



---

## **PLANNING STATEMENT**

---

**23A HAMPSTEAD HILL  
GARDENS, LONDON,  
NW3 2PJ**

**KINIATON CAPITAL LTD  
AND ABA  
COMMUNICATIONS 1997  
LTD**

**FEBRUARY 2015**



**Author:**  
**Victoria Manston**

**Approved by:**  
**Nick Spall**

**Report Status:**  
**FINAL**

**Issue Date:**  
**16<sup>th</sup> February 2015**

**CgMs Ref:**  
**NS/VM/15652**

© **CgMs Limited**

No part of this report is to be copied in any way without prior written consent.

Every effort is made to provide detailed and accurate information, however, CgMs Limited cannot be held responsible for errors or inaccuracies within this report.

© Ordnance Survey maps reproduced with the sanction of the controller of HM Stationery Office.  
**Licence No: AL 100014723**



<b>CONTENTS</b>	<b>PAGE(S)</b>
1.0 INTRODUCTION	4
2.0 CONTEXT TO THE APPLICATION SITE	6
3.0 RELEVANT PLANNING HISTORY	7
4.0 DESCRIPTION OF PROPOSALS AND BACKGROUND	9
5.0 PLANNING POLICY CONSIDERATIONS	11
6.0 ANALYSIS OF PROPOSALS	15
7.0 CONCLUSIONS	20

## **APPENDICES**

Appendix 1 – Decision Notice and Approved Drawings (LPA Ref: 2013/8020/P)

Appendix 2 – Section 106 Agreement (LPA Ref: 2013/8020/P)



## 1.0 INTRODUCTION

1.1 CgMs has been instructed by Kiniaton Capital Ltd and ABA Communications 1997 Limited, who have a freehold interest in 23a Hampstead Hill Gardens, Hampstead, to apply for the following:

1.2 "Demolition of existing dwelling house and erection of a new 3 storey dwellinghouse with lower ground floor rear extension, ground floor winter garden and first floor roof terrace, plus forecourt parking, front porch, lightwell and new boundary enclosure at the front" (Revised Scheme).

1.3 Along with this Planning Statement a number of other documents have been submitted in support of the above application and are detailed below:

- Design and Access Statement with existing and proposed drawings, sections, elevations and photomontages by 51% Architecture which also contains the following:
  - Construction Management Statement
  - Structural Engineering Report
  - Details of Compliance with Lifetime Home Standards
- Sustainability Statement by Briary Energy Consultants
- Code for Sustainable Homes Pre-Assessment by Briary Energy Consultants
- Letter regarding Cherry Tree at No. 25 Hampstead Hill Gardens, from R.Howorth surveyors (dated 20<sup>th</sup> January 2013)
- Tree survey report by Andrew Parry (dated July 20<sup>th</sup> January 2011)

1.4 The remainder of this statement is set out as follows:

- Section 2 describes the site and surrounding area;



- Section 3 sets out the key planning history of the site and others of relevance;
- Section 4 provides a description of the proposed development;
- Section 5 provides the planning policy context against which the principle of redevelopment at the site has been considered;
- Section 6 provides an analysis of the proposals in planning terms; and
- Section 7 provides Conclusions.



## **2.0 CONTEXT TO THE APPLICATION SITE**

### **Site Description**

- 2.1 The site comprises of a 1970s red-brick, low-quality 2-3 storey terrace house with basement/lower ground floor levels, including rear garden area sloping to the east and the rear. The total site area is 0.306 hectares.
- 2.2 No.23 to the left is converted into several flats (one each on basement, ground, 1st and 2nd floors) and is of a Queen Anne design with pitched roof and red brick; no.25 to the right side in contrast has a classical design with stuccoed walls and parapets. This property has a large side garden adjoining the application site containing a mature cherry tree which has been recently made subject of a TPO.
- 2.3 Hampstead Hill Gardens is well located for public transport, relatively close to the Hampstead village tube to the north and Hampstead main line station the east.

### **Site Context**

- 2.4 The site lies within the Hampstead Conservation Area and within Sub-Area Three as defined in the Conservation Area Statement (CAS). While nos. 23 is identified as making a positive contribution to the character of the Conservation Area, it is unlikely that no. 23a is included in this designation given its "neutral" and even "negative" nature and quality.
- 2.5 The local area is characterised by late Victorian/ Edwardian 2 storey houses built with dormers at roof level, set back from the street with walled/hedged front gardens. No.23a forms the end of a curved terrace.



### **3.0 RELEVANT PLANNING HISTORY**

3.1 The Council's planning register highlighted the following applications of importance:

- Planning permission was granted on 10 April 1972 for erection of side extension for 2 flats and basement garaging.
- Planning permission was granted on 1 July 1997 for the erection of side extension at 1<sup>st</sup> floor level.
- Planning permission (LPA Ref: 2006/4244/P) was granted on 7 November 2006 for change of use of 2 flats to a maisonette.
- Planning permission and Conservation Area Consent (LPA Ref: 2007/2949/P) was refused on 13 September 2007 for demolition and erection of a replacement 2 storey dwelling house with 2 basement levels, plus forecourt parking, lightwell and new boundary enclosure at front, plus projecting balconies and lightwell at rear; refused for three reasons: inappropriate design and form through the proposed usage of certain materials and because of harm to the appearance of the streetscene and conservation area; inadequate landscaping potential of the open land and lack of biodiversity value; harm to and potential loss of adjoining cherry tree.
- Planning permission and Conservation Area Consent (LPA Ref: 2007/5850/P) was refused on 8 April 2008 for demolition of existing building and erection of a replacement 2 storey dwelling house with 2 basement levels, plus forecourt parking, lightwell and new boundary enclosure at front, plus projecting balconies and lightwell at rear. However, the officers' recommendation was for approval.
- Appeals were dismissed on 17 June 2008 against above refusals, on grounds of inappropriate design and form of new building and loss of outlook to neighbouring top flat.



- Planning permission (LPA Ref: 2011/2956/P) was granted on 29 March 2012 for erection of a replacement 2 storey dwelling house with enlarged lower ground level, plus forecourt parking, front lightwell and new boundary enclosure at front, and projecting balconies at rear, following demolition of existing dwelling house (Class C3).
- Planning permission (LPA Ref: 2013/8020/P) was granted subject to a Section 106 Legal Agreement on 2 May 2014 for the "demolition of existing dwelling house and erection of a new 3 storey dwellinghouse with lower ground floor rear extension, ground and 1<sup>st</sup> floor roof terraces, plus forecourt parking, lightwell and new boundary enclosure at the front" (**see Appendix 1**).

3.2 It is now sought to revise the above permission to include the following:

- A traditional Edwardian winter garden to the rear of the property at ground floor level;
- Reconfiguration of the lower ground/ ground floor rear windows;
- Re-positioning of the staircase located at the rear of the property on the ground floor;
- A traditional Edwardian porch to the front of the property;
- Replacement of approved windows (with window arches and timber frames) on front, flank and rear elevations with traditional painted timber sash windows;
- Increase in gradient of access ramp to property by 260mm.



## **4.0 DESCRIPTION OF PROPOSALS AND BACKGROUND**

4.1 Full details of the scheme design are set out in the Design and Access Statement. The proposed development comprises:

- The demolition of an existing 2-3 storey end of terrace dwelling house;
- The erection of a new 3 storey dwelling house with lower ground floor rear extension, ground floor winter garden and first floor roof terrace, plus forecourt parking, front porch, lightwell and new boundary enclosure at the front.

4.2 The main revisions from the scheme approved in May 2014 are set out below:

### Winter Garden

4.3 The proposals include replacing the approved uncharacteristic privacy screens to the rear of the property at ground level with a traditional winter garden.

4.4 The shape of the winter garden is a simple, flat roof structure that continues the rhythm of the stepped forms at the rear of the property.

4.5 The material choice is a painted timber structure with painted timber louvres at a high level. The choice of material is consistent with typical Edwardian glazed domestic structures, whilst executed with contemporary detailing.

4.6 The glazing on the flank elevation of the winter garden will be obscured and set back from the edge of the lower ground floor so as to prevent any adverse overlooking, overshadowing or general loss of amenity of No.23 Hampstead Hill Gardens.

### Reconfiguration of the Lower Ground/ Ground Floor Rear Windows and Spiral Staircase

4.7 Due to the addition of the winter garden, it is necessary to reconfigure the windows at lower ground floor level to form a more traditional fenestration pattern.



4.8 The reconfiguring of the lower ground floor windows is in-keeping with the character and appearance of the properties in this part of the Hampstead Conservation Area and follows the rhythm and natural sequence of the adjoining terrace to the north and relates comfortably with the adjoining large villas to the south. The proposals will provide high quality architectural and townscape enhancement design to the benefit of the area and the Conservation Area.

4.9 To create a more balanced rear elevation, it is also proposed to re-position the external staircase towards the centre of the ground floor. This will further prevent any overlooking or adverse impacts on the amenity of neighbouring residents.

Traditional Edwardian Porch to the Front of the Property

4.10 The proposals include the addition of a perforated metal porch to the front elevation which integrates the new house within the streetscape.

Increase in Access Ramp by 260mm

4.11 As the property is located above a Network Rail tunnel, Network Rail require the retention of the existing slab level which means that the gradient of the access ramp to the property has to be increased by 260mm to accommodate a functional ceiling height at the lower ground floor level.

4.12 Details of the proposed architectural design and materials are included within the Design and Access Statement and drawings accompanying this application.



## **5.0 PLANNING POLICY CONSIDERATIONS**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. With regard to the relevant planning policies, the next section provides a planning appraisal of the proposed development works outlined in Section 3.

### **Development Plan**

- 5.2 Documents of relevance to this proposal are as follows and we review each in turn:

- The London Plan – (July 2011 and Revised Early Minor Alterations to the London Plan (October 2013))
- London Borough of Camden’s Core Strategy (November 2010)
- London Borough of Camden’s Development Policies (November 2010)

- 5.3 In considering a development proposal, other key documents will form material considerations in the determination of the planning application including:

- National Planning Policy Framework (NPPF, March 2012)
- Written Ministerial: Planning for Growth (March 2011)
- Housing and Growth Statement (September 2012)

### **Site Specific Designations and Allocations**

- 5.4 The application site has the following site specific designation:

- Hampstead Conservation Area

- 5.5 Considering these site specific allocations and the proposed works at the site, the following Development Plan Policies are considered relevant.

