rev A; A16; Design and Access Statement by Office Sian Architecture & Design dated 19/11/2014

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and



Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; A01 Rev A; A02; A05; A10 Rev A; A11 Rev A; A15 Rev A; A16; Design and Access Statement by Office Sian Architecture & Design dated 19/11/2014.

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

- 3 A sample panel of the facing materials demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and 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 approved 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 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

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

Reason: To ensure that the brown roof is suitably designed and maintained in accordance with the requirements of policies CS13 (Tackling climate change and promoting higher environmental standards), CS14 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 (Promoting sustainable design and construction), DP23(Water), DP24 (Securing high quality design)and DP32 (Air quality and Camden's Clear Zone) of the London Borough of Camden Local Development Framework Development Policies.

- 5 Full details of a lighting strategy, to include information about potential light spill, shall be submitted to and approved by the Local Planning Authority in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

Reason: In order to prevent any detrimental nature conservation and biodiversity impacts, or any impact on the quality of life of occupiers and neighbours to comply with policies CS5 (Managing the impact of growth and development) and CS15

(Protecting and improving our parks and open spaces & encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy, and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 6 All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. All demolition to existing structures shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then works shall not proceed until the fledglings have left the nest.

Reason: To ensure that the proposed development protects existing habitats and biodiversity during the implementation stage, in accordance with the requirements of policy CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 The existing buildings are of no merit and their loss is not harmful to the character or appearance of the street scene or conservation area. The proposed building is significantly lower than that granted consent in 2012 and will preserve the sense of openness that the garden brings within the highly built up area. The detailed design of the proposal has been greatly simplified from the previous approval, and is considered to work well in its context and with its proposed use. The materials palette is simple, restrained and of high quality. The proposal is considered to enhance the character and appearance of this part of the Denmark Street conservation area. The proposed building, due to its size and location, is not considered harmful to any trees, protected species, the local transport network or the amenity of adjoining occupiers.

The new building will be slightly taller than the existing but will preserve views of the spire of St Giles Church. Conditions will require details of lighting and control the timing of the works to protect biodiversity and residential amenity.

No objections were received prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS3,

CS5, CS9, CS10, CS13, CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP15, DP22, DP23, DP24, DP25, DP26, DP31 and DP32 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.16' 7.4, 7.6, 7.8, 7.18 and 7.19 of the London Plan 2011; and paragraphs 14, 17, and 56 -66, 69, 70, 74, 109, 113, 117, 123, and 125-141 of the National Planning Policy Framework.

- 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 6941).
- 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 Noise and Licensing Enforcement Team, 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.
- 4 The applicant will need to contact the Council's Arboricultural Services to discuss tree pruning which may be required to implement the proposal.
- 5 In relation to condition 6 the applicant is advised that all wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson  
Director of Culture & Environment