

Frank Green
BUJ Architects LLP
36 Millharbour
London
E14 8TX

Application Ref: **2012/2736/P**
Please ask for: **Neil Zaayman**
Telephone: 020 7974 **2630**

12 February 2013

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:
**Site Adjacent to
41 Ferncroft Avenue
London
NW3 7PG**

Proposal:

Erection of single-storey building with basement for use as a single-family dwellinghouse (Class C3) (following demolition of existing garage).

Drawing Nos: Site Location Plan PL 001; Drawing No(s) (Prefix PL): 002 Rev D; 010 Rev D; 020 Rev D; 021 Rev C; 022 Rev C; 023 Rev C; 030 Rev D; 031 Rev D; 032 Rev D; 033 Rev C; 040 Rev D; 041 Rev D; 050; 051; 052; 080 Rev D; 200; 210; 400 Rev D;

Design and Access Statement by BUJ Architects dated August 2012 (Rev C);

Code for Sustainable Homes Pre-Assessment by Mendick Waring Ltd dated July 2012;

Energy Strategy by Mendick Waring Ltd dated July 2012;

Flood Risk Assessment Code for Sustainable Homes by Dr Paul Garrad dated April 2012;

Arboricultural Impact Assessment Report by Landmark Trees dated 10th May 2012;

Construction Management Plan by CJ O'Shea & Co Ltd dated 22nd January 2010;

Existing Garage Demolition Planning Permission Decision Notice dated 6th October 2009;

Daylight / Sunlight Report by Drivers Jonas Deloitte;

Movement Report by Walsh Associates dated 16th July 2007;



Basement Impact Assessment (consisting of: Main Report; Screening part 1 & 2; Scoping part 2 - 4) by CJ O'Shea & Company Ltd dated April 2012

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

Condition(s) and Reason(s):

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

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan PL 001; Drawing No(s) (Prefix PL): 002 Rev D; 010 Rev D; 020 Rev D; 021 Rev C; 022 Rev C; 023 Rev C; 030 Rev D; 031 Rev D; 032 Rev D; 033 Rev C; 040 Rev D; 041 Rev D; 050; 051; 052; 080 Rev D; 200; 210; 400 Rev D; Design and Access Statement by BUJ Architects dated August 2012 (Rev C); Code for Sustainable Homes Pre-Assessment by Mendick Waring Ltd dated July 2012;
Energy Strategy by Mendick Waring Ltd dated July 2012;
Flood Risk Assessment Code for Sustainable Homes by Dr Paul Garrad dated April 2012;
Arboricultural Impact Assessment Report by Landmark Trees dated 10th May 2012;
Construction Management Plan by CJ O'Shea & Co Ltd dated 22nd January 2010;
Existing Garage Demolition Planning Permission Decision Notice dated 6th October 2009;
Daylight / Sunlight Report by Drivers Jonas Deloitte;
Movement Report by Walsh Associates dated 16th July 2007;
Basement Impact Assessment (consisting of: Main Report; Screening part 1 & 2; Scoping part 2 - 4) by CJ O'Shea & Company Ltd dated April 2012.

Reason:

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

- 3 Sample panels of all materials used in the external construction of the development hereby approved demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved by the Council before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The sample panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London

Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010 and in strict accordance with the recommendations of the Arboricultural Impact Assessment Report by Landmark Trees dated 10th May 2012.

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 5 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 Local Planning Authority 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 BS5837:2012 "Trees in Relation to design, demolition and construction".

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 6 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open 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 policy 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.

- 7 All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policy CS14 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 Before the development commences, details of the proposed cycle storage area for 1 x cycle shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

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

- 9 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 10 Prior to occupation of any relevant part of the development, the applicant will have constructed and implemented all the measures contained in the Code for Sustainable Homes Pre-Assessment and Energy Strategy (by Mendick Waring Ltd, dated July 2012) and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies..

- 11 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be

permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 12 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.

- 13 Prior to commencement of the development hereby approved, a Construction Management Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority. Details of the Construction Management Statement will relate to the scale and kind of the development, however, in terms of assessing the impact on transport the plan should demonstrate that the following has been considered and where necessary the impacts mitigated:

(Note the term 'vehicles' used here refers to all vehicles associated with the implementation of the development, e.g. demolition, site clearing, delivering of plant & material and construction)

- a) The access arrangements for vehicles.
- b) Details (including accurate scaled drawings) of any highway works necessary to enable construction to take place.
- c) Parking and Loading arrangement of vehicles and delivery of materials and plant to the site.
- d) Details of proposed parking bays suspensions and temporary traffic management orders.
- e) Details of security hoarding required on the public highway
- f) The proposed site working hours.
- g) Details of any other measure designed to reduce the impact of associated traffic (such as the use of construction material consideration centres, measures to control dust and dirt and schemes for recycling/disposal of waste from demolition).

h) Details of any Construction Working Group that maybe required, addressing the concerns of surrounding residents.

i) Details of any schemes such as the 'Considerate Contractors Scheme' (www.considerateconstructorsscheme.org.uk) that the project will be signed up to. Contractors will also be required to follow the 'Guide for Contractors Working in Camden' also referred to as 'Camden's Considerate Contractor's Manual'

j) Any other relevant information.

k) The CMS should also include the following statement:

"The agreed contents of the Construction Management Statement must be complied with unless otherwise agreed with the Council. The project manager shall work with the Council to review this Construction Management Statement if problems arise in relation to the construction of the development. Any future revised plan must be approved by the Council and complied with thereafter."

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP16 of the London Borough of Camden Local Development Framework Development Policies.

- 14 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 Council.

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..

- 15 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained and maintained, unless prior written permission is given by the local planning authority.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (Consolidated with Alterations Since 2004) and Camden Planning Guidance 2006 and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 16 Details of the design of building foundations and the layout, with dimensions and

levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved by the Council as the local planning authority before any works on site are commenced. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's 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 Reasons for granting permission. [Delegated]

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS1 (Distribution of growth), CS4 (Areas of More Limited Change), CS5 (Managing the impact of growth and development), CS6 (Providing Quality Homes), CS11 (Promoting sustainable and efficient travel), CS13 (Tackling climate change through promoting higher environmental standards), CS14 (Promoting high quality places and conserving our heritage), CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity), CS17 (Making Camden a Safer Place), CS18 (Dealing with Our Waste and Encouraging Recycling), CS19 (Delivering and Monitoring the Core Strategy) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP2 (Making Use of Camden's Capacity for Housing), DP6 (Lifetime Homes and Wheelchair Homes), DP16 (The Transport Implications of Development), DP17 (Walking, cycling and public transport), DP18 (Parking Standards and Limiting the Availability of Car Parking), DP19 (Managing the impact of parking), DP22 (Promoting sustainable design and construction), DP24 (Securing high quality design)

DP26 (Managing the impact of development on occupiers and neighbours), DP27 (Basements and lightwells), DP28 (Noise and vibration), DP29 (Improving Access). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 4 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

- 5 With regards to condition 6, the means of enclosure / boundary treatments with No. 41 Ferncroft Avenue (rear section) and No. 21 Kidderpore Gardens should be 1.8m high minimum.
- 6 The applicant is reminded that the installation of any external plant or mechanical equipment would be subject to separate full planning permission and should be accompanied by an acoustics report.

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.

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please telephone Contact Camden on (020) 7974 4444