### **The London Plan (2011)**

- Policy 3.5 (Quality and Design of Housing Developments)



- Policy 3.14 (Existing Housing)
- Policy 5.1 (Climate Change Mitigation)
- Policy 6.1 (Strategic Approach- Integrating Transport and Development)
- Policy 6.3 (Assessing Effects on Development on Transport Capacity)
- Policy 6.9 (Cycling)
- Policy 7.4 (Local Character)
- Policy 7.6 (Architecture)
- Policy 7.8 (Heritage Assets and Archaeology)
- Policy 7.14 (Improving Air Quality)
- Policy 7.15 (Reducing Noise and Enhancing Soundscape)

### **Camden's Core Strategy (November 2010)**

- Policy CS1 (Distribution of Growth)
- Policy CS5 (Managing the Impact of Growth and Development)
- Policy CS6 (Providing Quality Homes)
- Policy CS11 (Promoting Sustainable and Efficient Travel)
- Policy CS13 (Tackling Climate Change)
- Policy CS14 (Promoting High Quality Places and Conserving Our Heritage)
- Policy CS15 (Protecting and Improving Open Spaces & Encouraging Biodiversity)
- Policy CS18 (Dealing With Waste)
- Policy CS19 (Delivering and Monitoring the Core Strategy)

### **Camden's Development Policies (November 2010)**

- Policy DP2 (Making Full Use of Camden's Capacity for Housing)
- Policy DP5 (Homes of Different Sizes)
- Policy DP6 (Lifetime Homes and Wheelchair Homes)
- Policy DP17 (Walking, Cycling and Public Transport)
- Policy DP18 (Parking Standards and the Availability of Car Parking)
- Policy DP19 (Managing the Impact of Parking)
- Policy DP21 (Development Connecting to the Highway Network)
- Policy DP22 (Sustainable Construction)
- Policy DP23 (Water)
- Policy DP24 (Securing High Quality Design)
- Policy DP25 (Conserving Camden's Heritage)
- Policy DP26 (Managing the Impact of Development on Occupiers and Neighbours)
- Policy DP27 (Basements and Lightwells)

### **Written Ministerial Statement: Planning for Growth (March 2011)**

5.6 Issued at the time of the 2011 Spring Budget this remains a material planning consideration. It is especially noteworthy for inclusion in the second paragraph of the following statement:



*'Government's clear expectation is that the answer to development and growth should wherever possible be 'yes' except where this would compromise the key sustainable development principle set out in national planning policy'.*

and at paragraph 6 where it advises local planning authorities...*'that applications that secure sustainable growth are treated favourably....'*

### **National Planning Policy Framework (March 2012)**

- 5.7 The NPPF replaced most of the Government's planning policy advice into a succinct 50 page document. It reemphasises the presumption in favour of sustainable development, referred to no less than 19 times. It encourages the effective use of land by reusing land that has been previously developed (brownfield land) - para 17. It requires local planning authorities ...*'To deliver a wide choice of high quality homes (and) widen opportunities for home ownership....'* – para.50. It requires that ....*'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative....'* – para 60.
- 5.8 Paragraph 64 states ....*'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.*
- 5.9 The corollary of this is that developments that do improve the character and quality of an area should be approved. That is clearly the case with this proposal.

### **Housing and Growth Statement (September 2012)**

- 5.10 This statement explains that the Coalition Government's number one priority is to get the economy growing. It states that the need for new homes is acute (my underlining), and supply remains constrained.

### **The London Plan (2011)**

- 5.11 This is the Spatial Development Plan for Greater London, the latest version of which was published in July 2011. Chapter 1 explains the projected increase in



population and households over the plan period, from 3.52m households in 2011 to 3.99m in 2031, a 20% increase.

- 5.12 More detailed advice is provided in chapter 3. Paragraph 3.13 states: the Mayor is clear that London desperately needs more homes in order to promote opportunity and real choice for all Londoners, with a range of tenures that meets their diverse and changing needs [NB: Policy 3.3: Increasing Housing Supply uses the adverb 'pressing' need for more family homes in London].



## **6.0 ANALYSIS OF PROPOSALS**

- 6.1 This section summarises the planning policy considerations of relevance to the proposals. Detailed design matters are explained in the Design and Access Statement.

### **Policy DP2 (refers to Policy CS6 quality homes) – making full use of Camden’s capacity for housing**

- 6.2 Policy CS6 states that Camden should *"make full use of Camden’s capacity for housing, to meet or exceed targets for the supply of homes in the borough"*.
- 6.3 The proposed scheme sits on the plot of an existing house and expands its floorspace content for a larger family home for the benefit of the local area and the Borough.

### **Policy DP5 (relates to Policy CS6 quality homes) – homes of different sizes**

- 6.4 Policy DP5 notes the Council should *"consider the economics and financial viability of the site, including the demand for homes of different sizes."*
- 6.5 The new redevelopment would provide an enhanced family home in an area of local demand.

### **Policy DP6 (relate to Policy CS6 quality homes) – lifetimes Homes**

- 6.6 The on-site parking space supports "the needs of a family’s changing lifecycle, from raising children through to mobility issues in old age" (DP6).
- 6.7 The scheme proposals relate to Lifetimes Homes potential, as explained in Section 4.12 of the submitted Design & Access Statement.



**Policy DP18 (relates to Policy CS11 sustainable travel) – parking standards and limiting the availability of car parking**

- 6.8 Policy DP18 notes that in regards to car capped developments, the Council *"will limit on-site parking to spaces designated for the occupiers of development"*.
- 6.9 The proposed scheme only provides one single car parking space for the new dwelling. This complies with relevant housing parking standards for the Borough.

**Policy DP22 (relates to Policy CS13 climate change) – promoting sustainable design and construction**

- 6.10 Policy DP22 necessitates that "schemes must demonstrate how sustainable development principles have been incorporated into the design and proposed implementation."
- 6.11 The scheme complies with relevant sustainable design Building Regulations, government and LBC policies (see section 4.4 of the submitted Design and Access Statement).
- 6.12 The scheme will meet the targets applicable to "Code for Sustainable Homes Level 4."
- 6.13 This proposals have incorporated sustainable development principles through incorporating adequate natural ventilation, solar gain control, rainwater harvesting and recyclable materials.
- 6.14 The ground source heat pump will generate the majority of the heating.

**Policy DP23 (relates to Policy CS13 climate change) – water**

- 6.15 Policy DP23 notes that the Council *"requires developments to reduce their water consumption by incorporating water efficient features and equipment and capturing, retaining and re-using surface water and grey water on-site"*.



- 6.16 As explained in sections 4.8 (rainwater harvesting) and 4.9 (SUDS) of the submitted Design and Access Statement the scheme proposals comply with relevant water use limitation and harvesting policies and best practice.

**Policy DP24 (relates to Policy CS14, high quality places / heritage) – securing high quality design**

- 6.17 As explained in the submitted Design Statement, the proposals provide high quality architectural and townscape enhancement design to the benefit of the area and the Conservation Area. This is in accordance with policy DP24 requirements that the development must “be of the highest standard of design”.

**Policy DP25 (relates to Policy CS14, high quality places / heritage) – conserving Camden’s heritage**

- 6.18 According to Policy DP25, the Council will *“only permit development within Conservation Areas that preserve and enhances the character and appearance of the area.”*
- 6.19 The proposed scheme is in-keeping with the character and appearance of this part of the Hampstead Conservation Area which follows the rhythm and natural sequence of adjoining terrace to the north and relates comfortably with the adjoining large villas to the south. The elevational treatment introduces traditional styled and sized windows, stone dressings, brickwork plus a low brick boundary wall and hedge typical of the area.
- 6.20 The winter garden at ground floor is a simple, flat roof structure that continues the rhythm of the stepped forms at the rear of the property and therefore supports Policy DP 25 and Policy CS 14. The choice of material is consistent with typical Edwardian glazed domestic structures, whilst executed with contemporary detailing.
- 6.21 The addition of a traditional Edwardian perforated metal porch to the front elevation integrates the new house within the streetscape and enhances the appearance of the Conservation Area.



- 6.22 The reconfiguring of the lower ground floor windows is in-keeping with the character and appearance of the properties in this part of the Hampstead Conservation Area. The proposals will provide high quality architectural and townscape enhancement design to the benefit of the area and the Conservation Area.

**Policy DP26 (relates to Policy CS14, high quality places) – managing the impact of development on occupiers and neighbours**

- 6.23 Policy DP26 proposes that the *"Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity"*.
- 6.24 The scheme proposals do not result in any adverse or unacceptable overlooking, overshadowing or general loss of amenity on adjoining residential properties.
- 6.25 The glazing on the flank elevation of the winter garden will be obscured and set back from the edge of the lower ground floor so as to prevent any adverse overlooking, overshadowing or general loss of amenity of No.23 Hampstead Hill Gardens.
- 6.26 The scheme ensures the adjoining TPO'd cherry tree in the garden of no.25 is adequately replaced in a new position, an approach which was considered acceptable by the Inspector and the Council on previous applications. The revised scheme continues to propose removal of this cherry, on account of its proximity to the proposed house which would potentially damage its roots and crown and also harm its long term survival due to pruning. It is proposed to replace it by a semi-mature specimen of similar species (cherry) planted towards the frontage of no. 25. It will be thus more prominent in the streetscene and thus have a greater impact on the Conservation Area.



**Policy DP27 (relates to Policy CS14 high quality places) – basements and light wells**

- 6.27 Policy DP27 requires that basements and light wells *"do not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability."*
- 6.28 The proposed basement does not project outside the footprint of the existing building and comply with relevant Building Regulations and LB Camden SPG policies in terms of design and construction, neighbours and hydrology impacts.

**Planning Obligations**

- 6.29 In terms of Planning Obligations, planning permission granted in May 2014 (LPA Ref. 2013/8020/P) was subject to a Section 106 Agreement (see **Appendix 2**) requiring:
- a) no development to take place until the cherry tree at 25 Hampstead Hill Gardens has been replaced by a new semi-mature bird cherry tree (*Prunus Padus*) of at least 18-20 cm girth planted on this land and subsequently pruned and maintained. In the event the tree should die during a period of 5 years from implementation, the tree shall be replaced in the next available planting season with a semi-mature bird cherry tree of at least 18-20 cm girth.
  - b) car-capped housing
  - c) contribution to footway reconstruction (£4718)
  - d) post-construction review to meet anticipated targets
- 6.30 The applicant is agreeable to enter into a "Deed of Variation" which contains obligations as required based on the revised scheme.



## **7.0 CONCLUSIONS**

### **7.1 Our conclusions are as follows:**

- i. The proposed scheme increases and improves residential floorspace provision without detriment to existing residential amenity and enhances the character and appearance of the conservation area. It will provide a new, high quality, sustainable dwelling in an area with high demand for family housing.
- ii. The revisions to the previous approved scheme (LPA Ref: 2013/8020/P) are minimal in nature, serve to improve the quality of the dwelling house and are in keeping with the Conservation Area setting.
- iii. The proposal meets all design criteria including Code for Sustainable Homes, Lifetimes Homes Standards and amenity space and is fully compliant with the Council's Planning Obligation requirements.
- iv. As the existing foundations are re-used with this revised scheme and the extent of excavation much less, the revised scheme represents a more sustainable and appropriate development solution for this site/location.
- v. Overall we consider that the proposed development accords with the NPPF, the London Plan and Camden's Local Development Framework.



## **Appendix 1**

### **Decision Notice and Approved Drawings (LPA Ref: 2013/8020/P)**



Setareh Neshati  
CgMs Consulting  
140 London Wall  
London  
EC2Y 5DN

Application Ref: **2013/8020/P**  
Please ask for: **Charles Thuaire**  
Telephone: 020 7974 **5867**

2 May 2014

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) Order 2010  
Town and Country Planning (Applications) Regulations 1988

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

Address:  
**23A Hampstead Hill Gardens**  
**London**  
**NW3 2PJ**

#### **Proposal:**

Demolition of existing dwelling house and erection of a new 3 storey dwellinghouse with lower ground floor rear extension, ground and 1st floor roof terraces, plus forecourt parking, lightwell and new boundary enclosure at the front.

