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57 Berkeley Square  
LONDON  
W1J 6ER

Application Ref: **2014/5527/P**  
Please ask for: **Seonaid Carr**  
Telephone: 020 7974 **2766**

25 March 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:

**Land at Midland Crescent  
Finchley Road  
London  
NW3 6NA**

Proposal:

Redevelopment of the site by the erection of a part 3, part 4 and part 5 storey building with a double level basement comprising flexible commercial space (Use Classes A1/A2/A3/A4/B1/D1 & D2) at lower basement and ground floor levels, 60 student bedrooms with communal kitchen, lounge and common room areas, and 9 residential dwellings (Class C3).

Drawing Nos: 2004-00-DR-0101 RevP01, 2004-00-DR-0108 RevP01, 2004-00-DR-0109 RevP01, 2004-00-DR-0110 RevP01, 2004-00-DR-0111 RevP01, 2004-00-DR-0112 RevP01, 2004-00-DR-0113 RevP01, 2004-00-DR-0114 RevP01, 2004-00-DR-0115 RevP01, 2004-00-DR-0401 RevP01, 2004-00-DR-0402 RevP01, 2004-00-DR-0403 RevP01, 2004-00-DR-0404 RevP01, 2004-00-DR-0405 RevP01, 2004-00-DR-0601 RevP01, 2004-00-DR-0602 RevP01, 2004-00-DR-0603 RevP01, 2004-00-DR-0604 RevP01, 2004-00-DR-0605 RevP01.

Supporting Documents: Air Quality Assessment by Ramboll dated August 2014, Phase I Geoenvironmental Report by Capita dated August 2014, Planning Brief for the Mechanical



and Electrical Services by The Kut Partnership Ref: RFB/CMW/6000/0 Rev A dated 26 August 2014, Daylight, Sunlight Report by Point Surveyors dated 20 August 2014, Ecological Impact Assessment by Capita dated August 2014, Energy Statement by Metropolis Green dated 20 August 2014, Sustainability Statement by Metropolis Green dated 15 August 2014, Midland Crescent Noise and Vibration Assessment by Aecom Environment dated August 2014, Transport Assessment by Tim Spencer & Co dated August 2014, Outline Site Waste Management Plan by Ramboll dated 07 November 2012, Obtrusive Light Lighting Report by Ramboll dated 11 June 2013, Student Accommodation Supply & Demand Report by Jones Lang LaSalle dated August 2014, Construction Environmental Management Plan by MAH Project Management dated August 2014 Rev C, Commercial Space Overview by Stadium Capital Holdings, Basement Impact Assessment by Ramboll dated 21 October 2014, Phase II Ground Contamination Report by Capita Symonds dated February 2012, Design Note for Supporting Drainage Design Information by Ramboll dated 20 August 2014, Midland Crescent Student Management Plan by CRM Ltd dated August 2014.

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 and supporting documents:  
2004-00-DR-0101 RevP01, 2004-00-DR-0108 RevP01, 2004-00-DR-0109 RevP01, 2004-00-DR-0110 RevP01, 2004-00-DR-0111 RevP01, 2004-00-DR-0112 RevP01, 2004-00-DR-0113 RevP01, 2004-00-DR-0114 RevP01, 2004-00-DR-0115 RevP01, 2004-00-DR-0401 RevP01, 2004-00-DR-0402 RevP01, 2004-00-DR-0403 RevP01, 2004-00-DR-0404 RevP01, 2004-00-DR-0405 RevP01, 2004-00-DR-0601 RevP01, 2004-00-DR-0602 RevP01, 2004-00-DR-0603 RevP01, 2004-00-DR-0604 RevP01, 2004-00-DR-0605 RevP01, Air Quality Assessment by Ramboll dated August 2014, Phase I Geoenvironmental Report by Capita dated August 2014, Planning Brief for the Mechanical and Electrical Services by The Kut Partnership Ref: RFB/CMW/6000/0 Rev A dated 26 August 2014, Daylight, Sunlight Report by Point Surveyors dated 20 August 2014, Ecological Impact Assessment by Capita dated August 2014, Energy Statement by Metropolis Green dated 20 August 2014, Sustainability Statement by Metropolis Green dated 15 August 2014, Midland Crescent Noise and Vibration Assessment by Aecom Environment dated August 2014, Transport Assessment by Tim Spencer & Co dated August 2014, Outline Site Waste Management Plan by Ramboll dated 07 November 2012, Obtrusive Light Lighting Report by Ramboll dated 11 June 2013, Student Accommodation Supply & Demand Report by Jones Lang LaSalle dated August 2014, Construction Environmental Management Plan by MAH Project Management dated August 2014 Rev C, Commercial Space

