

Appendix 1

(Development Control Committee report presented to
DCC on 7th April 2016)

Address:	30 A Thurlow Road London NW3 5PH		5
Application Number:	2015/5409/P	Officer: David Peres da Costa	
Ward:	Hampstead Town		
Date Received:	24 th September 2015		
Proposal: Demolition of existing single storey house and erection of three storey house with basement level.			
Background Papers, Supporting Documents and Drawing Numbers: Site location plan; 1503-L-: 011; 014; 015; 016; 017; 018; 019; 020; 021; 111B; 113C; 114C; 115B; 117A; 120A; 029A; 112D; 116D; 119D; Arboricultural impact analysis prepared by Skerratt dated 15/08/15; Arboricultural method statement prepared by Skerratt dated 15/08/15; Planning statement prepared by Square Feet Architects dated September 2015; Sustainable design and construction prepared by Planning for Sustainability dated August 2015; Letter from Square Feet Architects dated 14/12/15; Basement Impact Assessment prepared by LBH Wembley dated December 2015; Geotechnical, Hydrogeological and Ground Movement Assessment prepared by LBH Wembley dated December 2015; BIA audit tracker (response to queries); Daylight and Sunlight Report prepared by BVP dated November 2015; BIA Audit prepared by Campbell Reith dated January 2016			
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section106 legal agreement			
Applicant:		Agent:	
Mr Mark Davies 13a Carlingford Road London NW3 1RY		Square Feet Architects 8a Baynes Mews London NW6 6SX	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3 Dwelling House		68sqm
Proposed	C3 Dwelling House		300sqm

Residential Use Details:										
	Residential Type	No. of bedrooms per unit								
		1	2	3	4	5	6	7	8	9+
Existing	Dwelling house	-	1	-	-	-	-	-	-	-
Proposed	Dwelling house	-	-	-	1	-	-	-	-	-

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	1	-
Proposed	1	-

OFFICERS' REPORT

Reason for Referral to Committee: **The application is reported to committee as the development involves the total demolition of a building in a conservation area [Clause 3(v)]**

1. SITE

- 1.1 The building contains a single storey, single family dwellinghouse. It is located at the far south-west end of the former rear garden of 41 Rosslyn Hill.
- 1.2 The site is located in the Fitzjohn's/Netherhall Conservation Area however the building is not identified in the Conservation Area Statement as making a positive contribution to its character and appearance.
- 1.3 The building dates from the early 1990s and consists of a single storey brick structure with a flat topped hipped roof and the majority of its fenestration located away from its road facing elevation. The dwellinghouse contains two bedrooms. There is one parking space for the existing house with vehicular access from Thurlow Road.
- 1.4 To the northeast of the site is 41 Rosslyn Hill which is a four storey building that contains flats. To the southwest of the site is number 30 Thurlow Road that also contains residential flats. To the rear (southeast) of the site is the garden of number 39 Rosslyn Hill.

2. THE PROPOSAL

- 2.1 The application proposes the demolition of the existing dwellinghouse and the erection of a three-storey 4 bedroom house with basement and lower and upper ground floor.
- 2.2 The existing parking space in front of the house is proposed to be retained.
- 2.3 The proposed materials of the replacement dwelling comprise glazing, render and timber cladding.
- 2.4 The dwelling house would comprise a cinema, gym, and two bedrooms located in the basement, a large open plan kitchen/dining sitting room, study and WC at lower ground floor level and two bedrooms with ensuite bathrooms at upper ground floor level.
- 2.5 **Revision**
- 2.6 The proposed development was revised during the course of the application to reduce the size of the basement to address concerns with the impact on an adjacent tree. The enclosed lightwell has been replaced with an open lightwell and the separation distance between the proposed upper ground floor and 30 Thurlow Road has been increased by 0.74m. The scheme was also amended to allow a

planting depth of 1m above the basement and to relocate the replacement tree at the front of the site. A privacy screen (in the garden) at the upper ground floor level was also included to protect the amenity of the occupiers at 41 Rossllyn Hill.

