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Application Ref: **2016/4482/P**  
Please ask for: **Raymond Yeung**  
Telephone: 020 7974 **4546**

15 August 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Conditions Granted**

Address:  
**75 Bayham Street**  
**LONDON**  
**NW1 0AA**

Proposal:

Variation of condition 3 (Plans) and removal of condition 5 (screen) of planning permission ref: 2015/6036/P dated 26/4/16 for the Conversion of B8 to B1, extension at rear at first floor level, extension of roof to create an additional floor space at second floor level to the rear of building and excavation of basement. Replacement of front doors and windows on the west elevation dated 26/04/2016. Namely the; Removal of proposed rear extension, alteration of roof to existing rear-end building, removal roof terrace screening and installation of roof plant with associated riser all at second floor level; Alterations to the glazing at the entrance and new rooflights at ground, first and second floor levels and; new timber sash windows to first and second floor rear elevation. Minor increase in depth below ground for basement by 500mm.

Drawing Nos:

Superseded: Updated BIA Ref: Project No. P3096-OFF issue 2.1 by Michael Alexander, Geotechnical, Hydrogeological & Ground Movement Assessment by LBH Wembley dated October 2015, 1030\_12\_P5: Roof Plan (proposed), 1030\_13\_P3: East Elevation (proposed), 1030\_14\_P6: West Elevation (proposed), 1030\_15\_P3: Section AA



(proposed), 1030\_16\_P4: Section BB (proposed)1030\_17\_P6: Section CC (proposed), 1030\_18\_P4: Section DD (proposed), 1030\_19\_P5: Ground Floor Plan (proposed), 1030\_20\_P3: First Floor Plan (proposed), 1030\_21\_P3: Upper First Floor Plan (proposed), 1030\_22\_P3: Second Floor Plan (proposed)1030\_23\_P5: Basement Plan (proposed).

Revised:

Updated BIA Ref: Project No. P3096-OFF issue 2.1 by Michael Alexander, P3096\_Auditreviewcomments\_tracker240117, Updated movement monitoring specification Ref: Project No. P3096 dated January 2017 by Michael Alexander Version 1.0 , Revised Geotechnical, Hydrogeological & Ground Movement Assessment by LBH Wembley dated January 2017 Version 2.0., 2631 Bayham Street RPT Approval in principle 01, email chain by LBH Wembley dated 13/7/17, R2 - Noise Impact Assessment J 02682R2, Email chain dated 1030\_21\_P3 (MMA) Proposed upper first floor plan (new roof plant), 1030\_17\_P6: (MMA) Proposed section CC (new roof plan), 1030\_22\_P3 (MMA) Proposed second floor plan, 1030\_21\_P3 (MMA) Proposed upper first floor plan, 1030\_18\_P4 (MMA) Proposed section DD, 1030\_17\_P6 (MMA) Proposed section CC, 1030\_17\_P6 (MMA) Proposed section CC (new roof plant), 1030\_16\_P4 (MMA) Proposed section BB, 1030\_14\_P6 (MMA) Proposed west elevation, 1030\_12\_P5 (MMA) Proposed roof plan, 1030\_23\_P5 (MMA) Proposed basement plan, 1030\_20\_P3 (MMA) Proposed first floor plan, 1030\_19\_P5 (MMA) Proposed ground floor plan, 1030\_15\_P3 (MMA) Proposed section AA, 1030\_13\_P3 (MMA) Proposed east elevation.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 2015/6036/P dated 26/04/2016.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans-

Updated BIA Ref: Project No. P3096-OFF issue 2.1 by Michael Alexander, P3096\_Auditreviewcomments\_tracker240117, Updated movement monitoring specification Ref: Project No. P3096 dated January 2017 by Michael Alexander

