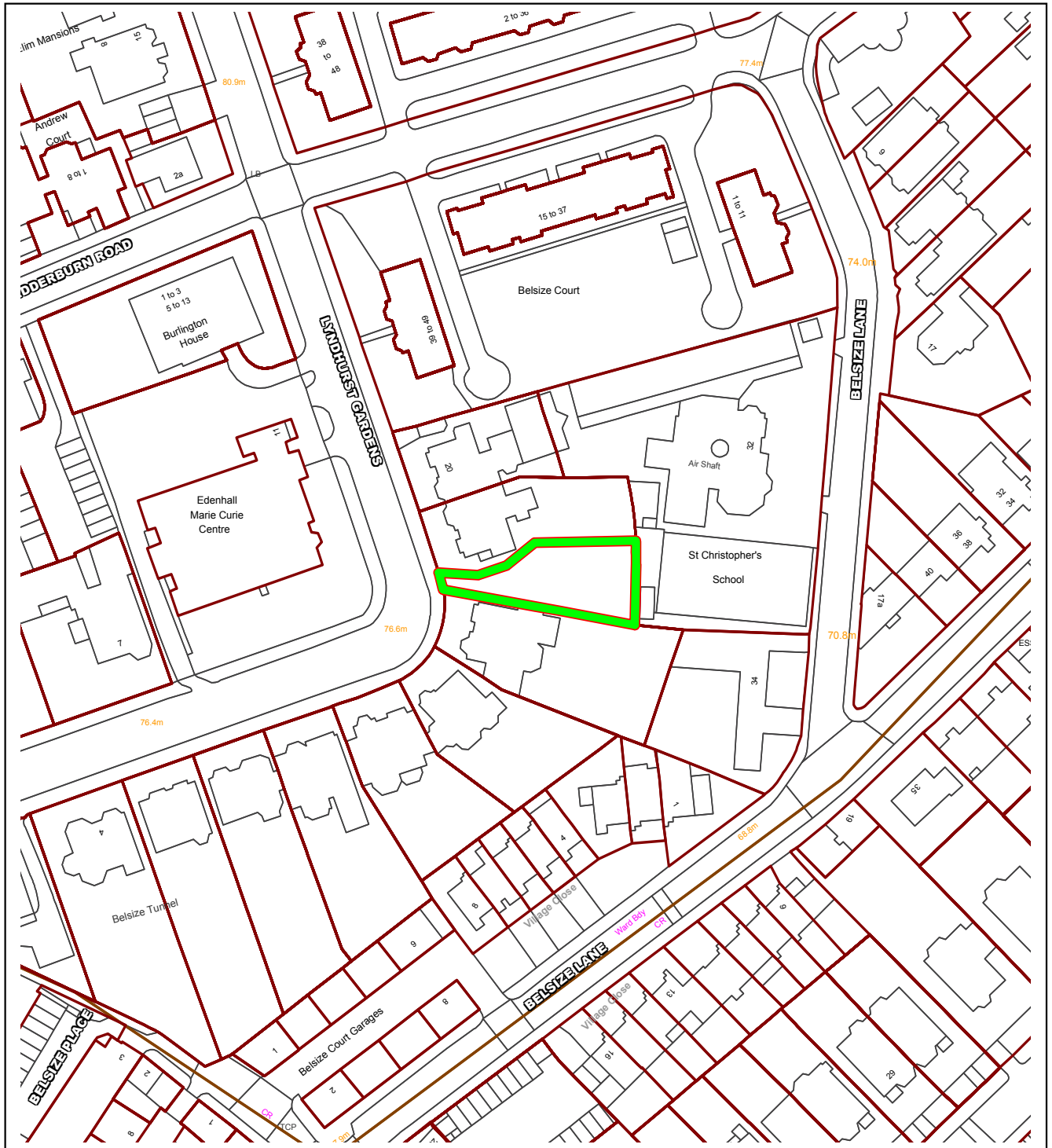


2018/3169/P – The Gateway, 16A Lyndhurst Gardens



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Photo 1 – site entrance in 2016 (between nos. 16 and 18 Lyndhurst Gardens)



Photo 2 – current view of site entrance



Photos 3 & 4 – sample panels (Staffordshire slate blue brick)



Photo 5 & 6 – within site showing neighbouring property (no.18)