Drawing Nos: Design and Access Statement 2013 Revision by 51% studios ltd;  
Sustainability Statement revised proposal dated December 2013 by Briary Energy;  
Regulation Compliance report dated 10.12.13; letter from Civic Trees dated 18.1.11; letter from r.howorth surveyors dated 20.1.11; landscape plan; site location plan; existing plans- 0002A, 0003A, 0004A, 0101A, 0102B, 0103A, 0104A, 0201A; proposed plans- 1001B, 1002C, 1003D, 1004C, 1101E, 1102D, 1103D, 1201D, 1104B, 1003B x 2 (ground and 1st floor accessible bathrooms)

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- Design and Access Statement 2013 Revision by 51% studios ltd; Sustainability Statement revised proposal dated December 2013 by Briary Energy; Regulation Compliance report dated 10.12.13; letter from Civic Trees dated 18.1.11; letter from r.howorth surveyors dated 20.1.11; landscape plan; site location plan; existing plans- 0002A, 0003A, 0004A, 0101A, 0102B, 0103A, 0104A, 0201A; proposed plans- 1001B, 1002C, 1003D, 1004C, 1101E, 1102D, 1103D, 1201D, 1104B, 1003B x 2 (ground and 1st floor accessible bathrooms)

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

- 3 Detailed drawings in respect of the following shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:
  - a) Plan, elevation and section drawings, including jambs, head and cill, of all new external windows and doors at a scale of 1:10 with typical glazing bar details at 1:1.
  - b) Typical details of new railings and balustrades at a scale of 1:10, including method of fixing.
  - c) Samples and manufacturer's details of new facing materials including brick and stonework, roof slates, windows and door frames, glazing, balconies, balustrades and any other facing materials.The relevant part of the works shall be carried out 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 A sample panel of the facing brickwork no less than 1m by 1m including junction with window opening, demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding, 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 policies DP24 and DP25 of the London Borough of Camden Local Development



Framework Development Policies.

- 5 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas, including the front garden hedges and refuse stores, and details of Sustainable Urban Drainage Systems (SUDS) for all proposed hard surfaced areas have been submitted to and approved by the Council. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. 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 policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 7 All hard and soft landscaping works shall be carried out 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 high quality of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 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. Details shall be submitted to and approved 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 development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 9 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 policies 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.

- 10 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) and Part 2 (Classes A-C) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 11 Before the development commences, the proposed refuse and cycle storage area in the front garden shall be provided in accordance with the plans approved and thereafter permanently maintained and retained.

Reason: To ensure the development provides adequate refuse and cycle storage facilities in accordance with the requirements of policies CS11 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP17 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 12 A 1.7 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the south side of the proposed ground floor roof terrace prior to commencement of use of the roof terrace and shall be permanently retained 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.

- 13 The house shall not be occupied until all windows on the side elevation have been obscure glazed and fixed shut below a point 1.7m above finished floor level. The glazing 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.

- 14 The green roof on the proposed ground floor rear extension shall only be accessible for maintenance purposes and shall not be used as an amenity terrace.

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.

- 15 Prior to the first occupation of the building, a plan showing details of the green 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 green roof) and a programme for a 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 retained and maintained in accordance with the approved scheme of maintenance.

Reason: 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.

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 6941).
- 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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 You are advised that the site overlays a railway tunnel and that you should consult Network Rail regarding any proposed excavations for the new house to ensure that such details of construction comply with their requirements. For further advice, contact Network Rail on email- [townplanningse@networkrail.co.uk](mailto:townplanningse@networkrail.co.uk) or tel- 020 7904 7382.
- 6 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

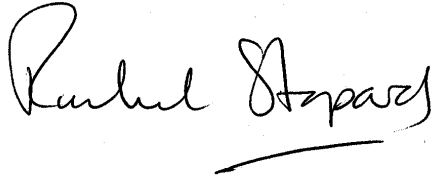


- 7 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £5550 (111sqm x £50). This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the Additional Information Requirement Form or other changing circumstances.

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.

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

Yours faithfully

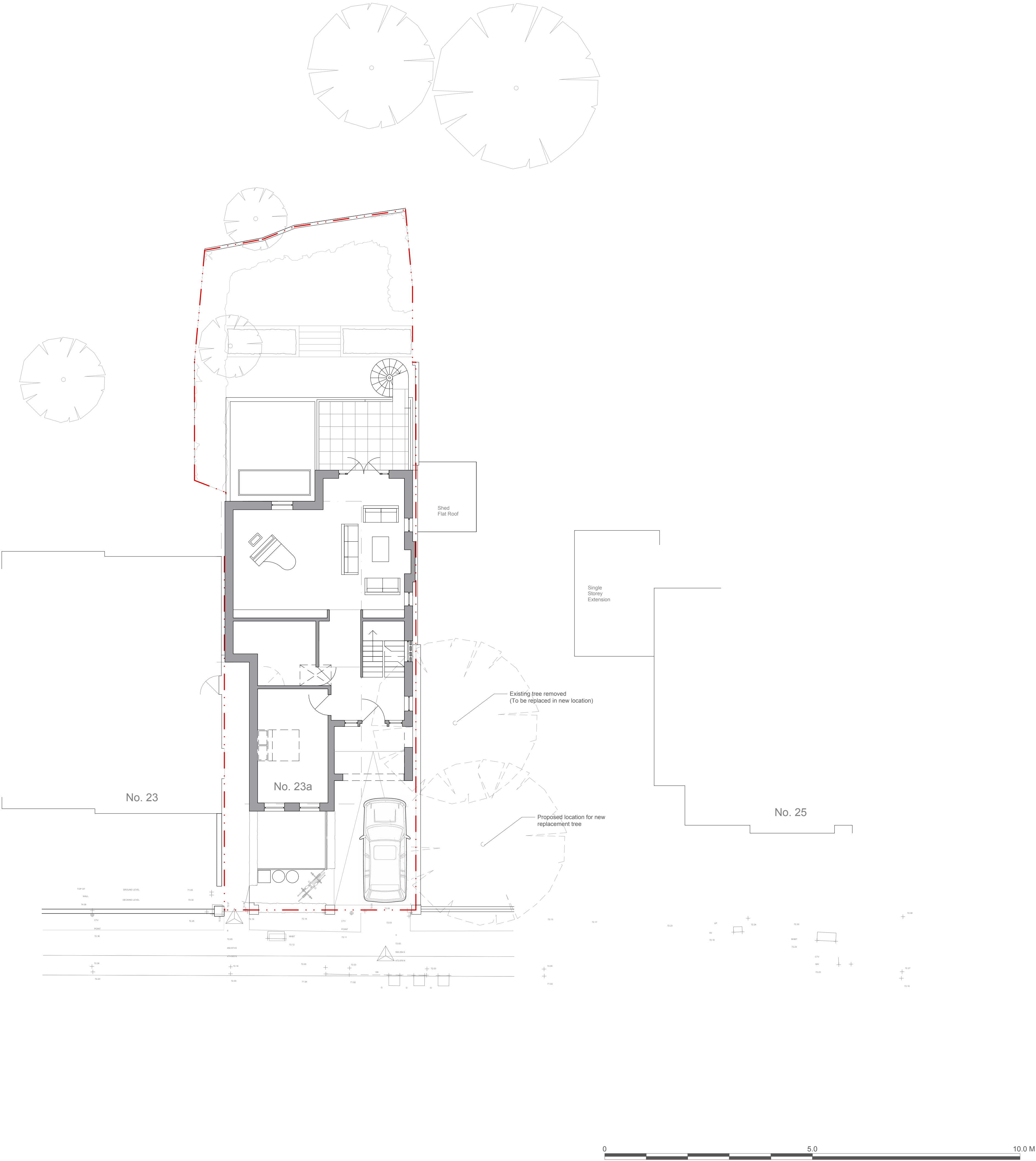
A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

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](http://www.camden.gov.uk/planning).

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our [online planning applicants' survey](#). We will use the information you give us to monitor and improve our services.





Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

For further information on services use engineer's and/or contractor's drawings.

NOTES

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.

No.	Date	Issue Notes
-----	------	-------------

# 51%

1a Cobham Mews . London NW1 1SB  
t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com

Project

23a Hampstead Hill Gardens

Client

Kiniaton Capital BVI Limited  
87 Wimpole Street  
London  
W1G 9RL

Status

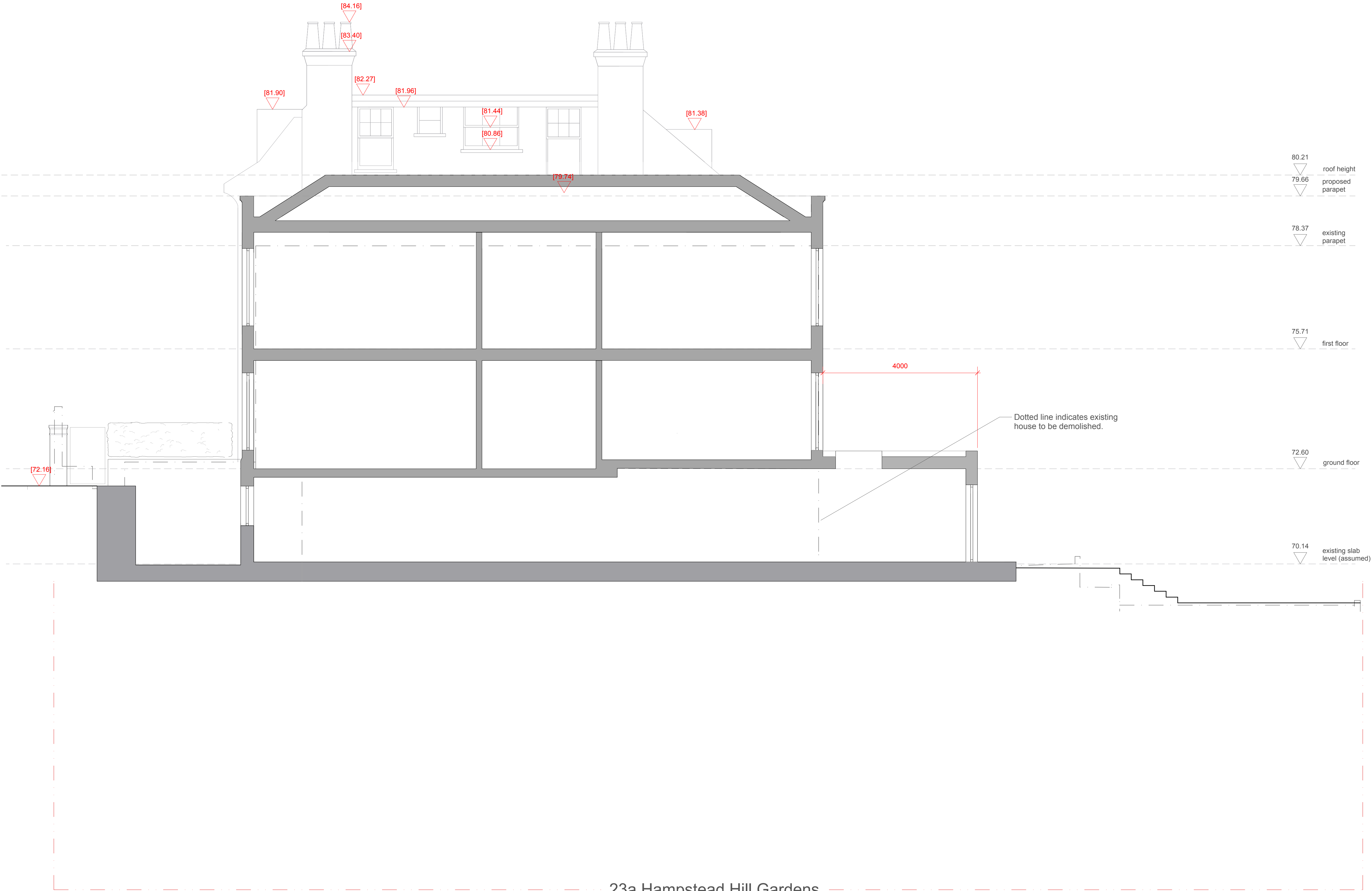
Planning

Drawing

Proposed Site Plan

Project Architect: 51% studios	Project ID 1104	
Drawn By AI	Scale 1:50 @ A1	
Checked By 51% studios	Drawing No.	Revision
Date October 2010	1001	B
File Name		





