

## 23a Hampstead Hill Gardens- 2015/0936/P



**23a Hampstead Hill Gardens 2015/0936/P**



Image 1. 15 to 19 Hampstead Hill Gardens



Image 2. 23 and 23a Hampstead Hill Gardens



Image 3. 23, 23a and 25 Hampstead Hill Gardens



Image 4. 25 Hampstead Hill Gardens





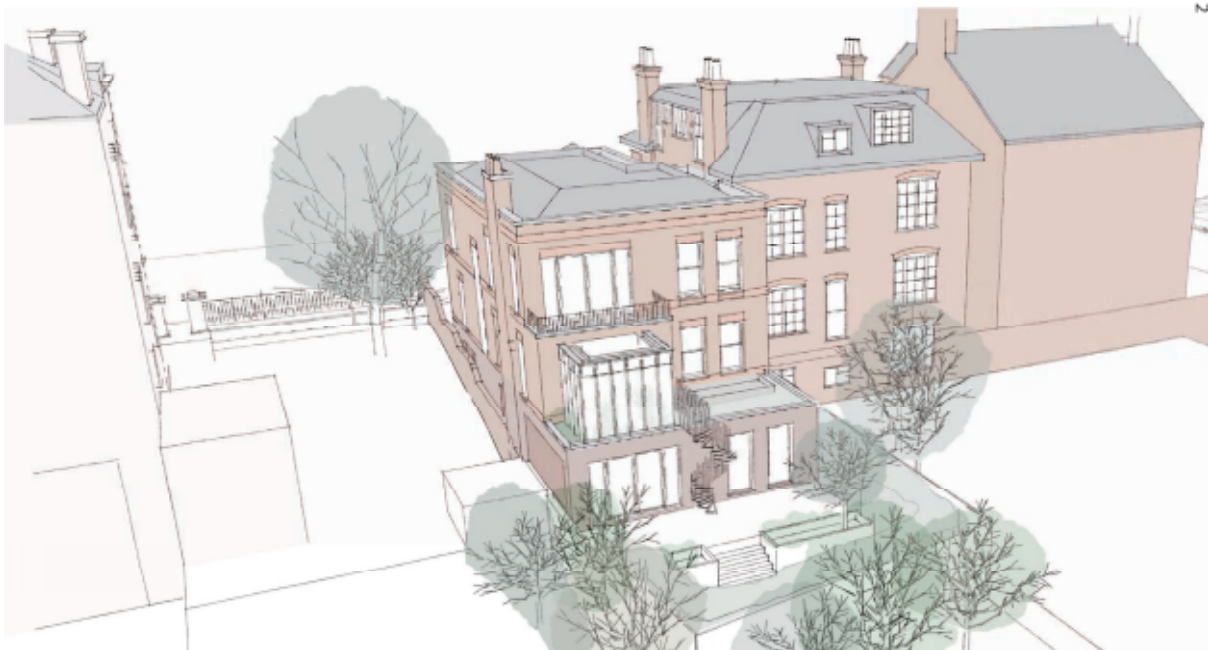
Image 5. Existing vehicular access to rear of property



Image 6. Existing rear elevation



View 1 23a Hampstead Hill Gardens February 2015



View 3 23a Hampstead Hill Gardens February 2015

<b>Delegated Report</b> <b>(Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>08/05/15</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		09/04/15	
<b>Officer</b>				<b>Application Number</b>			
Charles Thuaire				2015/0936/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
23A Hampstead Hill Gardens London NW3 2PJ				See decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal</b>							
Demolition of existing dwelling house and erection of a new 3 storey dwelling house with lower ground floor rear extension, upper ground floor conservatory and first floor terrace, plus forecourt parking, front porch, lightwell and new boundary enclosure at the front.							
<b>Recommendation:</b>		Grant permission subject to Deed of Variation on S106					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	38	No. of responses	07	No. of objections	07
<b>Summary of consultation responses:</b>		<p>Site notice displayed which expired on 08/04/15 and press advert displayed which expired on 09/04/15.</p> <p><u>Seven objections</u> from neighbours at 23 (4 flats) &amp; 25 Hampstead Hill Gardens, 29 &amp; 31 Heath Hurst Road - (<i>officer comments in italics bold</i>)</p> <p>1. Increased glazing on side elevation and new 'winter garden' exceed approved glazing and is not all obscured, leading to loss of privacy and perception of overlooking to no.25; <b><i>plans clarified to show obscure glazing to all side elevation windows, condition attached to ensure this- see para 2.12.</i></b></p>					

