

Ms Seema Manchanda
Smart Urban Limited
15 Ardleigh Road
London
N1 4HS

Application Ref: **2016/6445/P**
Please ask for: **Rob Tulloch**
Telephone: 020 7974 2516

7 April 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:

**Land and Garages Adjacent to 42 Falkland Road
London
NW5 2PX**

Proposal:

Variation of condition 2 (approved plans) of planning permission reference 2014/5539/P dated 27/10/15 (for erection of part 1 storey plus mansard and part 3 storey building, plus basement, to provide 6x flats) namely amendments to basement, front garden and internal layouts

Drawing Nos: Superseded drawings: Site Location Plan 1099 - BA-106 Rev B; 107 Rev B; 108 Rev B; 109 Rev C; 110 Rev C; 111 Rev C; 112 Rev B; 113 Rev C; 114 Rev C; 115 Rev C; 116 Rev B; 117 Rev A; 118 Rev A; 119 Rev A

Drawings for approval: 12516-SPR-XX-AR-15-01-3_3; 12516-SPR-XX-AR-15-02-3_3; 12516-SPR-XX-AR-15-03-3_3; 12516-SPR-XX-AR-15-04-3_3; 12516-SPR-XX-AR-15-05-3_3; 12516-SPR-XX-AR-15-06-3_3; 12516-SPR-XX-AR-30-01-3_2; 12516-SPR-XX-AR-30-02-3_2; 12516-SPR-XX-AR-30-03-3_2; 12516-SPR-XX-AR-20-01-3_3; 12516-SPR-XX-AR-20-02-3_3; 12516-SPR-XX-AR-20-03-3_3; 12516-SPR-XX-AR-20-04-3_2; Letter from Gurney Consulting Engineers ref 9540-001-rmb



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 the original planning permission ref. 2014/5539/P dated 27/10/15.

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: Site Location Plan 1099-BA-100; 101; 102;103; 104; 105; 12516-SPR-XX-AR-15-01-3_3; 12516-SPR-XX-AR-15-02-3_3; 12516-SPR-XX-AR-15-03-3_3; 12516-SPR-XX-AR-15-04-3_3; 12516-SPR-XX-AR-15-05-3_3; 12516-SPR-XX-AR-15-06-3_3; 12516-SPR-XX-AR-30-01-3_2; 12516-SPR-XX-AR-30-02-3_2; 12516-SPR-XX-AR-30-03-3_2; 12516-SPR-XX-AR-20-01-3_3; 12516-SPR-XX-AR-20-02-3_3; 12516-SPR-XX-AR-20-03-3_3; 12516-SPR-XX-AR-20-04-3_2; Design and Access Statement by Donald Shearer Architects dated 27/08/2014; Code for Sustainable Homes Pre-Assessment by Donald Shearer Architects dated 29/08/2014; Basement Impact Assessment by Site Analytical Services Ltd dated December 2013; Lifetime Homes Statement by Donald Shearer Architects dated 29/08/2013; Daylight/Sunlight Report by GVA dated 20/08/2014; Letter from Gurney Consulting Engineers ref 9540-001-rmb.

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

- 3 The units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2),.

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.

- 4 The cycle storage facilities as indicated on the drawings and documents hereby approved shall be provided and retained in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.

- 5 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the adjoining terrace, unless otherwise

specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 6 No development shall take place until samples of the materials to be used in the construction of the external surfaces hereby permitted have been submitted and approved in writing by the local planning authority. In addition a sample panel of the facing brickwork should be erected on-site and approved by the Council before the relevant parts of the work are commenced. The panel must be 1m by 1m and demonstrate the proposed colour, texture, face-bond and pointing of the brickwork. The relevant part of the works shall then be carried out 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 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 7 Piling or any other foundation designs using penetrative methods shall not be permitted unless a piling method statement detailing the type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works, has been submitted to and approved by the Local Planning Authority in writing in liaison with the relevant utility providers. The piling shall be undertaken in accordance with the approved method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy.

- 8 Before the development commences a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To ensure that sufficient drainage capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policies DP23 and DP27 of the London Borough of Camden Local Development

Framework Development Policies.

- 9 The refuse storage facilities as indicated on the drawings and documents hereby approved shall be provided and retained in their entirety prior to the first occupation of any of the new residential units. .

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 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.

Informative(s):

- 1 Reasons for granting planning permission.

The application seeks minor amendments to the approved scheme to rationalise the internal layouts to improve residential amenity, realign the boundaries, remodel the basement and revised the front landscape.

The approved scheme was the result of numerous amendments. The original scheme proposed the erection of 1x 3 storey dwelling and 1x single storey dwelling. This went through various incarnations to increase the size of the dwellings by remodelling the rear of the 3 storey dwelling and adding a mansard to the single storey dwelling, adding a basement to both dwellings and finally changing the make up from two dwellings to 6x flats.

The most recently approved scheme incorporated four storeys at the rear which lead to a rather convoluted internal layout whereby floorplates at the rear of the building were at different levels to floorplates at the front requiring stairs in all flats. The amendment seeks to remove the added storey at the rear, which would ensure three flats, apart from the two maisonettes and Flat 3, would be on one level with no need for stairs. The height of the building would remain the same, as would the front elevation, with only minor changes to the rear elevation,

The amendment would change the set up from 3x 2-beds, 2x 1-beds and 1x studio to 4x 2-beds and 2x 1-beds. These changes would reduce the net internal area by approximately 45sqm, but provide a better standard of accommodation by improving internal access. The reconfigured units would continue to meet the national space standards.

At basement level it is proposed to increase the size of the lightwells to improve daylight to the basement accommodation. The approved lightwells were covered by grilles, and it is proposed to leave the larger lightwells uncovered. The proposed west lightwell would be approximately 4.4m wide and the east lightwell 3.8m wide, with both extending approximately 1.2m in front of the bay windows. The lightwells would be largely hidden from view by the cycle sheds which remain in their originally approved locations, and newly proposed raised planters. As such the proposed lightwells are not considered to harm the appearance of the street scene

or conservation area.

The alterations to the lightwells would require an increase in the footprint of the basement by approximately 16.5sqm. The applicant has submitted a structural engineering statement which indicates that the basement impact would be broadly similar to existing. The revised scheme has not been assessed by the Council's basement consultant, however the approved scheme is subject to a section agreement which requires a basement construction plan to be submitted to and approved by the Council before the development can commence and this will still be required. Due to the proximity to the highway an Approval in Principle will be required and this will be incorporated into the amended section 106 agreement.

Externally, the other alterations are relatively minor. As mentioned, at the rear some changes are proposed including the removal of one window and realignment of two windows to the upper floors. At rear ground floor level the large folding doors are to be replaced with traditional sash windows.

Detained surveys of the site and surrounding elevations differ from the "as existing" drawings previously submitted for approval. Accordingly, the design has been adapted to the correct boundaries and levels to match the design principles of the original application. However, these alterations are relatively minor and not considered to be material.

The amendments are not considered to have a materials impact on the amenity of any adjoining occupiers, nor would there be any material change to the transport impact of the scheme.

2 Reasons for granting permission (continued)

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed amendment is in general accordance with policies CS1, CS4, CS5, CS6, CS11, CS13, CS14, CS15, CS18 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP17, DP18, DP19, DP20, DP21, DP22, DP24, DP25, DP26 and DP27 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

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.

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 style with a large initial 'D'.

David Joyce
Director of Regeneration and Planning