

Ms Suzy Wilson
CgMs Consulting
140 London Wall
London
EC2Y 5DN

Application Ref: **2015/7025/P**
Please ask for: **Fergus Freeney**
Telephone: 020 7974 **3366**

1 March 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
6 Nutley Terrace London NW3 5BX

Proposal:

Erection of 2 x three storey plus basement single-family dwellinghouses (Class C3), new crossover and associated landscaping (following demolition of existing dwellinghouse) [Resubmission of approved application 2012/2632/P]

Drawing Nos: NUT-L01 (Site Location Plan); 000 P5; 001 P5; 002 P5; 003 P3; 004 P1; 005 P1; 006 P1; 007 P1; 008 P1; 010 P1; 011 P3; 012 P1; 013 P1; 014 P1; 015 P2; 020; 022; 023; 024; 025; 026; 027; 028; 029; 030; 031; Site Investigation and Basement Impact Assessment Report (GEA April 2016); Ground Movement Assessment Report (GEA April 2016); Structural Engineering Report and Subterranean Construction Method Statement (elliotwood April 2016); Desk Study and Ground Investigation Report (October 2011); Bat Survey (7th July 2015); Groundwater Impact Assessment (Nov 2011); Energy Efficiency Statement and Code for Sustainable Homes Pre-assessment (Feb 2012); Code for Sustainable Homes Pre-assessment Estimator Tool Rev03 (28/02/2011); Transport Statement (TPP Consulting Feb 2012); Daylight and Sunlight Report (GLHearn 19th Jan 2012); Arboricultural Impact Assessment Report (20th October 2011); Design and Access Statement (May 2012)

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 Detailed drawings, and/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 external window and door at a scale of 1:10 with typical glazing bar details at 1:1.

b) Samples and manufacturer's details of all new facing materials including masonry, windows and door frames, glazing.

c) Plan, elevation and section drawing including materials of the proposed new gate on the front boundary at a scale of 1:10.

The samples shall include a brickwork panel no less than 1m by 1m including junction with window openings demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding, which shall be erected on site for inspection by the local planning authority.

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

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: NUT-L01 (Site Location Plan); 000 P5; 001 P5; 002 P5; 003 P3; 004 P1; 005 P1; 006 P1; 007 P1; 008 P1; 010 P1; 011 P3; 012 P1; 013 P1; 014 P1; 015 P2; 020; 022; 023; 024; 025; 026; 027; 028; 029; 030; 031; Site Investigation and Basement Impact Assessment Report (GEA April 2016); Ground Movement Assessment Report (GEA April 2016); Structural Engineering Report and Subterranean Construction Method Statement (elliotwood April 2016); Desk Study and Ground Investigation Report (October 2011); Bat Survey (7th July 2015); Groundwater Impact Assessment (Nov 2011); Energy Efficiency Statement and Code for Sustainable Homes Pre-assessment (Feb 2012); Code for Sustainable Homes Pre-assessment Estimator Tool Rev03 (28/02/2011); Transport Statement (TPP Consulting Feb 2012); Daylight and Sunlight Report (GLHearn 19th Jan 2012); Arboricultural Impact Assessment Report (20th October 2011); Design and Access Statement (May 2012)

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

- 4 No development shall take place until full details of hard and soft landscaping (including replacement tree planting) and means of enclosure of all un-built, open areas have been submitted to and approved in writing by the local planning authority. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels and replacement trees for the recently removed trees. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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 policy CS14 and 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.

- 5 All hard and soft landscaping works shall be carried out 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, 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 local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14 and 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.

- 6 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 7 Full details in respect of brown living roofs shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The details shall include species, planting density, substrate and a

section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The brown living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

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.

- 8 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, 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 Council.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A and C) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Council.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 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.

- 10 Prior to first occupation of the buildings the windows on the east side elevation of House 6A and the dormer window on the west side elevation of House 6B as shown on the approved drawing shall be obscure glazed and fixed shut or fitted with restricted opening (not opening more than 100mm) and as permanently retained and maintained as such thereafter.

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 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.

- 12 Prior to commencement on the relevant part of the development details of the proposed Air Source Heat Pumps (ASHP) including a noise impact assessment (to demonstrate compliance with condition 11) and manufacturer's specification (including details of maximum noise output when they are in operation, cumulative noise output, a plan showing distance to the nearest windows of residential property and background noise levels), and mitigation measures if necessary shall be submitted to and approved in writing by the Council. The ASHP shall be installed in accordance with the details thus approved and permanently retained and maintained thereafter.

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.

- 13 Prior to commencement of development details of a sustainable urban drainage system (SUDs) shall be submitted to and approved in writing by the local planning authority. The approved system shall be implemented as part of the development prior to first occupation 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.

- 14 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and

the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 15 Before the development commences, details of secure and covered cycle storage area for two cycles for each of the proposed houses shall be submitted to and approved in writing by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the 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 and DP18 of the London Borough of Camden Local Development Framework Development Policies.

- 16 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s 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)

- 17 The development shall achieve Level 4 of the Code for Sustainable Homes including 50% of the targets in the Water, Materials and Energy categories. The development shall not be occupied until evidence of a final Code Certificate (or any such equivalent national measure of sustainability for home design which replaces that scheme) certifying that Code Level 4 has been achieved, has been issued.

Reason: To ensure a sustainable and resource efficient development in accordance with the requirements of 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.

- 18 Prior to implementation a method statement for a precautionary working approach to demolition and construction should be submitted to the Local Authority and approved in writing. This shall include approaches to mitigate the impact on bats. All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are

found, works should stop immediately and an ecologist should be contacted. The applicant may need to apply for a protected species licence from Natural England, evidence of which should be submitted to the Local Authority. If more than 1 year passes between the most recent bat survey and the commencement of demolition and/or tree works, an update bat survey must be undertaken immediately prior to demolition or tree works by a licensed bat worker. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition and/or tree works.

Reason: To ensure the development contributes towards the protection of habitats and species, ensuring compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 19 All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended).

- 20 Prior to first occupation of the development a plan showing details of bird and bat box locations and types (preferably integrated into the fabric of the buildings) and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (2016), Camden Planning Guidance, and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy

- 21 Prior to commencement of development, full details of a lighting strategy shall be submitted to and agreed in writing by the Local Planning Authority. This shall include information about potential light spill on to buildings, trees, lines of vegetation and bat boxes plus a lux level contour plan which should extend outwards to incremental levels of zero lux. The lighting strategy should seek to minimise impact on bats and ensure no light spill outside of the site boundaries. Reason: To limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation, in line with NPPF (2012) and in compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

Reason: To conserve legally protected bats and other nocturnal wildlife in accordance with the requirements of the London Plan (2016, Camden Planning Guidance and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy

Informative(s):

- 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 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.
- 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 If you proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- 5 You are advised that Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9litres/minute at the point where it leaves Thames Water pipes. The developer should take into account of this minimum pressure in the design of the proposed development.
- 6 You are advised that the proposed landscaping scheme required by condition 4 should include the small leafed lime which should have been planted to replace the Ash tree removed in 2011.
- 7 You are advised that permission may be required from the Belsize Tunnel owners as you are proposing to pile within 10m. You should ensure all relevant permissions for such works are sought prior to commencement.

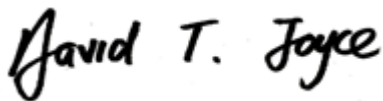
- 8 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £65,000 (1307sqm x £50) for the Mayor's CIL and £653,500 (1307sqm x £500) for Camden's CIL (Zone C Residential). This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

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



David Joyce
Executive Director Supporting Communities