	<ol style="list-style-type: none"> <li>2. Roof height will obscure views and lose light to side windows of no.23; <b><i>height is same as previous approval- see para 2.4.</i></b></li> <li>3. Rear extension and roof terraces cause loss of light and privacy to windows and garden of no.23; <b><i>these were all approved last time- see para 2.12.</i></b></li> <li>4. Winter garden results in loss of privacy and light to communal garden; <b><i>see para 2.12.</i></b></li> <li>5. Rear terraces and enlarged windows result in loss of privacy to Heath Hurst Rd; <b><i>these were all approved last time, see para 2.12.</i></b></li> <li>6. Existing footprint already projects further than others in terrace; increase in height, bulk and footprint does not respect no.23 and is contrary to policy DP25; rear extensions are inappropriate and out of character; 'winter garden' is another extension, not garden; concern that previously refused items are being 'slipped through' this time; <b><i>rear profile, except proposed conservatory, is same as that approved last time- see para 2.7.</i></b></li> <li>7. House should be detached from no.23 and should retain side gap- <b><i>size and form of house on street is same as previous approval- see para 2.4.</i></b></li> <li>8. Proposal exceeds existing footprint and has front lightwell so BIA is required; <b><i>size and depth is same as previous approval where BIA was not required- see para 2.1.</i></b></li> <li>9. Limited garden area and planting; <b><i>garden area and green roof are same as previous approval.</i></b></li> <li>10. Need assurance that existing side access will be maintained to no.23; <b><i>plans show retention of side access.</i></b></li> <li>11. Replacing 2 flats by one house results in loss of one housing unit; <b><i>see para 2.1.</i></b></li> <li>12. Construction noise and nuisance; <b><i>proposed S106 requires CMP- see para 3.2.</i></b></li> <li>13. Loss of property value; <b><i>not a planning issue.</i></b></li> </ol>
<p>CAAC/Local groups comments:</p>	<p><u>Hampstead CAAC</u> no response.</p> <p><u>Heath and Hampstead Society</u> object - (<i>officer comments in italics</i>)</p> <ol style="list-style-type: none"> <li>1. rear of house already extends 4m beyond adjacent houses into small garden which isn't justified; <b><i>proposed lower ground floor extension was approved last time and new ground floor conservatory is smaller than that- see para 2.7.</i></b></li> <li>2. no details of entrance porch which must be detailed fully due to its prominence; <b><i>details of porch now provided and revised to reflect nearby ones- see para 2.5.</i></b></li> <li>3. no BIA which does not comply with DP27 as damage can still occur to neighbours and tunnels even if it matches existing basement depth; <b><i>no BIA is required as no additional excavation below existing lower ground floor is proposed- see para 2.1.</i></b></li> <li>4. 2<sup>nd</sup> floor balcony could overlook properties at side and rear; <b><i>2<sup>nd</sup> floor balcony was approved last time- see para 2.7.</i></b></li> </ol>

The site comprises a 2-3 storey building attached to 23 Hampstead Hill Gardens and designed as a side extension in 1970's (see history below). Its design is very plain with flat roof, red brick walls and simple square windows. It accommodates a maisonette on ground and 1st floors plus 2 garages at basement level accessed from the rear via a side concrete driveway which slopes downhill to the back of the site. The front garden is paved with a high boundary wall; the rear garden has a concreted forecourt at rear of garages and a paved garden behind this.