3. RELEVANT HISTORY

- 3.1 An application for demolition of existing single storey dwelling house and erection of two storey dwelling house including excavation at basement level was granted subject to S106 at DCC on 04/11/2013 (ref: 2013/1613/P)
- 3.2 An application for the erection of 2 x 3-storey dwelling houses including the provision of forecourt parking was refused on 09/02/1978. (Ref 25598).
- 3.3 An application was approved on 05/05/1978 for the erection of a single storey dwelling house (ref 26246).
- 3.4 Renewal of planning permission dated 5th May 1978 for the erection of the single storey house (ref 36138) was approved in 1983.
- 3.5 An application was refused on 12/03/1987 for the erection of a two storey dwelling house with forecourt parking (ref 8602406).
- 3.6 An application for the erection of a part one and part two-storey dwelling house with forecourt parking (ref 8700871) was refused on 20/08/1987.
- 3.7 An application for the erection of a four-bedroom house with forecourt parking was refused on 11/08/1988. (ref 8803753).
- 3.8 An application for the erection of a four-bedroom house by adding an extension to a three-bedroom house was refused on 11/08/1988 (ref 8803755).

4. CONSULTATIONS

4.1 Conservation Area Advisory Committee

Fitzjohns/Netherhall CAAC: No response received

- 4.2 Historic England does not consider that it is necessary for this application to be notified.

4.3 Adjoining Occupiers

<i>Number of letters sent</i>	16
<i>Total number of responses received</i>	10
<i>Number in support</i>	0
<i>Number of objections</i>	10

- 4.4 A site notice was displayed on 14/10/2015 and a press notice was published in the Ham & High on 05/11/2015, both in connection with the planning application. The occupiers of neighbouring properties were consulted by letter on 12/05/2015.

Summary of responses/Objections:

- 4.5 Ten letters of objection have been received from the following addresses; 41 and 41A Rosslyn Hill, Flat C 41 Rosslyn Hill, 1 Keats Grove, Flats 5 and 6, 30 Thurlow Road, Flat 2 and Top Flat 29 Thurlow Road, 10D Eldon Grove, with the concerns summarised below:

Basement excavation

- Deep mining could have a serious and potentially damaging effect on the structure of the neighbouring buildings.
- High risk of ground instability for the surrounding houses
- Structural drawings do not sufficiently explain how the proposed piling would support the neighbouring ground, particularly towards 30 Thurlow Road
- Qualified piling engineers have yet to be consulted about the proposed construction
- There is ground water in the immediate surrounding area
- There are no provisions for drainage/risk of flooding
- A further substantial basement development is also the subject of a planning application (2014/5285/P). This application does not consider the combined effects of these developments.
- At least 1000 tonnes of soil would need to be removed
-

Amenity

- Noise, vibration and pollution during construction
- Loss of daylight and sunlight to lower ground floor flat at 30 Thurlow Road. Will breach BRE guidelines
- Loss of privacy

Design

- The proposed development is twice as large as approved.
- Would negatively change the character of the street
- Design is out of keeping with the neighbouring properties
- A mature, protected tree will have to be removed

5. POLICIES

5.1 National Planning Policy Framework (2012)

Paragraphs 14, 17, 30, 49, 56-66 and 126-141

5.2 The London Plan March 2015, consolidated with alterations since 2011

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.14 Improving air quality

5.3 **LDF Core Strategy and Development Policies (2010)**

Core Strategy

CS5 (Managing the impact of growth and development)
CS6 (Providing quality homes)
CS11 (Promoting sustainable and efficient travel)
CS13 (Tackling climate change through promoting higher environmental standards)
CS14 (Promoting high quality places and conserving our heritage)
CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)
CS19 (Delivering and monitoring the Core Strategy)

Development Policies

DP2 (Making full use of Camden's capacity for housing)
DP5 (Homes of different sizes)
DP6 (Lifetime homes and wheelchair homes)
DP16 (The transport implications of development)
DP17 (Walking, cycling and public transport)
DP18 (Parking standards and limiting the availability of car parking)
DP20 (Movement of goods and materials)
DP21 (Development connecting to the highway network)
DP22 (Promoting sustainable design and 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)
DP28 (Noise and Vibration)

5.4 **Supplementary Planning Policies**

Camden Planning Guidance 2013-15
CPG 1 Design 2015
CPG 2 Housing 2015
CPG3 Sustainability 2015
CPG4 Basement and lightwells 2015
CPG6 Amenity 2011
CPG 7 Transport 2011

5.5 **Fitzjohns/Netherhall Conservation Area Statement 2001**

6. **ASSESSMENT**

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Principle of demolition
- Visual impact of the development on the conservation area,
- Basement impact
- Quality of proposed residential accommodation
- Residential amenity
- Transport
- Trees/green roof
- Construction management.

