

Application ref: 2017/3904/P
Contact: David Fowler
Tel: 020 7974 2123
Date: 2 November 2018

Development Management
Regeneration and Planning
London Borough of Camden
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Gerald Eve LLP
72 Welbeck Street
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W1G 0AY

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:

**251 Camden High Street
London
NW1 7BU**

Proposal:

Variation of condition 3 of permission ref: 2016/0818/P dated 16/01/2017 (Excavation at basement level to provide 76sqm additional retail (A1) floorspace) to allow for an increased basement excavation.

Drawing Nos: 10.101 Rev P1; 10.201 Rev P1; 10.202 Rev P1; 10.203 Rev P1; 10.251 Rev P1; 10.252 Rev P1; 15.201 Rev P1; 15.202 Rev P1; 15.203 Rev P1; 15.251 Rev P1; 15.252 Rev P1; 20.201 Rev P2; 20.202 Rev P2; 20.203 Rev P2; 20.251 Rev P2; 20.252 Rev P2, BIA ref: CG/18648 Revision 7 (CGL)

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: 2016/0818/P dated 16/01/2017

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 policy D1 of the London Borough of Camden Local Plan 2017.

- 3 For the purposes of this decision, condition 3 (approved plans) of planning permission 2016/0818/P dated 16/01/2017 condition 3 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 10.101 Rev P1; 10.201 Rev P1; 10.202 Rev P1; 10.203 Rev P1; 10.251 Rev P1; 10.252 Rev P1; 15.201 Rev P1; 15.202 Rev P1; 15.203 Rev P1; 15.251 Rev P1; 15.252 Rev P1; 20.201 Rev P2; 20.202 Rev P2; 20.203 Rev P2; 20.251 Rev P2; 20.252 Rev P2, BIA ref: CG/18648 Revision 7 (CGL)

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

- 4 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 A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission

This application proposes minor material amendments to permission ref: 2016/0818/P dated 16/01/2017 which granted excavation at basement level to provide 76sqm additional retail (A1) floorspace).

The amendment is to increase the depth of the approved basement by 0.5 m.

The basement extension to provide additional retail floorspace was assessed and was considered to be acceptable in the former application. This extension would be subordinate in scale and the additional retail floorspace is supported in this town centre location.

The basement extension in the original application was independently audited and additional basement investigation and assessment works were secured by s.106 legal agreement. The basement extension as amended has been independently audited and these works have been found to be acceptable on the grounds of the impact on the structural, ground, or water conditions of the area in accordance with Camden's CPG4 and Local Plan Policy A5.

A construction management plan would be secured by s.106 agreement to ensure that the basement works do not harm amenity or highway safety.

No objections were received and the site's planning history was taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, A5, D1, TC1, TC2, TC4 and T4 of the Camden Local Plan 2017. The proposed development also accords with policies 7.4 and 7.6 of the London Plan 2016; and paragraphs 14, 17, and 56-66 of the National Planning Policy Framework 2018.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, 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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid

when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to
CIL@Camden.gov.uk

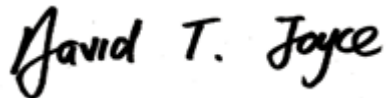
- 5 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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