No.23 attached to its left side 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 replacement cherry tree which is subject of a TPO. The site lies above a railway tunnel.

The site lies within Hampstead conservation area and within Sub-Area Three as defined in the Conservation Area Statement (CAS). No.23 is identified as making a positive contribution to the character of the Conservation Area, although the CAS is unclear whether this includes no.23a, and it is unlikely that the intention was to include this particular property within this designation, given its neutral nature and quality.

### Relevant History

13.9.07 - pp and cac refused for demolition and erection of a replacement 2 storey dwellinghouse with 2 basement levels, plus forecourt parking, lightwell and new boundary enclosure at front, plus projecting balconies and lightwell at rear; *refused for 3 reasons*: inappropriate design and form and materials of new house and 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 the adjoining cherry tree.

8.4.08 - pp and cac refused for demolition of existing building and erection of a replacement 2 storey dwellinghouse with 2 basement levels, plus forecourt parking, lightwell and new boundary enclosure at front, plus projecting balconies and lightwell at rear.

17.6.08 - Appeals dismissed against above refusals, on grounds of inappropriate design and form of new building and loss of outlook to neighbouring top floor flat.

29.3.12- (refs 2011/2956/P and 3573/C) pp and cac granted (subject to S106) for demolition of entire house and 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.

2.5.14 (ref 2013/8020/P) pp granted (subject to Deed of Variation to previous S106) for 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.

### Relevant policies

**NPPF 2012**

**London Plan 2015**

**LDF Core Strategy and Development Policies**



CS1 - Distribution of growth  
CS5 - Managing the impact of growth and development  
CS6 - Providing quality homes  
CS11 - Promoting sustainable and efficient travel  
CS13 - Tackling climate change  
CS14 - Promoting high quality places and conserving our heritage  
CS15 - Protecting and improving open spaces & encouraging biodiversity  
CS18 - Dealing with waste  
CS19 - Delivering and monitoring the Core Strategy

DP2 - Making full use of Camden's capacity for housing  
DP6 - Lifetime homes and wheelchair homes  
DP17 - Walking, cycling and public transport  
DP18 - Parking standards and the availability of car parking  
DP19 - Managing the impact of parking  
DP21 - Development connecting to highway network  
DP22 - Sustainable construction  
DP23 - Water  
DP24 - Securing high quality design  
DP25 - Conserving Camden's heritage  
DP26 - Managing the impact of development on occupiers and neighbours  
DP27 - Basements and lightwells

**CPG 2015** (1- design, 3- sustainability, 4-basements, 6- amenity, 7- transport, 8- planning obligations)

## Assessment

### 1. Proposal

1.1 This scheme is effectively another variation to the previous approved scheme of 2014 which itself was a variation to the original scheme granted permission in 2012. In brief, the revised scheme retains the overall design concept and size of the approved house but it adds a porch canopy at the front, adds a 'winter garden' conservatory extension on upper ground floor, changes fenestration design and installs new PV panels on the roof. Some of these changes have been necessitated by Network Rail restrictions relating to their tunnels underneath, as part of working up the detailed design of the approved scheme.

#### Revisions-

1.2 more details of porch and revised design, clarification of obscure glazing on side elevation

1.3 The key differences from the 2014 approved scheme are as follows-

- steeper driveway gradient to front garden;
- loss of previous recess on front elevation and replacement by enlarged hallway;
- erection of enclosed porch canopy at front entrance;
- simplification of window design and slight reconfiguration of rear and side windows;
- replacement of all approved windows by traditional sashes;
- addition of ground floor enclosed 'winter garden' (4m wide, 2m deep, 2.6m high) to replace approved roof terrace on side adjoining no.25, plus relocation of spiral staircase to garden to north side;
- installation of new PV panels on roof behind parapets; and
- reconfiguration of internal layout.

