

Delegated Report		Analysis sheet	Expiry Date:	27/04/2016
		N/A / attached	Consultation Expiry Date:	05/05/2016
Officer		Application Number(s)		
Fergus Freaney		1) 2016/1176/P 2) 2016/1177/P 3) 2016/1178/P 4) 2016/1180/P 5) 2016/2040/P		
Application Address		Drawing Numbers		
21 South Hampstead Synagogue Eton Villas London NW3 4SG		See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
<p>1) Variation of condition 5 (Details of hard and soft landscaping) of application dated 28/01/2016 (ref: 2013/7887/P) for erection of a synagogue. To vary wording of condition to allow for details of landscaping to be submitted after site clearance and demolition.</p> <p>2) Variation of condition 11 (Details of waste storage and removal) of application dated 28/01/2016 (ref: 2013/7887/P) for erection of a synagogue. To vary wording of condition to allow for details of waste storage and removal to be submitted after site clearance and demolition.</p> <p>3) Variation of condition 12 (Details of cycle storage) of application dated 28/01/2016 (ref: 2013/7887/P) for erection of a synagogue. To vary wording of condition to allow for details of storage to be submitted after site clearance and demolition.</p> <p>4) Variation of condition 14 (Details of drainage system) of application dated 28/01/2016 (ref: 2013/7887/P) for erection of a synagogue. To vary wording of condition to allow for details of drainage system to be submitted after site clearance and demolition.</p> <p>5) Variation of condition 17 (Details of electric vehicle charging point) of application dated 28/01/2016 (ref: 2013/7887/P) for erection of a synagogue. To vary wording of condition to allow for details of charging point to be submitted after site clearance and demolition.</p>				
Recommendation(s):		Grant Variation of Condition		
Application Type:		Variation or Removal of Condition(s)		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	33	No. of responses	05	No. of objections	05
Summary of consultation responses:	<p data-bbox="422 430 979 499">Site notice: 31/03/2016 – 21/04/2016 Press notice: 30/03/2016 – 20/04/2016</p> <p data-bbox="422 539 823 573"><u>Objection from 5 Eton Villas</u></p> <ul data-bbox="472 613 1517 976" style="list-style-type: none"> - Details of the hard and soft landscaping and means of enclosure of all un-built, open areas and earthworks, mounds etc. are very important to secure and ensure a high quality of landscaping which contributes to the visual amenity and character of the conservation area (CS14 and CS15 of Camden’s Local Development Framework Core Strategy and DP24 d) f) and g) of its Development Policies). As stated in para 24.22 of LDFD hard and soft landscaping plays a significant role in defining the character and attractiveness of a site, re-enforcing its local distinctiveness, soften the impact of the new building and contribute to the biodiversity of the site. <p data-bbox="422 1016 1075 1050">Officer Comment: Please see paras 3.0-3.6</p> <ul data-bbox="472 1126 1509 1453" style="list-style-type: none"> - To demolish the building and then submit details for approval may force an unacceptable compromise on residents to the detriment of the appearance of the area, resident’s amenity and the biodiversity of the site. Already the developer has indicated in the Draft Basement Construction Plan (appendix A) that there will be no soft landscaping proposed. Details of the remaining landscaping, boundary treatment and what will remain of the open areas following construction of the new building are therefore critical to the integration of the redeveloped site and building into its surroundings. <p data-bbox="422 1494 1075 1527">Officer Comment: Please see paras 6.0-6.5</p> <p data-bbox="422 1568 788 1601"><u>Cllr Alison Kelly objection</u></p> <p data-bbox="422 1641 1501 1818">The developer is seeking to vary the terms of planning permission granted for the new South Hampstead Synagogue. I object to the latest applications - C 5, 11, 12, 14, and 17. They seek to delay or vary the wording to enable demolition to go ahead without providing the details sought by the conditions.</p> <p data-bbox="422 1859 1517 2038">The applications propose that Camden gives the go-ahead for the demolition of the existing building, while parts of the design for the new one are delayed because the developer intends to change them. Camden is being asked to allow work to start on site without it being clear what the new building, and landscaping, when completed, will comprehensively look like.</p> <p data-bbox="422 2078 1517 2145">My key objection is that the applications desire ‘that site clearance and demolition of the existing building can go ahead before the details are known</p>					

and approved by the Council.' This is contrary to the Council's own policies and guidance for development in conservation areas.

The proposed forecourt contains a number of elements including hard and soft landscaping, a security building, waste storage, car spaces, a charging point for electrical vehicles, secure and covered cycle parking for 30 cycles. It is also required to fulfil a number of functions including on-site deliveries and servicing in addition to disability and general parking for 4 cars and access and egress for members of the synagogue.

It is critical therefore that the final appearance of the only external space around the building that faces the neighbourhood, its relationship with the surrounding listed buildings and the semi-rural character of the conservation area is detailed and approved before demolition takes place.

