

Mr Mandip Sahota  
Nicholas Taylor + Associates  
31 Windmill Street  
London  
W1T 2JN

Application Ref: **2017/1935/P**  
Please ask for: **Kate Henry**  
Telephone: 020 7974 **2521**

8 September 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:  
**192 Haverstock Hill**  
**London**  
**NW3 2AJ**

Proposal:

Variation of condition 2 (approved plans) of planning permission 2012/5391/P dated 29/11/2013, as amended by planning permission 2016/7028/P dated 15/05/2017, 2014/6672/P dated 27/01/2015 and 2016/1480/P dated 09/08/2016 (for the erection of a 5 storey building, plus basement, to create retail space at ground and basement levels (Class A1), and 5x self-contained flats above (Class C3), following demolition of existing single storey building (Class A1); namely to allow: inclusion of 5x condenser units within plant enclosure on roof, amendment to plant enclosure footprint, alterations to façade materials  
Drawing Nos: Revised Plans: 15047\_G200\_P\_RF\_001-C; 15047\_G200\_E\_NW\_001-D  
Superseded plans: 15047\_G200\_P\_RF\_001-B; 15047\_G200\_E\_NW\_001-C

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 permission 2012/5391/P, dated 29/11/2013.

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

- 2 For the purpose of this decision, Condition 2 of planning permission 2012/5391/P, dated 29/11/2013, shall be replaced with the following condition:

#### REPLACEMENT CONDITION

The development hereby permitted shall be carried out in accordance with the following approved plans: 15047\_G200\_P\_00\_001-C; 15047\_G200\_P\_B1\_001-C; 15047\_G200\_P\_01\_001-D; 15047\_G200\_P\_02\_001-B; 15047\_G200\_P\_03\_001-B; 15047\_G200\_P\_04\_001-B; 15047\_G200\_P\_RF\_001-C; 15047\_G200\_S\_AA\_001-C; 15047\_G200\_S\_BB\_001-B; 15047\_G200\_E\_SW\_001-C; 15047\_G200\_E\_SE\_001-D; 15047\_G200\_E\_NE\_001-C; 15047\_G200\_E\_NW\_001-D.

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

- 3 Detailed drawings, 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) Typical details of new balustrade at a scale of 1:10 including materials and finish.

b) Plan, elevation and section drawings of all new doors and windows including jambs, head and cill, at a scale of 1:10

c) Samples and manufacturer's details of new facing materials to be provided on site and retained on site during the course of the works.

The relevant part of the works shall then be carried 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 Policy D1 of the Camden Local Plan 2017.

- 4 The details in respect of the means of enclosure outside opening hours of the ground floor recessed area on the Haverstock Hill frontage shall not be carried out other than in accordance with the details approved in connection with planning application reference 2016/4503/P, dated 18/10/2016. The approved details shall be implemented prior to first use of building and thereafter be permanently retained.

Reason: In order to seek to protect the amenity of occupiers from possible instances of crime, fear of crime and anti-social behaviour and to safeguard the

appearance of the premises and the character of the immediate area, in accordance with Policies D1 and C5 of the Camden Local Plan 2017.

- 5 Prior to the first occupation of any new residential units the green roof on the drawings and documents hereby approved shall be provided in its entirety. The green roof shall be installed strictly in accordance with the details hereby approved and shall be retained and maintained as such thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies A3 and CC3 of the Camden Local Plan 2017.

- 6 The hard and soft landscaping and means of enclosure of all un-built, open areas shall not be carried out other than in accordance with the details approved in connection with planning application reference 2016/4503/P, dated 18/10/2016.

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 D1, A2 and A3 of the Camden Local Plan 2017.

- 7 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, 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 Policies D1, A2 and A3 of the Camden Local Plan 2017.

- 8 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 details approved in connection with planning application reference 2016/4503/P, dated 18/10/2016. Tree protection measures shall be implemented prior to the commencement of development and retained throughout the construction period.

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 Policies D1, A2 and A3 of the Camden Local Plan 2017.

- 9 Prior to the first occupation of any new residential units all of the bird/bat boxes and bricks on the drawings and documents hereby approved shall be provided in their entirety. The boxes / bricks shall be installed strictly in accordance with the details hereby approved and shall be retained and maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Policy A3 of the Camden Local Plan 2017.

- 10 Prior to the first occupation of any new residential units the whole of the 6 spaces of cycle parking provision shown on the approved drawings shall be provided. The whole of the cycle parking provision shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.

- 11 The foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent) shall not be carried out other than in accordance with the details approved in connection with planning application reference 2016/4503/P, dated 18/10/2016.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with Policies T1, T2 and T4 of the Camden Local Plan 2017.

- 12 Prior to the first occupation of any of the new residential units the whole of the waste storage and removal facilities shown on the approved drawings shall be provided. The whole of the waste storage and removal provision shall be permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate waste storage and removal facilities and to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies D1 and CC5 of the Camden Local Plan 2017.

- 13 Only the areas specifically shown on the plans hereby approved as an external terrace or balcony shall be used for such purposes; and no other flat roofed areas (such as the roof level or the green roof area) shall be used as a roof terrace, and any access out onto these areas shall be for maintenance purposes only.

Reason: In order to prevent any detrimental impacts of overlooking and/or noise and disturbance of the neighbouring premises in accordance with the requirements of Policy A1 of the Camden Local Plan 2017.

- 14 Prior to the first occupation of any residential units all north (side) elevation windows (facing Allingham Court) detailed as obscure glazed on the approved

drawings shall be fully installed with obscure glazing and shall be permanently retained and maintained thereafter.

Reason: In order to prevent any detrimental impacts of overlooking of the neighbouring premises in accordance with the requirements of Policy A1 of the Camden Local Plan 2017.

- 15 Prior to the first occupation of any of the new residential units, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. 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 ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

- 16 Prior to the first occupation of any of the new residential units, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that plant equipment and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced.

Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by vibration, in accordance with Policy A4 of the Camden Local Plan 2017.

- 17 Prior to the first occupation of any of the new residential units, details shall be submitted to and approved in writing by the Council, of building vibration levels and, together with appropriate mitigation measures where necessary. Details shall demonstrate that vibration will meet a level that has low probability of adverse comment and the assessment method shall be as specified in BS 6472:2008.

No part of the development shall be occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by ground- or airborne vibration, in

accordance with Policy A4 of the Camden Local Plan 2017.

- 18 The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise and vibration, in accordance with Policy A4 of the Camden Local Plan 2017.

Informative(s):

- 1 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.
- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 3 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.
- 4 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).
- 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (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 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or

Environment Department (Street Naming & Numbering) Camden Town Hall,  
Argyle Street, WC1H 8EQ.

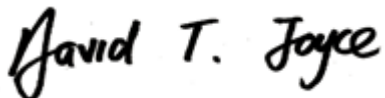
- 7 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973)] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 8 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk).

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  
Director of Regeneration and Planning