

2015/7121/P – King s College Court



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Site photographs

1. View of site from north along Primrose Hill Road.



2. View of site from south along Primrose Hill Road



3. Image of the proposal viewed from west of the site



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	12/02/2016
		N/A		Consultation Expiry Date:	19/02/2016
Officer			Application Number(s)		
Patrick Marfleet			2015/7121/P		
Application Address			Drawing Numbers		
Kings College Court 55 Primrose Hill Road London NW3 3EA			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Variation of condition 3 (approved plans) granted under reference 2013/6388/P dated 19/06/14 for erection of three storey roof extension to provide 4 self contained flats (2 x 2 beds and 2 x 3 beds), single storey extension to east elevation for new entrance, installation of balconies to all flats together with insulated cladding to all elevations, landscaping works throughout the site, erection cycle store for 50 cycles to the south of the building and provision of two disabled car parking spaces, namely alterations to the 11th floor terrace and ground floor lobby area.					
Recommendation(s):		Grant minor material amendment subject to s106 legal agreement			
Application Type:		Variation of condition			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	07	No. of objections	06
Summary of consultation responses:		<p>Site notice: displayed from 03/02/2015 - 24/02/2015</p> <p>The neighbouring occupiers at 43 & 45 Kings College Court, 9 & 13 Tobin Close, and 29 and 35 Fellows Road submitted the following comments and objections:</p> <ol style="list-style-type: none"> 1. The internal works to reconfigure the existing flats at the site will release asbestos fibres into the air and lower the air quality of existing residents. 2. Addition of hedging along vehicular entrance to the site will make it unsafe for nearby residents who currently use vacant area of grass to access Fellows Road. 3. Revised site plan includes additional on-site parking space that was not included on previously approved plan. Concerned this will lead to increased traffic congestion. 4. The proposed works should not restrict access to or impinge on the parking of the existing properties along Tobin Close. Need assurance from Camden that this will be the case. 5. The two proposed pedestrian paths should be exactly the same as the existing footpath at the site which is flat and without steps and railings. 			

Officer comment

1. *Matters relating to asbestos removal would be dealt with under the relevant environmental health legislation and would not form a consideration in the assessment of the current planning application, which relates to minor external alterations to the previously approved scheme at the site.*
2. *The hedging around the vehicular entrance to the site was approved under the original planning permission ref 2013/6388/P and no amendments are sought to the approved landscaping works as part of the current application.*
3. *The applicant has submitted a revised site plan showing the removal of the additional parking space. No additional on-site parking space is proposed as part of the current application.*
4. *The impact of the proposal on the surrounding highway network was assessed as part of the original application (2013/6388/P) and managed under the Construction Management Plan that was secured via s106 legal agreement.*
5. *The proposed footpaths would not include steps or railings and would improve access in and around the site.*

Local Groups

No comments received.

Site Description

The site is located to the western side of Primrose Hill Road between the junctions of Fellows Road and Adelaide Road. The original property consisted of a nine storey residential building containing 48 one and two bedroom units. However, work has now commenced at the site to implement the approved scheme (2013/6388/P) for the erection of a three storey roof extension and re-cladding of the entire building.

The site is not located within a conservation area, however the Belsize Park Conservation Area is located approximately 45m to the north and the site can be seen in short and long range views within the neighbouring conservation area. The site does not contain any listed buildings.

Relevant History

2016/0070/P - Details pursuant to conditions 4 (external finishes); 5 (details of windows, railings, balconies); 7 (tree protection) and 9 (noise report) of planning permission reference 2013/6388/P dated 19/06/2014 (Erection of three storey roof extension to provide 4 self-contained flats, single storey extension to east elevation for new entrance, installation of balconies to all flats together with insulated cladding to all elevations, landscaping works throughout the site, erection cycle store for 50 cycles to the south of the building and provision of two disabled car parking spaces). **Part granted (conditions 5, 7, 9) and part refused (condition 4) 06/10/2016.**

The refusal of condition 4 was subsequently appealed by the applicant and allowed by the inspector under reference APP/X5210/W/16/3161562 dated 07/04/17.

2013/6388/P - Erection of three storey roof extension to provide 4 self-contained flats (2x2beds and 2x3beds), single storey extension to east elevation for new entrance, installation of balconies to all flats together with insulated cladding to all elevations, landscaping works throughout the site, erection cycle store for 50 cycles to the south of the building and provision of two disabled car parking spaces.

Approved subject to s106 legal agreement 19/06/2014.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

Assessment

1 PROPOSAL

1.1 Planning permission is sought to vary condition 3 (approved plans) of permission reference 2013/6388/P dated 19/06/14. The revised plans submitted as part of the current application include the following alterations:

- Erection of a small glazed extension to the approved 11th floor roof extension to provide roof terrace access to the tenth floor, 2 bed dwelling (flat 10.2).
- Alterations to the design and configuration of the approved ground floor glazed lobby area.
- Provision of two new footpaths at the site to provide better access from the disabled parking spaces and cycle storage area to the building.

1.2 Revisions

During the course of the application the applicant has submitted an amended site plan to show the removal of the additional car parking space that was initially included in the undercroft of the host building.

2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- Design;
- Amenity of neighbouring residential occupants

2.2 Design and conservation

2.2.1 Policy D1 of the Camden Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area and comprises details and materials that are of a high quality and complement the local character.