1 Proposed Section AA



Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

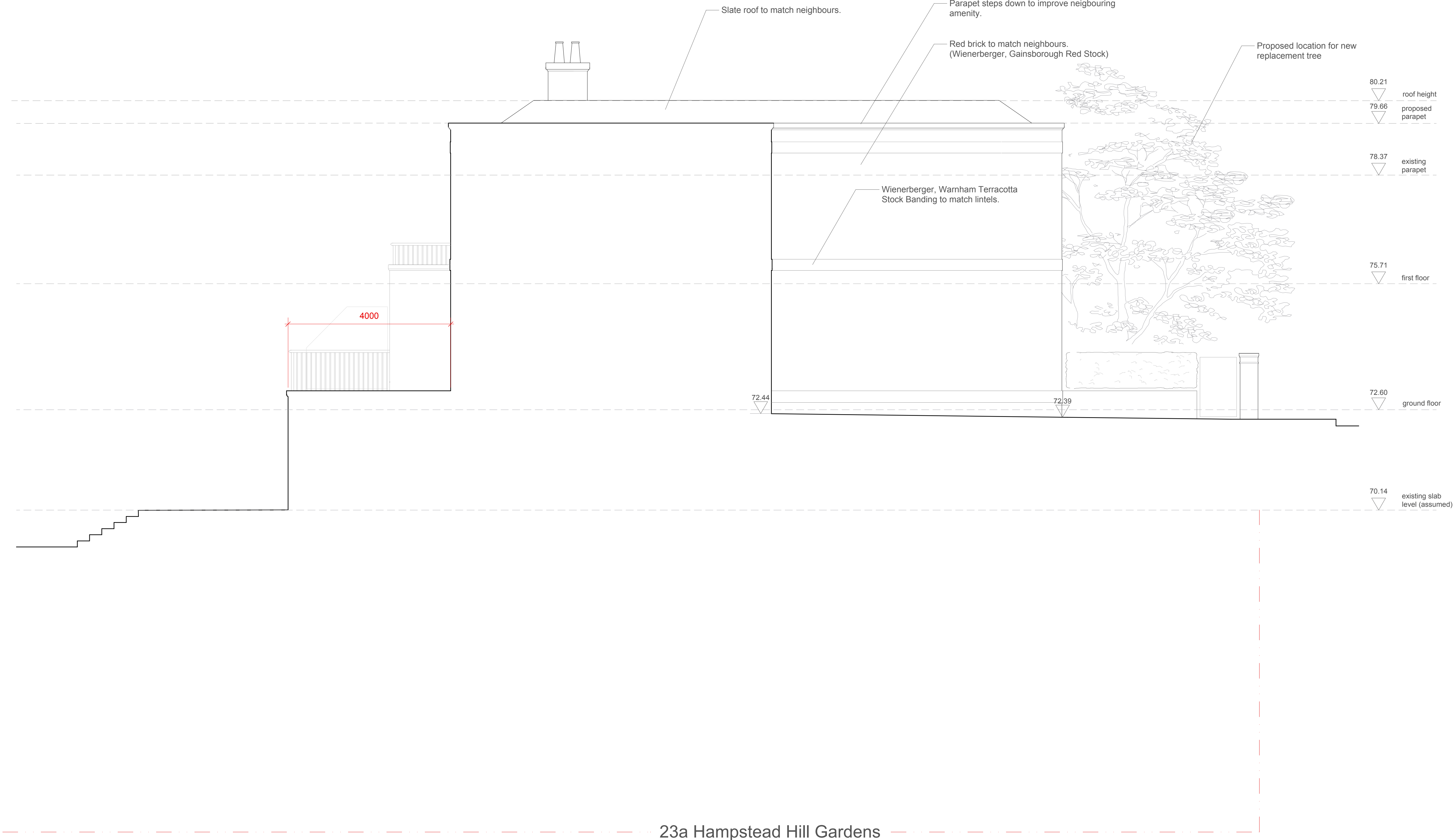
For further information on services use engineer's and/or contractor's drawings.

NOTES

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.
C	11/3/14		Depth of rear extension reduced in response to case officer's comment.
D	12/3/14		Parapet reduced in response to case officer's comment.

No.	Date	Issue Notes
<div>51%</div> <div>1a Cobham Mews . London NW1 1SB t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com</div>		
Project	23a Hampstead Hill Gardens	
Client	Kiniaton Capital BVI Limited 87 Wimpole Street London W1G 9RL	
Status	Planning	
Drawing	Proposed Section AA	
Project Architect: 51% studios	Project ID	1104
Drawn By MS	Scale	1:50 @ A1
Checked By 51% studios	Drawing No.	1201 D
Date October 2010		
File Name		





Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

For further information on services use engineer's and/or contractor's drawings.

NOTES			
No.	Date	Checked	Revision Notes
A	11/3/14		Depth of rear extension reduced in response to case officer's comment. Parapet reduced in response to case officer's comment.
B	12/3/14		

1	23/12/13	Issued for Planning	
No.	Date	Issue Notes	

51%

1a Cobham Mews . London NW1 1SB  
t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com

Project

23a Hampstead Hill Gardens

Client

Kiniaton Capital BVI Limited  
87 Wimpole Street  
London  
W1G 9RL

Status

Planning

Drawing

Proposed North-West Elevation

Project Architect:  
51% studios

Project ID  
1104

Drawn By  
MS

Scale  
1:50 @ A1

Checked By  
51% studios

Drawing No.

Revision

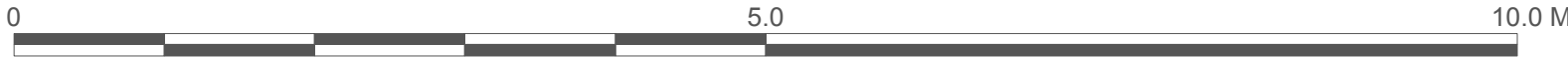
Date  
December 2013

File Name

1104

B

1 Proposed North West Elevation







Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

For further information on services use engineer's and/or contractor's drawings.

NOTES

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.
C	11/2/14		Window arch annotation amended
D	10/03/2014		Drawing error corrected.

No.	Date	Issue Notes

51%

1a Cobham Mews . London NW1 1SB  
t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com

Project

23a Hampstead Hill Gardens

Client

Kiniaton Capital BVI Limited  
87 Wimpole Street  
London  
W1G 9RL

Status

Planning

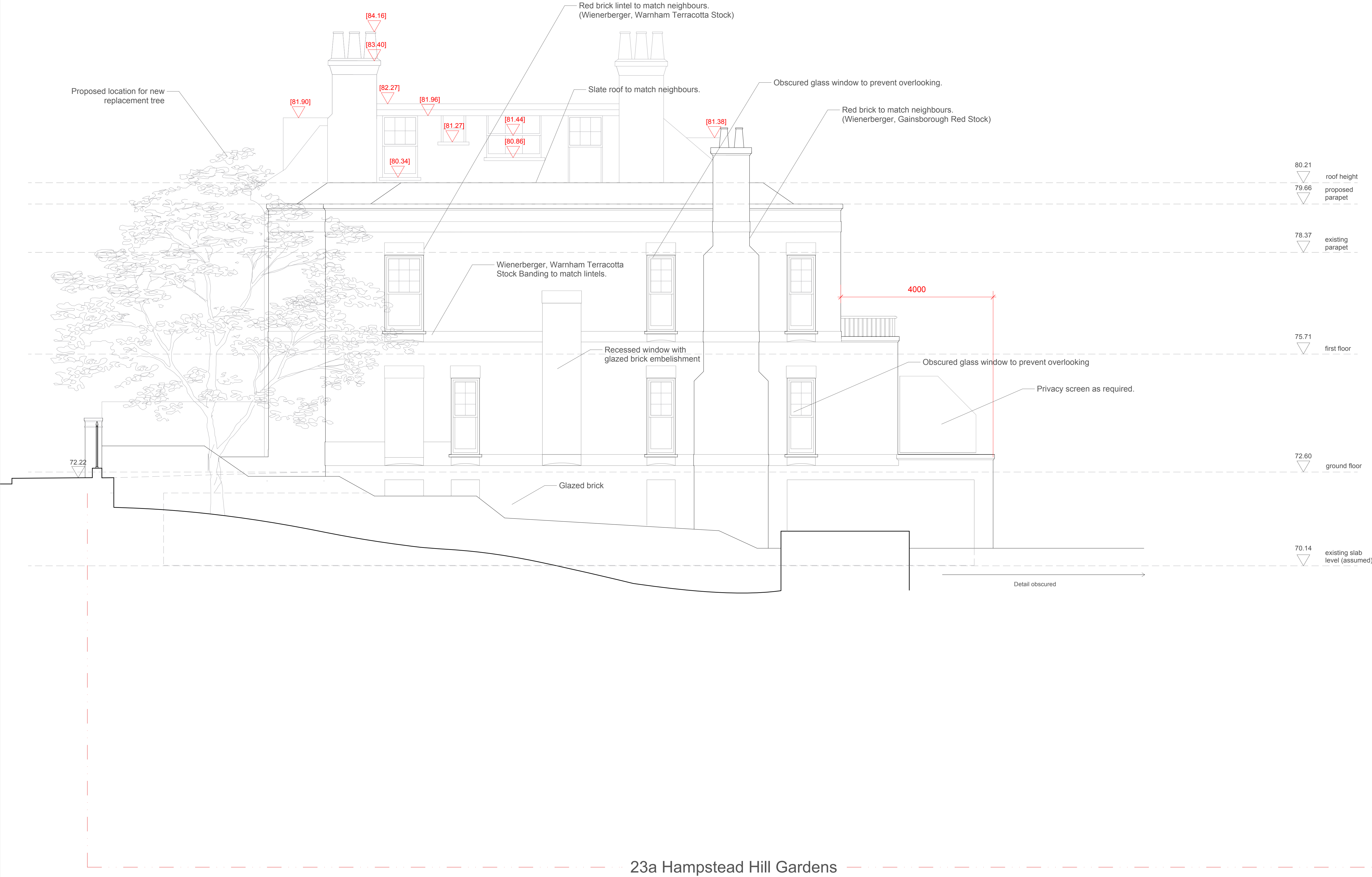
Drawing

Proposed Rear Elevation

Project Architect: 51% studios	Project ID 1104
Drawn By MS	Scale 1:50 @ A1
Checked By 51% studios	Drawing No.
Date October 2010	Revision
File Name	

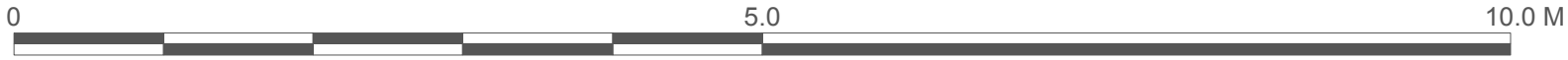
1103 D





23a Hampstead Hill Gardens

1 Proposed Flank Elevation



Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

For further information on services use engineer's and/or contractor's drawings.