Officer comment: The principle of site redevelopment has been established, as has the principle of accepting these details after the main approval has been granted. It is not considered that varying the wording of the condition to allow for them to be submitted after demolition will result in a materially different scheme to what has been approved, nor will there be any lessening of the council's ability to assess these details in the usual way. Further details can be found in the assessment below.

Eton CAAC Objection:

Eton CAAC is extremely concerned about the developer's recent applications which seek to vary the terms of planning permission granted for the new South Hampstead Synagogue.

The applications propose that Camden gives the go-ahead for the demolition of the existing building, while parts of the design for the new one are delayed because the developer intends to change them. In other words these applications want parts of the new design, in effect, to be left pending. Camden is being asked to allow work to start on site without anyone knowing what the new building, and landscaping, when completed, will comprehensively look like.

If these applications are given approval, a seriously worrying number of issues will simply be left open at a stage in the process when they should have been finalised. There is already reason for thinking that the proposed soft landscaping will no longer be a part of the design. This would suggest that an altogether harder, less sympathetic approach to the site could be under way.

When built, the new synagogue will be a large building on a small site. It will press upon the limits of the site – everything about this project will be very close and visible to all around. So attention to the matters that these applications are about is of particular importance. The protection of trees during both demolition and construction; the landscaping; the provision for 30 bicycles; the security building, and the arrangements for waste disposal, all these things will determine how this building is able to accommodate itself to this part of the conservation area.

Eton CAAC and the CWG want to see what the fully detailed exterior of the building, and the landscaping, will look like on completion - before any work is started. Uncertainty here is proper reason for serious concern. These applications should not be allowed.

Officer comment: The principle of site redevelopment has been established, as has the principle of accepting these details after the main approval has been granted. It is not considered that varying the wording of the condition to allow for them to be submitted after demolition will result in a materially different scheme to what has been approved, nor will there be any lessening of the council's ability to assess these details in the usual way. Further details can be found in the assessment below.

**CAAC/Local groups*
comments:**

*Please Specify

Site Description

The site is rectangular in shape and bounded by Eton Villas to the north east and Eton Road to the south east. The site's direct neighbours include 23 Eton Villas, a two storey detached house sited directly to the north west of the site and Provost Court, a 7 storey residential building, which lies directly adjacent to the site to the south west. Opposite the site, along Eton Villas, lie large 2 – 3 storey semi-detached villas. St Saviour's Church lies opposite the site to the south, across Eton Road.

The existing synagogue occupies the majority of the site. It is set back from Eton Road where a forecourt area provides parking and stepped access to the synagogue. The main pedestrian access is off Eton Villas and a further disabled access point can be found at the end of the building, off Eton Villas.

The building height is approximately the equivalent of 4 residential storeys fronting onto Eton Road and this reduces to approximately 2.5 residential storeys adjacent to 23 Eton Villas, due to a change in land levels. There is an existing basement area at the front of the site.

The site lies within the Eton Conservation Area and there are a number of Listed Buildings within close proximity to the site including St Saviours Church (Grade II* Listed), Nos 1 – 9 and 13 – 20 Eton Villas (Grade II Listed).

Relevant History

2013/7887/P - Erection of a synagogue comprising 4 storeys plus basement, following demolition of existing synagogue (Use Class D1). *Granted 28/01/2016*

Relevant policies

LDF Core Strategy and Development Policies

- CS1 – distribution of growth
- CS3 – other highly accessible areas
- CS5 – managing impact of growth
- CS6 – providing quality homes
- CS10 – supporting community facilities and services
- CS11- sustainable travel
- CS13 – tackling climate change
- CS14 – high quality places and conserving heritage
- CS15 – parks, open spaces and biodiversity
- CS16 – health and wellbeing
- CS17 – safer places
- CS18 – waste and recycling
- CS19 – delivering and monitoring the Core Strategy DP2 – making full use of housing capacity
- DP5 – homes of different sizes
- DP6 - lifetime homes and wheelchair homes
- DP15 – community and leisure uses
- DP16 – transport implications of development
- DP17- walking, cycling and public transport
- DP18 – parking standards
- DP19 – managing the impact of parking
- DP20 – movement of goods and materials
- DP21 - highway network
- DP22 – promoting sustainable design and construction
- DP23 - water
- DP24 – high quality design
- DP25 – conserving Camden's heritage
- DP26 – impact on occupiers and neighbours
- DP27 - basements

DP28 – noise and vibration
DP29 – improving access
DP31 – open space and outdoor recreation
DP32 – air quality and clear zone

Assessment

1. Proposal:

1.1. Following the approval to redevelop the site to construct a new synagogue (see planning history above) permission is sought to vary the wording of various pre-commencement conditions to allow for details to be submitted after demolition and site clearance works have been carried out on site.

