

# Camden Legal Services

## Memo

<b>To:</b> Michael Rosen Business Support Unit	<b>From:</b> Kate Richards
<b>Date:</b> 03 November 2008	<b>Ext:</b> 5826
	<b>Ref:</b> 2008/0184/P

**Section 106 Agreement  
Re. 16 Daleham Mews**

I refer to the above matter which was completed on 25 September 2008 and now enclose the following documents:-

1. Agreement dated 25 September 2008
2. Copy of planning consent dated 25 September 2008

Can you please arrange for a deed packet to be created.

I thank you in advance for your assistance.

**Kate Richards  
Lawyer  
Planning and Licensing Team  
Culture and Environment Group  
for the Head of Legal Services**

Mr Shahriar Nasser  
Belsize Architects  
48 Parkhill Road  
London  
NW3 2YP

Application Ref: **2008/0184/P**  
Please ask for: **Tania Skelli-Yaoz**  
Telephone: 020 7974 **2516**

25 September 2008

Dear Sir/Madam

### DECISION

Town and Country Planning Acts 1990 (as amended)  
Town and Country Planning (General Development Procedure) Order 1995  
Town and Country Planning (Applications) Regulations 1988

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

Address:  
**16 Daleham Mews**  
**London**  
**NW3 5DB**

Proposal:

Erection of a basement, two storey and attic single dwellinghouse, including the retention of part of the existing front elevation and front roofslope.

Drawing Nos: Site Location Plan 47NR/OS; 16DM/S101; S102; S103; S201; S202; S301; S302; S303;

P101 A; P102 A; P103 B; P104 A; P105 C; P201 B; P301 A; P302 B; P303 B; P304 A; P305 B; P306 A; P307 A; P501; P601 A; P602; P603 A; SK/01. Construction Management Plan dated 01/08/2008.

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 details of the front elevation including garage doors and any changes to the first floor windows at scale 1:50 [sections, elevations and facing materials] to be used on the building shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies S1/ S2, B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 The roof lights for the front roof shall be conservation type, fitted flush with the roofslope.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies S1/ S2, B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 The timber trellis shall be erected in strict accordance with the details shown on the drawings hereby approved prior to the commencement of use of the replacement building, and it shall be permanently retained and maintained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies S1/ S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 5 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order) 1995 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A, C and D) and Part 2 (Class 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 S1/ S2, B1, B7 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 6 Notwithstanding this approval, re-pollarding the crown of the 5 Lime trees, which overhang into the site from 16 Daleham Gardens, is not approved and a revised tree protection methodology during construction shall be submitted to and approved by the Council before any development takes place. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To enable the Council to ensure a reasonable standard of visual amenity and the protection of trees in the scheme in accordance with the requirements of policies B7 and N8 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 7 Before the development commences, details of a cycle storage area for 1 cycle shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of the new unit, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

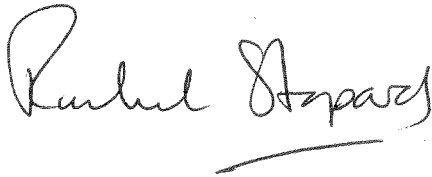
- 1 Reasons for granting permission:  
The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies S1/S2, SD1, SD6, SD9, H1, H3, H7, B1, B3, B7, T3, T12 and N8. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.
- 2 The applicant is advised that the occupier will be entitled to on-street parking permits and is made aware of the special Controlled Parking Zone arrangements that operate in Daleham Mews, and the fact that the Council has no control over the way people park on the road.
- 3 The applicant is advised that vertical ground source heating systems will generally require an additional approval from the Environment Agency.
- 4 With regards to condition no. 6, it is advised that the re pollarding (removal of the trees crowns) of the Lime trees is agreed to be necessary. Whilst the removal of the trees crowns will remove the possibility of construction damage to this part of the trees, it will also remove a screen to the construction work and building. Whilst the trees may need to be re pollarded at some stage in the future, it is considered that, from the point of view of the amenities of the adjoining occupiers, this may not be the best time. Any parts of the trees which overhang the boundary could be carefully pruned back. There should be no other fundamental conflict with the crowns of these trees unless construction work is to take place beyond the rear boundary wall. Please consult LBC Arboriculturalist if you require further advice (tel 7974 5616).
- 5 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 2363).
- 6 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.

- 7 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 Sites Team, Urban Design and Regeneration.
  
- 8 The applicant is advised that, before the development commences, details to include plans, sections and structural calculations of the approved basement in relation to the existing highway shall be submitted to and approved by the Council as highway authority, in order to ensure that the structural integrity of the highway is maintained.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

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Rachel Stopard  
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning).