

Address:	59 Maresfield Gardens London NW3 5TE		5
Application Number:	2015/3506/P	Officer: Shane O'Donnell	
Ward:	Frognal and Fitzjohns		
Date Received:	22/06/2015		
Proposal: Erection of 3 storey building plus dual basement for use as a single family dwelling (Class C3) following demolition of existing single family dwelling (Class C3).			
<p>Drawing Nos: 1314A-PP-EX-01, 1314A-PP-EX-02, 1314A-PP-EX-03, 1314A-PP-EX-04, 1314-PP-EX-05, 1314A-PP-EX-06, 1314A-PP-EX-07, 1314A-PP-EX-08, 1314A-PP-EX-09, 1314A-PP-EX-10, Design and Access Statement dated June 2015, 1314A-PP-01, 1314A-PP-02, 1314A-PP-03, 1314A-PP-04, 1314A-PP-05, 1314A-PP-06, 1314A-PP-07, 1314A-PP-08, 1314A-PP-09, 1314A-PP-10, 1314A-PP-11, 1314A-PP-12, 1314A-PP-13, Daylight and Sunlight and Overshadowing Assessment by XC02 Energy dated August 2013, Heritage Statement by CGMS Consulting dated June 2015, Planning Statement by CgMs Consulting dated June 2015, Basement Impact Assessment Report Ref: J11251D prepared by Geotechnical and Environment Associates dated 30th March 2015, Arboricultural Survey and Constraints prepared by Ben Larkham Associates Ltd dated 20th June 2008. Letter from LOM architecture and design ref LOM_59MG_AIA_02A dated 16th June 2015, Email from ARUP titled '59 Maresfield Gardens - Audit of Revised Basement Impact Assessment December 2012' dated 13th of April 2016, Email from Martin Cooper GED Ltd dated 16th of March 2016, Code for Sustainable Homes Planning Pre-Assessment Report from LOM Architecture dated March 2015 authored by Robert Schofield.</p>			
RECOMMENDATION: Grant conditional planning permission subject to a S106 legal agreement.			
Applicant:		Agent:	
Ms Stefanie Drews C/O Agent		Mr Jonathan Waugh - Karen Jones CgMs Consulting London EC2Y 5DN	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3 – Residential		117m2
Proposed	C3 – Residential		356m2

OFFICERS' REPORT

Reason for Referral to Committee: This application is reported to Committee because it includes substantial demolition of a building in a conservation area [clause 3(v)]

1. SITE

- 1.1 The site is an end property of a post-war terrace located on the western side of Maresfield Gardens close to the junction with Netherhall gardens. The building is not listed but is within the Fitzjohns/Netherhall Conservation Area.
- 1.2 Views, in both directions along Maresfield Gardens, are noted in the conservation area statement as being of importance and the application site is described within the Fitzjohns/Netherhall Conservation Area statement as a "*sunken site that has little relationship with the surrounding area*". However the existing terrace is considered as a suitable transition between dwellings in the streetscene and its set down presence contributes to a degree of openness in the surrounding area.
- 1.3 The site is currently in use as a single family dwellinghouse (Class C3)

2. THE PROPOSAL

- 2.1 The proposal is to erect a 3 storey dwelling (plus dual basement) following demolition of existing single family dwelling.
- 2.2 The development would be a flat roofed structure with a contemporary design and use of materials. The height would match the height of the existing dwellings and the height of the currently adjoining No. 55-57 Maresfield Gardens.
- 2.3 The building would have a maximum width of 8 metres, a maximum length of 10 metres at ground floor level and above and 17.2 metres at basement level. The building would have a height of 6.7 metres when measured from the front forecourt of the property.
- 2.4 The proposal would be the same above ground to the proposal presented to committee on the 23rd of October 2014 and subsequently approved (2013/7987/P), but below ground it would add an additional basement level. However this two storey basement would be of a similar scale to the basement allowed on appeal under reference 2012/6795/P.

3.0 RELEVANT HISTORY

- 3.1 **2012/6795/P**-Erection of a new building comprising of a double basement and partial sub-basement, lower ground, ground and first floor levels to provide a four bedroom single-family dwellinghouse (Class C3) (following demolition of existing dwellinghouse).
- 3.2 **Presented to Committee on the 23rd of May 2013 -- Refused for the following reasons:**

1. The proposed development by virtue of its scale, depth and extent of site coverage below ground would result in overdevelopment of this plot, which is currently occupied by a modest infill development appropriate to this part of the conservation area, which would cause harm to the built environment.

2. The proposed development by virtue of the extent of excavation and basement construction would have a disproportionate impact on the amenity of neighbours and the structural integrity of their properties.

Appeal allowed 20/10/2014

3.3 **2013/7987/P**-Erection of 3 storey building plus basement for use as a single family dwelling (Class C3) following demolition of existing single family dwelling (Class C3).

Granted Subject to a Section 106 Legal Agreement 27/10/2015

3.4 Other Applications

3.5 2007/2890/P- Erection of building comprising two levels of basement, lower ground, upper ground and first floor level with lightwells to the front and rear for use as a single-family dwellinghouse.

Granted 22/11/2007

3.6 **2008/4076/P**: Revisions to external elevational design in connection with the construction of a new house comprising lower ground, upper ground and first floor level with light wells to front and rear granted planning permission 21/11/2007 (ref:2007/2890/P). **Planning permission granted 07/10/2008**

3.7 **2007/2890/P and 2007/2892/C**: Erection of building comprising two levels of basement, lower ground, upper ground and first floor level with lightwells to the front and rear for use as a single-family dwellinghouse. **Planning permission and Conservation Area Consent granted 22/11/2007**

3.8 **2006/4340/P and 2006/4339/C**: Erection of a three-storey building with basement and sub-basement to provide three residential units. **Refused 17/11/2006, dismissed on appeal 14/08/2007.**

4.0 CONSULTATIONS

4.1 Adjoining Occupiers

<i>Number of letters sent</i>	14	
<i>Total number of responses received</i>	10	
<i>Number in support</i>	1	
<i>Number of objections from adjoining neighbours</i>	8	
<i>Objections from Neighbourhood Groups</i>	1	