## 2. Issues

### Land use

- 2.1 The principle of a replacement 5 bedroom dwelling house here has been previously accepted. The rearranged internal layout continues to meet Lifetime Home standards. Although the shorter driveway with its steeper slope now exceeds minimum gradient standards, this is considered acceptable given the special circumstances here whereby the existing floorslab has to be completely retained due to restrictions imposed by Network Rail and given the existing change in level (approx. 0.45m) between pavement and ground floor. Furthermore it is compensated by the omission of the previously approved internal ramp in the ground floor. The steeper driveway is necessary to avoid touching the entire basement floorlevel and to retain adequate headroom to the new basement, due to the demands by Network Rail engineers to retain the basement floor slab on account of their tunnels beneath. As with the previous scheme, no excavation is proposed below the existing floor levels due to the retention of the existing foundation slab, thus there is no need for a Basement Impact Assessment compared to the original scheme.
- 2.2 The house meets sustainability targets as before. Revised Code for Sustainable Homes and energy statements submitted confirm that the house will still meet Code level 4 (now replaced) and its targets for energy, materials and water, will have SUDS and a 27% reduction in CO2 emissions, and will now use PV panels to achieve this. The previously approved ground source heat pumps are now no longer considered feasible here, again due to the need to not disturb the railway tunnels underneath, and instead 12 photovoltaic panels are proposed. The approved central flat roof element of the pitched roof will be lowered somewhat to accommodate the panels which will be hidden behind the perimeter roof upstands.

### Transport

- 2.3 The revised shorter forecourt still provides an adequate space for both a large car and unimpeded pedestrian access to the entrance door. The side passage to no.23 will remain as existing. The house will be car-capped as before, secured by S106. Refuse and cycle stores are provided in the front garden as before. A CMP will be required as before for the demolition and construction phases, secured by S106.

### Design

- 2.4 The principle of demolition and replacement by a higher and wider house in the design proposed has been accepted here. The previous 2014 planning permission for demolition of the existing building in a conservation area and for associated erection of a new house is still valid and thus no further assessment is needed of the demolition issue.
- 2.5 The front porch was proposed in response to the existence of other porch features found on neighbouring Queen Anne houses. The detailed design has been clarified and revised to simplify it and ensure that it better reflects the nearby examples. It now has a solid curved metal roof supported by 3 columns on each side and enclosed by metal mesh screens to allow climbing plants. The modern design is now simple and appropriate for this new house and preserves the character of the street and conservation area. The associated loss of the ground floor entrance recess from the previous scheme is also acceptable and does not harm the overall appearance of the new house.
- 2.6 The various detailed changes to fenestration, including omission of the multi-paned sash design, simplify the house's appearance and are acceptable.
- 2.7 The rear upper ground floor 'winter garden' is actually a timber-framed conservatory of the same size and location as the previously approved roof terrace. It is a small modest and elegantly

designed feature 2m deep 4m wide and set back from the sides of the lower ground floor extension; it will not appreciably add to the bulk and impact of the new house with its other extensions. The relocated spiral staircase to the north side is also small and discreet and has no impact on the overall house design and bulk. It will not be visible in the streetscene nor to houses at the rear in Heath Hurst Road (being masked behind substantial tree screens); it will not affect the setting of adjoining houses which have a different form and design and it will not harm the character and appearance of the conservation area. The other rear extensions at lower ground and 1<sup>st</sup> floor level are identical to those approved in 2014.

2.8 The PV panels will be hidden behind the roof edges and thus will have no impact on the house, streetscene or conservation area.

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

#### Landscape

2.10 The new extension will continue to have a green roof over half of it. As required by the previous approval's S106, the adjoining cherry tree (protected by TPO) in the side garden of no.25 has now been felled and replaced by a semi-mature specimen in a slightly different position to enable construction.

#### Amenity

2.11 There is no change to the height, width or depth of the previously approved house so there will be no further impact on the side windows in the flank wall of 23. The PV panels do not project above the roof so they will not result in any loss of light or outlook.

