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1 Thane Villas  
London  
N7 7PH

Application Ref: **2016/4171/P**  
Please ask for: **Tessa Craig**  
Telephone: 020 7974 **6750**

12 October 2016

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:  
**3 Whitcher Place**  
**London**  
**NW1 9JD**

Proposal: Demolition of existing single storey dwelling in rear garden of 3 Rochester Road and erection of new two storey dwellinghouse at 3 Whitcher Place.

Drawing Nos: Planning Statement July 27 2016, Sustainable Design and Construction Statement, Energy Strategy Report, Code: 402 Glazing Vision Fixed Flushglaze Rooflight (Double Glazed), THERMOMAX HP400, PUAZ-(H)W50-140VHA(2)/YHA2(-BS), VBHN245SJ25 / VBHN240SJ25, P-01, P-01a, P-02, P-03, P-04, P-05, P-05A, P-06, S-01, S-02, S-03, S-04, L-01, 200.Bwk.H001 edition 2, 200.Bwk.J001 edition 2 and 200.bwk.C001 edition 3.

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:

Planning Statement July 27 2016, Sustainable Design and Construction Statement, Energy Strategy Report, Code: 402 Glazing Vision Fixed Flushglaze Rooflight (Double Glazed), THERMOMAX HP400, PUHZ-(H)W50-140VHA(2)/YHA2(-BS), VBHN245SJ25 / VBHN240SJ25, P-01, P-01a, P-02, P-03, P-04, P-05, P-05A, P-06, S-01, S-02, S-03, S-04, L-01, 200.Bwk.H001 edition 2, 200.Bwk.J001 edition 2 and 200.bwk.C001 edition 3.

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

- 3 Prior to occupation of the development, evidence demonstrating that the following measures have been incorporated into the development, shall be submitted and approved in writing by the Local Planning Authority:

a) The sustainable design principles and climate change adaptation measures as set out in the approved sustainability statement (Sustainable Design and Construction Statement);

b) A 69% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy and a 64.1% reduction in carbon dioxide emissions through renewable technologies, as set out in the approved energy statement [Energy Strategy Report, by Mark Sheehan Building Consultancy, sent on 19th September];

c) Measures to ensure a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use.

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) and DP23 (Water).

- 4 Manufacturers details, 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) A sample panel of brickwork no less than 1m by 1m demonstrating the proposed colour, texture and bond;

b) Manufacturer's specification details of all facing materials and samples of those materials to be provided on site.

The samples shall be erected on site and retained for the duration of the works.

The relevant part of the works shall be carried out 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 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The roof of the approved dwellinghouse shall not be used as a roof terrace without prior consent in writing from the Local Planning Authority.

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.

- 6 The proposed dwelling, as indicated on plan numbers P-01, P-01a, P-02, P-03, P-04, P-05, P-05A, P-06, hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

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 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.

- 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 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:

The existing single storey brick building which is currently used as a single dwellinghouse shall be demolished. The building is not a positive contributor to the

conservation area in which it is located and is only visible from dwellings along Rochester Road and from a private road. The demolition is considered acceptable in this instance, subject to the replacement building preserving or enhancing the CA.

Whilst no planning history for the building exists, the property has been used as a dwellinghouse since at least 1989 and therefore the residential use at the site has already been established.

It is evident from the layout of the wider site that the historic pattern of rear gardens has been eroded. The context of the site, when viewed from Whitcher Place, is not perceived as simply being developed garden plots. Either side of the site there are large carparks which are part of the University development to the east of the site. In 2009 planning permission was granted for development of these carpark sites for similar two storey residential accommodation for students; however this permission has now lapsed. It is therefore considered that the principle of development of the site above the existing single storey structure is acceptable.

A garden of 44.25sqm shall be created for the subject flat, leaving a garden of 90sqm for 3 Rochester Road. The existing garden space is already informally split between the two properties and the revised layout is consistent with the next two properties on either side of 3 Rochester Road.

The scale of the development is consistent with the mews properties on Rochester Mews, the three storey brick properties along Rochester Road and the University accommodation at the rear of the site. The proposed building shall be constructed from sympathetic brick with aluminium framed windows (details shall be secured through condition of consent). The applicant has stated that they intend to use reclaimed bricks from the site, where possible. The proposed design would be an enhancement to the character and appearance of the conservation area.

The building shall provide a four bedroom dwelling over two storeys replacing the existing single storey open plan studio dwellinghouse. DP5 identifies four bedroom dwellings as a medium priority and one bedroom/studio as low priority, therefore the proposal is supported in this regard, providing a family sized dwellinghouse. The proposal would include adequate outdoor space, outlook and room sizes and the quality of accommodation is considered satisfactory.

There would be over 30m between the proposed dwelling and the nearest residential windows. Therefore the development is considered to be acceptable both in terms of privacy and overshadowing.

## 2 Reasons for granting permission (continued):

Two secure cycle spaces shall be provided internally. Given the property is on private land and there is adequate space in a vicinity to manage the construction arrangements, a Construction Management Plan is not required. The existing occupants would return to live in the new dwelling and already have a car parking permit, therefore car-capping or car-free s106 shall not be imposed. No trees are to be removed as part of the development. Details of hard and soft landscaping shall

be secured by condition.

Evidence that the development has been built in accordance with the energy and sustainability statement shall be submitted prior to occupation. A condition has been added requiring a maximum internal water use and Part M4 Building Regulations compliance.

Considerable importance and weight has been attached and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Neighbouring occupiers were consulted on the application. A site notice was displayed and a press notice advertised. No objections have been received prior to making this decision. The site's planning history was taken into account in coming to this decision.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 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 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)

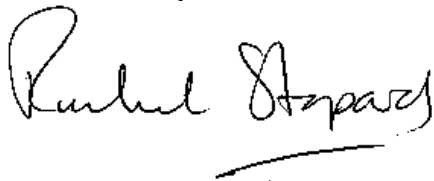
- 6 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.

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  
Executive Director Supporting Communities