Site notice: 22/07/2015 – 12/08/2015
Press notice: 23/07/2015 – 13/08/2015

- 4.2 8 letters of objection were received from adjoining occupiers and the Heath & Hampstead Society. 1 letter of support and 1 comment were received.
- 4.3 Objections to the proposed scheme from adjoining neighbours were on the following grounds:
- 4.4 Siting and Design: The application site is small and there are changes in level between the application site and surrounding properties. The proposed design would be out of scale with the neighbouring Victorian House as well as the neighbouring terraced dwellings. The proposal would increase the bulk and mass of the existing building. The proposed development would extend beyond the established building line and front façade.
- 4.5 Impact on Character of the area: There is potential for having a detrimental impact on neighbouring dwelling caused by the proposed demolition. The proposed development is too big for the site and will change the character of the conservation area. The proposal would not preserve or enhance the local conservation area. The concrete design is inappropriate in the surrounding conservation area.
- 4.6 Impact of proposed basement: The proposed basement would be below the level of an underground spring which occasionally overflows. The majority of the building is underground and 1 metres below the adjoining highway. CPG 4 opposes basements that extend beyond the footprint of the original house and that are deeper than 3 metres. Potential impact on foundations of neighbouring properties, pavement and groundwater.
- 4.7 Impact on Traffic: disruption of local traffic especially due to construction especially given the propensity for traffic to and from local schools in the immediate area.
- 4.8 Impact on Surrounding Trees: large mature trees in the area.
- 4.9 Impact on Residential Amenity: adjoining flats would face onto a 5 storey blank wall which would also cast a shadow on their garden. The proposal would harm the outlook of neighbouring dwellings by reducing the openness of the backland development. The proposed large front windows would decrease the outlook of neighbouring passer-by who could see into the application dwelling.
- 4.10 **Heath and Hampstead Society**
- Overdevelopment of the site -Excessive depth of the basement –structural endangerment of the adjoining houses – impact on trees – CMP inadequate – inappropriate design – lower than the surrounding water level- concerns about siting of possible air conditioning units
- 4.11 The 1 letter of support for the proposal:

-The proposed design would represent an improvement over the current condition of the site –the proposed application mirrors previous approvals –the project exhibits good sustainable energy solutions.

- 4.12 The 1 letter of comment stated the following
-if approval, request to refrain from work on Saturdays

5.0 POLICIES

National Planning Policy Framework 2012

The London Plan 2015, consolidated with alterations since 2011

Core Strategy and Development Policies 2010

CS1- distribution of growth

CS5 – managing impact of growth

CS8 – promoting a successful and inclusive economy

CS10 - supporting community facilities and services

CS11- sustainable travel

CS13 - tackling climate change through promoting higher environmental standards

CS14 - promoting high quality places and conserving our heritage

CS16 - Improving Camden’s health and well-being

CS19 – delivering and monitoring the Core Strategy

DP16 - transport implications of development

DP17 - walking, cycling and public transport

DP18 - parking standards and limiting the availability of carparking

DP19 - managing the impact of parking

DP22 - promoting sustainable design and construction

DP24 - securing high quality design

DP25 - conserving Camden’s heritage

DP26 - managing the impact of development on occupiers and neighbours

DP28 - noise and vibration

DP31 – open space and outdoor recreation

DP32 - air quality and Camden’s clear zone

Camden Planning Guidance 2011 (as amended 2015)

CPG1 – Design

CGP2 – Housing

CPG3 – Sustainability

CPG4 – Basement and lightwells

CPG6 - Amenity

CPG7 – Transport

CPG8 – Planning Obligations

Fitzjohns/Netherhall Conservation Area Statement dated February 2001.

6. ASSESSMENT

- 6.1 The principal consideration material to the determination of this application are summarised as follows:

- Design and Impact on the Conservation area
- Impact on amenity;
- Sustainability;
- Transport;
- Basement Impact;
- Impact on Trees
- CIL

7. Design

- 7.1 The Fitzjohns/Netherhall Conservation Area Statement describes Nos. 55-59 Maresfield Gardens as being a *'mid 1950s two storey terrace, on a sunken site that has little relationship with the surrounding area'*. Policy DP25 of the Core Strategy and Development Policies 2010 states that *'the Council will prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention.'* The application property is not considered to make a positive contribution to the area and as such the Council does not object to its loss, subject to appropriate proposals for redevelopment of the site.
- 7.2 The officer's report of planning approval 2013/7987/P states that: *"It is considered that the proposed scheme is appropriately proportioned and articulated with a balance of horizontal and vertical emphasis and depth to the elevations. The simply detailed form has been designed to be read as a single dwelling, thus defining it as an independent 'pavilion' building whilst not competing with its neighbours or over emphasising itself"*.
- 7.3 The submitted Design and Access Statement makes it clear that *"the above-ground design, materials palette and appearance is unchanged"* from the design presented to committee on the 23rd of October 2014 and approved (2013/7987/P).
- 7.4 There has been no significant change in the relevant policies since the approval of planning application 2013/7987/P and therefore the extant planning approval is a material planning consideration in this case. It is therefore considered that the above ground design is acceptable.
- 7.5 To ensure that the proposed use of materials will be of the highest quality, a condition will accompany any approval. Given the constraints of the site, it is also considered appropriate to remove the new dwellings permitted development rights for extensions and alterations. This will be secured by condition

8. Impact on Amenity

- 8.1 The above ground proposal is unchanged in architectural treatment and layout from the approved scheme (2013/7987/P) and the considerations in respect of local residential impact are also therefore unchanged from the previous assessment.

- 8.2 In summary, the proposed terrace would include privacy screens on each side in order prevent overlooking to No. 57 and No. 40 Netherhall Gardens, and these screens would be secured by condition. There are no windows on the flank elevations.
- 8.3 The proposal is fully compliant with the relevant BRE tests for daylight and sunlight. The proposal would not impact on daylight or sunlight levels to Nos. 40 Netherhall Gardens and 57 Maresfield Gardens (as demonstrated by a sunlight and daylight assessment).
- 8.4 The proposed building would not adversely affect the outlook of neighbouring properties. The proposal would have an acceptable impact on the outlook, daylight and sunlight, and privacy of neighbouring properties and complies with policy DP26.

