

Application ref: 2018/0216/P
Contact: Emily Whittredge
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Date: 30 May 2018

Development Management
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Troy Planning + Design
Aldwych House
71-91 Aldwych
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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:

Former 12 Westbere Road
London
NW2 3SR

Proposal:

Variation of Condition 3 (approved plans) of planning permission dated 09/05/2014 ref. 2013/7688/P as amended by non material amendment dated 01/09/2015 ref 2015/4515/P, for Erection of a part 2 part 3 storey and basement level building to provide 2x3bed residential dwellings following demolition of houses, namely to to alter fenestration, revise flat rooflights and lightwells, erect pitched roof to rear platform, and add privacy screen to terrace.

Drawing Nos: 5267/05, 5267/06, 5267/07, 304 Revision N, 300 Revision B, 305 Revision K, 302 Revision K, 303 Revision H, 301 Revision G, Basement Impact Assessment by Creat Consulting Engineers Ltd dated 16 January 2014, Arboricultural Impact Assessment by Arbol EuroConsulting dated 19 November 2013, Daylight/Sunlight Analysis Report by Create Consulting Engineers Ltd dated November 2013 and Sustainable Design and Construction Statement by Create Consulting Engineers Ltd dated November 2013.

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

Condition(s) and Reason(s):

- 1 This entry is left blank intentionally.
- 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 policy D1 [and D2 if in CA] of the London Borough of Camden Local Plan 2017.

- 3 For the purposes of this decision, condition no.3 of planning permission 2013/7688/P 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- 5267/05, 5267/06, 5267/07, 304 Revision N, 300 Revision B, 305 Revision K, 302 Revision K, 303 Revision H, 301 Revision G, Basement Impact Assessment by Creat consulting Engineers Ltd dated 16 January 2014, Arboricultural Impact Assessment by Arbol EuroConsulting dated 19 November 2013, Daylight/Sunlight Analysis Report by Create Consulting Engineers Ltd dated November 2013 and Sustainable Design and Construction Statement by Create Consulting Engineers Ltd dated November 2013.

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

- 4 The first floor bathroom and staircase windows on the side elevation of No. 12A, the first floor athroom and secondfloor bedroom windows on the rear elevation of No. 12 and the ground floor reception window on the side elevation of No. 12 shall be obscure glazed and be of a design that is not capable of being opened below a height of 1.8m above the finished floor level, and therefore permanently maintained and retained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policy A1 of the Camden Local Plan 2017.

- 5 The use of the roof as a terrace shall not commence until the screens, as shown on the approved drawings, have been constructed. The screens shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policy A1 of the Camden Local Plan 2017.

- 6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Council.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies G1, D1 and A1 of London Borough of Camden Local Plan 2017.

- 7 Details (and samples as appropriate) of facing materials and architectural features, including render, roof tiles, fenestration, cladding, privacy screens and solar panels to be used on the building, shall be carried out in accordance with planning

permission dated 16/12/2015 ref. 2015/0689/P.

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

- 8 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 local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, D1 of the London Borough of Camden Local Plan 2017.

- 9 Hard and soft landscaping (including details of the proposed replacement tree for the existing Yew) and means of enclosure of all un-built, open areas have been submitted to and approved by the Council on 16/12/2015 ref. 2015/0689/P. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies A3 and D1 of the London Borough of Camden Local Plan 2017.

- 10 Prior to the first occupation of the dwelling, the fixed privacy screen to the first floor rear window of No. 12, and the acid-etched glazed balustrade to the roof terrace shall be installed in accordance with the details hereby approved and planning permission dated 16/12/2015 ref. 2015/0689/P. They shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policy A1 of the Camden Local Plan 2017.

- 11 Prior to occupation of the hereby approved dwellings, the cycle storage area as shown on the hereby approved plans shall be provided in its entirety 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.

- 12 Prior to the occupation of the hereby approved dwellings, the waste storage units shall be erected in their entirety 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 CC5, A1 and A4 of the London Borough of 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 occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of Policy H6 of the Camden Local Plan 2017.

- 14 This entry is left blank intentionally.

- 15 Building foundations and the layout of service trenches and other excavations on site shall not be carried out otherwise than in accordance with the details submitted to and approved in writing by the local planning authority on 16/12/2015 ref 2015/0689/P.

Reason: To ensure 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 A3 of the Camden Local Plan 2017.

- 16 Prior to the first occupation of No. 12, the pitched roof structure over the raised platform within the garden as shown on drawing 304 revision N shall be constructed in accordance with the plan hereby approved, and shall be permanently maintained and retained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policy A1 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission

The proposed changes to the development granted on 09/05/2014 under reference number 2013/7688/P would have no adverse impact on amenity or the appearance of the area. The addition of a glazed balustrade to the east side of the approved roof terrace to prevent overlooking is acceptable in terms of design and would not appear prominent. The omission of louvred privacy screens to the first floor front windows would not result in a loss of privacy to any private amenity space and is acceptable.

The raised platform within the rear garden of no. 12 would be covered by a pitched roof structure to prevent its use as a terrace, which would allow views into the neighbouring garden. The structure is acceptable in terms of design and its impact on the host building. The addition and retention of this structure will be secured by condition.

The proposed revisions to the lightwells and associated fenestration, roof lights and internal layouts were granted permission under non-material amendment application dated 01/09/2015 (ref. 2015/4515/P) and have been implemented. As such, these revisions are considered to be acceptable.

The amendments included the omission of lightwells to the front and rear, and as such, the associated doors and windows at basement level were replaced with flat walk-on roof lights. The full impact of the proposed development has already been assessed by virtue of the previous approval granted on 09/05/2014 under reference number 2013/7688/P. In the context of the permitted scheme, it is not considered that the amendments would have a significant effect on the approved development.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision.

The proposed development is in general accordance with the Camden Local Plan 2017, with particular regard to policies A1, A2, A3, A4, A5, H6, T1, CC5, G1, and D1. 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 Building Acts that cover aspects including fire and emergency escape, access facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 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 £12,250 (245sqm x £50) for the Mayor's CIL and £122,500 (245sqm 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.

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 T. Joyce

David Joyce
Director of Regeneration and Planning