Photos 7 & 8 – within site showing neighbouring property (no.16)



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	30/08/2018
		N/A		Consultation Expiry Date:	05/08/2018
Officer			Application Number(s)		
Tony Young			2018/3169/P		
Application Address			Drawing Numbers		
The Gateway 16A Lyndhurst Gardens London NW3 5NR			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Variation of condition 2 (approved drawings) in relation to planning permission (2013/5916/P) dated 29/10/2014 and as amended (2016/6323/P) dated 08/09/2017 for the erection of single storey dwelling with basement and sub-basement (Class C3), namely to alter the facing material on the elevations from red brick to blue brick.					
Recommendation(s):		Grant Variation of Condition Subject to a Deed of Variation			
Application Type(s):		Variation or Removal of Condition			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	03	No. of objections	02
			No. Electronic	03		
	Site notice was displayed from 11/07/2018 to 04/08/2018 Press notice was published on 12/08/2018 and expired 05/08/2018					
Summary of consultation responses from local residents, CAAC/Local groups, etc	<u>Adrian Phillips</u> (Flat 3, 16 Lyndhurst Gardens) objected to the proposals as follows:					
	1. “As I recall, at the public hearing, Vabel committed to making the above ground re-build similar to the pre-existing red-brick bungalow. This was because 16A is in a conservation area of red-brick houses. Blue bricks and marble facing are clearly not in keeping with this. I would ask you to check back thoroughly through the Inspector’s ruling, the Section 106, the planning consent and any other undertakings. I also recall that Vabel agreed not to use modern wooden gates (as in the original drawings) but iron gates in keeping with the listed buildings along Lyndhurst Gardens.”					
	<u>Richard Powell</u> (18 Lyndhurst Gardens) objected to the proposals as follows:					
	2. “We understood that the original approval was based on making the above ground re-build similar to the pre-existing red-brick bungalow, in keeping with it being in a conservation area of red-brick houses. However, we understand the developer has now proposed to finish in blue bricks and marble facing, which is clearly not in keeping with this. I would like to object to the proposed changes.”					
	<u>Nick Cavalia</u> (Flat 1, 16 Lyndhurst Gardens) commented on the proposals summarised as follows:					
	3. “2018/0030/P deals with the landscaping, choice of bricks (nb. blue rather than red) and other design features. I don’t think this has yet been granted and you may like to reflect on the blue bricks – but I don’t think I feel strongly about it.”					
	<u>The Heath and Hampstead Society</u> responded and objected to the proposals as follows:					
	4. “This blatant change from an agreed brick colour should not be condoned. Please refuse.”					
	<u>Cllr Stephen Stark</u> requested that the change in brick colour be investigated in light of concerns from a number of local residents who contacted him.					
	<u>Officer response:</u> please see sections 2-4 of main body of report.					

Site Description

The application site lies between nos. 16 and 18 Lyndhurst Gardens at the corner of the road and was created out of the rear garden of no.18. The site area is 468sqm and previously housed a single storey 2 bedroom dwelling built in the 1970's. Nos. 16 and 18 Lyndhurst Gardens are substantial 19th century 4-5 storey plus basement semi-detached properties divided into flats.

The area is characterised by large 19th century residential properties with traditional features and boundary treatments and large rear gardens. There are also 2 large institutions nearby, the Marie Curie hospice is opposite; and at the rear to the east is St. Christopher's School.

The application site sits within the Fitzjohns/Netherhall Conservation Area and, in common with its neighbours (nos. 4-14) further west, is a Grade II listed building.

Relevant History

Application site:

2018/0030/P - Details of appointment of engineer to inspect, approve and monitor permanent and temporary basement construction works (condition 3); facing materials (part condition 5b); external fixtures (condition 7); and landscaping details (condition 9) in relation to planning permission (2013/5916/P) dated 29/10/2014 and as amended (2016/6323/P) dated 08/09/2017 for the erection of single storey dwelling with basement and sub-basement (Class C3). Granted approval 16/07/2018

2017/7085/P – Non-material amendments: Levelling and insertion of steps to driveway as non-material amendment to planning permission for Erection of single storey dwelling with basement and sub-basement, following demolition of existing dwelling (Class C3) reference 2013/5916/P dated 29/10/14 amended with minor alterations by minor material amendment reference 2016/6323/P. Granted 12/04/2018