6.2 These are assessed below in the context of planning policy and other material considerations.

Principle of demolition

6.3 The proposal is for the demolition and replacement of the existing building. Planning permission was granted on 04/11/2013 for the demolition of the existing house and its replacement with a two storey dwelling house (including excavation at basement level). This permission is still extant.

6.4 The site is located in the Fitzjohns/Netherhall Conservation Area however the building is not identified in the Conservation Area Statement as making a positive contribution to its character and appearance. The building dates from the early 1990s and the building is considered to have no architectural or historic significance. As per the previous approval, there is no objection to the principle of its demolition subject to a suitable replacement scheme being approved.

6.5 Visual impact of the development on the conservation area

6.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character of the Conservation Area when determining planning applications in relation to land in conservation areas.

6.7 Planning permission was previously granted for a 2 storey house (including basement level) with 1 visible storey above ground (ref: 2013/1613/P). The approved house was 2.96m high (when measured from the ground level adjacent to 30 Thurlow Road). The proposed 3 storey house (including basement level) would be 1.41m higher than the approved house (4.37m high) and 0.84m higher than the roof ridge of the existing house. The proposed ground floor is sunken below ground level resulting in one and a half visible storeys above the ground level of Thurlow Road. Despite the increase in height the proposed house would still retain a subordinate appearance in relation to the side extension of 30 Thurlow Road.

Importantly, the increase in height would still preserve the view through to the trees at the rear of the site.

- 6.8 The proposed building would have a staggered building line on the side boundary with 30 Thurlow Road which would result in the rear of the proposed property being closer to the side extension of 30 Thurlow Road. The previously approved building (ref: 2013/1613/P) had a straight building line and the elevation drawing shows a 1m separation from the side extension of 30 Thurlow Road. This was the same as the separation of the existing building and 30 Thurlow Road on the side boundary (the side elevation of the approved building followed the existing building line).
- 6.9 The lower ground floor level of the proposed building would be 1.34m from the side extension of 30 Thurlow Road at the front and 0.46m at the rear. The upper ground floor level would be 2.33m from the side boundary at the front. Adjacent to the front of the side extension of No.30 this floor would be 1.31m from No.30. At the rear of the site the proposed upper ground floor would be 0.47m from the side extension of No.30. Whilst the proposed building would be approximately 0.5m closer to the side extension of No. 30 at the rear of the site, the reduction in separation would not be prominent due to its location. The staggered building line would result in an increased separation of the majority of the upper ground floor level. On balance it is considered this would ensure the proposed building would have a comfortable relationship with No. 30.
- 6.10 The width of the proposed dwelling would be slightly greater than the approved house (which was 9.51m wide). At lower ground floor level, the width would be 10.75m (1.24m increase from the approved scheme). At upper ground floor level, the width would be 9.88m (0.37m increase). The increase in width would be mostly at lower ground floor level and so would not be prominent in the streetscene. Moreover it would be only marginally wider (0.6m) than the existing house.
- 6.11 The basement level is predominantly subterranean with the exception of the exposed lightwell. The previously approved basement had an internal floorspace of 80.5sqm. The proposed basement would be 50.6sqm larger with an internal floorspace of 131.1sqm.
- 6.12 The footprint of the basement would extend beyond the footprint of the proposed lower ground floor above. However, sufficient margins would be left between the site boundaries and the basement construction to enable natural processes to occur and for vegetation to grow naturally. There would be 1m of planting depth above the basement (where it extends beyond the footprint of the building) to enable garden planting and to mitigate the effect on infiltration capacity. The 3m margin to the north of the basement would be wide enough to sustain the growth and mature development of the characteristic tree species and vegetation of the area (a replacement tree would be planted in this margin).
- 6.13 The proposed building would have large areas of glazing and would be rendered with timber cladding and screenings. Sample panels would be required by condition to ensure the acceptability of the specific colour and quality of these elements. The design is considered to be of high quality and would enhance the conservation area to an appreciably greater extent than the existing building. It

would therefore be in accordance with policies CS14, DP24 and DP25 of the LDF.

6.14 Basement impact

- 6.15 The footprint of the basement would be approximately 176sqm. The basement would be single storey and the depth of the basement would be 4.48m below ground level. In accordance with policy DP27 (Basements and Lightwells), the applicant has submitted a basement impact assessment (BIA). The BIA has been independently assessed by Campbell Reith. The audit has noted the comments from adjoining occupiers regarding the basement and accepts that there are no significant residual impacts with respect to slope instability, surface water or subterranean flows. The BIA confirmed that some of the queries which arose during the audit process would be finalised within a basement construction plan (BCP).
- 6.16 Building damage to 30 Thurlow Road (the closest property to the excavation) has been assessed as Category 1 (Very Slight) for the main building and Category 1 to 2 (Very Slight to Slight) for the extension immediately adjacent to the new basement. As ground movements are largely dictated by the construction sequence and programme, it is considered that the GMA and building damage category assessment should be reviewed when pile design and basement excavation levels have been finalised and the final assessments included within the BCP.
- 6.17 Subject to the provision of a BCP, the audit concluded the revised BIA and supporting documents adequately identified the impacts from the basement proposals and provided sufficient mitigation where required. The BCP would be secured as part of the section 106 legal agreement
- 6.18 As the basement would be close to the public highway (approximately 1.78m), the Council's Highway Department require an approval in principle (AIP) to ensure the basement would not damage the footpath and road. The fee for this would be £1800 (£1500 + VAT) and the AIP would be secured by legal agreement.

6.19 Quality of residential proposed accommodation

- 6.20 The national and Camden's own space standards provide guidance on the floorspace and internal arrangements for all housing tenures. Development should provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms. With regard to daylight all habitable rooms should have access to natural daylight.
- 6.21 The application is for a four-bedroom self-contained dwelling. The house would adhere to both local and national space standards to provide an acceptable standard of accommodation with an overall floorspace of approximately 300sqm. Due to the large glazed front façade and sunken garden void, there would be sufficient light and outlook to the bedrooms at basement level. The house would benefit from adequate natural daylight and sunlight, outlook and have adequate amenity space.

- 6.22 As such, the proposal is considered to provide a good level of amenity for future occupiers and would comply with policies CS5 and DP26 of the LDF and Camden Planning Guidance.
- 6.23 **Residential amenity**
- 6.24 The proposed building would retain a very similar footprint to the existing building. As noted above the proposed building would be 0.84m higher than the roof ridge of the existing house and would be slightly closer (0.5m closer) to the neighbouring property 30 Thurlow Road.
- 6.25 The applicant has provided a daylight and sunlight report which assess the impact on the development on neighbouring properties. Two windows at lower ground floor (serving a bedroom) and a window at upper ground floor of 30 Thurlow Road have been assessed. The remaining windows on the flank elevation serve non-habitable rooms and were therefore excluded from analysis. All the windows of the existing building assessed currently receive below 27% vertical sky component (VSC). In such instances, BRE states an adverse effect would only occur if the proposed VSC is less than 80% of the former value. There is no change in VSC in three out of the four windows and the lower ground floor window would not be less than 80% its former value. Therefore BRE indicates there would be no adverse effect on daylight. The windows within 30 Thurlow Road (facing the site) are all within 90 degrees of north and so in respect of sunlight they would not be affected by the development. In regards to 41 Rosslyn Hill, there is no change in sunlight values from the existing to proposed conditions. As a result, all windows achieve BRE criteria and there would be no adverse effect.
- 6.26 The proposed windows on the north east elevation of the building face towards windows on the side of 41 Rosslyn Hill. The distance between these facing windows is relatively small (approximately 12m). The upper ground floor windows would be obscured glazed and non-opening. The existing property has 2 large windows on the north east elevation at ground floor level. Whilst the lower ground floor windows would be larger than these existing windows the degree of overlooking would be significantly reduced by the proposed 1.75m privacy screen at this level which would be parallel to the boundary. The privacy screen and obscure glazing would be secured by condition to ensure they are implemented before the building is occupied and retained thereafter. Therefore with these measures in place there would be no harmful loss of privacy to the occupiers of 41 Rosslyn Hill.
- 6.27 Concerns have been raised from neighbouring occupiers regarding noise, dust and vibrations as a result of the construction. Noise from construction works are controlled under separate legislation. Building works that can be heard at the boundary of the site should only take place during the hours enforced by Environmental Health which is between 8am and 6pm Mondays to Fridays, between 8am and 1pm on Saturdays and not at all on Sundays, Bank and Public holidays. A standard informative is recommended to be added to the decision notice to remind the applicant of these restrictions. As outlined in paragraph 6.37 a Construction Management Plan is also recommended to be secured via S106 Legal Agreement.

6.28 **Transport**

6.29 The site has a Public Transport Accessibility Level of Level 4 and is located within a Controlled Parking Zone (CPZ). The site currently has one parking space and one parking space is proposed for the new dwellinghouse. Camden Planning Guidance (CPG7 - Transport) advises that existing parking rights can normally be retained on development sites, where it can be demonstrated that existing occupiers are to return to the address when it is completed. In this case the existing owners of the site are returning and it is considered that the retention of a single parking space is acceptable.