Overview by Stadium Capital Holdings, Basement Impact Assessment by Ramboll dated 21 October 2014, Phase II Ground Contamination Report by Capita Symonds dated February 2012, Design Note for Supporting Drainage Design Information by Ramboll dated 20 August 2014, Midland Crescent Student Management Plan by CRM Ltd dated August 2014.

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

- 3 The details of the following shall be submitted to, and approved in writing by, the Local Planning Authority before any work is commenced on the relevant part of the development.
- a) Plan, elevation and section drawings, including jambs, head and cill, of all new external window and door including shopfronts at a scale of 1:10 with typical glazing bar details at 1:1.
  - b) Plan, elevation and section drawings, of all boundary treatment at a scale of 1:20.
  - c) Samples and manufacturer's details of new facing materials including cladding, windows and door frames, glazing, balconies, all boundary treatments, balustrades, mesh covering to the terrace at lower ground -2 and all other facing materials.
  - d) A sample panel of the cladding to be applied to the building no less than 2m by 2m including junctions with window openings shall be erected on site for inspection for the local planning authority and maintained for the duration of the works. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved, and implemented in accordance with any such approval.

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

- 4 Notwithstanding the hereby approved plans, nothing in this consent grants permission for the lettering 'Midland Crescent' shown to the south elevation of the building. Prior to commencement of the development, replacement drawings demonstrating the replacement of the lettering with adjacent cladding materials shall be submitted to and approved in writing 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 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, rooftop 'mansafe rails', television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of 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 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Prior to occupation of the hereby approved uses, details of the siting, design, type and dimensions of any proposed plant and/or extract ventilating system required shall be submitted to and approved in writing by the Local Planning Authority. The details shall be accompanied by an Acoustic Report prepared by a suitably qualified acoustic engineer which demonstrates that the noise levels from the proposed plant 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).  
The plant equipment and any associated noise and vibration attenuation measures shall not be installed other than in accordance with the recommendations and requirements of the acoustic report as approved. The plant and associated attenuation measures shall be maintained in accordance with the manufacturers' recommendations and the noise attenuation measures shall be retained for as long as the plant equipment remains in use.

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.

- 7 Any units within the non-residential floorspace hereby permitted shall not operate outside the following times: 08:00hrs to 22:30hrs Monday to Thursday and 08:00hrs to 23:00hrs Friday and Saturday and 09:00hrs to 20:00hrs on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Prior to first occupation of the development, 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 and the approved facility shall therefore be provided prior to the first occupation of any of the new units and permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the site and the area generally 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.

- 9 Prior to commencement of development, details shall be submitted to and approved in writing by the local planning authority of how the building would be constructed and fitted out in order that the noise and vibration from neighbouring railway lines and Finchley Road that would be experienced by occupiers of the development would achieve 'good' internal room noise standards in accordance with the criteria of BS8233:1999 and vibration levels will meet a level that has a low probability of adverse comment and the assessment method shall be as specified in BS 6472:2008. The development shall thereafter not be carried out other than in complete compliance with the approved scheme and no unit shall be occupied until the mitigation measures relevant to that unit have been installed.

Reason: To safeguard the amenities of the future occupants of the development in accordance with the requirements of policy CS6 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 occupation of the hereby approved student and residential use, a post completion noise and vibration assessment shall be carried out from within habitable rooms to confirm compliance with the noise and vibration report submitted as part of condition 7 of this planning permission. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the future occupants of the development in accordance with the requirements of policy CS6 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 Details of bird and bat nesting boxes bricks and details of measures taken to enhance local populations of Biodiversity Action Plan priority species shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the exact location, specification and design. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason: To ensure the development contributes towards creation of habitats and valuable areas for biodiversity in accordance with Camden Core Strategy Policy CS15 of the London Borough of Camden Local Development Framework Core

Strategy.