2016/6323/P - Variation of condition 2 (approved plans) of planning permission reference 2013/5916/P dated 29/10/14 (for erection of single storey, plus two storey basement, dwelling following demolition of existing dwelling) to allow for relocation of store room, bin store and bike store, increase in size of sub-basement and addition of lightwell at sub-basement level, and associated internal alterations. Granted 08/09/2017

2015/5762/P - Details of gates as required by condition 6(c) of planning permission 2013/5916/P dated 29/10/2014 (for the erection of a single storey plus two storey basement dwelling following demolition of the existing dwelling). Granted approval 28/10/2015

2016/1785/P - Details required by condition 4 (additional basement construction information as itemised in Arup's letter dated 27/06/12) of planning permission 2013/5916/P dated 29/10/2014 (for the erection of a single storey dwelling with two level basement). Granted approval 11/05/2016

2014/6995/P - Details required by conditions 3 (appointment of engineer to inspect, approve and monitor permanent and temporary basement construction works); 4 (additional basement construction information as itemised in Arup's letter dated 27.6.12 titled 'Audit of revised BIA June 2012'); and 9 (hard and soft landscaping) of planning permission 2013/5916/P dated 29/10/2014 (for the erection of a single storey dwelling with two level basement). Granted approval 08/05/2015

2013/5916/P - Erection of single storey dwelling with basement and sub-basement, following demolition of existing dwelling (Class C3) [incorporating alternative rooflights layout to north and south elevations to planning application ref: 2013/4232/P]. Granted planning permission 29/10/2014

Relevant policies

The LDF Core Strategy and Development Policies were superseded by the Camden Local Plan 2017; however, these policies had full weight when the main planning application was granted in 2014 (2013/5916/P):

LDF Core Strategy and Development Policies

CS5 - Managing the impact of growth and development

CS6 - Providing quality homes

CS11 - Promoting sustainable and efficient travel

CS13 - Tackling climate change

CS14 - Promoting high quality places and conserving our heritage

CS15 - Protecting and improving open spaces & encouraging biodiversity

CS18 - Dealing with waste

CS19 - Delivering and monitoring the Core Strategy

DP2 - Making full use of Camden's capacity for housing

DP6 - Lifetime homes and wheelchair homes

DP17 - Walking, cycling and public transport

DP22 - Sustainable design and construction

DP23 - Water

DP24 - Securing high quality design

DP25 - Conserving Camden's heritage

DP26 - Managing the impact of development on occupiers and neighbours

DP27 - Basements and lightwells

DP28 - Noise and vibration

National Planning Policy Framework 2012

The London Plan March 2016

Draft Local Plan 2016

Camden Planning Guidance

Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy (adopted February 2001)

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

In addition, the following latest policies and guidance are of particular relevance to this current application:

National Planning Policy Framework 2018

Camden Local Plan 2017

A1 - Managing the impact of development

D1 - Design

D2 – Heritage

Camden Planning Guidance

CPG1 (Design) March 2018

CPG6 (Amenity) March 2018

Assessment

1. Proposal

- 1.1 Permission was granted in 2014 (ref. 2013/5916/P) for the erection of a single storey dwelling with 2-storey basement, following the demolition of the existing bungalow. Permission was then granted in 2017 (ref. 2016/6323/P) for various minor ground works and alterations to basement.
- 1.2 This current application now seeks to vary condition 2 (approved drawings) in relation to the above permissions, namely to alter the facing material on the elevations from red brick to Staffordshire slate blue brick.
- 1.3 Condition 2 requires the permitted development to be carried out in accordance with the approved drawings. These drawings include annotation referring to 'red brick' as a facing material. As such, any proposal to alter the colour of the facing material is considered to be a material alteration requiring formal determination, hence, the submission of this current application.
- 1.4 As the original permission was subject to a section 106 agreement, the above amendment would require a deed of variation to the original legal agreement.

2. Assessment

- 2.1 The principal considerations material to the determination of this application are:
 - a) the design and impact of the proposal on the host building, wider locality, the character and appearance of the Fitzjohns/Netherhall Conservation Area, and any nearby listed buildings; and
 - b) the impact of the proposal on neighbouring amenity.