NOTES

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.
C	11/2/14		Window arch annotation amended.
D	12/3/14		Parapet reduced in response to case officer's comment.

No.	Date	Issue Notes
-----	------	-------------

# 51%

1a Cobham Mews . London NW1 1SB  
t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com

Project

23a Hampstead Hill Gardens

Client

Kiniaton Capital BVI Limited  
87 Wimpole Street  
London  
W1G 9RL

Status

Planning

Drawing

Proposed Flank Elevation

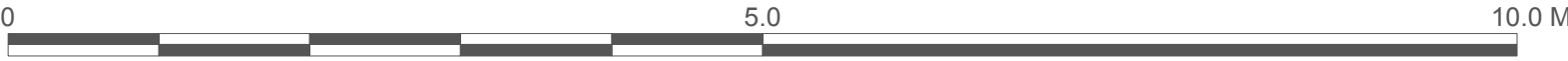
Project Architect: 51% studios	Project ID 1104
Drawn By MS	Scale 1:50 @ A1
Checked By 51% studios	Drawing No.
Date October 2010	Revision
File Name	

# 1102 D





1 Proposed Front Elevation



Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

For further information on services use engineer's and/or contractor's drawings.

NOTES

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.
C	6/2/14		Gauged arches and panelled front door added on request from design officer.
D	11/2/14		Window arch annotation amended
E	12/3/14		Parapet reduced in response to case officer's comment.

No.	Date	Issue Notes
-----	------	-------------

# 51%

1a Cobham Mews . London NW1 1SB  
t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com

Project

23a Hampstead Hill Gardens

Client

Kiniaton Capital BVI Limited  
87 Wimpole Street  
London  
W1G 9RL

Status

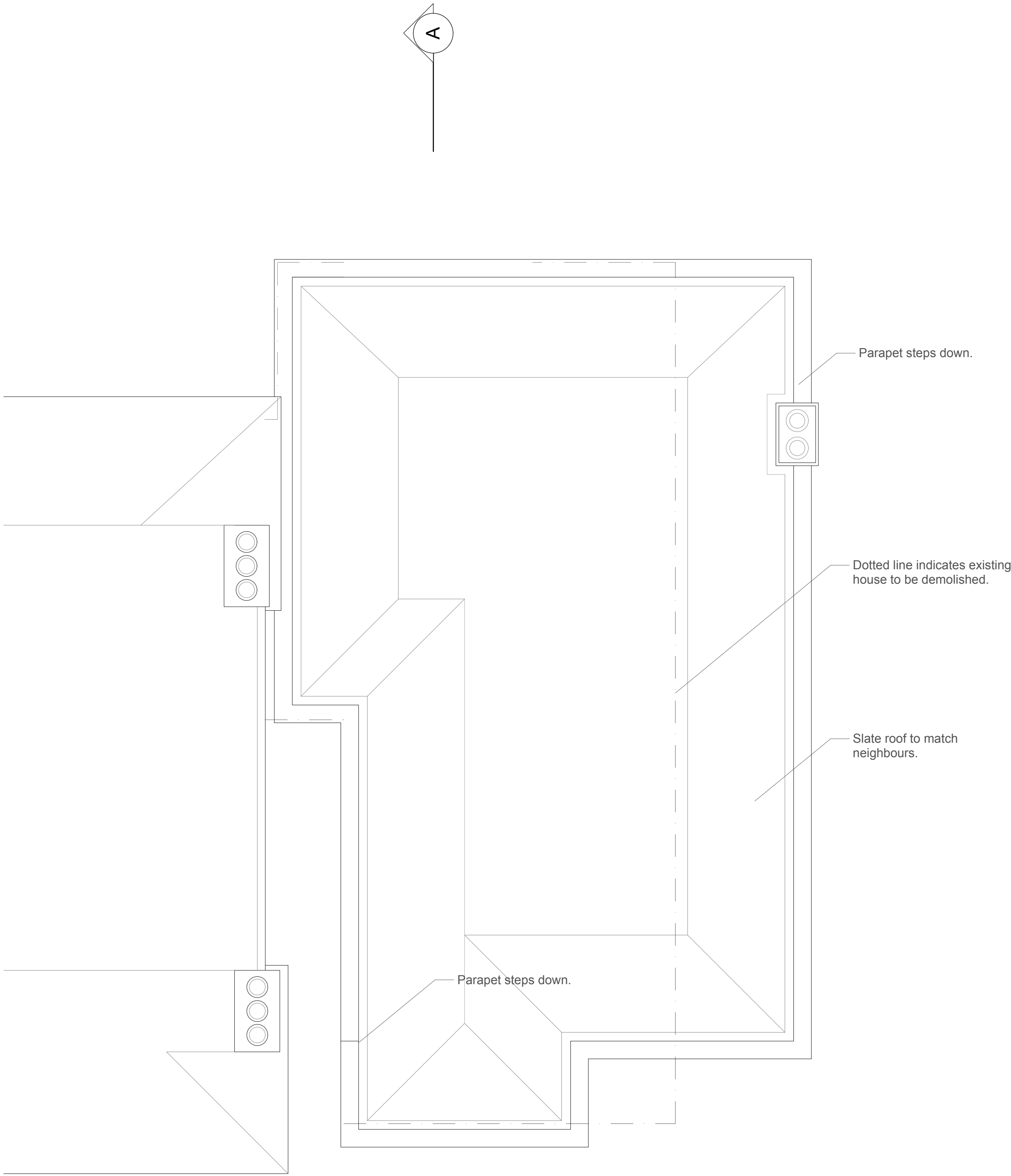
Planning

Drawing

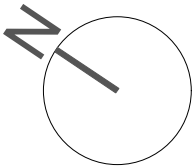
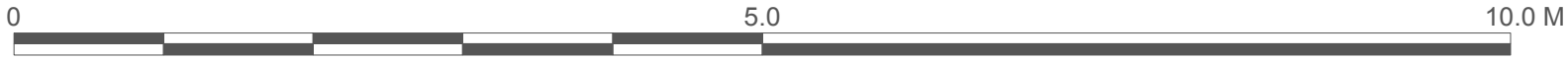
Proposed Front Elevation

Project Architect: 51% studios	Project ID 1104	
Drawn By MS	Scale 1:50 @ A1	
Checked By 51% studios	Drawing No.	Revision
Date October 2010	1101	E
File Name		





