

Mr Peter Smith  
Stephen Davy Peter Smith Architects  
Fanshaw House  
Fanshaw Street  
London  
N1 6HX

Application Ref: **2013/8191/P**  
Please ask for: **Eimear Heavey**  
Telephone: 020 7974 **2949**

30 January 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:  
**9-12 New College Parade**  
**Finchley Road**  
**London**  
**NW3 5EX**

Proposal:

Erection of 5 storey mixed use building with basement floor to provide commercial uses (Classes A1/A3) at ground and basement floor levels and provision of 9 residential units on upper floors (4 x 1, 4 x 2, 1 x 3 bed) including communal garden at 1st floor level and rear terraces at 1st-4th floor levels, following the demolition of existing two storey commercial building.

Drawing Nos: The development hereby permitted shall be carried out in accordance with the following approved plans: 1235(PL)101 - OS Map, 1235(PL)102 - Site Map, 1235(PL)110D - Basement Floor Plan, 1235(PL)111D - Ground Floor Plan, 1235(PL)112C - First Floor Plan, 1235(PL)113B - Second & Third Floor Plan, 1235(PL)114C - Fourth Floor Plan, 1235(PL)115A - Roof Floor Plan, 1235(PL)210B - Front Elevation, 1235(PL)211B - Rear Elevation, 1235(PL)212B - Side Elevation (East), 1235(PL)213 - Finchley Road 1235(PL)214 - Side Elevation (West), 1235(PL)310A - Section AA, 1235(PL)401 - Existing Basement Plan, 1235(PL)402 - Existing Ground Plan, 1235(PL)403 - Existing First Plan, 1235(PL)404 - Existing Front Elevation & 1235(PL)405 - Existing Rear Elevation.

Planning Application Form (Revised), 1235 New College Parade Design & Access



Statement, Noise Impact Assessment: Acoustic Report, Air Quality Assessment: Air Quality Letter Report, Daylight/ Sunlight Assessment: NCP DS Assessment Final (prepared Nathaniel Lichfield and Partners dated December 2013). Heritage Statement, Environmental Statement: Energy Strategy and Sustainability Statement, Land contamination Assessment: Desk Study, Basement Impact Assessment, BIA - Appendices A-C & Burland information, Transport Assessment (Revised), Construction Management Plan (Revised), Flood Risk Assessment & Sustainable Drainage Strategy FLA - Appendix D (parts 1 and 2). Emails from Agent regarding Ground Floor Uses and Integrated Flue.

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: 1235(PL)101 - OS Map, 1235(PL)102 - Site Map, 1235(PL)110D - Basement Floor Plan, 1235(PL)111D - Ground Floor Plan, 1235(PL)112C - First Floor Plan, 1235(PL)113B - Second & Third Floor Plan, 1235(PL)114C - Fourth Floor Plan, 1235(PL)115A - Roof Floor Plan, 1235(PL)210B - Front Elevation, 1235(PL)211B - Rear Elevation, 1235(PL)212B - Side Elevation (East), 1235(PL)213 - Finchley Road 1235(PL)214 - Side Elevation (West), 1235(PL)310A - Section AA, 1235(PL)401 - Existing Basement Plan, 1235(PL)402 - Existing Ground Plan, 1235(PL)403 - Existing First Plan, 1235(PL)404 - Existing Front Elevation & 1235(PL)405 - Existing Rear Elevation.

1235 New College Parade Design & Access Statement, Noise Impact Assessment: Acoustic Report, by DKN Acoustics; Air Quality Report by WSP dated Oct 2013, Daylight/ Sunlight Assessment by Nathaniel Lichfield and Partners dated December 2013). Heritage Statement by Brampton Investments (Dec 2013), Energy and Sustainability Statement by AJ Energy Consultants dated Dec 2013, Basement Impact Assessment, BIA - Appendices A-C & Burland information by Conisbee, Transport Assessment (Dec 2013), Construction Management Plan (Dec 2013), Flood Risk Assessment & Sustainable Drainage Strategy FLA - Appendix D (parts 1 and 2).

Reason:

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

- 3 Detailed drawings and/or samples of materials as appropriate, 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 window and door including shopfronts at a scale of 1:10 with typical glazing bar details at 1:1.

b) Typical details of new railings and balustrade at a scale of 1:10 with finials at 1:1, including method of fixing.

c) Samples and manufacturer's details of new facing materials including windows and door frames, glazing, Juliette balconies, balustrades, ventilation grilles, timber cladding, infill and spandrel panels and any other facing materials.

d) A sample panel of each of the 3 brickwork types, no less than 1m by 1m demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding, shall be erected on site for inspection for the local planning authority and maintained for the duration of the works.

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.

- 4 Before the relevant part of the development is first occupied, the proposed cycle storage areas hereby approved shall be provided and fitted out in their entirety and 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 and DP18 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The lifetime homes features and facilities and all passenger lifts as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to first occupation of any of the new residential units and shall be permanently maintained and retained thereafter.

Reason: To ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Before the relevant part of the development is first occupied, the refuse and

recycling storage facilities, as shown on the drawings hereby approved, shall be provided. All refuse and recycling storage facilities shall be permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies CS5 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive facade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the area in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Prior to commencement on the relevant part of the development hereby approved details of sound insulation and noise control measures for the rooms facing Finchley Road shall be submitted to and approved in writing by the Local Planning Authority. The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved and implemented prior to the first occupation of the development and shall be maintained as such thereafter.

Reason: To safeguard the amenities of the proposed residential flats in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 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 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:
- 1) provide details on all structures
  - 2) accommodate the location of the existing London Underground structures and tunnels
  - 3) accommodate ground movement arising from the construction thereof and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.
  - 4) The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London

Underground transport infrastructure, in accordance with London Plan 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

Informative(s):

- 1 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)

- 2 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 3 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).
- 4 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.
- 5 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.
- 6 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.
- 7 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.

- 8 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods

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

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', written in a cursive style.

Ed Watson  
Director of Culture & Environment