6.30 Cycle parking

6.31 In line with the Council's cycle parking standards and the London Plan, a residential unit of this size is required to provide 2 cycle parking spaces. Two covered cycle spaces would be provided adjacent to the entrance to the property. It is recommended that the provision of the cycle parking should be secured by condition.

6.32 **Trees / green roof**

6.33 The proposal involves the removal of a protected Cherry tree in the front garden in order to regrade the lawn to provide a terrace area down to the basement. There is a row of Limes within the street and two large Pear trees within the garden to the rear which provide a high level of visual amenity within this part of the conservation area.

6.34 The Applicant has submitted an arboricultural survey and method statement identifying the protection of all trees to be retained and the likely impact of the proposed development on existing and new trees. The removal of the protected Cherry tree was accepted by the previous application (2013/1613/P) on the basis of the quality of the tree and the proposed re-provision of a replacement tree in a similar location. This application proposes a replacement in the northwest corner of the site, close to the front boundary. A condition is recommended to require details of the tree to be submitted and planted. .

6.35 A Council Tree Officer considers the arboricultural method statement is sufficient to demonstrate that the tree protection methods proposed are sufficient. The arboricultural report is considered an accurate representation of onsite conditions and provides a fair assessment of the Cherry tree. The footprint of the basement has been reduced during the application to ensure the development would have little impact on the street trees.

6.36 The provision of a green roof is welcomed. In accordance with policy CS15 a bio-diverse green roof is recommended to increase bio-diversity. Details of the bio-diverse roof would be secured by condition.

6.37 **Construction management**

6.38 Local residents have raised concerns regarding the safety of construction. It is recognised that certain sites have the potential to harm local transport conditions and the amenity of local residents, as such it is suggested that the applicants submit a Construction Management Plan (CMP). The CMP would outline how construction work will be carried out and how this work will be serviced (e.g. delivery of materials, set down and collection of skips), with the objective of minimising traffic disruption, avoiding dangerous situations and minimising the impact on local amenity. It would cover both the demolition and construction phases of development.

6.39 It is recommended that a CMP be submitted and approved before any works start on site, and approval should be secured via a Section 106 planning obligation.

6.40 **Sustainability**

6.41 The Council requires development to incorporate sustainable design and construction measures (policy DP22). Any new residential development is expected to achieve a 19% reduction in carbon emissions from 2013 building regulations. The Council also expects developments to achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation.

6.42 The applicant has submitted a 'Sustainable Design and Construction' statement. Energy demand would be reduced by selecting lower u-values for all elements than those required by building regulations and by increasing air tightness. The submitted statement indicates the best option would be the use of an Air Source Heat Pump, which would meet both of Camden's CO2 reduction targets.

6.43 Other on-site renewable energy sources (biomass heating, solar thermal, ground source heat pumps, solar photovoltaics and CHP) were considered but would not be practicable for this development. For example solar PVs and solar thermal would not be feasible due to overshadowing from No.30 Thurlow Road and the surrounding trees.

6.44 The implementation of the sustainability measures, as set out in the 'Sustainable Design and Construction' statement, would be secured by legal agreement.

6.45 All new build dwellings are required to achieve 110 litres, per person, per day (including 5 litres for external water use). To ensure this is achieved a condition is recommended.

6.46 **Sustainable Urban Drainage**

6.47 The Council requires developments to reduce the pressure on the combined sewer network and the risk of flooding by sustainable urban drainage systems (SUDS). The volume and rate of run-off from heavy rainfall can be reduced through the use of SUDS including green and brown roofs, pervious paving and detention ponds or tanks. SuDS strategies should be designed in accordance with NPPF policy (and written Ministerial Statement) and London Plan policy 5.13 SuDS hierarchy to reduce run off rates to greenfield rates. Where reasonably practicable, run off

volumes should be constrained to greenfield run off volumes for the 1 in 100 year 6 hour event.

6.48 No specific details for the SUDs strategy are provided but the Code for Sustainable Homes pre-assessment assumes that sufficient space would be available to provide retention of water at low rain fall events. In addition all the hardstanding would be permeable to prevent immediate run-off to storm water drains.

6.49 A condition is recommended to ensure SUDs measures which ensure a 50% reduction in the run-off rate, with an allowance for climate change, for all events up to and including the 1:100 year storm event is achieved.

