

Mr Robert Loader
Robert Loader Architect
30 Walkerscroft Mead
London
SE21 8LJ

Application Ref: **2016/5275/P**
Please ask for: **Tania Skelli-Yaoz**
Telephone: 020 7974 **6829**

24 January 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

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

Address:
Primrose Hill Primary School
36-40 Princess Road
London
NW1 8JL

Proposal: Variation of Condition 2 (Approved drawings) of planning permission granted under reference 2016/2321/P dated 19/08/16 for part conversion and rear extension of Caretaker's House and the main school building and alterations to rear playground level provisions and other associated internal and external works (Class use D1); namely for the relocation of the fire escape and removal of trees.

Drawing Nos: Superseded drawings:

PR112/L, PR313/H, PR322/G, PR432/G.

Drawings for approval:

[Prefix: PHPS/] PR112/K, PR313/K, PR322/K, PR_432/K.



The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 1 Condition 2 of the planning permission granted on 16th August 2016 under reference number 2016/2321/P shall be replaced by the following condition:

The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, [Prefix: PHPS/] (as proposed:) PR102/K, PR_302/K, PR242/G, PR112/L, 200/G, PR122/G, PR313/K, PR322/K, PR412/H, PR242/G, PR605/G, PR507/G, PR332/K, PR512/G, PR540/G and PR_432/K.

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

- 2 The development hereby permitted must be begun not later than the end of three years from the date of the original permission ref. 2016/2321/P granted on 19th August 2016 (and not this variation).

Reason: In order to comply with the provisions of Section 73 and 91 of the Town and Country Planning Act 1990 (as amended).

- 3 All windows to the Waterside Place elevation shall be installed as obscure glazed prior to commencement of use of the roof terrace 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.

- 4 Before the relevant part of the development commences:
(a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority; and
(b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority.
The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with 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.

5 *Construction Management Plan (CMP)

Prior to commencement of the development, including site clearance & preparation, relocation of services, utilities and public infrastructure and demolition, confirmation that the necessary measures to secure the necessary CMP for the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development has an acceptable impact on the adjacent highway and public safety in accordance with the requirements of policies CS5, CS11, CS17, CS19 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17, DP20 and DP21 of the London Borough of Camden Local Development Framework Development Policies.

6 *Need for a legal agreement

No works shall be commenced on site until such time as any owners of the land with the legal locus to enter into a Section 106 Agreement have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions 8 and 9 (and marked *).

Reason: In order to define the permission and to secure development in accordance with policy CS19 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.

8 Details of the secure and covered cycle storage area for 4x cycles shall be submitted to and approved by the local planning authority before commencement of this part of the development on site. The approved cycle storage facility shall be provided in its entirety prior to first occupation of any of the new units 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.

9 Full details in respect of the green roof in the area indicated on the approved raised roof plan shall be submitted to and approved by the local planning authority before

the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 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.

- 10 A 2.0 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the Waterside Place boundary elevation prior to commencement of use of the roof terrace 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.

- 11 Notwithstanding the approved drawings, details of the proposed treatment of the forecourt area, including land level changes, railings, landscaping, buggy store and ramp shall be submitted for approval by the local planning authority.

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.

Informatives:

- 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 The matters covered by Conditions 5 and 6 above (also marked with an *) are matters which would usually be incorporated into a Section 106 Agreement. On Council-own schemes because the Council cannot enter into an agreement with itself the usual practice would be for the permission to reference the Section 106 requirements for information. If the Council retains ownership of the application site although the reference to Section 106 requirements would not be legally binding they would act as a record of the requirements the Council as planning authority expects the Council as landowner to comply with. If the Council disposes of an interest in the Application Site the incoming owner will be required to enter into a Section 106 giving effect to those requirements which will then become a legally

binding document. This reflects the terms of planning condition 5 of the planning permission.

- 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 Noise and Licensing Enforcement Team, 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 Reasons for granting permission:

The proposed relocation of the fire escape nearer to the boundary with Waterside Place to the north would involve the removal of two cherry trees. Due to the stairs location and height, it would not significantly harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook or privacy as it would be similar to that existing. The relocation of the stairs would allow for increased play area and pedestrian flow within the school yard. The escape stairs would be accessed from the existing flat roof at the back of the caretakers' house which has extant permission to be converted into a terrace under planning permission ref. 2016/2321/P.

Whilst the development will have some impact in terms of the loss of trees, the loss has been assessed and it is considered that the trees proposed for removal are small specimens with low public visibility which are of minimal significance to the character of this part of the conservation area. It is considered that if trees are to be removed to facilitate development they should be replaced on site. The trees are not visible from the public realm and therefore their loss will not impact the character and appearance of the Primrose Hill conservation area.

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

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses and considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.66 and s.72 of the Planning (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 CS5, CS14 and CS15 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 policies 7.4, 7.6 and 7.8 of the London Plan 2016 and paragraphs 14, 17, 56-68 and 126-141 of the National Planning Policy Framework.

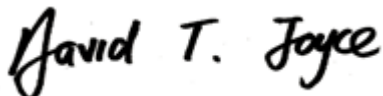
- 5 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 6 You are advised that details for Conditions 3 (Green roof), 4 (Cycle storage), 5 (Screen), 7 (land contamination) and 8 (Forecourt) of planning permission ref. 2016/2321/P granted on 16th August 2016 are currently under consideration. The highway works financial contributions (condition 9) were received and the condition is therefore no longer required.

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 that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Executive Director Supporting Communities