2.2.2 The size, scale and design of the proposed glazed extension would read as a lightweight addition to the approved 11th floor extension and would not have a significant impact on the overall design and proportions of the host building. The proposal would be set 1.1m down from the flat roof of the approved 11th floor extension and 3.6m back from the parapet of the main building, and would not appear as an obtrusive addition when viewed from the surrounding area. The proposed changes at roof level are therefore considered acceptable.

2.2.3 The proposed changes to the design of the glazed lobby area, which include the introduction of a sloping roof and a curved side elevation, are considered to represent minor alterations that would not alter the substance of the approved scheme and would not detract from the appearance of the host building and surrounding area. Furthermore, the proposed paved footpaths from the approved cycle storage area and disabled parking bays would improve access around the site and would not detract from the appearance of the building and surrounding area. The proposed alterations at ground floor level are therefore considered acceptable.

2.3 Amenity of neighbouring residential occupants

- 2.3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.
- 2.3.2 The size, scale, bulk and location of the proposed glazed roof extension, at 11th floor level, would ensure no harm is caused to the amenity of neighbouring residents as a result of the development. Similarly, the proposed minor alterations to the ground floor lobby extension would have no impact on neighbouring amenity in terms of loss of light, outlook or privacy.
- 2.3.3 Furthermore, the location of the additional roof terrace area proposed at 11th floor level is not considered to cause harm to the amenity of any neighbouring residents. Views of the nearest neighbouring properties along Tobin Close would be at oblique angles and would not exacerbate current levels of overlooking at the site.
- 2.3.4 The full impact of the scheme has already been assessed by virtue of the previous approval granted. In the context of the permitted scheme, it is considered that the amendment would not have a significant effect on the approved development in terms of appearance and neighbouring amenity.

3 Recommendation

- 3.1 Grant minor material amendment subject to s106 legal agreement

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Tuesday 3rd April 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'

Jim Garland Architects Ltd
1 Dolphin Quay
Queen Street
Emsworth
Hants
PO10 7BU

Application Ref: **2015/7121/P**

29 March 2018

Dear Sir/Madam

DRAFT

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**Kings College Court
55 Primrose Hill Road
London
NW3 3EA**

Proposal:

DECISION

Variation of condition 3 (approved plans) granted under reference 2013/6388/P dated 19/06/14 for erection of three storey roof extension to provide 4 self contained flats (2 x 2 beds and 2 x 3 beds), single storey extension to east elevation for new entrance, installation of balconies to all flats together with insulated cladding to all elevations, landscaping works throughout the site, erection cycle store for 50 cycles to the south of the building and provision of two disabled car parking spaces, namely alterations to the 11th floor terrace and ground floor lobby area.

Drawing Nos: 0903/0000 P1, 0903/0001 P1, 0903/0100 P1, 0903/0103 P1, 0903/0109 P1, 0903/0200 P1, 0903/0201 P1, 0903/0203 P1, 0903/0210 P1, 0903/0211 P1, 0903/0212 P1, 0903/0213 P1, 0903/0202 P1, 0903_1000_P5, 0903_1112_P3, 0903_2000_P3, 0903_2001_P3, 0903_2002_P3, 0903_2003_P3, 0903_2010_P7, 0903/1109 T15, 0903/1100 T20, 0903/1111 T17, 0903/1110 T16, 0903/1112 T5, 0903/2010 T3, 0903/2011 T3, 0903/2012 T4, 0903/2013 T3, 0903/1000 P8.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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, reference 2013/6388/P dated 19/06/14.

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 policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 0903/0000 P1, 0903/0001 P1, 0903/0100 P1, 0903/0103 P1, 0903/0109 P1, 0903/0200 P1, 0903/0201 P1, 0903/0203 P1, 0903/0210 P1, 0903/0211 P1, 0903/0212 P1, 0903/0213 P1, 0903/0202 P1, 0903_1000_P5, 0903_1112_P3, 0903_2000_P3, 0903_2001_P3, 0903_2002_P3, 0903_2003_P3, 0903_2010_P7, 0903/1109 T15, 0903/1100 T20, 0903/1111 T17, 0903/1110 T16, 0903/1112 T5, 0903/2010 T3, 0903/2011 T3, 0903/2012 T4, 0903/2013 T3, 0903/1000 P8.

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

- 4 The facing brickwork of the development shall be carried out in accordance with the details approved under ref: 2016/0070/P (allowed by appeal under APP/X5210/W/16/3161562 dated 07/04/2017).

Reason: In order to safeguard the character and appearance of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 5 All details relating to new railings (including materials, finish and method of fixing), jambs, head and cill of all new window and door openings and details of infill panels, junction between existing roof and roof extension and new balconies (including method of fixing) shall be carried out in accordance with the details approved under ref: 2016/0070/P dated 06/10/2016.

Reason: In order to safeguard the character and appearance of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 6 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 CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 7 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 tree protection details approved under ref: 2016/0070/P dated 06/10/2016.

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 policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 8 All hard and soft landscaping works and means of enclosure of all un-built, open areas shall be carried out in accordance with the details approved under ref: 2016/0070/P dated 06/10/2016.

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 policy CS14 if landscape details of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the occupiers of Kings College Court, adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 10 The acoustic isolation, sound attenuation and anti-vibration measures for the 11th floor plant equipment shall be provided in accordance with the details approved under ref: 2016/0070/P dated 06/10/2016.

Reason: To safeguard the amenities of the residents of Kings College Court, adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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).
- 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 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.
- 3 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

- 4 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.
- 5 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

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.

Yours faithfully

Supporting Communities Directorate

DECISION