2. Assessment:

3. Condition 5

3.1. Condition 5 currently states:

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.

3.2. It is proposed to change the wording to:

Prior to construction, 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

3.3. The principle of demolition and substantial redevelopment of the site has been established under the parent application (see planning history above). This involves remodelling of the forecourt fronting Eton Road to include car parking, cycle spaces, bin storage, planters, pond and paving.

3.4. It is recognised that at planning stage the final landscaping plans may only be indicative, hence a condition requiring full details of hard/soft landscaping is commonly applied to applications of this nature.

3.5. As the general principle of remodelling the landscape has been approved, it is not considered that there would be any material impact on the scheme were these details to be submitted after demolition and site clearance, but prior to construction.

3.6. The details would still be fully assessed in the same way and would need to comply with policy and guidance. The effect on neighbouring amenity and sustainability will be considered; and any impacts can be addressed at this stage.

4. Condition 11

4.1. Condition 11 currently states:

Before the development commences details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the

first occupation of any of the new units and permanently retained thereafter.

4.2. It is proposed to change the wording to:

Prior to construction, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

4.3. The above waste condition has been added to ensure that waste handling and removal can be managed in acceptable way upon completion of the scheme.

4.4. The principle of demolishing the existing building and erecting an enlarged synagogue has been established under the parent application.

4.5. There would be no material change to the proposal by varying the wording to allow for details of waste handling and storage to be submitted after demolition and site clearance but prior to construction. The details would be subject to the same consideration and assessment, they will also be subject to further public consultation; any issues could still be addressed at this stage should they arise.

5. Condition 12

5.1. Condition 12 currently states:

Before the development commences, details of secure and covered cycle storage area for 30 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of the development and permanently retained thereafter.

5.2. It is proposed to change the wording to:

Prior to construction, details of secure cycle storage area for 30 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of the development and permanently retained thereafter.

5.3. The condition would be worded to allow for the details to be submitted after demolition and site clearance, it would also remove the requirement for the cycle storage to be covered.

5.4. The cycle storage is located at the front of the site, fronting Eton Road, given the constraints of the site it would not be possible to relocate it to a less visible location; it is considered that covered cycle parking would appear incongruous and out of keeping on the streetscene and would fail to preserve and enhance the conservation area, contrary to policy DP25.

5.5. The cycle parking would be predominantly used by short term visitors to the synagogue

6. Condition 14

6.1. Condition 14 currently states:

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 based on demonstrating 50% attenuation of all runoff. The system shall be implemented as part of the development and thereafter retained and maintained

6.2. It is proposed to change the wording to

Prior to construction, details of a sustainable urban drainage system shall be submitted to

and approved in writing by the local planning authority. Such system shall be based on demonstrating a minimum 50% attenuation of all runoff. The system shall be implemented as part of the development and thereafter retained and maintained

- 6.3. The wording would allow for drainage details to be submitted after demolition and site clearance, but has also made the requirement of 50% runoff a 'minimum' target. This is on the recommendation of Thames Water and the Council's Sustainability Officer. Developers should be aiming for 100% attenuation with 50% being the minimum and the condition now reflects this.
- 6.4. It is understood that at planning stage the drainage details may only be indicative, as such conditions requiring details be submitted at a later date are common place.
- 6.5. It is not considered that there would be any material difference to the scheme were drainage details submitted after demolition and site clearance; the council would still assess the scheme in the same manner and would base its decision on policy and guidance. Any issues could be addressed at this stage following public consultation.

7. Condition 17

7.1. Condition 17 currently states:

Before the development commences, details of 1 Electric Vehicle Charging Point shall be submitted to and approved by the local planning authority. The approved EVCP shall thereafter be provided in its entirety prior to the first occupation of the development and permanently retained thereafter.

7.2. It is proposed to change the wording to:

Prior to construction, details of 1 Electric Vehicle Charging Point shall be submitted to and approved by the local planning authority. The approved EVCP shall thereafter be provided in its entirety prior to the first occupation of the development and permanently retained thereafter.

- 7.3. The principle of 1x electric vehicle charging point has been established under the parent application. There would be no material difference to the proposal were details of the charging point submitted after demolition and site clearance but prior to construction.
- 7.4. Should there be any issues with location of the charging based on material planning matters there would be no impact on the ability to address these concerns at post construction stage as opposed to post demolition. The condition would still be subject to the same consideration and assessment and will also be subject to further public consultation.
- 7.5. There would be no impact on the amenity of local residents by varying the wording of the condition and the final outcome will remain the same.

8. Summary

- 8.1. The principle of site redevelopment has been established, as has the principle of accepting these details after the main approval has been granted. It is not considered that varying the wording of the condition to allow for the details to be submitted after demolition will result in a materially different scheme to what has been approved, nor will there be any lessening of the council's ability to assess these details in the usual way.

Recommendation: Grant Variation of Conditions