1 Proposed Roof Plan



Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

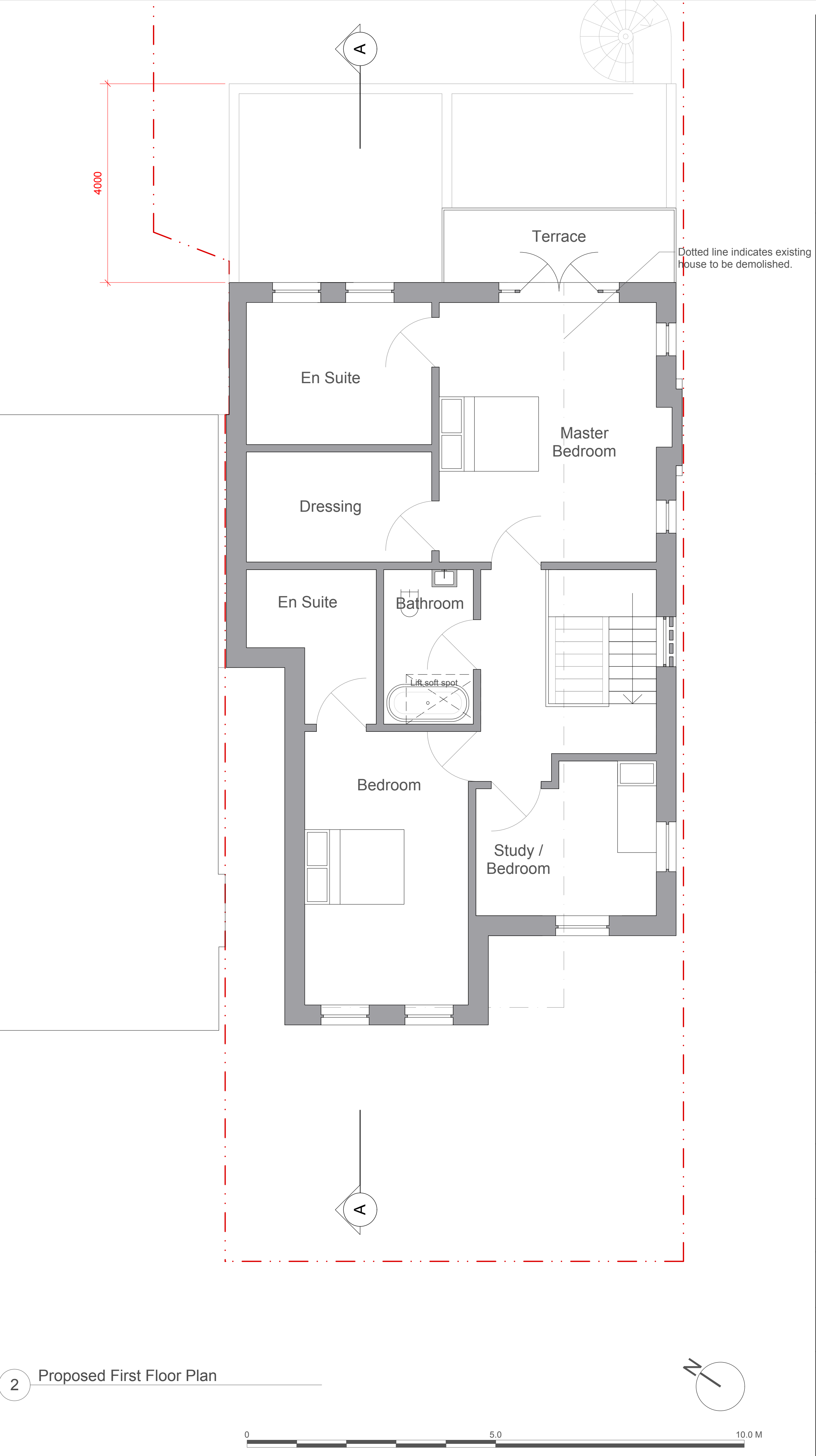
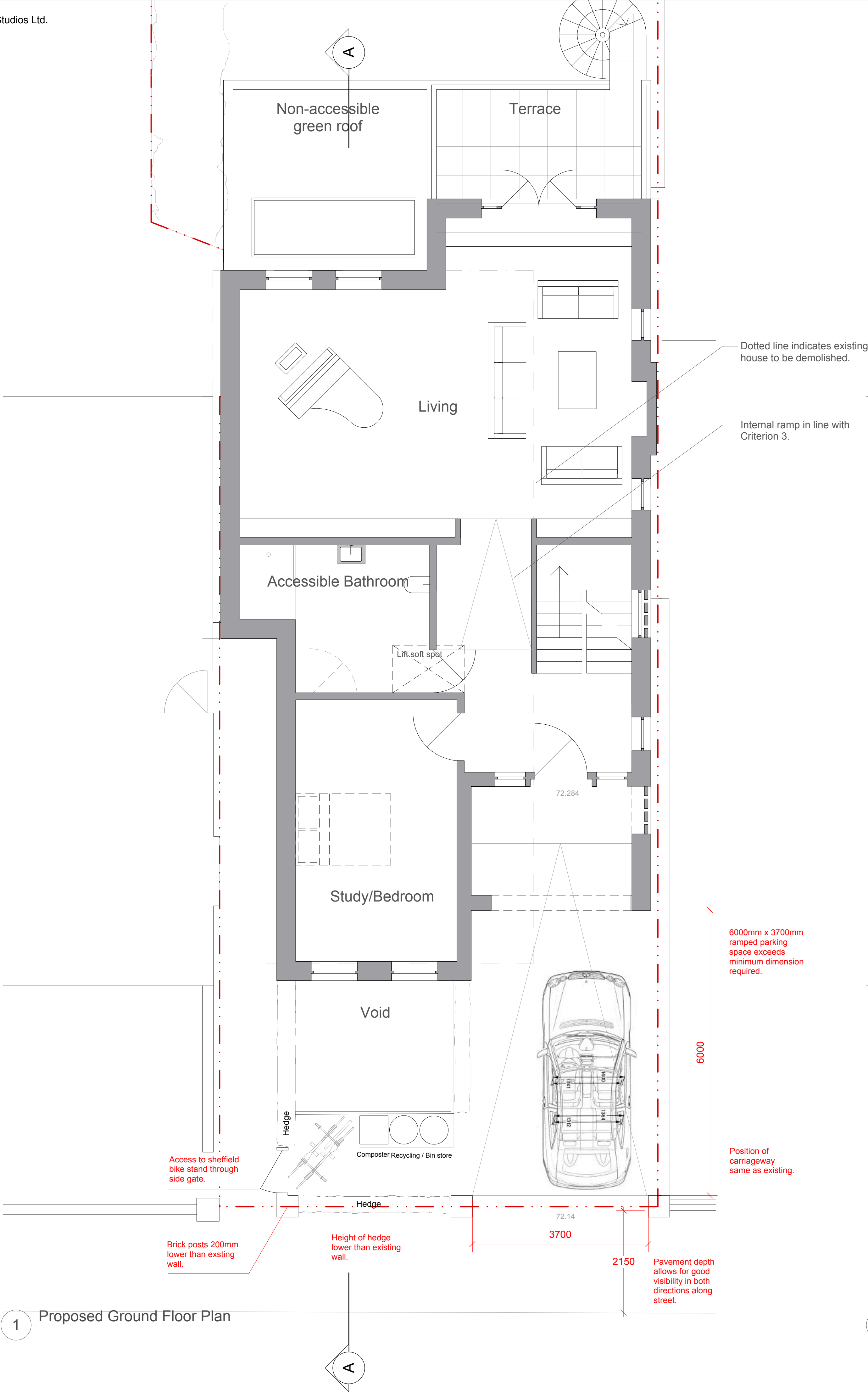
For further information on services use engineer's and/or contractor's drawings.

NOTES

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.
C	10/3/14		Drawing error corrected.

No.	Date	Issue Notes
<div><div>51%</div><div>1a Cobham Mews . London NW1 1SB t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com</div></div>		
Project	23a Hampstead Hill Gardens	
Client	Kiniaton Capital BVI Limited 87 Wimpole Street London W1G 9RL	
Status	Planning	
Drawing	Proposed Roof Plan	
Project Architect: 51% studios	Project ID 1104	
Drawn By MS	Scale 1:50 @ A1	
Checked By 51% studios	Drawing No.	Revision
Date October 2010	1004	C
File Name		





Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

For further information on services use engineer's and/or contractor's drawings.

NOTES

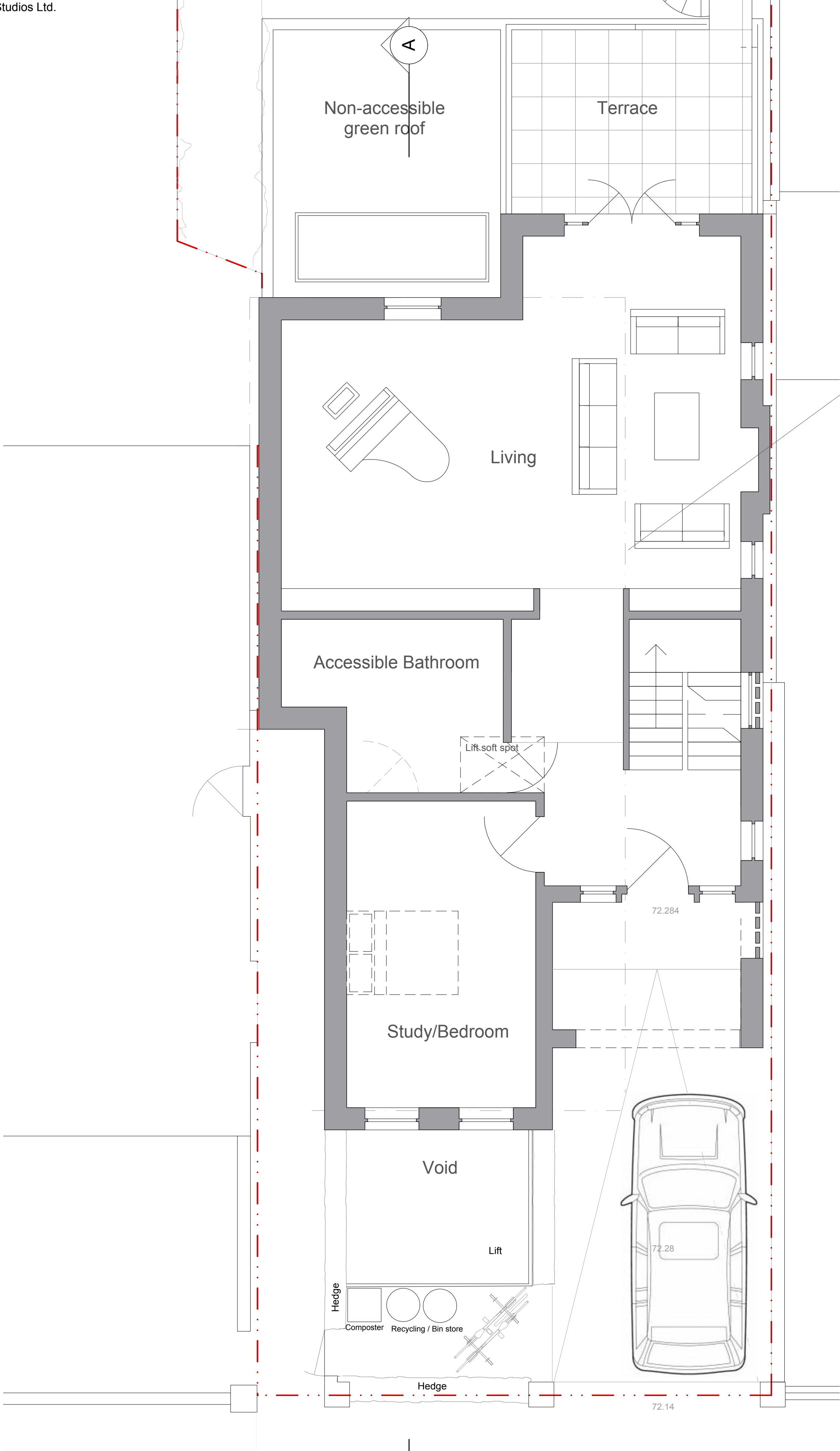
**GROUND FLOOR**  
Gross Area **128m<sup>2</sup>** (Measured to the external face of the perimeter wall)  
Internal Gross Area **100m<sup>2</sup>** (Measured to the internal face of the perimeter wall. Not including terraces)  
Net Area **82m<sup>2</sup>** (Internal gross area minus internal partitions, bathrooms and stairs.)

**FIRST FLOOR**  
Gross Area **120m<sup>2</sup>** (Measured to the external face of the perimeter wall)  
Internal Gross Area **101m<sup>2</sup>** (Measured to the internal face of the perimeter wall. Not including terrace)  
Net Area **69m<sup>2</sup>** (Internal gross area minus internal partitions, bathrooms and stairs.)

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.
C	7/3/14		Annotations added in response to Transport Officer's comments.
D	11/3/14		Depth of rear extension reduced in response to case officer's comment.

No.	Date	Issue Notes
<div><h1>51%</h1><p>1a Cobham Mews . London NW1 1SB t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com</p></div>		
Project <b>23a Hampstead Hill Gardens</b>		
Client <b>Kiniaton Capital BVI Limited 87 Wimpole Street London W1G 9RL</b>		
Status <b>Planning</b>		
Drawing <b>Proposed Ground and First Floor</b>		
Project Architect <b>51% studios</b>		Project ID <b>1104</b>
Drawn By <b>MS</b>		Scale <b>1:50 @ A1</b>
Checked By <b>51% studios</b>		Drawing No. <b>1003</b>
Date <b>October 2010</b>		Revision <b>D</b>
File Name		





1 Proposed Ground Floor Plan



2 Proposed First Floor Plan

0 5.0 10.0 M

Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

For further information on services use engineer's and/or contractor's drawings.

NOTES

**GROUND FLOOR**  
Gross Area **128m<sup>2</sup>** (Measured to the external face of the perimeter wall)  
Internal Gross Area **100m<sup>2</sup>** (Measured to the internal face of the perimeter wall. Not including terraces)  
Net Area **82m<sup>2</sup>** (Internal gross area minus internal partitions, bathrooms and stairs.)

