

Mr Andrew Hallihan
Cousins & Cousins
Linton House
39-51 Highgate Road
London
NW5 1RT

Application Ref: **2013/5028/P**
Please ask for: **Gavin Sexton**
Telephone: 020 7974 **3231**

18 November 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

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:
158A Mill Lane
London
NW6 1TF

Proposal:

Variation to conditions 8 (approved plans) and 12 (biodiversity measures) of planning permission granted 04/04/2012 (ref: 2011/4213/P) for the erection of a five storey plus basement building with front and rear roof terraces and balconies following the demolition of existing artists studio; changes relate to alterations to windows on front, side and rear elevations and to balconies and balustrades throughout, alterations to front boundary treatment, removal of rear solar panels, enlargement of roof level accommodation, location and size of rooflights and replacement of brown roof with sedum roof.

Drawing Nos: Prefix 13002_: P_100 Basement Floor Plan RevC, P_101 Ground Floor Plan RevC, P_102 First Floor Plan RevC, P_103 Second Floor Plan RevC, P_104 Third Floor Plan RevC, P_105 Fourth Floor Plan RevC, P_106 Roof Plan RevC, P_200 Section AA RevC, P_300 Street Elevation RevC, P_301 Lane Elevation RevC, P_302 Rear Elevation RevC.



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

Condition(s) and Reason(s):

- 1 Condition 2 of the planning permission granted on 4th April 2012 (Camden ref: 2011/4213/P) shall be replaced by the following condition:

REPLACEMENT CONDITION 2

Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a) Details of all balcony and balustrade types and brise-soleils at a scale of 1:20, including materials and finish.
- b) Plan, elevation and section drawings of typical external doors, windows and juliet balconies, at a scale of 1:20, including materials and finish
- c) A sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided and retained on site for the duration of the works.
- d) A sample of the external roof surfaces (excluding living roof elements)

The relevant part of the works shall not be carried out otherwise than 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 policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 2 Condition 3 of the planning permission granted on 4th April 2012 (Camden ref: 2011/4213/P) shall be replaced by the following condition:

REPLACEMENT CONDITION 3

Prior to first occupation of the development, 1.8 metre high screens, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the east side of the rear terraces at 1st, 2nd and 3rd floor and roof levels 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.

- 3 Condition 4 of the planning permission granted on 4th April 2012 (Camden ref: 2011/4213/P) shall be replaced by the following condition:

REPLACEMENT CONDITION 4

No development shall take place until full details of hard and soft landscaping and means of enclosure of the front courtyard and driveway 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 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.

- 4 Condition 8 of the planning permission granted on 4th April 2012 (Camden ref: 2011/4213/P) shall be replaced by the following condition:

REPLACEMENT CONDITION 8

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

Planning energy statement by Leema Technologies Ltd Rev A dated 14th December 2011; Code for Sustainable Homes Design stage Report by Leema technologies undated ref 004037-111025-1275; Groundwater Impact Assessment by Chord Environmental Ltd dated Nov 2011; Technical note by Elliottwood on SUDs feasibility dated 24 October 2011; Ground/slope stability screening assessment by RSK dated Nov 2011; Preliminary Structural Engineering report by Elliottwood revision P1 dated Nov 2011; Arboricultural report by Crown Consultants dated 21 Nov 2011; Lifetimes Homes Statement by SpaceAgent dated 06.09.2011; ; Flood risk and surface water assessment by Elliottwood revision P1; Site location plan; MIL_E02a, _E07b, _E08b, _E09b; Prefix 13002_: P_100 Basement Floor Plan RevC, P_101 Ground Floor Plan RevC, P_102 First Floor Plan RevC, P_103 Second Floor Plan RevC, P_104 Third Floor Plan RevC, P_105 Fourth Floor Plan RevC, P_106 Roof Plan RevC, P_200 Section AA RevC, P_300 Street Elevation RevC, P_301 Lane Elevation RevC, P_302 Rear Elevation RevC..

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

- 5 Condition 11 of the planning permission granted on 4th April 2012 (Camden ref: 2011/4213/P) shall be replaced by the following condition:

REPLACEMENT CONDITION 11

Prior to occupation of any relevant part of the development, the applicant shall

have constructed and implemented such on-site renewable energy measures identified in the approved Energy Statement (Rev A by Leema Technologies dated 14th December 2011) as are necessary to achieve at least 20% reduction in carbon emissions from the baseline scenario. Such measures shall be maintained in accordance with the manufacturers' recommendations and permanently retained 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.

- 6 Condition 12 of the planning permission granted on 4th April 2012 (Camden ref: 2011/4213/P) shall be replaced by the following condition:

REPLACEMENT CONDITION 12

Prior to first occupation of the development a plan showing the measures incorporated to improve the biodiversity of the site shall be submitted to and approved in writing by the Council. Such details to include-

- i) bird and bat box locations and types and indication of species to be accommodated;
- ii) drawings and manufacturers details of the sedum roof including species, 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 roof whilst demonstrating how it would be incorporated into the approved roof height;
- iii) a programme for an initial scheme of maintenance of the living roof

The measures thus identified 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: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions and obligations as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 2 Your attention is drawn to the fact that there is a separate legal agreement with the

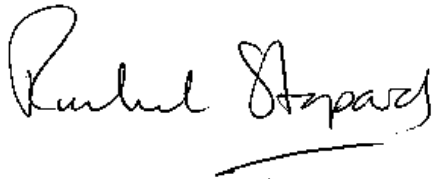
Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

- 3 When considering external materials in relation to condition 2 above, you are advised to choose a red brick to match the prevalent colour of neighbouring residential buildings.

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



Rachel Stopard
Director of Culture & Environment

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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.