9. Sustainability and Energy

- 9.1 Policy CS13 notes that the Council will require all development to take measures to minimise the effects of, and adapt to, climate change and encourages all development to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy DP22 also requires development to incorporate sustainable design and construction measures.
- 9.2 The most significant change in policy since the previous approval (2013/7987P) has been alterations to the London Plan 2015 and to Building Control Regulations that supersede the Lifetime Homes Standards and take priority over elements of the Code of Sustainable Homes Assessment. The applicant has submitted Code for Sustainable Homes pre-assessment report, the details of which are to be assessed against the current relevant policies and standards.
- 9.3 The pre-assessment report notes that energy efficient design measures will be implemented in the proposal. Taking into account energy efficiency savings, it is envisaged that the proposal will achieve a CO2 emissions reduction of 19% below Part L 2013 Building Regulations. To ensure this target is met, a suitable planning condition will accompany any approval.
- 9.4 The pre-assessment report claims compliance with the now superseded Lifetime Home criteria. However to ensure step free access and accessibility for all users, which goes beyond the minimum Building Regulation standards and meets Camden planning policy, a condition would secure compliance with Building Regulations Part M4 (2).
- 9.5 Policy DP23 requires developments to reduce their water consumption, pressure on the combined sewer network and the risk of flooding. The submitted pre-assessment report states that the proposed development will be capable of achieving a maximum internal water use of 105 litres a day (includes 5 litres for external water use). A condition would be added to ensure this target is met.
- 9.6 Given the extent of subterranean development it is considered appropriate to secure SUDS by condition to ensure the development does not increase surface water run-off, in accordance with policy DP23.

- 9.7 Other sustainability measures put forward in the Code for Sustainable Homes pre-assessment report such as materials selection, waste management, build quality, reduced construction impacts, and ecological considerations would be secured by condition requiring compliance with the recommendations of the pre-assessment report. Adherence to this condition combined with the conditions above for water use, energy efficiency, accessibility, and SUDs supersedes the 'energy efficiency plan' and 'sustainability plan' s106 legal agreement Head of Terms attached to the previous approval 2013/7987/P.
- 9.8 Overall, the proposal is considered to be acceptable in this respect.

10. Transport

- 10.1 There is existing capacity on-site for parking and the current proposal would include provision of 1 on site car parking space. The proposal would maintain similar levels of residential use and the area is highly accessible to public transport with a PTAL score of 5. Therefore, the development would be required to be car capped secured by a S106 legal agreement. This is in accordance with Core Strategies CS11 and CS19 and Development Policies DP18 and DP19.
- 10.2 The Council would secure the costs of resurfacing the footway following the removal of the crossover and along the length of the frontage as part of a S106 Legal Agreement. This would mitigate any harm caused to this part of the site during the construction stage and tie the development into the surrounding streetscape. As with the approved scheme, the dwelling would incorporate cycle parking for 4 cycles, 2 more than the London Plan's minimum cycle parking requirement. The cycle storage area appears of sufficient size to accommodate the proposed level of cycles but further details would be secured by condition of how the cycle spaces would be accessible.
- 10.3 In order to mitigate the impact of construction on the existing footway, a financial contribution will be required to repave the footway along the site's frontage. This would be secured by a S106 legal agreement.
- 10.4 Local Residents have raised concerns about the impact of the construction on neighbouring amenities and the site is also located next to a number of local schools. However, the proposed basement is similar in size to the basement allowed by the inspectorate under the case of 2012/6795/P on the same site. In the appeal decision APP/X5210/A/13/2201704, the inspectorate states that "*While the resident's fears may be understandable, there is no evidence to support the contention that there will be an unacceptable impact on neighbours through noise and disturbance, even in the very short term, following agreement of a Construction Management Plan*". Hence to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area, a Construction Management Plan (CMP) would be secured through a S106 legal agreement. The CMP will be required to take account of concurrent local development activities. An acceptable CMP would need to be prepared in consultation with local residents in accordance with the Council's pro-forma.

11. Basement Impact

- 11.1 Policy DP27 notes that the Council will only permit basements and other

underground development where the applicant can demonstrate it will not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability.

- 11.2 The proposed basement would have a depth of 9.7 metres below upper ground floor level and 10.5 metres below street level. This depth is almost identical to the depth allowed on the appeal scheme (2012/6795/P). The basement dimensions of comparative applications are given in the table below.

Floorspace Comparison

	1st Floor	Upper Ground Floor	Lower Ground Floor	Upper Basement Level	Lower Basement Level	Total
Current Proposal	61.6m ²	69.6 m ²	72.7m ²	84.5 m ²	82.6 m ²	371m ² (6.5m ² less than appeal scheme)
2013/7987/P Approval	61.6m ²	69.6 m ²	72.7m ²	83.3 m ²	0.00 m ²	287.2
2012/6795/P Allowed on Appeal	51.6m ²	55.8m ²	83.2m ²	88.1 m ²	98.8m ²	377.5

- 11.3 The application is accompanied by a Basement Impact Assessment (BIA), which has been independently audited by ARUP.

- 11.4 ARUP’s audit report concludes that

‘There is the potential for a small increase in groundwater level beneath the swimming pool and for a small decrease in groundwater level below the footings of 57 Maresfield Gardens. As a result, there is the potential for some minor additional movement to the adjacent structures which may occur following construction. In our opinion this should be acknowledged and covered in party wall agreements.’

‘There are temporary works required for the ramp and to support the driveway to be designed. The stability of these and adjacent structures will need to be checked by the Contractor prior to the Works.’

- 11.5 It is recommended that a basement construction plan is secured by a S106 legal agreement, which is consistent with the approach required on the approved scheme (2013/7987/P). This would include a requirement for monitoring of the works and also that the developers use reasonable endeavours to reduce the damage category to ‘very slight’.

- 11.6 ARUP conclude that the submitted BIA and additional information submitted by the BIA’s authors is sufficient to ensure that the proposal will:

- maintain the structural stability of the building and any neighbouring properties;
- avoiding adversely affecting drainage and run-off or causing other damage to the water environment; and
- avoid cumulative impacts on structural stability or the water environment in the local area.

11.7 Based on the expert advice from ARUP, the proposal would accord with the requirements of policy DP27 and CPG4. The application is therefore considered to be acceptable in this respect.

12. Impact on Trees

12.1 There is a Lime tree at the front of the property that is the subject of a TPO. The proposals do not entail any further encroachment on the front retaining wall and as such there would be no impact from excavation of the site on the Lime tree to the front.

12.2 There is also a Lime tree at the rear of the property. The proposed footprint and extent of basement excavation would be similar to that allowed under Appeal APP/X5210/A/13/2201704.

12.3 The trees on site and adjoining the site would require suitable protection during the construction process. Tree protection measures (particularly in the case of the 2 Lime trees) and full landscaping details will be required by condition.

12.4 The proposal includes landscaping to the front and rear of the site, the gardens would remain largely soft landscaped and this is welcomed.

12.5 The submitted tree report submitted in support of the application is based on a tree survey conducted to support the planning application 2012/6795/P. It is recommended that this Tree Survey is updated prior to the submission of information in relation to the attached tree conditions.

13. CIL

13.1 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 which results in a Camden CIL charge based on the 239 m² additional net floorspace created. The applicant has submitted a self-build exemption form. Further documentation will be required in support of this claim, to be assessed by the Council's CIL team. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge for this scheme is likely to be £11,900 (£50 x 239 sqm). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

14. CONCLUSION

- 14.1 Considerable importance and weight has been attached to minimising any 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. The loss of the existing building in the surrounding conservation area is considered to be acceptable given the high standard of design of the replacement dwelling and its response to the context of neighbouring properties and townscape.
- 14.2 The replacement dwelling would not detract from the amenity of neighbouring properties and the proposed basement works would be designed to minimise the impact on local structural stability and the water environment. The proposal is also acceptable in terms of sustainability, and transport matters.
- 14.3 This conclusion is taking into account the material planning considerations of the recent planning approvals on site 2012/6795/P and 2013/7987/P.
- 14.4 Conditional Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
- Car Capped
 - Construction Management Plan
 - Highways contribution
 - Basement Construction Plan

15. LEGAL COMMENTS

- 15.1 Members are referred to the note from the Legal Division at the start of the Agenda.

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 this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1314A-PP-EX-01, 1314A-PP-EX-02, 1314A-PP-EX-03, 1314A-PP-EX-04, 1314-PP-EX-05, 1314A-PP-EX-06, 1314A-PP-EX-07, 1314A-PP-EX-08, 1314A-PP-EX-09, 1314A-PP-EX-10, Design and Access Statement dated June 2015, 1314A-PP-01, 1314A-PP-02, 1314A-PP-03, 1314A-PP-04, 1314A-PP-05, 1314A-PP-06, 1314A-PP-07, 1314A-PP-08, 1314A-PP-09, 1314A-PP-10, 1314A-PP-11, 1314A-PP-12, 1314A-PP-13, Daylight and Sunlight and Overshadowing Assessment by XC02 Energy dated August 2013, Heritage Statement by CGMS Consulting dated June 2015, Planning Statement by CgMs Consulting dated June 2015, Basement Impact Assessment Report Ref: J11251D prepared by Geotechnical and Environment Associates dated 30th March 2015, Arboricultural Survey and Constraints prepared by Ben Larkham Associates Ltd dated 20th June 2008. Letter

from LOM architecture and design ref LOM_59MG_AIA_02A dated 16th June 2015, Email from ARUP titled '59 Maresfield Gardens - Audit of Revised Basement Impact Assessment December 2012' dated 13th of April 2016, Email from Martin Cooper GED Ltd dated 16th of March 2016, Code for Sustainable Homes Planning Pre-Assessment Report from LOM Architecture dated March 2015 authored by Robert Schofield.

Reason:

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

- 3 A sample materials board/panel of all facing materials shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The sample panel shall be retained on site until the work has been completed.

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.

- 4 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the Council. Such details shall include:
 - a. scaled plans showing all existing and proposed vegetation and landscape features
 - b. a schedule detailing species, sizes, and planting densities
 - c. location, type and materials to be used for hard landscaping and boundary treatments
 - d. specifications for tree pits
 - e. details of any proposed earthworks including grading, mounding and other changes in ground levels.
 - f. a management plan including a scheme of maintenance

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policy CS14, 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.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. 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 policy CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2015 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 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, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to commencement of development details of a sustainable urban site drainage system (SUDs) shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a 1:100 year event with 30% provision for climate change demonstrating 50% attenuation of all runoff demonstrating greenfield levels of runoff.

The drainage details shall include a method statement, prepared in consultation with Thames Water, which demonstrates how the swimming pool shall be drained without harm to the local sewer system.

The SUDs shall be implemented as part of the development and thereafter retained and maintained. The swimming pool shall not be drained other than in accordance with the method statement as approved.

Reason: To reduce the impact of surface water run-off from the buildings and limit the impact on the storm-water and drainage system from the site in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 8 The privacy screens on the northern and southern boundary of the rear raised ground floor terrace shall be erected in accordance with the approved plans, to a height of 2.1 metres, prior to first use of the roof terrace and shall be permanently retained in position thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 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.

- 9 The refuse and recycling storage area as shown on the drawings hereby approved, at lower ground floor level, shall be provided prior to first occupation of the dwelling and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of refuse and recycling has been made in accordance with the requirements of policy CS18 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.

- 10 The demolition hereby permitted shall not be undertaken before a contract for carrying out of the works of redevelopment of the site has been made.

Reason: To protect the visual amenity of the area in accordance with the requirements of policy CS14 of the Local Development Framework Core Strategy 2010 and policies DP24 and DP25 of the Local Development Framework Development Policies 2010.

- 11 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 façade 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.

- 12 Details shall be submitted to and approved by the Council before any works commence on site to demonstrate how 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 during construction work. Such details shall follow guidelines and standards set out in BS5837:2012 and should include:

-a tree protection plan (TPP) based on an updated tree survey showing the location and nature of tree protection measures including a scheme for pre-commencement checks and ongoing monitoring of tree protection measures.

-appropriate working processes in the vicinity of trees

-details of an auditable system of site monitoring

-details of the design of building foundations

-details of all proposed Access Facilitation Pruning

-details, including dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site.

The development thereafter shall be implemented in strict accordance with the approved details.

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.

- 13 Prior to commencement of development details of the secure, covered and accessible cycle storage shall be submitted to and approved in writing by the local planning authority.

The cycle storage shall be completed in accordance with the approved details prior to first occupation of the development and shall be 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.

- 14 Prior to construction the development hereby approved shall submit an energy statement demonstrating how a 19% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

- 15 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

- 16 The residential unit hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2).

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 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.

- 17 The development shall not be constructed other than in accordance with the measures and recommendations of the Code for Sustainable Homes pre-assessment report dated March 2015 by Robert Schofield of LOM Architecture hereby approved, including (inter alia) provision of measures addressing materials selection, waste management, build quality, reduced construction impacts, and ecological considerations.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CS13 (Tackling climate

change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

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 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 Compliance and Enforcement team [Regulatory Services], 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.
- 3 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

- 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, Camden Town Hall, Argyle Street, WC1H 8EQ



Application No: 2015/3506/P
59 Maresfield Gardens
London
NW3 5TE

Scale:
1:1250
Date:
29-Apr-16



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2015/3506/P - 59 Maresfield Gardens London NW3 5TE



