

Mr Alastair Bird (20182/A3/AB/dw)
Barton Willmore LLP
Beansheaf Farmhouse
Bourne Close
Reading
Berkshire
RG31 7BW

Application Ref: **2011/3636/P**
Please ask for: **Jonathan Markwell**
Telephone: 020 7974 **2453**

17 April 2014

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Renewal of Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
Klippan House
50 Well Walk
London
NW3 1BT

Proposal:

Renewal of planning permission allowed on appeal dated 10/11/2008 (Appeal ref: APP/X5210/A/08/2081611) (Planning ref: 2007/4759/P) for the creation of a new underground swimming pool with ancillary plant and gym rooms next to 8 East Heath Road, connected to the main building via a basement corridor link.

Drawing Nos: KHS/OS; KHS/S001; S101; 102; 201; 202; 203; 301; KHS/001; 101A; 102A; 201A; 301A; 302A; 303; Design and Access Statement Proposed Redevelopment by Belsize Architects dated August 2007; Basement Impact Assessment by Taylor Whalley Spyra dated June 2012 Ref GB/8414-BIA-Version 1.0; Construction Management Plan by Taylor Whalley Spyra dated 12 June 2012 Ref GB/8414 Version 1.0; CMP05; CMP06; CMP07; Addendum to Basement Impact Assessment by Taylor Whalley Spyra dated May 2013 Ref GB/8414-BIA-ADDENDUM-Version 2.0; Basement Impact Assessment Non-Technical Summary by Taylor Whalley Spyra dated November 2013 Ref GB/8414-BIA Non-Technical Summary Version 1.0; Taylor Whalley Spyra Wallap information Ref 8414



dated 06/11/13; Letter from Barton Willmore dated 10/12/2013 Ref 20182/A3/AB/dw

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 No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping works, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and these works shall be carried out as approved. The scheme shall include details of: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; and refuse storage and ventilation intake and extract housing.

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 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

- 3 All planting, seeding or turfing comprised in the approved scheme of landscaping referred to in condition 2 above shall be carried out in the first planting and seeding seasons following completion of the development; and any trees or plants which within a period of 5 years from its completion die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval 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 policies CS14 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

- 4 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 facade 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 (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 neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 5 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 (Promoting high quality places and conserving our heritage) 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.

- 6 The proposed development shall remain implemented in strict accordance with all of the measures contained in the Construction Management Plan submitted by the applicant (Ref: Construction Management Plan by Taylor Whalley Spyra dated 12 June 2012 Ref GB/8414 Version 1.0.) at all times.

Reason: In order to protect the pedestrian environment and safeguarding highway and pedestrian safety, the amenities of adjacent premises and the area generally, and to ensure the continued free flow of traffic in the area in accordance with Policies CS5 (Managing the impact of growth and development) and CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policies DP20 (Movement of goods and materials), DP21 (Development connecting to highway network) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans: KHS/OS; KHS/S001; S101; 102; 201; 202; 203; 301; KHS/001; 101A; 102A; 201A; 301A; 302A; 303; Design and Access Statement Proposed Redevelopment by Belsize Architects dated August 2007; Basement Impact Assessment by Taylor Whalley Spyra dated June 2012 Ref GB/8414-BIA-Version 1.0; Construction Management Plan by Taylor Whalley Spyra dated 12 June 2012 Ref GB/8414 Version 1.0; CMP05; CMP06; CMP07; Addendum to Basement Impact Assessment by Taylor Whalley Spyra dated May 2013 Ref GB/8414-BIA-ADDENDUM-Version 2.0; Basement Impact Assessment Non-Technical Summary by Taylor Whalley Spyra dated November 2013 Ref GB/8414-BIA Non-Technical Summary Version 1.0; Taylor Whalley Spyra Wallap information Ref 8414 dated 06/11/13; Letter from Barton Willmore dated 10/12/2013 Ref 20182/A3/AB/dw

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

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 2363).
- 2 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.
- 3 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.

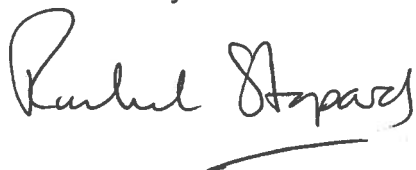
Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 6956) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 5 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.
- 6 You are advised that the Council expects all development to be as sustainable and energy efficient as possible and welcomes any measures that can be introduced to facilitate this. To this end, you are encouraged to introduce measures that can practically be incorporated into the proposed development and the subsequent operation of the use.
- 7 Whilst acknowledging that approval of details application 2009/3429/P was granted on 03/09/2009 in relation to the programme of archaeological works associated with condition 4 of the allowed on appeal (Appeal ref: APP/X5210/A/08/2081611 / Planning ref: 2007/4759/P) scheme at the site, you are reminded that this site is within an area of archaeological significance/archaeological potential where development may result in the destruction of ancient remains. Your attention is drawn to the British Archaeologists and Developers Liaison Group Code of Practice agreed by the British Property Federation and the Standing Conference of Archaeological Unit Managers. The Council recognises and endorses this Code and will expect the developer and approved archaeological organisations to abide by its provisions.
- 8 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.

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.

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.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our [online planning applicants' survey](#). We will use the information you give us to monitor and improve our services.