



Application ref: 2017/3666/P  
Contact: David Peres Da Costa  
Tel: 020 7974 5262  
Date: 12 March 2018

**Development Management**  
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Mr Nilesh Lukka  
MacNeil House  
407 Nether Street  
London N3 1QG

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 2015/1211/P dated 03/05/2016 (for change of use of upper floors from ancillary PH accommodation (A4) to 5 flats; erection of 2 storey side extension and mansard roof extension), namely replacement of all existing windows with timber framed windows and additional windows at 1st and 2nd floor on the rear (north west) elevation and change to the number, size and position of windows at 1st and 2nd floor on the side (south west) elevation (retrospective).

Drawing Nos:

Superseded: 1704.P.22; 1704.P.23; 1704.P.24A; 1704.P.25; 1704.P.26; 1704.P.27

Proposed: 1704.P.42; 1704.P.43; 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 Details of the facing brickwork (colour, texture, face-bond and pointing) shall be as approved by planning permission 2017/1136/P dated 26/05/2017. The approved

panel shall be retained on site until the work has been completed.

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 2015/1211/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: (Prefix 1704.) OS-01, EX-14, EX.21, EX.22, EX.23, EX.25, EX.26, EX.27, EX.28, P.17, P.29, 1704.P.42; 1704.P.43; 1704.P.44; 1704.P.45; 1704.P.46; 1704.P.47 and Lifetime Homes Statement

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

- 3 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.

- 4 The approved flat roof shall only be used as a green roof and for associated maintenance purposes and shall not be used as a roof terrace.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 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.

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.

- 6 Details of the proposed waste storage area shall be as approved by planning permission 2017/1289/P dated 12/06/2017 and shall be provided prior to the first occupation of any of the new units and permanently 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.

- 7 Prior to the first occupation of the building a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing

that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof 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 of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CC1, CC2, CC3, CC4, D1, and A3 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 ground floor which are being considered as part of a related application 2017/3663/P. Timber is considered to be an appropriate material. The proposed additional windows on the North West elevation would not raise any concerns regarding overlooking or loss of privacy as this side elevation faces towards garages with commercial buildings beyond.

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 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.
- 3 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 6941).
- 4 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.

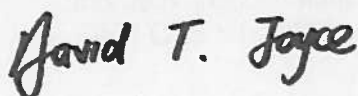
- 5 The Mayor of London intends to introduce a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time will need to pay a CIL including those submitted before April. This CIL will be collected by Camden on behalf of the Mayor of London. From April 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 m2 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 and we will issue a CIL demand notice setting out what monies needs to paid when and how to pay The CIL will be collected from Camden on behalf of the Mayor.
  
- 6 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.
  
- 7 The private forecourt area adjacent to Grafton Road 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, we would consider this forecourt as being dedicated highway, although not maintainable at the public expense.
  
- 8 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 2410) 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. In addition, it is the responsibility of the applicant to ensure that any relevant highways licences are sought.

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

