

Mr J Daniels
Boyer Planning
24 Southwark Bridge Road
London SE1 9HF

Application Ref: **2015/5284/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

1 March 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

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

Address:
59-61 Oak Grove
London
NW2 3LS

Proposal:

Variation of condition 2 (approved plans) of planning permission 2014/1029/P dated 12/05/2014 (for the erection of a 3 storey building to provide 17 flats), namely to erect a water attenuation tank with screening and relocation of bike store.

Drawing Nos: Revised Plans: OGC AL 14-200 RevF, OGC-SK140402-001RevA, Drawing number 1 (Bicycle store), OGC-AL02-020RevE, Drainage layout & manhole schedule 2/5932 dwg 900 rev FC1, OGC-AA-14-9704 Rev.B, Off-site drainage report dated 10th April by Clancy Consulting, Culvert design justification dated 8th September 2015 by Phil Pritchard, cover letter dated 15th September 2015 by Joseph Daniels, emails dated 16th & 27th October & 2nd November 2015 by Joseph Daniels.

Superseded Plans: OGC-SK140402-001, OGC-AL02-020RevD, Drainage layout & manhole schedule 2/5932 dwg 900 rev T1.

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



Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.2 of planning permission 2014/1029/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

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

Existing drawings: MSL8720-E-RevC-01, MSL8720-E-RevC-02, MSL8720-E-RevC-03, OGC AL02 002 Site Layout Plan.

Proposed drawings prefix OGC AL02 : 001 Site Location Plan, 020 Rev.E Ground Floor Plan, 021 Rev.B First Floor Plan, 022 Rev.B Second Floor Plan, 023 Rev.A Roof Plan, 040 Rev.A Elevations, 050 Rev.A Sections, 060 Flat Type A (1B2P), 061 Flat Type M (1B2P), OGC-SK140124-001revA, OGC AL 14-200 Rev.F, Section/Elevation Study; OGC-SK140312-001 revA (front boundary treatment); OGC-SK140402-001 Rev.A Landscape plan; Drainage layout & manhole schedule 2/5932 dwg 900 Rev.FC1, Drawing number 1 (Bicycle store), OGC-AA-14-9704 Rev.B.

Supporting documents:

Design & Access Statement by HTA February 2014; Planning Statement by Boyer Planning on behalf of Pocket February 2013; Train Induced Vibration and Assessment Report by Hann Tucker Associates Report 19861/VAR1 dated 27 Jan 2014; Letter from Hann Tucker Associates dated 11th March 2014 regarding vibration noise: Daylight, Sunlight and Overshadowing Assessment; Energy Statement by XCO2 Energy Issue 01 29 Jan 2014; Sustainability Assessment by XCO2 Energy (inc. Code for Sustainable Homes Pre-Assessment) 01 28 Jan 2014; Ecological Appraisal Prepared by ACD Ecology ref POC19032Eco Jan 2014; Environmental Noise Survey and Noise Impact Assessment Report by Hann Tucker Associates Report 1986/EIA1 dated 27 Jan 2014; SiteCheck Contamination Review Reference SCC_51691285_1_1 dated 17-DEC-2013 by Environmental Risk Management; Outline Soft Landscape Specification and Plant Schedules OGC-AS-9-800 by HTA 06.03.2014, Cycle store fence; Letter from Clancy Consulting dated 8th September 2015 ref: 2/5932.1; Offsite culvert drainage report by Clancy consulting dated 10th April 2015 ref: 2/5932.1/Culvert, .Culvert design justification dated 8th September 2015 by Phil Pritchard, cover letter dated 15th September 2015 by Joseph Daniels, emails dated 16th & 27th October & 2nd November 2015 by Joseph Daniels.

- 2 For the purposes of this decision, the addition of condition no.15 to planning permission 2014/1029/P shall be added to the decision notice:

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 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.

Informative(s):

1 Reasons for granting permission.

Proposed amendments are: 1] Erection of an above ground water attenuation tank which would be positioned to the south-eastern corner of the site adjacent to the bike store and property of No.19 Richborough Road and 2] Relocation of the proposed bike store nearer to the proposed building granted in the parent permission.

The new tank would replace the existing below ground tank which is identified as being faulty.

The proposed water attenuation tank referred to above is considered acceptable in that it is relatively subordinate in size being 1.8 metres in height and would not be seen from wider views or the neighbour's property as it would be next to No.19's garage which has no windows.

The size of the tank has been derived by assessing how much water from the railway embankment is draining into the culvert currently. The applicant confirms via their consultants that Network Rail provided drainage records and from these it was calculated that the offsite culvert has a catchment area of approximately 1,500sq.m. The storage capacity of the tank is based on a 1 in 100 year event, plus 30% for climate change and that investigations have shown that the culvert water is already discharging in to the TW sewer network at Oak Grove or Cricklewood Broadway. The above ground tank is to be connected to the below ground system. Therefore water from the culvert and the tank will discharge into the public TW sewer.

The bike parking would move slightly towards the main house, the alteration is considered negligible, although the cycle rack would be reduced in size it has been demonstrated that the new store would still be able to fit 20 bikes for parking.

Due to this relocated bike store, a section of landscaping would be removed from the previously approved. This is considered minimal as the landscape scheme from the overall site would still be maintained. Such area is not visible from the public realm.

The full impact of the scheme has already been assessed by virtue of the previous

approval granted on 12/05/2014 under reference number 2014/1029/P.

The tank itself will not emit any noise. There is a pump located below ground so if/when it operates, it is considered that it would be inaudible from the neighbouring property, particularly considering the background noise from the railway. However, it would be conditioned so that noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), when all equipment (or any part of it) is in operation.

No objections have been raised in relation to the application. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CS5, C13, C14 and CS16 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP22, DP23, DP24, DP26 and DP32 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 5.3, 5.12, 5.13, 7.2, 7.4, 7.6 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17 and 126-141 of the National Planning Policy Framework.

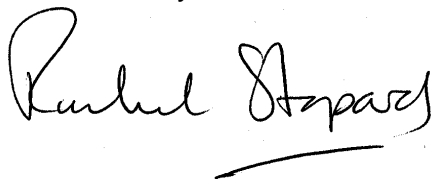
- 2 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

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