6.50 **Mayor of London's Crossrail CIL and Camden's CIL**

6.51 The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of a new dwelling. The CIL would be calculated on the uplift in floorspace (232sqm). Based on the Mayor's CIL and Camden's CIL charging schedules and the information given on the plans the charge is likely to be £11,600 (232sqm x £50) for Mayoral CIL and £116,000 (232sqm x £500) for Camden's CIL (Zone C Residential). It is noted that the applicant has submitted a self-build exemption form. The applicant is required to seek formal agreement to their claim for relief from Camden's CIL team before starting work on site (as relief cannot be granted once works have commenced). The exemption would be assessed by the CIL team at that stage. Notwithstanding this an informative will be attached advising the applicant of the CIL requirement.

7. **CONCLUSION**

7.1 The existing building does not make a positive contribution to the Conservation Area and therefore its loss is considered acceptable. Whilst the proposed house would be 0.84m higher than the roof ridge of the existing house the increase in height would still preserve the view through to the trees at the rear of the site. The design is considered to be of high quality and would enhance the conservation area to an appreciably greater extent than the existing building. No harm is considered to occur to residential amenity as a result of the proposal.

7.2 The impact of the basement extension has been assessed by qualified civil and structural engineers and reviewed by Council Officers. No significant harmful impact is anticipated to occur as a result of the basement construction. A basement construction plan would be secured by legal agreement.

7.3 A Construction Management Plan, secured by a Section 106 Agreement, will ensure that the proposal can be implemented without undue harm to the amenity of local residents or the local transport system.

7.4 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

1. Construction Management Plan
2. Basement Construction Plan

3. Sustainability
4. Energy efficiency plan
5. Highways Contribution
6. Approval in principle £1800

8. LEGAL COMMENT

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; 1503-L-: 011; 014; 015; 016; 017; 018; 019; 020; 021; 111B; 113C; 114C; 115B; 117A; 120A; 029A; 112D; 116D; 119D;

Arboricultural impact analysis prepared by Skerratt dated 15/08/15; Arboricultural method statement prepared by Skerratt dated 15/08/15; Planning statement prepared by Square Feet Architects dated September 2015; Sustainable design and construction prepared by Planning for Sustainability dated August 2015; Letter from Square Feet Architects dated 14/12/15; Basement Impact Assessment prepared by LBH Wembley dated December 2015; Geotechnical, Hydrogeological and Ground Movement Assessment prepared by LBH Wembley dated December 2015; BIA audit tracker (response to queries); Daylight and Sunlight Report prepared by BVP dated November 2015.

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

- 4 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 including typical sections at 1:10 of windows to be submitted to local planning authority and typical sample of frame to be provided on site

b) Manufacturer's specification details of all facing materials including render and timber cladding (to be submitted to the Local Planning Authority) and 0.4m x 0.4m samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The cycle store for 2 cycles hereby approved shall be provided in its entirety prior to the first occupation of the new dwelling, and permanently 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 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 in accordance with the approved protection details.

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.

- 7 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

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 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 Sustainable urban drainage:

A) Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be designed to accommodate all storms up to and including a 1:100 year storm with a 30% provision for climate change, and shall demonstrate that greenfield run off rates (5l/s) will be achieved.

B) Prior to occupation of the development, evidence that the sustainable drainage system has been implemented shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system 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.

9 Prior to the first occupation of the building a plan showing details of the bio-diverse 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.

10 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

11 No impact piling until a piling method statement, prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works, has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in

accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy.

- 12 A 1.75metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected at lower ground floor level prior to the occupation of the development and shall be permanently retained.

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 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) 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.

- 14 The development hereby approved shall incorporate sustainable design principles and climate change adaptation measures into the design and construction of the development in accordance with the approved sustainability statement (Sustainable Design and Construction prepared by Planning for Sustainability dated August 2015). Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

- 15 The development hereby approved shall be constructed in accordance with the approved energy statement (Sustainable Design and Construction prepared by Planning for Sustainability dated August 2015) to achieve a 35% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy, and a 20% reduction in carbon dioxide emissions through renewable technologies. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

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 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £11,600 (232sqm x £50) for the Mayor's CIL and £116,000 (232sqm x £500) for Camden's CIL (Zone C Residential). It is noted that the applicant has submitted a self-build exemption form. The applicant is required to seek formal agreement to their claim for relief from Camden's CIL team before starting work on site (as relief cannot be granted once works have commenced).

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 4 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.

- 5 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.