

Application ref: 2018/1767/P  
Contact: Gavin Sexton  
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Date: 19 July 2018

**Development Management**  
Regeneration and Planning  
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The Stilwell Partnership  
Satelliet House  
2 Nexus Park  
Lysons Avenue  
Ash Vale  
GU12 5QE  
England

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**East Heath Car Park**  
**East Heath Road**  
**London**  
**NW3 1TH**

Proposal: Resurfacing works and addition of kerbs and drainage to carpark.

Drawing Nos: Design and Access statement doc A17539 Revision 2.0 May 2018. Topo site survey 18033-18-01; Existing site layout TSP/COL/P3266/09 rev P1; East Heath Road Car Park Planning Application Arboricultural Report by Jonathan Meares 16th May 2017. Tree protection areas with drainage TSP/COL/P3266/10 revP3.

Proposed drawings: Prefix TSP/COL/P3266/: 01 (Site location plan Rev T1, 02 (General arrangement) Rev T4, 03 Proposed drainage layout rev T2, 04 (Drainage construction details (1 of 2) RevT1, 05 (Drainage construction details (2 of 2) RevT2, 06 (Road construction details) Rev T4, 07 (Proposed contour plan and longsection) revT1.

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 this permission.

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

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

Design and Access statement doc A17539 Revision 2.0 May 2018. Topo site survey 18033-18-01; Existing site layout TSP/COL/P3266/09 rev P1; East Heath Road Car Park Planning Application Arboricultural Report by Jonathan Meares 16th May 2017. Tree protection areas with drainage TSP/COL/P3266/10 revP3.

Proposed drawings:

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

- 3 All works of landscaping shall be carried out in accordance with the approved details prior to the first use of the car park. 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 A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the commencement of any works on site, tree protection measures shall be put in place in accordance with the recommendations (including monitoring procedures) and details of the approved Arboricultural Report by Jonathan Meares, Drawing TSP/COL/P3266/10 Rev P3 and the guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction".

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 approved protection details.

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 A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The site is currently used as a Pay & Display car park for visitors to Hampstead Heath and is managed by the Corporation of London. The site is accessed from East Heath Rd by a tarmac entrance at the northern end and is bounded by post and rail fencing. The site is not in a conservation area but Hampstead CA is to the west of East Heath Road. The site is within designated Public Open Space and Metropolitan Open Land within Hampstead Heath.

The current car park layout and finish was implemented following planning permission in 2012 (ref 2012/1693/P).

The size of the car park will remain unchanged by the proposals. Timber sleepers will be laid as full height kerbs along the south-western and eastern sides of the car park to prevent surface water from draining outside of the confines of the car park and to provide a boundary for the macadam surface. Flush kerbs will be laid along the north-eastern side of the car park and dropped kerbs will be installed where pedestrians access the car park and at gated entrances. Drainage channels within the carpark will connect to underground attenuation crates which will help to slow site runoff. The attenuation tank has been positioned to avoid harm to nearby tree roots. The carpark will be finished golden gravel colour stone chipping to match the existing colour of the car park.

The Hampstead CAAC note that the car park requires improvement if it is to continue in use and would like to see its use limited to those in most need. However the carpark will not increase in area and would not create any additional car parking spaces and therefore the proposals to improve the surfacing with consequent improvements to local road safety and surface water runoff are acceptable in principle. The parking spaces would be sized in accordance with Camden Planning Guidance CPG7 (Transport) and the 5 existing disabled parking spaces would be retained. The scale of the development is not sufficient to justify the need for a construction management plan and the proposed working hours would avoid the morning and evening peak periods. The proposals are therefore acceptable in terms of transport policy T3.

The choice of surface materials will complement the existing surface colour and is considered to be appropriate for the character of the area and of the Metropolitan Open Land and Public Open Space. It will not affect the character of nearby conservation areas to the west of the road. The proposals will have no significant impact on neighbour amenity. An arboricultural report and tree protection measures have been supplied with the application. There would be some incursion into root protection areas (RPAs) of trees (in particular T007) however the Council's tree officers are satisfied with the recommendations and tree protection measures made within the arb report. A condition would ensure that the recommended tree protection measures are put in place prior to commencement of work. Overall the proposals would be acceptable in terms of policies D1, A2 and A3.

In conclusion, the scheme to make the surfacing more durable and to retain surface water runoff on site would result in very limited visual change to the existing carpark while improving local road conditions. The proposals would maintain the openness and character of the Metropolitan Open Land.

The site's planning and appeal history has been taken into account when coming

to this decision. No objections have been received prior to the determination of this application.

As such, the proposed development is in general accordance with policies D1, A1, A2, A3 and T4 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2016 and the National Planning Policy Framework.

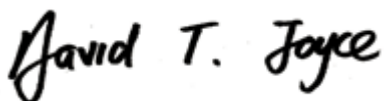
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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.

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