

Mr Dean Jordan  
DP9 Ltd  
100 Pall Mall  
SW1Y 5NQ

Application Ref: **2016/4116/P**  
Please ask for: **Seonaid Carr**  
Telephone: 020 7974 **2766**

4 October 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:

**48 - 56 Bayham Place  
London  
NW1 0EU**

Proposal:

Erection of a part single, part double roof extension to provide 4 self contained units (1 x studio and 3 x 2 bed)(Class C3), two rear extensions at first and second floor level and associated external alterations.

Drawing Nos: PL-E-0000 Rev PL-E-00, PL-E-0101 Rev PL-E-00, PL-E-0102 Rev PL-E-00, PL-E-0103 Rev PL-E-00, PL-E-0106 Rev PL-E-00, PL-E-0200 Rev PL-E-00, PL-E-0300 Rev PL-E-00, PL-E-0301 Rev PL-E-00, PL-E-0302 Rev PL-E-00, PL-E-0303 Rev PL-E-00, PL0101 Rev PL-00, PL-0102 Rev PL-00, PL-0103 Rev PL-00, PL-0104 Rev PL-00, PL-0105 Rev PL-00, PL-0106 Rev PL-00, PL0200 Rev PL-00, PL0201 Rev PL-00, PL0202 Rev PL-00, PL0203 Rev PL-00, PL0300 Rev PL-00, Environmental Noise Survey and Assessment Report by Hann Tucker Associates dated 6th July 2016, Daylight, Sunlight and Overshadowing Report by Point Surveyors dated June 2016 and Sustainability Statement including Energy Strategy revision 6 by Battle McCarthy dated 30 June 2016.

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: PL-E-0000 Rev PL-E-00, PL-E-0101 Rev PL-E-00, PL-E-0102 Rev PL-E-00, PL-E-0103 Rev PL-E-00, PL-E-0106 Rev PL-E-00, PL-E-0200 Rev PL-E-00, PL-E-0300 Rev PL-E-00, PL-E-0301 Rev PL-E-00, PL-E-0302 Rev PL-E-00, PL-E-0303 Rev PL-E-00, PL0101 Rev PL-00, PL-0102 Rev PL-00, PL-0103 Rev PL-00, PL-0104 Rev PL-00, PL-0105 Rev PL-00, PL-0106 Rev PL-00, PL0200 Rev PL-00, PL0201 Rev PL-00, PL0202 Rev PL-00, PL0203 Rev PL-00, PL0300 Rev PL-00, Environmental Noise Survey and Assessment Report by Hann Tucker Associates dated 6th July 2016, Daylight, Sunlight and Overshadowing Report by Point Surveyors dated June 2016 and Sustainability Statement including Energy Strategy revision 6 by Battle McCarthy dated 30 June 2016.

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

- 3 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Detailed drawings, 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 window and door openings to the new roof extension.

- b) Samples and manufacturer's details of new facing materials for the roof extension

- c) Typical section details through the roof extension at a scale of 1:20

The relevant part of the works shall then be carried in accordance with the approved details

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to occupation of the hereby approved units, the cycle storage as annotated on plan No.PL-0101 Rev PL-00 shall be provided in its entirety 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 The development hereby approved shall achieve a maximum internal water use of 110 litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.

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 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

- 7 The noise level within rooms of the hereby approved development (with windows closed and acoustically attenuated mechanical ventilation fitted as necessary) shall meet the noise levels specified in Table 4 of BS823:2014 for internal rooms.

Reason: To ensure that the amenity of future occupiers of the development site 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 of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation values  $D_{nT,w}$  and  $L_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor, ceiling and wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of future occupiers of the development site 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 external noise level emitted from plant, machinery or equipment at the development hereby approved 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) where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of the development site, 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.

- 10 Prior to use, machinery, plant or equipment and/or ventilation system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To safeguard the amenities of the development site, 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.

- 11 Prior to first occupation of the building, detailed plans showing the location and extent of photovoltaic cells to be installed on the extension hereby approved shall be submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission.

The proposed design would enhance the appearance of the main facades by reintroducing winch hoists and spandrel panels and improving the existing brickwork. The existing building is of sufficient scale and robustness to

accommodation the proposed extensions seen in the context of the larger scale building to west and the contemporary industrial design responds positively the character and appearance of the building and vibrant character of Camden town more broadly.

The building is faces the rear service entrance to Koko (1A Camden High Street) which is of limited value to its significance. The physical separation and distance and location of the site is not considered to result in harm to the setting of the grade II listed building.

The development would provide 3x 2 bed units and 1x studio which would be in line with policy DP5. With regard to standard of accommodation, all units would exceed London Plan space standards and all rooms would be served by adequate windows to ensure suitable levels of daylight, sunlight and outlook. Furthermore, given the siting of the new units they would experience good levels of privacy. In respect of noise, located to the south on the opposite side of Bayham Place is Koko nightclub at 1A Camden High Street. The applicant has provided an Acoustic Report which has been reviewed by the Councils Environmental Health officer. The report has considered the worst case scenario for noise at the neighbouring late night venue and the Council's Environmental Health officer considers the development acceptable subject to conditions to protect future occupiers amenity.

With regard to impact on neighbour amenity, given the siting of the proposal and location of windows in respect of neighbouring buildings it is considered that there would be no harm to the amenity of neighbouring residents.

In respect of transport, a Section 106 legal agreement will be used to secure the development as car free, cycle parking has been provided internally at a standard acceptable to the Council's requirements. Given the constraints of the site a Construction Management Plan together with monitoring fee will be secured via Section 106 legal agreement to mitigate the impact of the construction works and a highways contribution will also be secured via a Section 106 legal agreement to make good any damaged caused as a result of the development.

In respect of sustainability, the applicant has provided a Sustainability Statement outlining how the proposal would accord with the relevant policies to provide a sustainable form of development. Conditions will also be used to secure sustainable design and construction.

No objections have been received and one letter of support has been received and duly taken into account prior to making this decision. The sites planning history and relevant appeal decisions were taken into account when coming to this decision.

The building is within the Camden Town Conservation Area and close to the setting of a grade II listed building. Special regard has been attached to the desirability of preserving the setting of the listed building and preserving and enhancing the character and appearance of the Conservation Area under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS4, CS5, CS6, CS11, CS13, CS14 and CWS18 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP16, DP17, DP18, DP19, DP20, DP22, DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 2 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).
- 3 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.
- 4 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.

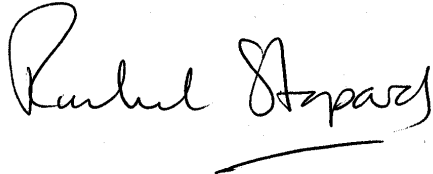
Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

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 'Rachel Stopard', with a horizontal line underneath the name.

Rachel Stopard  
Executive Director Supporting Communities