2.12 The new conservatory addition at rear will not result in any loss of outlook or light to neighbours on either side or at the rear. It was previously considered that, due to the acute angles and distances involved, no overlooking from the roof terrace should occur to rear windows of no.23 or most of its communal garden. This continues to be the case here with a conservatory, so that it is unnecessary to require obscure glazing on the northern side. However as with the previous terrace, it is proposed to require obscure glazing on the south side as a precautionary measure (if the adjoining tree is removed) to prevent garden views to no.25. No views are possible to properties on Heath Hurst Road which are over 30m away and screened by trees. A condition will be attached to prevent use of the green roof for amenity purposes. The side elevation has been updated to clarify that all windows will be obscure glazed above eye level to ensure privacy to no.25. The smaller 1<sup>st</sup> floor terrace replicates that of the previous approved schemes and, as before, no screening is considered necessary here on either side of this.

#### Community Infrastructure Levy

2.13 As with the previous scheme, this new scheme is liable for Mayoral CIL and now also for Camden's CIL. Informatives will be attached to advise the applicant of this, based on an uplift of 117sqm.

### **3. Recommendations**

3.1 Grant planning permission subject to same conditions as before, adjusted to refer to the new conservatory rather than previous upper ground floor terrace, and also subject to a Deed of Variation to amend the previous S106. The previous clause to replace the adjoining cherry tree is no longer necessary as this has now been done.

3.2 The S106 clauses are as follows -

- a) car-capped housing;
- b) contribution to footway reconstruction (£4718);
- c) Demolition and Construction Management Plan;
- d) post-construction review to meet anticipated targets

**DISCLAIMER**

**Decision route to be decided by nominated members on Monday 7<sup>th</sup> September 2015.  
For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.**



CgMs  
7th Floor  
140 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: **2015/0936/P**

03 September 2015

Dear Sir/Madam

**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**

Proposal: Demolition of existing dwelling house and erection of a new 3 storey dwelling house with lower ground floor rear extension, upper ground floor conservatory and first floor terrace, plus forecourt parking, front porch, lightwell and new boundary enclosure at the front.

Drawing Nos: Design and Access Statement- 2015 Revision by 51% studios ltd; Sustainability Statement revised proposal dated January 2015 by Briary Energy; Regulation Compliance report dated 27.1.15; letter from Civic Trees dated 18.1.11; letter from r.howorth surveyors dated 20.1.11; existing plans- 0001A, 0002D, 0003D, 0004C, 0101D, 0102E, 0103C, 0104D, 0201C; proposed plans- 1001F, 1002J, 1003L, 1004I, 1101I, 1102I, 1103H, 1104E, 1201J, 1206C, 1800B.

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- 2015 Revision by 51% studios ltd; Sustainability Statement revised proposal dated January 2015 by Briary Energy; Regulation Compliance report dated 27.1.15; letter from Civic Trees dated 18.1.11; letter from r.howorth surveyors dated 20.1.11; existing plans- 0001A, 0002D, 0003D, 0004C, 0101D, 0102E, 0103C, 0104D, 0201C; proposed plans- 1001F, 1002J, 1003L, 1004I, 1101I, 1102I, 1103H, 1104E, 1201J, 1206C, 1800B.

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) (England) Order 2015 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 The house shall not be occupied until all windows on the south side elevation (including the rear conservatory) 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

- 13 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.



- 14 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 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)

- 4 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.
- 5 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.
- 6 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.
- 7 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced 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 the CIL charge.

The proposed CIL charge will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). For further information on the Camden CIL or Mayoral CIL charge please refer to the information on the Camden website which may be accessed via the following link: [http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset\\_id=3298006](http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset_id=3298006)

You are required to assume liability and notify the CIL team on commencement using the forms that can be downloaded from the planning portal; <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will issue an assumption of liability setting out the calculation and CIL demand notice setting out the method of payment accordingly. 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 queries to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

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

**DRAFT**

**DECISION**