Location Plan



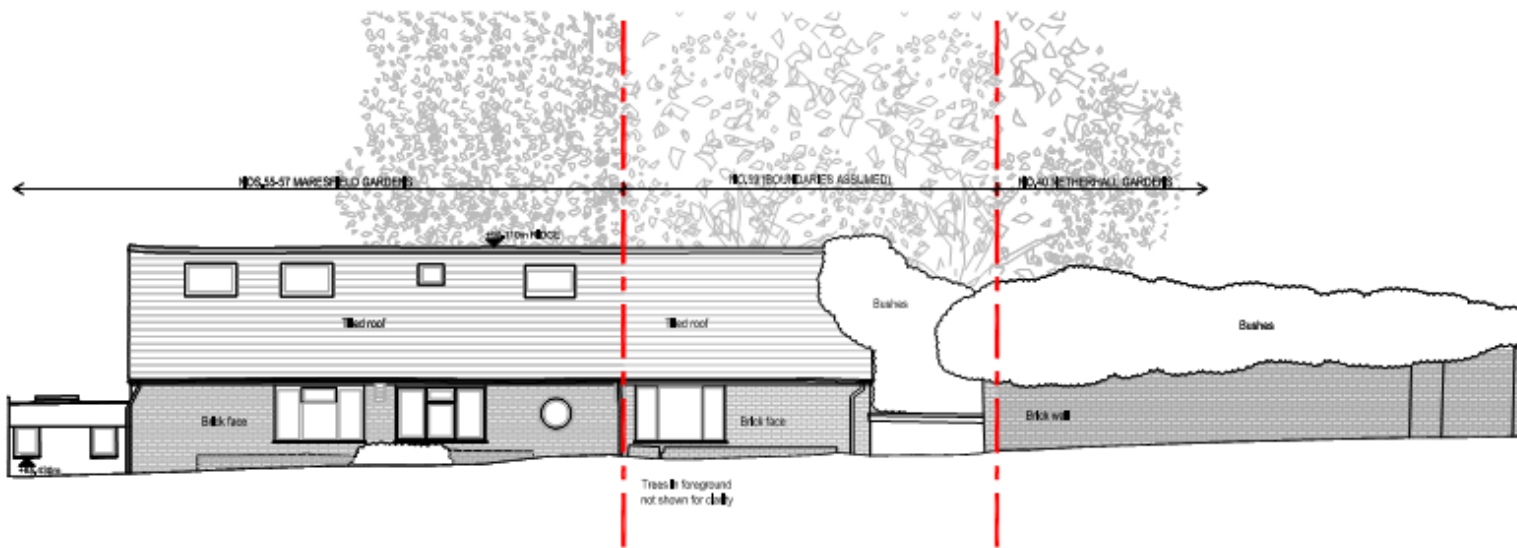
Aerial Photo



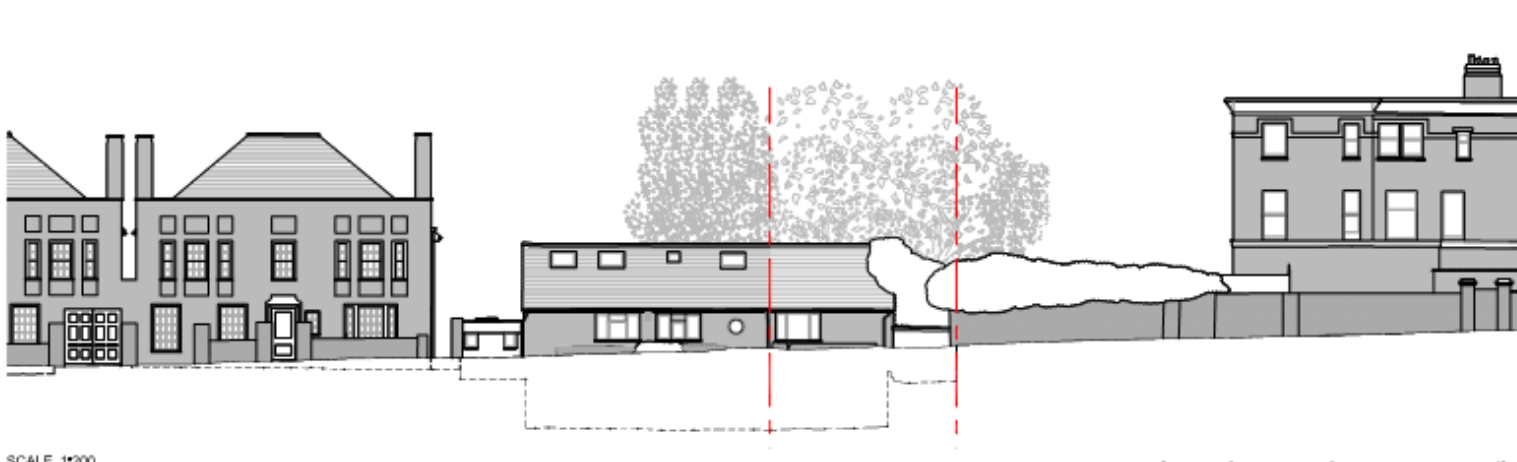
3D Aerial Photo



REV
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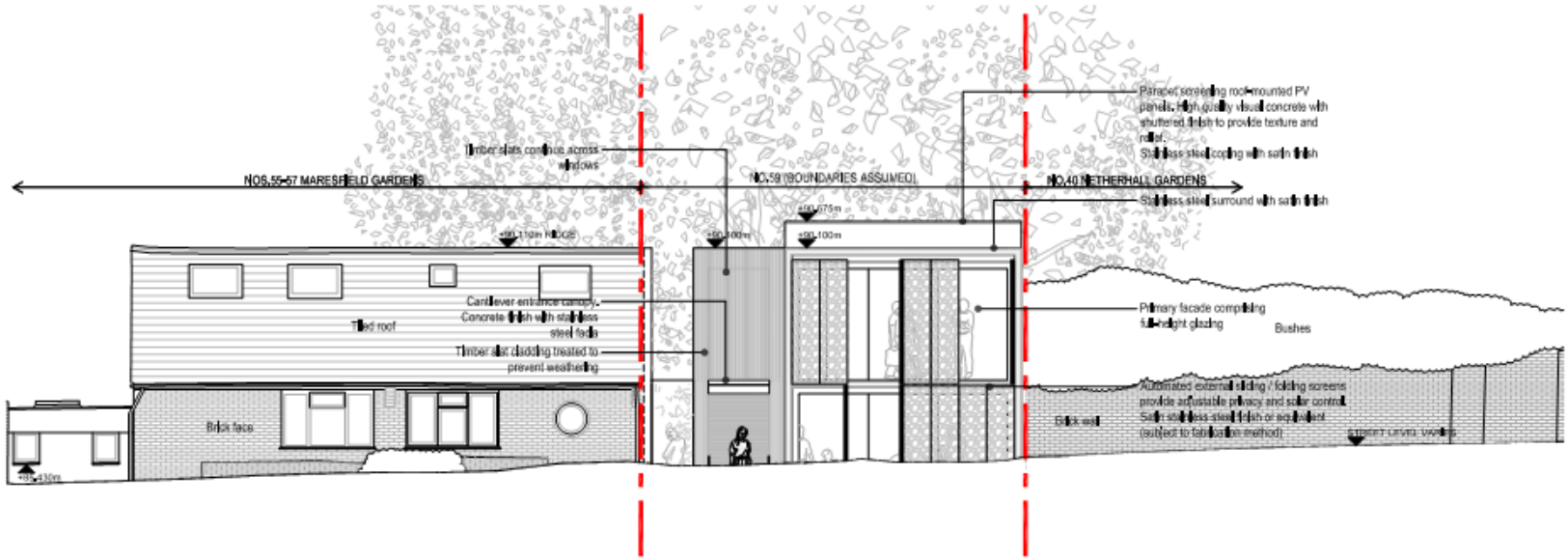