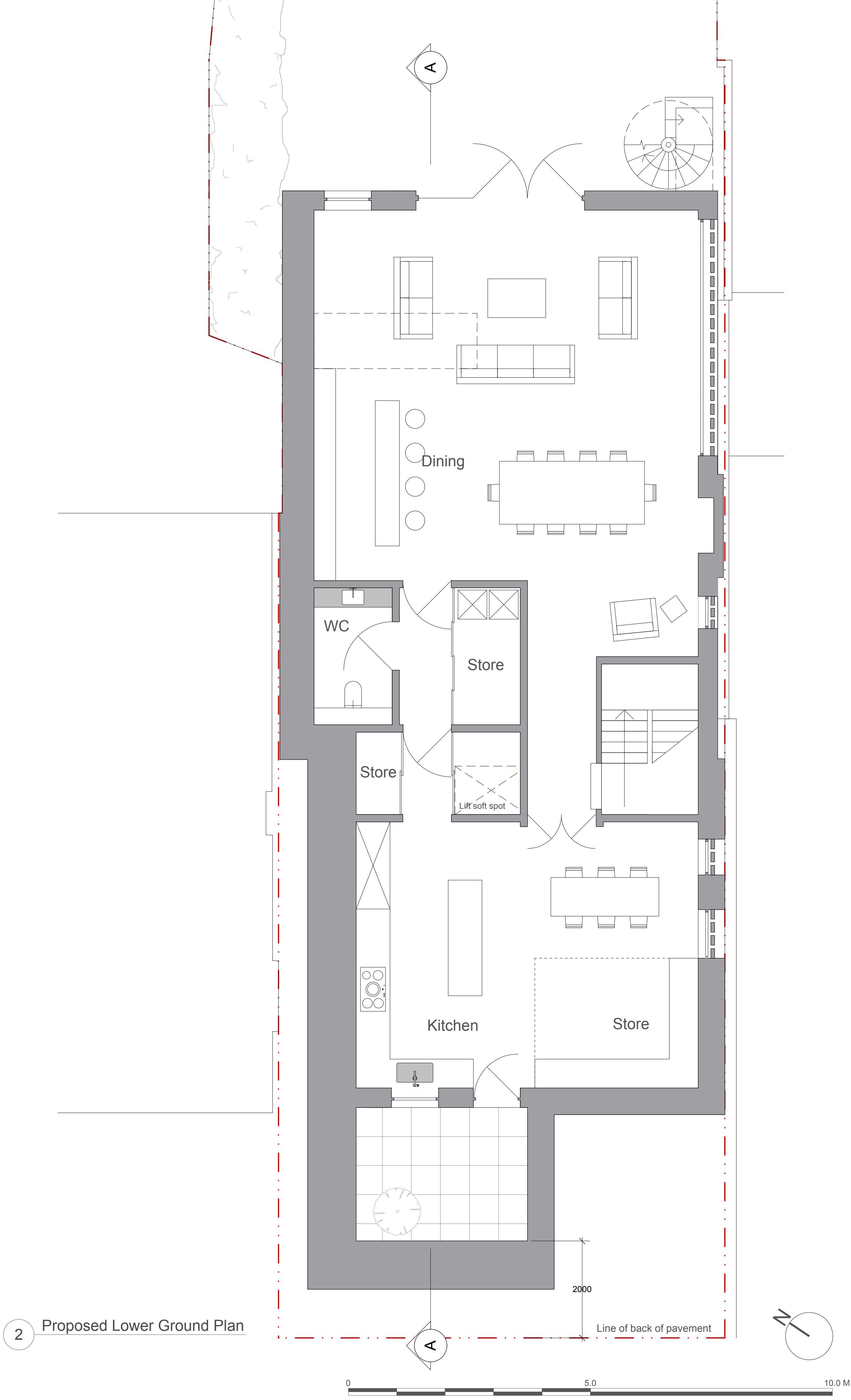
**FIRST FLOOR**  
Gross Area **120m<sup>2</sup>** (Measured to the external face of the perimeter wall)  
Internal Gross Area **101m<sup>2</sup>** (Measured to the internal face of the perimeter wall. Not including terrace)  
Net Area **69m<sup>2</sup>** (Internal gross area minus internal partitions, bathrooms and stairs.)

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.

No.	Date	Issue Notes
<h1>51%</h1> <p>1a Cobham Mews . London NW1 1SB t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com</p>		
Project		
23a Hampstead Hill Gardens		
Client		
Kiniaton Capital BVI Limited 87 Wimpole Street London W1G 9RL		
Status		
Planning		
Drawing		
Proposed Ground and First Floor		
Project Architect:		Project ID
51% studios		1104
Drawn By		Scale
MS		1:50 @ A1
Checked By		Drawing No.
51% studios		
Date		Revision
October 2010		
File Name		

# 1003 B





2 Proposed Lower Ground Plan

Copyright in the design and this drawing is the property of 51% Studios Limited. Reproduction in whole or in part is forbidden without written permission of 51% Studios Limited.

All Dimensions are to be checked on site before any work proceeds. Do not scale this drawing but use only figured dimensions. Any errors or omissions are to be reported to 51%.

The contractor shall submit full size drawings and specifications to 51% for approval, without which, manufacture shall not commence.

This drawing is to be read in conjunction with all the relevant consultants' and / or specialists' drawings/documents, and any discrepancies or variations are to be notified to 51% before work commences.

For further information please see other drawings and documents enclosed with this drawing.

For information on structure use engineer's drawings.

For further information on services use engineer's and/or contractor's drawings.

NOTES

Gross Area **188m<sup>2</sup>** (Measured to the external face of the perimeter wall)

Internal Gross Area **139m<sup>2</sup>** (Measured to the internal face of the perimeter wall. Not including lightwell and porch)

Net Area **124m<sup>2</sup>** (Internal gross area minus internal partitions, bathrooms and stairs.)

No.	Date	Checked	Revision Notes
A	9/10/11		Site survey heights added, lower ground level omitted, plan amended and co-ordinated with BIA report.
B	12/12/13		Scheme amended to retain existing slab.
C	11/3/14		Depth of rear extension reduced in response to case officer's comment.

No.	Date	Issue Notes																			
<div>51%</div> <p>1a Cobham Mews . London NW1 1SB t. 44 [0] 8456 123 911 f. 44 [0] 8456 123 998 www.51pct.com</p> <div>Project</div> <p>23a Hampstead Hill Gardens</p> <div>Client</div> <p>Kiniaton Capital BVI Limited 87 Wimpole Street London W1G 9RL</p> <div>Status</div> <p>Planning</p> <div>Drawing</div> <p>Proposed Lower Ground Floor Plan</p> <table><thead><tr><th>Project Architect:</th><th>Project ID</th></tr></thead><tbody><tr><td>51% studios</td><td>1104</td></tr><tr><th>Drawn By</th><th>Scale</th></tr><tr><td>MS</td><td>1:50 @ A1</td></tr><tr><th>Checked By</th><th>Drawing No.</th><th>Revision</th></tr><tr><td>51% studios</td><td rowspan="3">1002</td><td rowspan="3">C</td></tr><tr><th>Date</th></tr><tr><td>October 2010</td></tr><tr><th>File Name</th><td></td><td></td></tr></tbody></table>			Project Architect:	Project ID	51% studios	1104	Drawn By	Scale	MS	1:50 @ A1	Checked By	Drawing No.	Revision	51% studios	1002	C	Date	October 2010	File Name		
Project Architect:	Project ID																				
51% studios	1104																				
Drawn By	Scale																				
MS	1:50 @ A1																				
Checked By	Drawing No.	Revision																			
51% studios	1002	C																			
Date																					
October 2010																					
File Name																					



## **Appendix 2**

### **Section 106 Agreement (LPA Ref: 2013/8020/P)**



DATED

02 May

2014

(1) KINIATON CAPITAL LIMITED

-and-

(2) ABA COMMUNICATIONS (1997) LIMITED

-and-

(3) MIZRAHI TEFAHOT BANK LIMITED

-and-

(4) THE MAYOR AND THE BURGESSES OF  
THE LONDON BOROUGH OF CAMDEN

---

**FIRST DEED OF VARIATION**

Relating to the Agreement dated 29 March 2012  
Between the Mayor and the Burgesses of the  
London Borough of Camden,  
Kiniaton Capital Limited and ABA Communications (1997) Limited  
and Mizrahi Tefahot Bank Limited  
under section 106 of the Town and  
Country Planning Act 1990 (as amended)  
Relating to development at premises known as  
**23a Hampstead Hill Gardens London NW3 2PJ**

---

Andrew Maughan  
Borough Solicitor  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP

Tel: 020 7974 5680  
Fax: 020 7974 1920

1685.2505



THIS AGREEMENT is made on the 02 day of May 2014

**BETWEEN**

1. **KINIATON CAPITAL LIMITED** (incorporated in the British Virgin Islands) of Vanterpool Plaza, Wickhams Cay, Road Town, Tortola, British Virgin Islands whose address for service in the UK is at 87 Wimpole Street London W1G 9RL (hereinafter called "the First Owner") of the first part
2. **ABA COMMUNICATIONS (1997) LIMITED** (incorporated in Israel) of 87 Wimpole Street, London W1G 9RL (hereinafter called "the Second Owner") of the second part
3. **MIZRAHI TEFAHOT BANK LIMITED** (incorporated in Israel, UK registration number FC011504) of 30 Old Broad Street, London EC2N 1HT (hereinafter called "the Mortgagee") of the third part
4. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the fourth part

**WHEREAS:**

- 1.1 The First Owner and Second Owner are registered at the Land Registry as the freehold proprietors with Title absolute of the Property under Title Number LN38783 subject to a charge to the Mortgagee.
- 1.2 The First Owner and the Second Owner are the freehold Owner of and are interested in the Property for the purposes of Section 106 of the Act.
- 1.3 The First Owner and Second Owner shall hereinafter be described and known as "the Owner".
- 1.4 The Council is the local planning authority for the purposes of the Act and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with this Agreement.



1.5 A new Planning Application in respect of the Property and to amend the Original Planning Permission was submitted to the Council by the Owner and validated on 23 December 2013 for which the Council resolved to grant permission conditionally under reference 2013/8020/P subject to the conclusion of this Agreement.

1.6 This Agreement is made by virtue of the Town and Country Planning Act 1990 Section 106 (as amended) and is a planning obligation for the purposes of that section.

1.7 Without prejudice to the terms of the other covenants contained in the Existing Agreement the parties hereto have agreed to vary the terms of the Existing Agreement as hereinafter provided.

## **2 INTERPRETATION**

2.1 All words and phrases defined in the Existing Agreement shall have the same meaning in this Agreement save where the context otherwise dictates and for the avoidance of any doubt the Existing Agreement shall remain in full force and effect save as varied by this Agreement.

2.2 All reference in this Agreement to clauses in the Existing Agreement are to clauses within the Existing Agreement.

2.3 In this Agreement the following expression shall unless the context otherwise states have the following meaning now allocated to it.