3. Design and appearance

- 3.1 Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. It requires "*all developments, including alterations and extensions to existing buildings, to be of the highest standard of design*", and when considering local context and character, to specifically take into account:
 - character, setting, context and the form and scale of neighbouring buildings;
 - the character and proportions of the existing building, where alterations and extensions are proposed;
 - the prevailing pattern, density and scale of surrounding development;
 - the impact on existing rhythms, symmetries and uniformities in the townscape;
 - the composition of elevations;
 - the suitability of the proposed design to its intended use;
 - inclusive design and accessibility;
 - its contribution to public realm and its impact on views and vistas; and
 - the wider historic environment and buildings, spaces and features of local historic value.
- 3.2 Local Plan Policy D2 (Heritage) also states that the Council will only permit development within conservation areas that "*preserves or, where possible, enhances the character or appearance of the area.*" The Fitzjohns/Netherhall Conservation Area Statement (page 2) supports this when

stating that its designation as a conservation area provides the basis for policies designed to “*preserve or enhance the special interest of such an area.*”

- 3.3 The approved drawings for both the original planning permission (ref. 2013/5916/P) and as amended by an approval for a variation of condition (ref. 2016/6323/P) include annotation referring to ‘red brick’ as a facing material. The committee report for the original application (paragraph 6.18) also refers to the “*use of red brick with dark clay tiles*” as one of the factors in helping the proposal to blend into the verdant gap between 16 and 18 Lyndhurst Gardens (along with its height, setback location from the road, and position behind the line of the prevailing large scale dwellings on the same side of the street).
- 3.4 It is recognised that contextual relationships are important when introducing a discrete new house sited in close proximity to several richly-detailed and finely-textured red-brick houses. The new house will be located between 2 of these large red-brick dwellings at nos. 16 and 18 which are typical of the style and character of a number of buildings in the immediate vicinity. In particular to this current application, Local Plan Policy D1 (Design) 7.10 states that, “*The durability and visual attractiveness of materials will be carefully considered along with their texture, colour, tone and compatibility with existing materials. Alterations and extensions should be carried out in materials that match the original or neighbouring buildings, or, where appropriate, in materials that complement or enhance a building or area.*”
- 3.5 The proposed facing material on the elevations would be Staffordshire slate blue brick (see photos 3 & 4). The grey-blue colour of the brick would reflect the dwellings contemporary design, giving it a presence and individuality that would allow it to be read as a dwelling in its own right. While the brick colour is different from neighbouring buildings, it is considered to complement well with these buildings by way of contrast, not least by allowing the new dwelling to appear as a subordinate and secondary addition to neighbouring houses by virtue of enhancing the prominence and appearance of the existing larger 3-storey red-brick buildings.
- 3.6 The Fitzjohns/Netherhall Conservation Area Statement (pages 22-23) in describing Lyndhurst Gardens states that, “*Nos. 4-16 (even) are by Harry B Measures c1886 for William Willet and Son, 3 storey red and grey-blue bricks with rubbed brick ornaments.*” While it is accepted that the most noticeable brick colour is red, the Statement also acknowledges the presence of grey-blue within the traditional colour palette for bricks. It would therefore not be considered entirely out of keeping with the historic character and appearance of the street and wider Fitzjohns/Netherhall Conservation Area to provide facing brickwork of a colour that references similar qualities and tones (see photos 5-8).
- 3.7 The raked-back nature of the proposed pointing, slightly recessed from the front edge of the brick, combined with the dark grey/black mortar colour and degree of aggregate, would most likely bring out the best in the colour and tone of the proposed new brick by maximising the texture on the façade. This pointing and mortar specification would assist in offsetting any possible hard, regular finish that can sometimes be created by modern builds and result in an appearance more discrete and suitable within the Fitzjohns/Netherhall Conservation Area.
- 3.8 Indeed, the proposed coloured brick would also contrast well with detailed landscaping for the site and so provide a small backdrop against which trees and plants might appear more prominent. This would be achieved through the use of traditional red bricks on the front gateway and access drive leading to the new dwelling so referencing similarly coloured existing materials in this locality, creating a visual transition between the traditional local material context and the modern palette of materials used on the new dwelling.
- 3.9 This would further serve to moderate the appearance of the new dwelling house, and help to blend the proposals into the verdant gap between 16 and 18 Lyndhurst Gardens as referred to in

the original committee report. It is noted that the report recognised that the brick colour as only one of a number of factors that would help in this way - the others being the height of the new dwelling, setback location from the road, and position behind the line of the prevailing large scale dwellings on the same side of the street. These other factors would remain unchanged. Therefore, it is considered that the amended brick colour would still allow the new dwelling to remain low-key, largely hidden from view and sit comfortably within its setting as described in the original committee report.