SCALE 1:100
 EXISTING EAST ELEVATION



SCALE 1:200

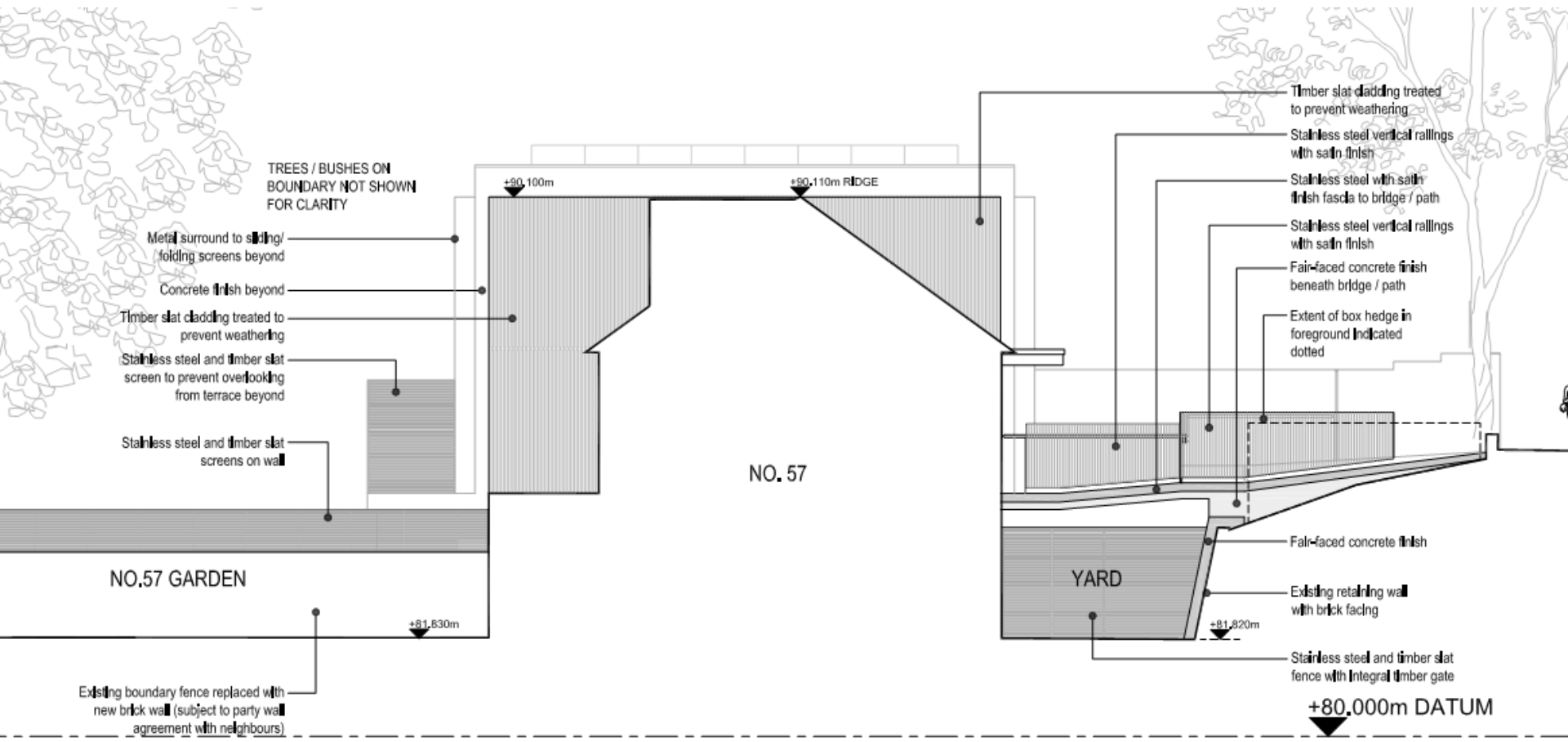
Existing Front Elevation



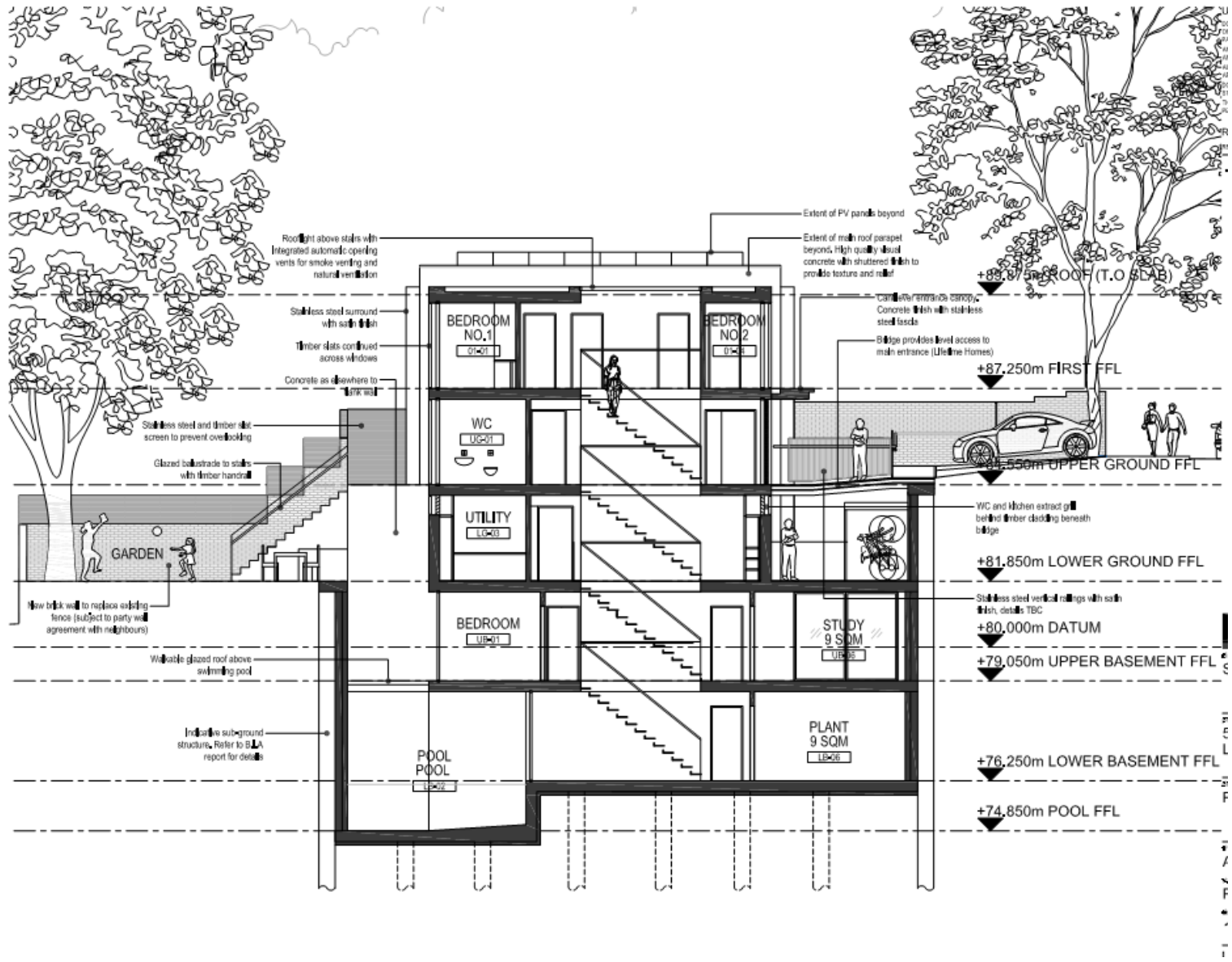
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PROPOSED EAST ELEVATION



