

Application ref: 2018/0821/P
Contact: Samir Benmbarek
Tel: 020 7974 2534
Date: 19 July 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

camden.gov.uk

planning@camden.gov.uk

www.camden.gov.uk

Iceni Projects Limited
Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

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:

**36 Heath Drive
London
NW3 7SD**

Proposal:

Variation of Condition 5 of planning permission 2016/0272/P dated 25/10/2016 (for Excavation to create new basement with 3 front and 3 rear light wells, erection of two storey rear extension including the reconfiguration of the existing 3 x rear dormers to a single dormer, alterations to front and rear first floor dormers and a single storey rear garage extension) namely to change the wording to allow hard and soft landscaping details to be submitted before works start on the relevant part of the development

Drawing Nos: 1056/S-01

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 ref 2016/0272/P dated 25/10/2016.

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 The development hereby permitted shall be carried out in accordance with the following approved plans- Arboricultural Impact Assessment (Addendum), Construction Method statement (Rev A), Foundation scheme Sheet 1 (Rev A), Sheet 2, Sheet 3, Basement Plan (SQ01, TP101, TP102), Anti flood value product, Location plan, D032.00, D032.01, D032.02, D032.10, D032.11, D032.12 & D032.29, 166: P(00)_100A; P(02)_100B; P(02)_101B; P(02)_102A; P(02)_103A; P(02)_104B; P(03)_100A; P(04)_100C; P(04)_101B; P(04)_102A; P(04)_103A.

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

- 4 For the duration of the development, 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 during construction work. Records of all Tree Protection Monitoring and Site Supervision visits, as detailed in section 5 of Tree Survey And Arboricultural Assessment Report by A J Moffat & Associates, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A3 and D1 of the London Borough of Camden Local Plan 2017.

- 5 For the purpose of this decision, condition no. 5 of planning permission 2016/0272/P dated 25/10/2016 shall be replaced with the following condition:

REPLACEMENT CONDITION 5

Prior to the commencement of the relevant works on site, full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be submitted to and approved by the Council. Such details shall include:

- Scaled plans showing all existing and proposed vegetation and landscape features;
- A schedule detailing species, sizes, and planting densities;
- Location, type and materials to be used for hard landscaping and boundary treatments;
- Specifications for replacement trees (and tree pits where applicable), taking into account the standards set out in BS8545:2014;
- Details of any proposed earthworks including grading, mounding and other changes in ground levels;
- A management plan including an initial scheme of maintenance.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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 policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. 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 A3 and D1 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposed amended wording to Condition 5 still requires the same level of information be submitted to discharge the condition; however, the trigger is amended so that the details can be submitted prior to the commencement of the relevant works rather than the commencement of development.

The variation does not raise any amenity concerns as it does not impact the scale or extent of the previously approved development.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

No objections have been received prior to making this decision. 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 A1, 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 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).
- 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 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. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £19,700 (394 sqm x £50) for the Mayor's CIL and £197,00 (394 sqm x £500) for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised 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 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.

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



Application ref: 2018/0877/P
Contact: Samir Benmbarek
Tel: 020 7974 2534
Date: 19 July 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

camden.gov.uk

planning@camden.gov.uk

www.camden.gov.uk

Iceni Projects
Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

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:
36 Heath Drive
London
NW3 7SD

Proposal:

Variation of condition 3 (approved plans) of planning permission ref 2016/0272/P dated 25/10/2016 (Excavation to create new basement with 3 front and 3 rear light wells, erection of two storey rear extension including the reconfiguration of the existing 3 x rear dormers to a single dormer, alterations to front and rear first floor dormers and a single storey rear garage extension), namely to allow amendments to the approved lightwells, removal of the approved canopy to the rear elevation, amended configuration of roof lights, and amendments to the window cills on the front elevation

Drawing Nos: Arboricultural Impact Assessment (Addendum), Construction Method statement (Rev A), Foundation scheme Sheet 1 (Rev A), Sheet 2, Sheet 3, Basement Plan (SQ01, TP101, TP102), Anti flood value product, Location plan, D032.00, D032.01, D032.02, D032.10, D032.11, D032.12, D032.29,
166: P(00)_100A; P(02)_100B; P(02)_101B; P(02)_102A; P(02)_103A; P(02)_104B;
P(03)_100A; P(04)_100C; P(04)_101B; P(04)_102A; P(04)_103A.

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 ref 2016/0272/P dated 25/10/2016.

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 purpose of this decision, condition no. 3 of planning permission 2016/0272/P dated 25/10/2016 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- Arboricultural Impact Assessment (Addendum), Construction Method statement (Rev A), Foundation scheme Sheet 1 (Rev A), Sheet 2, Sheet 3, Basement Plan (SQ01, TP101, TP102), Anti flood value product, Location plan, D032.00, D032.01, D032.02, D032.10, D032.11, D032.12 & D032.29, 166: P(00)_100A; P(02)_100B; P(02)_101B; P(02)_102A; P(02)_103A; P(02)_104B; P(03)_100A; P(04)_100C; P(04)_101B; P(04)_102A; P(04)_103A.

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

- 4 For the duration of the development, 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 during construction work. Records of all Tree Protection Monitoring and Site Supervision visits, as detailed in section 5 of Tree Survey And Arboricultural Assessment Report by A J Moffat & Associates, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A3 and D1 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of the relevant works on site, full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be submitted to and approved by the Council. Such details shall include:
 - Scaled plans showing all existing and proposed vegetation and landscape features;
 - A schedule detailing species, sizes, and planting densities;
 - Location, type and materials to be used for hard landscaping and boundary treatments;

- Specifications for replacement trees (and tree pits where applicable), taking into account the standards set out in BS8545:2014;
- Details of any proposed earthworks including grading, mounding and other changes in ground levels;
- A management plan including an initial scheme of maintenance.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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 policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. 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 A3 and D1 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission-

The revised proposal comprises a number of small amendments to vary the size, design and location of the previously approved front and rear lightwells, to add the installation of black painted metal balustrading around one, to remove the

previously approved canopy at first floor level, to slightly lower the rear window cills, and to reconfigure the size and location of approved rooflights. The amendments are acceptable in design and indeed some will be barely visible from ground level or public realm. They will not harm the character of the host building or the surrounding conservation area. The revised proposal is considered acceptable in the context of the approved scheme.

The variations do not raise any amenity concerns as the amendments would not cause any loss of light, outlook or privacy for neighbours.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

No objections have been received prior to making this decision. 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 A1, 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 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).
- 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 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. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £19,700 (394 sqm x £50) for the Mayor's CIL and £197,00 (394 sqm x £500) for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised 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 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.

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

