

Mr Lee Whiteman
Whiteman Design
2A Cadogan road
Surbiton
KT6 4DL

Application Ref: **2017/4809/P**
Please ask for: **Robert Lester**
Telephone: 020 7974 **2188**

17 January 2018

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:

151-153 St Pancras Way
London
NW1 0SY

Proposal:

Variation of planning conditions 3 (approved plans) and 4 (noise mitigation) of permission ref: 2016/2246/P dated 13/09/2016 (for the erection of a mansard roof extension with front dormer windows to provide a new 3 bedroom residential flat at third floor) for minor material amendments to the design of the rear dormer windows, a minor 60mm reduction in the internal floor to ceiling height of the proposed flat and an amendment to the floor/ceiling noise insulation requirement.

Drawing Nos: Drawing Nos: P001 (Location Plan), P002 (Block Plan), 010 (Existing Floor Plans), 011 (Existing Elevations), 012 (Existing Sections), 020C (Proposed Floor Plans), 021D (Proposed Third Floor Plan), 022C (Proposed Elevations), 023B (Proposed Sections).

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 2016/2246/P dated 13th September 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 For the purposes of this decision, condition no.3 of planning permission 2016/2246/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3:-

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

P001 (Location Plan), P002 (Block Plan), 010 (Existing Floor Plans), 011 (Existing Elevations), 012 (Existing Sections), 020C (Proposed Floor Plans), 021D (Proposed Third Floor Plan), 022C (Proposed Elevations), 023B (Proposed Sections).

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

- 4 Enhanced sound insulation to meet a standard at least 5dB above the Building Regulations requirements shall be installed in the floor/ceiling between the second and third floors of the building. The insulation shall be implemented prior to first residential occupation of the relevant building 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 A1 and A4 of the London Borough of Camden Local Plan 2017

Informative(s):

- 1 Reason for granting planning consent:-

This application is for the variation of planning conditions 3 (approved plans) and 4 (noise mitigation) of permission ref: 2016/2246/P dated 13/09/2016 (for the erection of a mansard roof extension with front dormer windows to provide a new 3 bedroom residential flat at third floor) for minor material amendments to the design of the rear dormer windows a minor 60mm reduction in the internal floor to ceiling

height of the proposed flat and an amendment to the floor/ceiling noise insulation requirements.

The amendments to the design of the rear dormer windows would provide a wider zinc window surround in a light brown/bronze colour finish. This minor change in the design of the dormer windows would complement the contemporary design of the rear elevation of the mansard and asymmetrical dormer windows which was supported in the original application. The wider surround would result in a minor increase in the size of the dormer windows, but they would still appear as subordinate features within the rear roofslope. As acknowledged in the original application the rear roofslope of this site is not highly visible and the traditional design for the mansard and dormers at the front of the site would be retained. Overall, the amended development still proposes a high standard of design that respects local context and character, and preserves and enhances the conservation area and nearby listed buildings.

The amendments to the internal floor to ceiling height would reduce this from 2.55 m to 2.49m. Although this would now be 10mm below the recommended London Plan housing standard, it is only a marginal deviation which is considered to be within acceptable tolerances. It is noted that the amended floor to ceiling height would comply with the Council's own 2.3 m standard in CPG 2 and satisfactory living conditions would be provided for future residents of the new flat.

The amendment to floor/ceiling noise insulation requirements would require the sound between the second and third floors of the building to provide a minimum of 5db instead of 10db noise insulation above Building Regulations. The Council's Environmental Health section is satisfied that this amended floor/ceiling noise insulation requirement would be acceptable and would safeguard the amenities of the adjoining premises.

The other aspects of the development remain the same as the previously assessed and approved.

A consultation summary has been completed which sets out the Council's response to the comments received. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies C6, A1, A4, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

- 2 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).
- 3 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.

- 4 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.

The liable amount will be calculated on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 5 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.
- 6 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.
- 7 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).

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