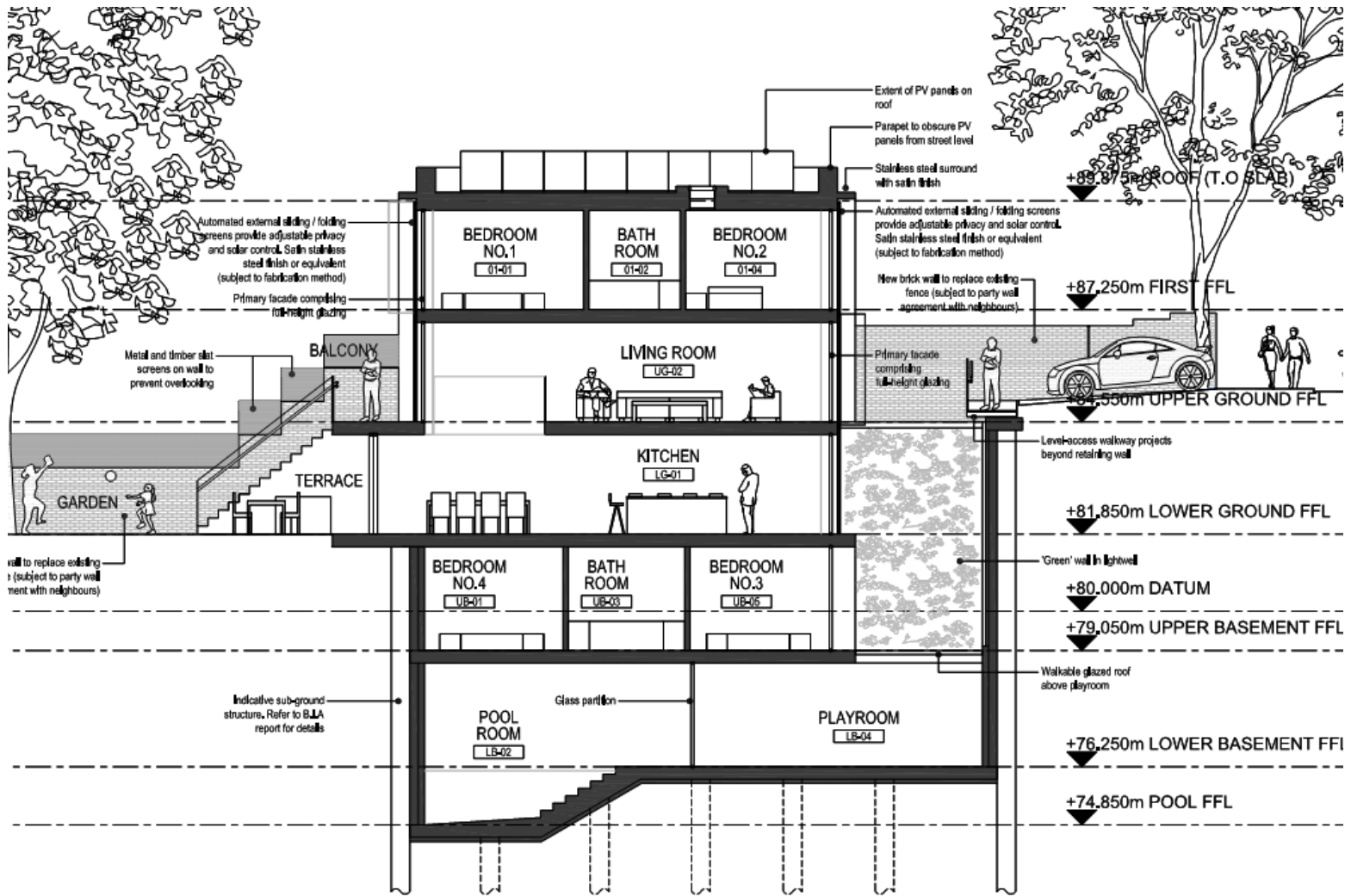
Proposed Front Elevation



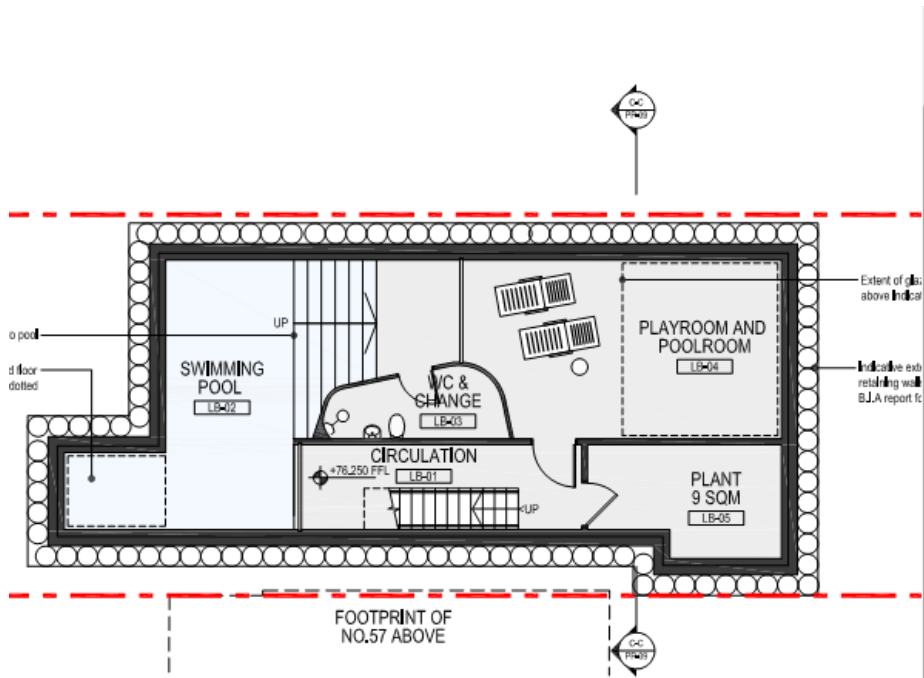
Proposed South Elevation



