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28 Margaret Street  
London  
W1W 8RZ

Application Ref: **2013/4187/P**  
Please ask for: **Rob Tulloch**  
Telephone: 020 7974 **2516**

17 June 2014

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:  
**7 Branch Hill  
London  
NW3 7LT**

Proposal:

Erection of 4 storey dwelling (including basement level) following demolition of existing 3 storey dwelling.

Drawing Nos: D\_01 Rev A; D\_02 Rev A; D\_03 Rev A; D\_04 Rev A; D\_05 Rev A; D\_07 Rev A; D\_08 Rev A; D\_11 Rev A; D\_12 Rev A; D\_13 Rev A; D\_14 Rev A; D\_16 Rev A; E\_02 Rev A; E\_03 Rev A; E\_04 Rev A; E\_05 Rev A; P\_00 Rev A; P\_01 Rev B; P\_02 Rev B; P\_03 Rev B; P\_04 Rev B; P\_05 Rev B; P\_06 Rev B; P\_07 Rev B; P\_08 Rev B; P\_09 Rev B; P\_11 Rev B; P\_12 Rev B; P\_13 Rev B; P\_14 Rev B; P\_16 Rev B; P\_17 Rev B; P\_18 Rev A; P\_19 Rev A; P\_20 Rev B; P\_21 Rev A; 00933/SK/111 Rev C; 112 Rev B; 113 Rev B; 114 Rev B; 115 Rev B; MDE4638-M-01; 7922\_P001; P002; P003; P004; P005; P006; P007; P008; P009; P101; P12A; P013A; P014A; P20A; P021; Revised Design and Access Statement dated 15/10/2013; Basement Impact Assessment by Sinclair Johnston dated April 2013; Code for Sustainable Homes Pre-assessment by Ashby Energy dated 05/06/2013; Ecological Assessment by Skilled Ecology Consultancy Ltd dated April 2013; Car Lift Specifications; Green Roof Section; Green Roof Specifications; M & E Works Planning Statement by Chris Evans Consulting dated 29/04/2013; Acoustic Report by Emtec dated 28/03/2013; Tree Survey by LaDellWood dated June 2013



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: D\_01 Rev A; D\_02 rev A; D\_03 rev A; D\_04 Rev A; D\_05 Rev A; D\_07 Rev A; D\_08 Rev A; D\_11 Rev A; D\_12 Rev A; D\_13 Rev A; D\_14 Rev A; D\_16 Rev A; E\_02 Rev A; E\_03 Rev A; E\_04 Rev A; E\_05 Rev A; P\_00 Rev A; P\_01 Rev B; P\_02 Rev B; P\_03 Rev B; P\_04 Rev B; P\_05 Rev B; P\_06 Rev B; P\_07 Rev B; P\_08 Rev B; P\_09 Rev B; P\_11 Rev B; P\_12 Rev B; P\_13 Rev B; P\_14 Rev B; P\_16 Rev B; P\_17 Rev B; P\_18 Rev A; P\_19 Rev A; P\_20 Rev B; P\_21 Rev A; 00933/SK/111 Rev C; 112 Rev B; 113 Rev B; 114 Rev B; 115 Rev B; MDE4638-M-01; 7922\_P001; P002; P003; P004; P005; P006; P007; P008; P009; P101; P12A; P013A; P014A; P20A; P021; Revised Design and Access Statement dated 15/10/2013; Basement Impact Assessment by Sinclair Johnston dated April 2013; Code for Sustainable Homes Pre-assessment by Ashby Energy dated 05/06/2013; Ecological Assessment by Skilled Ecology Consultancy Ltd dated April 2013; Car Lift Specifications; Green Roof Section; Green Roof Specifications; M & E Works Planning Statement by Chris Evans Consulting dated 29/04/2013; Acoustic Report by Emtec dated 28/03/2013; Tree Survey by LaDellWood dated June 2013

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

- 3 Windows to the rear and south east elevations identified on drawing numbers P\_11 Rev B and P\_13 Rev B as being obscure glazed shall be installed as such and permanently fixed shut prior to occupation and permanently retained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 4 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 façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 5 The proposed development shall not be occupied until the whole of the cycle parking provision shown on the approved drawings is provided. The whole of the cycle parking provision shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.

- 6 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of the new dwelling.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 (Lifetime homes and wheelchair homes) of the London Borough of Camden Local Development Framework Development Policies.

- 7 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, and to protect the amenity of adjoining occupiers by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 (Promoting high quality places and conserving our heritage) and CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 8 Prior to the first occupation of the building a plan showing details of the living 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 living roof, and a programme for an initial and long term scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The living 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 (Tackling climate change and promoting higher environmental standards), CS14 (Promoting high quality places and conserving our heritage), CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity), and CS16 (Improving Camden's health and well-being) of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 (Promoting sustainable design and construction), DP23 (Water), DP24 (Securing high quality design) and DP32 (Air quality and Camden's Clear Zone) of the London Borough of Camden Local Development Framework Development Policies.

- 9 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 local planning authority in writing. [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 ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage), CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

- 10 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 prior to the occupation for the permitted use 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 local planning authority 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 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the

London Borough of Camden Local Development Framework Development Policies.

- 11 A sample panel of the facing brickwork of both the main house and the front boundary wall, demonstrating the proposed colour, texture, face-bond and pointing, shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved 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 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 12 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 local planning authority 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 (Promoting high quality places and conserving our heritage) 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.

- 13 The development (including both excavation and construction) hereby approved shall not commence until further details relating to the basement construction (including further investigations, ground movement analysis, construction methodology and detailed design, mitigation measures, monitoring methods, etc), as itemised in CGL's report dated 05/12/2013 titled "7 Branch Hill, Independent Review of Basement Impact Assessment", have been submitted to and approved by the Council. The development shall thereafter be constructed and monitored in accordance with such approved details and with the Basement Impact Assessment by Sinclair Johnston dated April 2013.

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 (Promoting high quality places and conserving our heritage) 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.

- 14 The roof of the building hereby approved, shall not be used for amenity purposes or any form of roof terrace. Access to the roof shall be for maintenance purposes only.

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.

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)

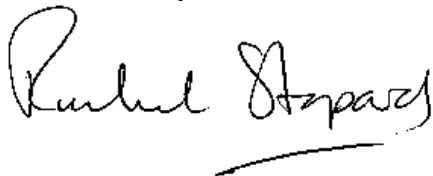
- 4 You are advised that the Transport Strategy Team should be consulted regarding the construction of the temporary crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 5543 for further advice and information.
- 5 Your 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 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.

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



Rachel Stopard  
Director of Culture & Environment