- 12 Full details of the landscaping scheme and green walls, including biodiversity enhancement plan, species and maintenance plan, shall be submitted to and approved by the Local Planning Authority, in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

Reason: To enhance the character and ecology of the development in line with Camden Core Strategy Policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 13 Full details of a biodiverse, substrate-based extensive living roof shall be submitted to and approved by the Local Planning Authority, in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied. This must include a detailed long term maintenance plan, details of its construction and the materials used, to include a section at a scale of 1:20, and full planting details.

Reason: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage, and to enhance the performance and efficiency of the proposed building. To comply with Camden Core Strategy Policy CS15 of the London Borough of Camden Local Development Framework Core Strategy and Policies DP22 and DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 14 All hard and soft landscaping works, including living roofs and walls shall be carried out to a reasonable standard in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development or prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policy 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.

- 15 No areas of flat roof shall be used as terraces or outdoor amenity areas and shall not be accessed for any purposes other than maintenance.

Reason: To safeguard the amenities of the adjoining residents and the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbour) of the London Borough of Camden Local Development Framework Development Policies.

- 16 Prior to occupation of the development, the following details of the proposed cycle storage areas and access arrangement shall be submitted to and approved by the local planning authority:

- a) The provision of at least 10 spaces for the commercial uses.
- b) The provision of at least 11 spaces for the residential use.
- c) The provision of at least 30 spaces for the student accommodation use.

The approved facilities shall thereafter be provided in entirety prior to the first occupation of any part of the site, and thereafter permanently maintained and retained.

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.

- 17 The development shall include the provision of and ongoing retention of one lift with a minimum dimension of 2 metres by 2 metres, the lift shall be able to accommodate at least 2 people with their bicycles at any one time.

Reason: To ensure development provides the primary access to the 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.

- 18 All doors providing access to the green roofs and the communal terrace at fourth floor shall be self-closing.

Reason: To ensure the development would be well protected by air pollution in accordance with the requirements of policy CS16 of the London Borough of Camden Local Development Framework Core Strategy and policy DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 19 At least 28 days before 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 verification 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.

- 20 In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

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.

- 21 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 a 1:100 year event with 30% provision for climate change, demonstrating 50% attenuation of all runoff and demonstrating greenfield levels of runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

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.

- 22 Notwithstanding the hereby approved plans, no more than 125sqm of the area defined as commercial floorspace shall be occupied by one single unit within Use Class A1, A2, A3, A4, D1 or D2 and no more than 400sqm of the commercial floorspace shall be in use as A1, A2, A3, A4, D1 or D2, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of a mix of uses to enhance the West Hampstead Interchange Growth Area and Finchley Road/Swiss Cottage Town centre and to safeguard neighbour amenity in accordance with the requirements of policy CS2,



CS3 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP13, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 23 Prior to commencement of development dispersion modelling shall be undertaken to identify the optimum location for the inlet for mechanical ventilation, carbon filters must be added to the inlet. Details of the final location and filters must be submitted to an approved by the local planning authority. The approved details shall thereafter be provided in their entirety prior to the first occupation of any part of the site, and thereafter permanently maintained and retained.

Reason: To ensure the development would be well protected by air pollution in accordance with the requirements of policy CS16 of the London Borough of Camden Local Development Framework Core Strategy and policy DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 24 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

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.

- 25 Prior to commencement of development, detailed plans at a scale of 1:50 of all wheelchair accessible rooms shall be submitted to and approved in writing by the local planning authority.

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.

Informative(s):

- 1 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email [highwayengineering@camden.gov.uk](mailto:highwayengineering@camden.gov.uk).

- 2 With regard to condition no. you are advised to look at Camden Planning Guidance for further information and if necessary consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 5124) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.
- 3 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.
- 4 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 5 With regard to condition 12 you are advised that the substrate depth should vary between 80mm and 150mm with peaks and troughs, but should average at least 130mm. The design and planting scheme should be informed by a site biodiversity assessment and reflect the local conditions and species of interest. Extensive living roofs should be planted with 16 plugs per m<sup>2</sup>.
- 6 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)

- 7 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 8 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.
- 9 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 10 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [env.devcon@camden.gov.uk](mailto:env.devcon@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



Ed Watson  
Director of Culture & Environment