

Application ref: 2017/3663/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 12 March 2018
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Development Management
Regeneration and Planning
London Borough of Camden
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SBW Planning Ltd
117 Mount Pleasant Road
London
N4 4NJ

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:
The Mamelon Tower
149 Grafton Road
LONDON NW5 4AY

Proposal:
Variation of condition 3 (approved plans) of planning permission 2012/1882/P dated 30/10/2012 (for change of use from drinking establishment (Class A4) to 2 x 3 bed maisonettes (Class C3) at basement and part ground floor level and associated alterations) namely minor alterations comprising the replacement of all existing windows with timber framed windows and alteration to the size, number and location of ground floor windows on the side (south west) elevation (retrospective) and alteration to size of ground floor window to the rear (north west) elevation.

Drawing Nos:
Superseded: 1704.P.11B; 1704.P.14B; 1704.P.15A; 1704.P.16A; 1704.P.17A

Proposed: 1704.P.41; 1704.P.44; 1704.P.45; 1704.P.46; 1704.P.47

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 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 policy D1 of the London Borough of Camden Local Plan 2017.

- 2 For the purposes of this decision, condition no.3 of planning permission 2012/1882/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- EX-11; EX-12; EX-13; EX-14; EX-15; EX-16; EX-17; EX18; P-02A; P-13A; P-18A; P-19A; 1704.P.41; 1704.P.44; 1704.P.45; 1704.P.46; 1704.P.47; Letter from Symon Smith Residential and Commercial Estate Agents dated 11/05/2012; Letter from MacNeil Limited dated 07/06/2012; Life Time Homes Schedule Ref 1704/AWLTH/080612, as received 08/06/2012; Basement Impact Assessment by Michael Alexander Consulting Engineers dated July 2012 Ref: P2242/ ARC/Issue 2; Interpretive Geotechnical Report by Chelmer Site Investigations dated July 2012 Ref 3264.

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

- 3 The proposed development shall not be occupied until the whole of the waste storage and removal facilities shown on the approved drawings is provided. The whole of the waste storage and removal provision shall be permanently maintained and retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 4 The proposed development shall not be occupied until the whole of the 7 spaces of cycle parking provision shown on the approved drawings is provided. The whole of the cycle parking provision shall be permanently maintained and retained thereafter.

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

- 5 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units and shall be permanently maintained and retained thereafter.

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 H6 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting permission

The proposed alteration to the windows on the south west elevation would be sympathetic to the host property and would match the windows on the upper floors which are being considered as part of the related application 2017/3666/P. Timber is considered to be an appropriate material. The proposed alteration to the windows would not raise any concerns regarding overlooking or loss of privacy as windows have already been approved at ground floor level.

No objections have been received. The planning and appeal 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 D1 and A1 of the Camden Local Plan 2017. The development also accords with the NPPF and the London Plan 2016.

2 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).

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 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.

4 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

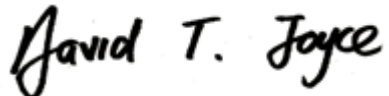
- 5 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 6956) or email highwayengineering@camden.gov.uk
- 6 The private forecourt area on the Grafton Road elevation has an established public right of way which has been enjoyed by the public as a right of way for over 20 years. Under section 31 of the Highways Act 1980, therefore, the Council would consider this forecourt as being dedicated highway, although not maintainable at the public expense.
- 7 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.
- 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.
- 9 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 10 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.

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, slightly slanted style.

David Joyce
Director of Regeneration and Planning