Version 1.0 , Revised Geotechnical, Hydrogeological & Ground Movement Assessment by LBH Wembley dated January 2017 Version 2.0., 2631 Bayham Street RPT Approval in principle 01, email chain by LBH Wembley dated 13/7/17, R2 - Noise Impact Assessment J 02682R2, 1030\_01\_P1: Location Plan, 1030\_02\_P1: Roof Plan (existing), 1030\_03\_P1: East Elevation (existing), 1030\_04\_P1: West Elevation (existing), 1030\_05\_P1: Section AA (existing), 1030\_06\_P1: Section BB (existing), 1030\_07\_P1: Section CC (existing), 1030\_08\_P1: Section DD (existing), 1030\_09\_P2: Ground Floor Plan (existing), 1030\_10\_P1: First Floor Plan (existing), 1030\_11\_P1: Second Floor Plan (existing), 1030\_21\_P3 (MMA) Proposed upper first floor plan (new roof plan), 1030\_17\_P6: (MMA) Proposed section CC (new roof plan), 1030\_22\_P3 (MMA) Proposed second floor plan, 1030\_21\_P3 (MMA) Proposed upper first floor plan, 1030\_18\_P4 (MMA) Proposed section DD, 1030\_17\_P6 (MMA) Proposed section CC, 1030\_17\_P6 (MMA) Proposed section CC (new roof plan), 1030\_16\_P4 (MMA) Proposed section BB, 1030\_14\_P6 (MMA) Proposed west elevation, 1030\_12\_P5 (MMA) Proposed roof plan, 1030\_23\_P5 (MMA) Proposed basement plan, 1030\_20\_P3 (MMA) Proposed first floor plan, 1030\_19\_P5 (MMA) Proposed ground floor plan, 1030\_15\_P3 (MMA) Proposed section AA, 1030\_13\_P3 (MMA) Proposed east elevation.

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

- 4 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plans shall be submitted to and approved by the local planning authority. The details shall include
  - i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used showing a variation of substrate depth with peaks and troughs
  - iii. full details of planting species and density

The 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.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, CC4, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to use of the installation at the development, details shall be submitted to and approved in writing by the Council, of the mitigation measures to be used as appropriate. The measures shall ensure that the external noise level emitted from plant, equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. As noise levels can vary from the design, a post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to

occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 6 Prior to use, plant equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 7 The 'approval in principle' (AIP) approved under ref: 2017/0169/P dated 07/04/2017 must be carried out in accordance with the details approved under that application.

Reason: To ensure the structural integrity of the public highway is maintained in accordance with the requirements of policy T3 of the Camden Local Plan 2017

#### Informative(s):

- 1 Reasons for granting approval of details.

Summary of material changes from previous permission-

Proposed upper first floor plan - Removal of 1.8 metre high obscured glass screen and paving, addition of extensive planting and walk-on roof light, addition of new external plant, access stairs for maintenance purposes and new riser.

The external plant would not be seen from public realm due to its location. A noise report accompanied this application, demonstrating noise would be acceptable level. A condition is attached to ensure noise at acceptable levels at nearest sensitive receptors.

East elevation - the rearrangement of the door in new position and amended size of the fixed glazing is considered very minor and not to result in harm.

West Elevation- the removal of bi-fold white frames and change to sash window white painted timber frames is considered an improvement to the previously approved screen.

Basement - The difference between the previous scheme and revised scheme is approximately 500mm lower in depth for the new amendment. A Basement Impact Assessment has been submitted and independently reviewed by Campbell Reith. In the revised submissions, geotechnical parameters and groundwater conditions based on the site investigation are adopted, which are considered appropriate. It is accepted there are no slope stability or wider hydrogeological issues and the site is

not area prone to flooding.

In the context of the permitted scheme, it is considered that the amendments would have a minor material effect on the approved development in terms of appearance, site constraints and neighbourhood amenity and are minor in the context of the approved scheme.

#### Removal of Condition 5 (privacy screen)

The removal of the privacy screen would not lead to overlooking as the additional planting following the removal of the consented paving would prevent access, preventing overlooking of adjoining habitable rooms. As such, the removal of the screen is acceptable to remove condition 5 for the terrace screening.

No objections have been received following statutory notification of the application prior to making this decision. One comment has been received from a neighbouring occupier and has been taken into account. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CC1, A1, A3, A4, A5, and D1 of the Camden Local Plan 2017.

- 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

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 T. Joyce*

David Joyce  
Director of Regeneration and Planning