

Application ref: 2018/2283/P
Contact: Jenna Litherland
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Date: 28 August 2018

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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

South Hampstead Synagogue
21-22 Eton Villas
London
NW3 4SG

DECISION

Proposal:

Variation of conditions 4 (approved plans), 5 (hard and soft landscaping), 6 (tree protection details) of planning permission 2013/7887/P granted 28/01/2016, as amended by permissions 2017/0478/P granted 09/11/2017 [for Erection of a synagogue comprising 4 storeys plus basement] namely to enable replacement of the tree of heaven with a tulip tree.

Drawing Nos: Drawing Nos: 882_07_050 P1; 882_07_010 P2; 882_07_002 P1; 882_07_200 P1; 882_07_201 P1; 882_07_100 P8; 882_07_101 P4; 882_07_102 P5; 882_07_210 P2; 882_07_211 P2; 882_07_230 P8; 882_07_231 P7; 882_07_232 P7; 882_07_233 P9; 882_07_234 P2; 882_07_235 P1; 882_07_310 P2; 882_07_311 P2; 882_07_526 P1; 882_90_400 P7; 882_90_455 P2; 882_SK_102 S2; Detailed Shul layout; Basement Plan Access revisions.

Documents: Design and Access Statement; Planning Statement; Transport Statement; Transport Statement Addendum; Travel Plan September 2014; Construction Traffic Management Plan; Transport Technical Note Rev A; Transport Technical Note Rev B; Transport Letter 19.11.14; Arboricultural Report; BREEAM Pre-Assessment; Energy Statement; Energy and Sustainability Statement Rev B; Heritage Appraisal; Statement of Community Involvement; Acoustic Report; Sunlight, Daylight and Overshadowing Report; Letter re Alternative Sites; Note to Planners July 2014; Basement Impact Assessment; Basement Impact Assessment Addendum Report October 2014; Basement Impact Assessment Addendum Report P2; BIA Sequence P4. Platform lift specification by Stannah; letter from CST undated; letter from Paul Callegari; email from Richard Loftus dated 19 June 2017; Tree Condition Survey by Eight Associates dated 03/04/2017.

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 2013/7887/P dated 28/01/16.

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

- 2 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
 - a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;
 - b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site);
 - c) Details including elevations, sections and a roof plan at a scale of 1:50 of the security hut in the forecourt.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

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

Drawing Nos: 882_07_050 P1; 882_07_010 P2; 882_07_002 P1; 882_07_200 P1; 882_07_201 P1; 882_07_100 P8; 882_07_101 P4; 882_07_102 P5; 882_07_210 P2; 882_07_211 P2; 882_07_230 P8; 882_07_231 P7; 882_07_232 P7; 882_07_233 P9; 882_07_234 P2; 882_07_235 P1; 882_07_310 P2; 882_07_311 P2; 882_07_526 P1; 882_90_400 P7; 882_90_455 P2; 882_SK_102 S2; Detailed Shul layout; Basement Plan Access revisions.

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

- 5 The hard and soft landscaping and means of enclosure of an all un-built, open areas shall be undertaken in accordance with the details approved under application reference 2016/5285/P dated 15/05/2017 and as approved under the current application reference: 2018/2283/P in respect of the replacement forecourt tree, unless otherwise agreed in writing by the local planning authority. The replacement tree shall be 1x Tulip tree (*Liriodendron tulipifera*) 18-20cm in circumference at 1m in height. A 5 year maintenance plan and sections of the planter in which the tree is to be located shall be submitted to and approved in writing by the local planning authority. The tree shall be maintained in line with the approved maintenance plan and BS8545:2014 thereafter.

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 trees on the site, or part 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 approved under application reference 2016/1245/P dated 23/05/2016 (with the exception of the Tree of Heaven which has consent for removal under the current application reference: 2018/2283/P), unless otherwise agreement in writing by the Local Planning Authority

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.

- 7 The design of the basement and building foundations and the layout, in so far as these items may affect trees on or adjoining the site, shall be undertaken in accordance shall be undertaken in accordance with the details approved under application reference 2016/1245/P dated 23/05/2016, unless otherwise agreed in writing by the local planning authority.

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.

- 8 Before the use commences sound insulation shall be provided for the building in accordance with a scheme to be first approved by the local planning authority in writing. The use shall thereafter not be carried out other than in accordance with the approved scheme.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 9 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 10 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 11 The development hereby permitted shall be carried out in accordance with the following approved SHS Waste Calculations and drawing no. 882_90_455 P2. The facility as approved 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 A1 and CC5 of the London Borough of Camden Local Plan 2017.

- 12 The development hereby permitted shall be carried out in accordance with the following approved drawing no. 882_90_400 P6. The 26 cycle spaces as approved shall be provided in their entirety and prior to the first occupation of the development and permanently 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.

- 13 The development shall be implemented in accordance with the sustainable urban drainage system approved under application reference 2016/5045/P dated 24/11/2016. Following implementation the system shall be retained and maintained thereafter.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 14 Notwithstanding the provisions of the Use Class Order (1995) (as amended), the development shall be used as a synagogue only (Use Class D1).

Reason: In order to control the use on site to accord with policy C2 of the London Borough of Camden Local Plan 2017.

- 15 The glazed screen of the external amenity area at third floor level shall be obscure glazed to a height of 1.8m, in accordance with drawing 882_07_526_NE_Section and shall be permanently retained.

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.

- 16 The development hereby permitted shall be carried out in accordance with the following approved drawing no. 882_90_400 P6. The approved Electric Vehicle Charging Point shall thereafter be provided in its entirety prior to the first occupation of the development and permanently retained thereafter.

Reason: To ensure the development includes sustainable parking measures in accordance with the requirements of policy T2 of the London Borough of Camden Local Plan 2017.

- 17 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

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.

- 18 An appropriate automatic noise control device shall be used for any amplified sound. The device shall be set so that the volume of any amplified sound emanating from the premises is inaudible at the façade of any noise sensitive premises and shall be maintained at a level as agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 19 Automatic time clocks shall be fitted to the equipment/machinery hereby approved, prior to commencement of the use of the units, to ensure that the plant/equipment does not operate after the time to be agreed within the Events Management Plan. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 20 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 21 Prior to the commencement of development, trial pits shall be dug to determine the extent of the roots of T1 (False acacia) and T4 (Tree of Heaven) within the proposed basement area, to give a clearer indication of the Root Protection Area.

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.

- 22 All pruning carried out at the time of the scaffold installation shall be in accordance with the details approved under application reference: 2016/1245/P dated 23/05/2016. All approved works shall be carried out by trained arborists in accordance with the approved 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

- 23 All underground services/ utilities shall be in accordance with the details approved under application reference: 2016/1245/P dated 23/05/2016.

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

- 24 The development shall be carried out in accordance with the Arboricultural Method Statement and auditable system of on-site monitoring of trees on and adjacent to the site details approved under application reference: 2016/1245/P dated 23/05/2016.

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

- 25 The two disabled parking bay in the forecourt, hereby approved, shall be provided prior to first occupation of the building and retained and used for no other purpose than disabled parking thereafter.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets and to ensure access for all in accordance with policies C6 and T2 of the London Borough of Camden Local Plan 2017.

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 You are advised that this permission should be read in conjunction with the schemes approved on 09/11/2017 (ref: 2017/0478/P) and 28/01/2016 (ref: 2013/7887/P) and all other conditions and informative attached to the original decision are still applicable.
- 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, 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 Drawing no. 882_SK_102 S2 is indicative only and have been submitted to demonstrate that should it ever be required a platform lift could be installed within the existing building envelope.
- 5 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 6 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