- 3.10 Special regard has been attached to the desirability of preserving any adjacent listed buildings and their features of special architectural or historic interest, and the character and appearance of the Fitzjohns/Netherhall Conservation Area. The proposal has been considered in this light and in consultation with a Council Conservation Officer, and it is felt that the material amendment would have no greater impact on heritage assets than the approved scheme. As such, the proposal is considered to comply with 192 of the National Planning Policy Framework 2018 and sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

4. Amenity

- 4.1 Local Plan Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents. This is supported by Camden Planning Guidance CPG6 (Amenity) that requires the potential impact on the amenity of neighbouring properties to be fully considered.
- 4.2 The proposed amendment is not considered to have a material impact on or result in undue harm to the living conditions and general amenity of neighbouring occupants, and as such, accords with policy A1 and Camden Planning Guidance, and is acceptable.

5. Recommendation

- 5.1 Grant variation of condition subject to a deed of variation to a Section 106 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 Monday 17th September 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'.

Dalton Warner Davis
6 New Bridge Street
London
EC4V 6AB

Application Ref: **2018/3169/P**

13 September 2018

Dear Sir/Madam

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:

**The Gateway
16A Lyndhurst Gardens
London
NW3 5NR**

Proposal:

Variation of condition 2 (approved drawings) in relation to planning permission (2013/5916/P) dated 29/10/2014 and as amended (2016/6323/P) dated 08/09/2017 for the erection of single storey dwelling with basement and sub-basement (Class C3), namely to alter the facing material on the elevations from red brick to blue brick.

Drawing Nos: Site Location Plan 0999 Rev A; 1228/2/AP 01; 11; 13; DE 01; 02; 03; 04; 06; 07; 08; 09; 10; 15; 16; 17; 18; 4948-DE-05 rev C2; Design and Access Statement by Michael Burroughs Associates dated June 2013; Sustainability & Energy Statement by Integration dated October 2016; Lifetime Homes Statement by Vabel; Tree Report by Tretec dated May 2013; Basement Impact Assessment by Michael Chester & Partners dated June 2013; Additional Basement Impact Statement from Michael Chester & Partners dated 03/07/2013; Construction Management Plan by TTP Consulting dated 06/06/2013; Structural Methodology Statement by Mason Navarro Pledge dated 3rd November 2016; Remedial Calculations for Missing Piles by Mason Navarro Pledge (Ref 215115) May 2017; Letter from Mason Navarro Pledge dated 15th May 2017; Staffordshire Slate Blue Brick (sample & mortar specifications).

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 shall be carried out in accordance with the following approved plans: Site Location Plan 0999 Rev A; 1228/2/AP 01; 11; 13; DE 01; 02; 03; 04; 06; 07; 08; 09; 10; 15; 16; 17; 18; 4948-DE-05-rev C2; Design and Access Statement by Michael Burroughs Associates dated June 2013; Sustainability & Energy Statement by Integration dated October 2016; Lifetime Homes Statement by Vabel; Tree Report by Tretec dated May 2013; Basement Impact Assessment by Michael Chester & Partners dated June 2013; Additional Basement Impact Statement from Michael Chester & Partners dated 03/07/2013; Construction Management Plan by TTP Consulting dated 06/06/2013; Structural Methodology Statement by Mason Navarro Pledge dated 3rd November 2016; Remedial Calculations for Missing Piles by Mason Navarro Pledge (Ref 215115) May 2017; Letter from Mason Navarro Pledge dated 15th May 2017; Staffordshire Slate Blue Brick (sample & mortar specifications).

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

- 2 The development hereby approved shall be carried out under the supervision of the approved engineer in accordance with Approval of Details application reference 2014/6995/P granted 08/05/2015 and subsequent reappointment approved under reference 2018/0030/P granted 16/07/2018. 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 CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 of the London Borough of Camden Local Development Framework Development Policies, and policies D1, D2 and A5 of the Camden Local Plan 2017.

