



Application ref: 2017/3570/P  
Contact: Charles Rose  
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Date: 28 September 2018

**Development Management**  
Regeneration and Planning  
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Montagu Evans  
5 Bolton Street  
London  
W1J 8BA

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 and Warning of Enforcement Action**

Address:

**6-10 Cambridge Terrace and 1-2 Chester Gate  
London  
NW1 4JL**

Proposal:

Variation of condition 8 (approved plans) of planning permission 2009/3041/P, dated 07/09/2010 (as amended by 2015/1778/P, dated 10/04/2015) (for change of use of 6-10 Cambridge Terrace and 1-2 Chester Gate from office to residential to provide 3x dwellinghouses, and associated works), namely to allow proposed amendments to the sliding roof light to No. 9 Cambridge Terrace.

Drawing Nos:

**REVISED PLANS:**

Site location plan; 639-1.001; 639-1.002; 639-1.003; 639-2.001C; 639-2.002E; 639-2.003D; 639-2.004D; 639-2.005E; 639-2.006D; 639-2.007E; SK01; SK02; 639-2.010; 639-2.011; 639-2.012; 639-2.013; 639-2.014; 639-2.015; 639-2.016; 639-2.020A ; 639-2021A; 639-2.022A; 639-2.023A; 639-2.024A; 639-2.025A; 639-2.026A; 6392-2.920; 6392-2.911-P1; 639-3.001C; 639-3.002B; 639-3.003A; 639-3.004A; 639-3.005B; 639-3.006A; SK03; 639-3.010; 639-3.011; 639-3.012; 639-3.013; 639-3.014; SK04; 639-4.002C; 639-4.003B; 639-4.004B; 639-4.010; 639-4.011; 639-4.012; 639-4.013.

**SUPERSEDED PLANS:**

Site location plan; 639-1.001; 639-1.002; 639-1.003; 639-2.001C; 639-2.002E; 639-2.003D; 639-2.004D; 639-2.005E; 639-2.006D; 639-2.007E; 639-2.008D; 639-2.009A; 639-2.010; 639-2.011; 639-2.012; 639-2.013; 639-2.014; 639-2.015; 639-2.016; 639-2.020A ; 639-

2021A; 639-2.022A; 639-2.023A; 639-2.024A; 639-2.025A; 639-2.026A; 6392-2.920; 6392-2.911-P1; 639-3.001C; 639-3.002B; 639-3.003A; 639-3.004A; 639-3.005B; 639-3.006A; 639-3.007B; 639-3.010; 639-3.011; 639-3.012; 639-3.013; 639-3.014; 639-4.001C; 639-4.002C; 639-4.003B; 639-4.004B; 639-4.010; 639-4.011; 639-4.012; 639-4.013.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Conditions and Reasons:

- 1 Prior to first occupation of the development the refuse and recycling storage facilities shown on the drawings hereby approved shall be provided. All refuse and recycling storage facilities shall be permanently maintained and retained as such thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 2 Prior to commencement of the development an acoustic report including full details of any proposed noise mitigation measures which demonstrates that resultant indoor noise levels will be below British Standard 8233, shall be submitted to and approved by the Council in writing. The development shall not be carried out otherwise than in accordance with any approval given and shall be maintained and retained as such thereafter.

Reason: To safeguard the amenities of the occupiers of the proposed development in accordance with the requirements of policies SD6, SD7B and Appendix 1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 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 the special character and historic interest of the building and the character and appearance of the conservation area in accordance with the requirements of policies B1, B3, B6 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 Prior to first occupation of the development the cycle storage facilities shown on the drawings hereby approved shall be provided in their entirety. The cycle storage shall be permanently maintained and retained as such thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 5 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 accordance with the Tree Report by Simon Jones Associates including drawing no. SJA TPP 01 (appendix 16).

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 N8 of the

- London Borough of Camden Replacement Unitary Development Plan 2006.
- 6 All hard and soft landscaping works shall be carried out to a reasonable standard 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 Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies B1 and N8 of the London Borough of Camden Replacement Unitary Development Plan 2006.