2.3.1 "Agreement" this First Deed of Variation

2.3.2 "Existing Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 29 March 2012 made between the Council, Kiniton Capital Limited and ABA Communications (1997) Limited and Mizrahi Tefahot Bank Limited



2.3.3 "the Original Planning Permission"

means the planning permission granted by the Council on 29 March 2012 referenced 2011/2956/P and 2011/3573/C allowing the erection of a replacement 2 storey dwellinghouse with enlarged lower ground level, plus forecourt parking, front lightwell and new boundary enclosure at front, and projecting balconies at rear, following demolition of existing dwelling house (Class C3) as shown on drawing numbers revised scheme Planning and Design Statement dated October 2011; revised scheme Sustainability Statement dated October 2011; Basement Impact Assessment report dated October 2011; tree survey report by Andrew Parry dated July 2007; letter on cherry tree from r.howorth surveyors dated 20th January 2011; site location plan; 0002A, 0003A, 0004A, 0101A, 0102A, 0103A, 0104A, 0201A; 1001A, 1002A, 1003A, 1004, 1101A, 1102A, 1103A, 1201A, 1301; draft Unilateral Undertaking dated 2011 between Kiniaton Capital Limited, ABA Communications 1997 Limited and Louise Goodwin Limited

- 2.4 Where in this Agreement reference is made to a clause schedule or recital such reference (unless the context otherwise requires) is a reference to a clause schedule or recital of this Agreement.
- 2.5 Headings are for ease of reference only and are not intended to be construed as part of this Agreement and shall not be construed as part of this Agreement and shall not effect the construction of this Agreement.
- 2.6 Unless the context otherwise requires references to the singular shall include the plural and vice versa.



- 2.7 References in this Agreement to the Owner and the Mortgagee shall include their successors in title.

### 3. VARIATION TO THE EXISTING AGREEMENT

- 3.1 The following definitions contained in the Existing Agreement shall be varied as follows:

3.1.1 "The Planning Application Development"

demolition of existing dwelling house and erection of a new 3 storey dwellinghouse with lower ground floor rear extension, ground and 1st floor roof terraces, plus forecourt parking, lightwell and new boundary enclosure at the front as shown on drawing numbers: Design and Access Statement 2013 Revision by 51% studios ltd; Sustainability Statement revised proposal dated December 2013 by Briary Energy; Regulation Compliance report dated 10.12.13; letter from Civic Trees dated 18.1.11; letter from r.howorth surveyors dated 20.1.11; landscape plan; site location plan; existing plans- 0002A, 0003A, 0004A, 0101A, 0102B, 0103A, 0104A, 0201A; proposed plans- 1001B, 1002C, 1003D, 1004C, 1101E, 1102D, 1103D, 1201D, 1104B, 1003B x 2 (ground and 1st floor accessible bathrooms)

- 3.1.2 "the Planning Permissions" the planning permission under reference number 2013/8020/P to be issued by the Council in the form of the draft annexed hereto

- 3.1.3 "the Planning Development Application" the application for Planning Permission in respect of the Property submitted on 23



December 2013 by the Owner and given  
reference number 2013/8020/P

3.2 "2011/2956/P" in clause 5.2, 5.6 and 6.1 of the Existing Agreement shall be deleted and replaced with "2013/8020/P".

3.3 The draft planning permission reference 2013/8020/P annexed to this Agreement shall be treated as annexed to the Existing Agreement in addition to the existing annexures.

3.4 In all other respects the Existing Agreement (as varied by this Agreement) shall continue in full force and effect.

4. **PAYMENT OF THE COUNCIL'S LEGAL COSTS**

4.1 The Owner agrees to pay the Council (on or prior to completion of this Agreement) its reasonable legal costs incurred in preparing this Agreement

5. **REGISTRATION AS LOCAL LAND CHARGE**

5.1 This Agreement shall be registered as a Local Land Charge



IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and the Owner and the Mortgagee have executed this instrument as their Deed the day and year first before written

EXECUTED as a Deed on behalf of)

KINIATON CAPITAL LIMITED )

a company incorporated in )

the British Virgin Islands by )

LIONEL GERALD CURRY )

and- )

)


)


being persons who in accordance )

with the laws of that territory are )

acting under the authority of )

the company )

  
.....  
Authorised Signatory

  
.....  
Authorised Signatory

EXECUTED as a Deed on behalf of)

ABA COMMUNICATIONS )

(1997) LIMITED )

a company incorporated in )

ISRAEL by LIONEL GERALD )

CURRY )

and- )

)


)


being persons who in accordance )

with the laws of that territory are )

acting under the authority of )

the company )

  
.....  
Authorised Signatory

  
.....  
Authorised Signatory



CONTINUATION DEED OF VARIATION IN RELATION TO 23A HAMPSTEAD HILL  
GARDENS LONDON NW3 2PJ

EXECUTED as a Deed on behalf of)  
MIZRAHI TEFAHOT BANK LIMITED)

a company incorporated in )  
ISRAEL by )

and )

being persons who in accordance )  
with the laws of that territory are )  
acting under the authority of )  
the company )

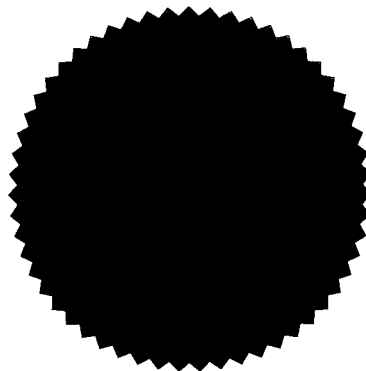
.....  
Authorised Signatory

IAN R. ALSOP  
HEAD OF CREDIT  
AUTHORISED SIGNATORY

.....  
JULIANA KUZMIS  
ACCOUNT RELATIONSHIP MANAGER  
AUTHORISED SIGNATORY.....  
Authorised Signatory

THE COMMON SEAL OF THE MAYOR  
AND BURGESSES OF THE LONDON  
BOROUGH OF CAMDEN  
was hereunto affixed by Order:

.....  
Duly Authorised Officer





# 23a Hampstead Hill Gardens London NW3 2PJ



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



CgMs Consulting  
14140 London Wall  
London  
EC2Y 5DN

Tel 020 7974 4444  
Fax 020 7974 1930  
Textlink 020 7974 6866

planning@camden.gov.uk  
www.camden.gov.uk/planning

Application Ref: **2013/8020/P**

14 April 2014

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:  
**23A Hampstead Hill Gardens**  
London  
NW3 2PJ

**DECISION**  
Proposal:  
Demolition of existing dwelling house and erection of a new 3 storey dwellinghouse with lower ground floor rear extension, ground and 1st floor roof terraces, plus forecourt parking, lightwell and new boundary enclosure at the front.

Drawing Nos: Design and Access Statement 2013 Revision by 51% studios ltd; Sustainability Statement revised proposal dated December 2013 by Briary Energy; Regulation Compliance report dated 10.12.13; letter from Civic Trees dated 18.1.11; letter from r.howorth surveyors dated 20.1.11; landscape plan; site location plan; existing plans- 0002A, 0003A, 0004A, 0101A, 0102B, 0103A, 0104A, 0201A; proposed plans- 1001B, 1002C, 1003D, 1004C, 1101E, 1102D, 1103D, 1201D, 1104B, 1003B x 2 (ground and 1st floor accessible bathrooms)

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.



Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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- Design and Access Statement 2013 Revision by 51% studios ltd; Sustainability Statement revised proposal dated December 2013 by Briary Energy; Regulation Compliance report dated 10.12.13; letter from Civic Trees dated 18.1.11; letter from r.howorth surveyors dated 20.1.11; landscape plan; site location plan; existing plans- 0002A, 0003A, 0004A, 0101A, 0102B, 0103A, 0104A, 0201A; proposed plans- 1001B, 1002C, 1003D, 1004C, 1101E, 1102D, 1103D, 1201D, 1104B, 1003B x 2 (ground and 1st floor accessible bathrooms)

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

- 3 Detailed drawings in respect of the following shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:
  - a) Plan, elevation and section drawings, including jambs, head and cill, of all new external windows and doors at a scale of 1:10 with typical glazing bar details at 1:1.
  - b) Typical details of new railings and balustrades at a scale of 1:10, including method of fixing.
  - c) Samples and manufacturer's details of new facing materials including brick and stonework, roof slates, windows and door frames, glazing, balconies, balustrades and any other facing materials.

The relevant part of the works shall be carried out 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 A sample panel of the facing brickwork no less than 1m by 1m including junction with window opening, demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding, 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas, including the front garden hedges and refuse stores, and details of Sustainable Urban Drainage Systems (SUDS) for all proposed hard surfaced areas have been submitted to and approved by the Council. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. 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 policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 7 All hard and soft landscaping works shall be carried out 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 high quality of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 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. Details shall be submitted to and approved 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 development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 9 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 policies 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.

- 10 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) and Part 2 (Classes A-C) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 11 Before the development commences, the proposed refuse and cycle storage area in the front garden shall be provided in accordance with the plans approved and thereafter permanently maintained and retained.

Reason: To ensure the development provides adequate refuse and cycle storage facilities in accordance with the requirements of policies CS11 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP17 and DP26 of the London Borough of Camden Local Development Framework Development Policies.



- 12 A 1.7 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the south side of the proposed ground floor roof terrace prior to commencement of use of the roof terrace and shall be permanently retained 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.

- 13 The house shall not be occupied until all windows on the side elevation have been obscure glazed and fixed shut below a point 1.7m above finished floor level. The glazing 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.

- 14 The green roof on the proposed ground floor rear extension shall only be accessible for maintenance purposes and shall not be used as an amenity terrace.

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.

- 15 Prior to the first occupation of the building, a plan showing details of the green 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 green roof) and a programme for a 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 retained and maintained in accordance with the approved scheme of maintenance.

Reason: 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.

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 6941).



- 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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 You are advised that the site overlays a railway tunnel and that you should consult Network Rail regarding any proposed excavations for the new house to ensure that such details of construction comply with their requirements. For further advice, contact Network Rail on email [townplanningse@networkrail.co.uk](mailto:townplanningse@networkrail.co.uk) or tel- 020 7904 7382.
- 6 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL



payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 7 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £5550 (111sqm x £50). This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the Additional Information Requirement Form or other changing circumstances.

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.

Yours faithfully

Culture and Environment Directorate

**DECISION**



DATED

02 may

2014

**(2) KINIATON CAPITAL LIMITED**

**-and-**

**(2) ABA COMMUNICATIONS (1997) LIMITED**

**-and-**

**(3) MIZRAHI TEFAHOT BANK LIMITED**

**-and-**

**(4) THE MAYOR AND THE BURGESSES OF  
THE LONDON BOROUGH OF CAMDEN**

---

**FIRST DEED OF VARIATION**

Relating to the Agreement dated 29 March 2012  
Between the Mayor and the Burgesses of the  
London Borough of Camden,  
Kiniaton Capital Limited and ABA Communications (1997) Limited  
and Mizrahi Tefahot Bank Limited  
under section 106 of the Town and  
Country Planning Act 1990 (as amended)  
Relating to development at premises known as  
**23a Hampstead Hill Gardens London NW3 2PJ**

---

Andrew Maughan  
Borough Solicitor  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP

Tel: 020 7974 5680  
Fax: 020 7974 1920

1685.2505



Cgms

[www.cgms.co.uk](http://www.cgms.co.uk)