- 3 The development (including both excavation and construction) hereby approved shall be carried out in accordance with the approved details relating to the basement construction (including further investigations, condition surveys, construction methodology and detailed design, mitigation measures, monitoring methods, etc), as itemised in Arup's letter dated 27.6.12 titled 'Audit of revised BIA June 2012', and approved by the Council under references 2014/6995/P & 2016/1785/P. The development shall be constructed and monitored in accordance with such approved details and with the Basement Impact Assessment report dated June 2012 by Michael Chester and Partners.

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 CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 of the London Borough of Camden Local Development Framework Development Policies, and policies D1, D2 and A5 of the Camden Local Plan 2017.

- 4 The development hereby approved shall be carried out in accordance with the approved details relating to all new facing materials including masonry, windows and door frames, and glazing. The relevant part of the works shall then be carried out in accordance with the approved details.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies, and policies D1 and D2 of the Camden Local Plan 2017.

- 5 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

a) Plan, elevation and section drawings, including jambs, head and cill, of all new external window and door at a scale of 1:10 with typical glazing bar details at 1:1.

b) Samples and manufacturer's details of new facing brickwork.

c) Plan, elevation and section drawings of the new entrance gates at a scale of 1:10

The samples shall include a brickwork panel no less than 1m by 1m including junction with window openings demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding, shall be erected on site for inspection by the local planning authority.

The relevant part of the works shall then be carried in accordance with the approved details

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies, and policies D1 and D2 of the Camden Local Plan 2017.

- 6 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and policies D1 and D2 of the Camden Local Plan 2017.

- 7 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies, and policies D1 and D2 of the Camden Local Plan 2017.

- 8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-F)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies, and policies A1, D1 and D2 of the Camden Local Plan 2017.

- 9 The development hereby approved shall be carried out in accordance with the approved details relating to hard and soft landscaping and means of enclosure of all un-built, open areas. Such details shall include any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details 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 CS14 and CS15 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, and policies A3, D1 and D2 of the Camden Local Plan 2017.

- 10 All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details prior to the occupation for the permitted use 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 Council 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 CS14 and CS15 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, and policies A3, D1 and D2 of the Camden Local Plan 2017.

- 11 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 to the satisfaction of the Council in line with the recommendations set out in the TreTec Arboricultural Report (ref:1111) and shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Design, Demolition and Construction"

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 policy CS15 of the London Borough of Camden Local Development Framework Core Strategy, and policy A3 of the Camden Local Plan 2017.

- 12 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 facade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the 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, and policies A1 and A4 of the Camden Local Plan 2017.

- 13 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 the new residential unit and shall be permanently maintained and retained thereafter.

Reason: To ensure that the internal layout of the building is acceptable with regards to accessibility by 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, and policy H6 of the Camden Local Plan 2017.

- 14 The cycle storage area shown on the plans hereby approved shall be provided in its entirety prior to the first occupation of the new unit, and thereafter permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies, and policy T1 of the Camden Local Plan 2017.

- 15 The development shall not be occupied until the whole of the car parking provision shown on the approved drawings is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the occupiers and users of the development.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets, which would be contrary to policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies, and policy T2 of the 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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 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.

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 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 4444).
- 6 The development hereby approved must be carried out in strict compliance with the plans referred to in this permission. Any alteration to the approved scheme resulting either from the requirements of Building Regulations, or for any other cause, must not take place except with the written agreement of the Council as local planning authority.
- 7 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.
- 8 You are advised that there are public sewers crossing or close to your development and that approval should be sought from Thames Water if any building is to be erected or underpinned on top of or within 3m of the public sewer. Furthermore if groundwater is to be discharged into the sewer, a groundwater discharge permit would be required. You should also incorporate suitable protection to the property to avoid the risk of backflow from the sewerage network.
Further advice can be obtained from Thames Water Developer Services on 0845-8502777.
- 9 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.
- 10 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential unit 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.
- 11 You are advised that conditions 5a (new windows and door), part 5b (facing material) and 5c (new entrance gates) relating to planning permission (2013/5916/P) dated 29/10/2014 and as amended (2016/6323/P) dated 08/09/2017 remain outstanding and require details to be submitted and approved in writing.

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

DRAFT

DECISION