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

Site location plan; 639-1.001; 639-1.002; 639-1.003; 639-2.001C; 639-2.002E; 639-2.003D; 639-2.004D; 639-2.005E; 639-2.006D; 639-2.007E; SK01; SK02; 639-2.010; 639-2.011; 639-2.012; 639-2.013; 639-2.014; 639-2.015; 639-2.016; 639-2.020A ; 639-2.021A; 639-2.022A; 639-2.023A; 639-2.024A; 639-2.025A; 639-2.026A; 639-2.920; 639-2.911-P1; 639-3.001C; 639-3.002B; 639-3.003A; 639-3.004A; 639-3.005B; 639-3.006A; SK03; 639-3.010; 639-3.011; 639-3.012; 639-3.013; 639-3.014; SK04; 639-4.002C; 639-4.003B; 639-4.004B; 639-4.010; 639-4.011; 639-4.012; 639-4.013.

(added as part of application 2015/1778/P dated 10 April 2015; varied by Variation of Condition 8 application 2015/1340/P on 23 November 2015; Non Material Amendments to planning permission ref: 2015/6946/P dated 14 January 2016 and; Non Material Amendments to planning permission ref: 2016/5891/P dated 10 November 2016.)

- 8 The development hereby permitted must be begun not later than the end of three years from the date of the original permission 07/09/2010

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

Informative(s):

- 1 Reasons for granting permission.

This application seeks to make changes to planning permission 2009/3041/P, dated 07/09/2010, which has been amended by permissions 2015/1340/P, dated 23/11/2015, 2015/6946/P, dated 14/01/2016 and 2016/5891/P dated 10 November 2016.

Permission is sought for the installation of a rooflight to the upper (flat) roof slope at no.9 Cambridge Terrace. Consent was approved for a rooflight of similar size as

part of the planning permission and listed building consent application 07/09/2010. The approved rooflight was flush with the roof. This proposal varies the design of the rooflight. The proposed design would require the rooflight to have an 195mm upstand to the front of the rooflight and would be 450mm to the rear upstand which would potentially increase the visibility of the rooflight

The upstand of the new rooflight would be seen only in long-range views of the roof from Regents Park above the staircase, by virtue of its position it is unlikely to be visible, except in long range. Nevertheless, it is considered to be in keeping with the character of the host building and the terrace of which it forms apart which already have rooflight upstands partially visible from the park.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, under s.66 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policies D1 and D2 of the London Borough of Camden Local Plan. The proposed development also accords with policy 7.8 of the London Plan 2016 consolidated with amendments since 2011, and paragraphs 14, 17 and 126-141 of the National Planning Policy Framework.

- 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 2363).
- 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 Planning and Public Protection Division (Compliance and Enforcement Team), Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 5613 or by email [ppp@camden.gov.uk](mailto:ppp@camden.gov.uk) or on the website [www.camden.gov.uk/pollution](http://www.camden.gov.uk/pollution)) 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 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, Urban Design and Renewal, Camden Town Hall, Argyle Street, WC1H 8EQ
- 5 Active bird nests are protected under Part 1 of the Wildlife and Countryside Act

1981 (as amended) which states that it is an offence to disturb, damage or destroy the nest of any wild bird while that nest be in use or being built. Active nests are highly likely to be present within the site during peak nesting season, considered by Natural England as between 1 March and 31 July. It should be noted that active nests are afforded legal protection at all times and can be encountered throughout a nesting season which may extend between mid February and October depending on bird species and weather conditions. Nesting habitats which includes trees, shrubs, climbing plants, grounds flora, buildings and other structures may be cleared at any time of year where survey (undertaken by a suitably experienced person) can establish active nests are absent. For further information contact Natural England on 020 7932 5800.

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.

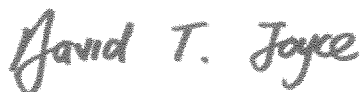
### **ENFORCEMENT ACTION TO BE TAKEN**

The Council has authorised the Planning Department to instruct the Borough Solicitor to issue an Enforcement Notice alleging breach of planning control

You can find advice in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



David Joyce  
Director of Regeneration and Planning