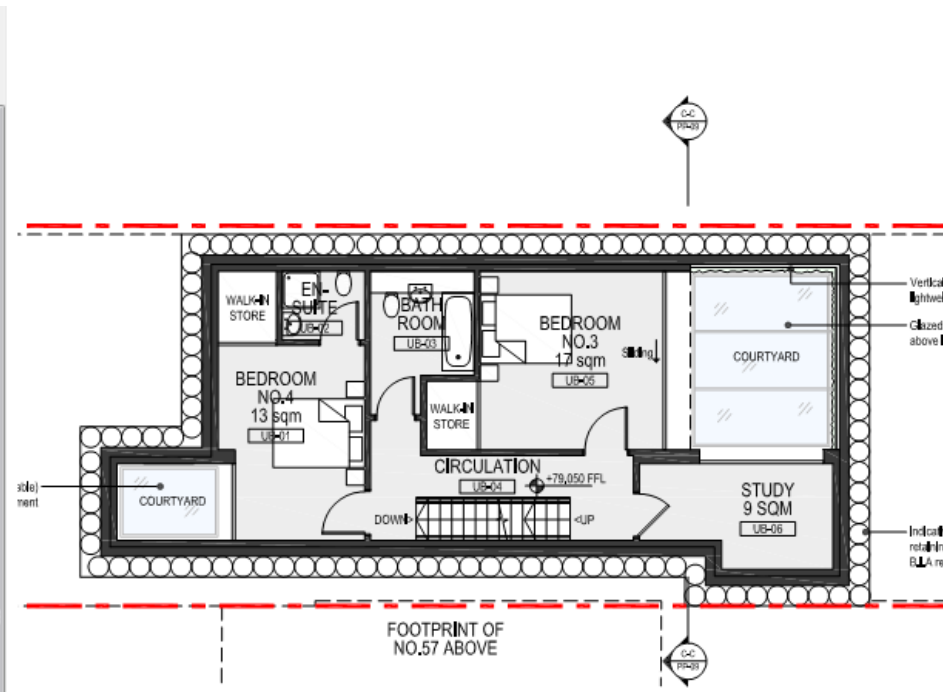
Proposed Section BB



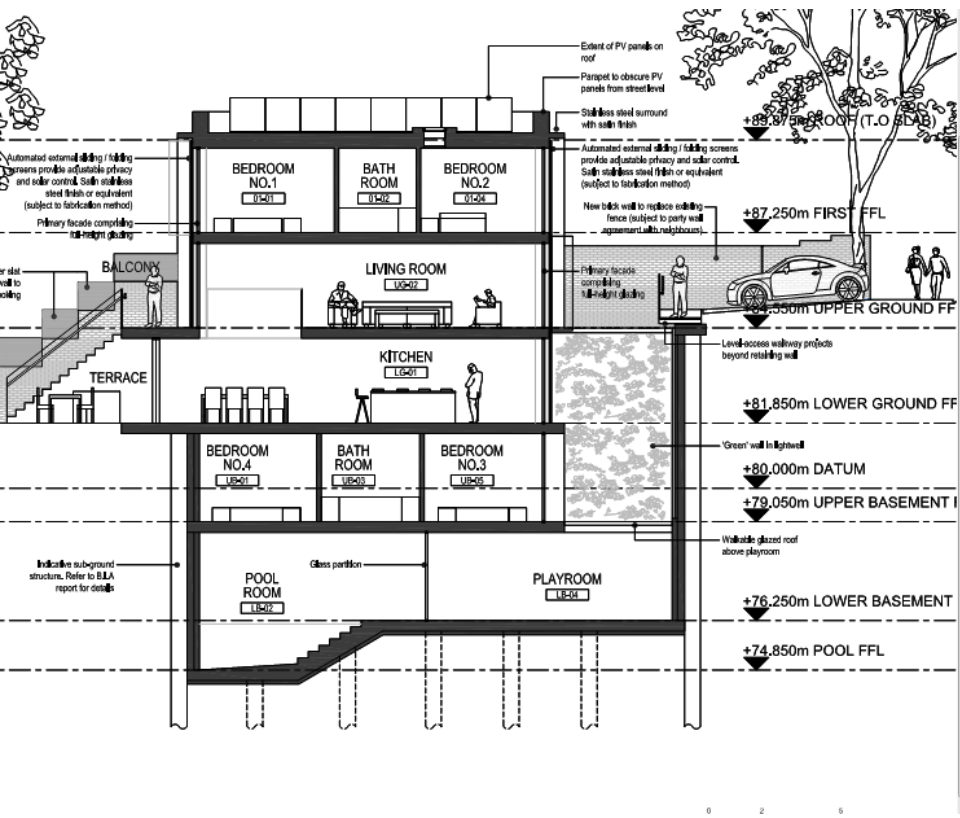
Proposed Section AA



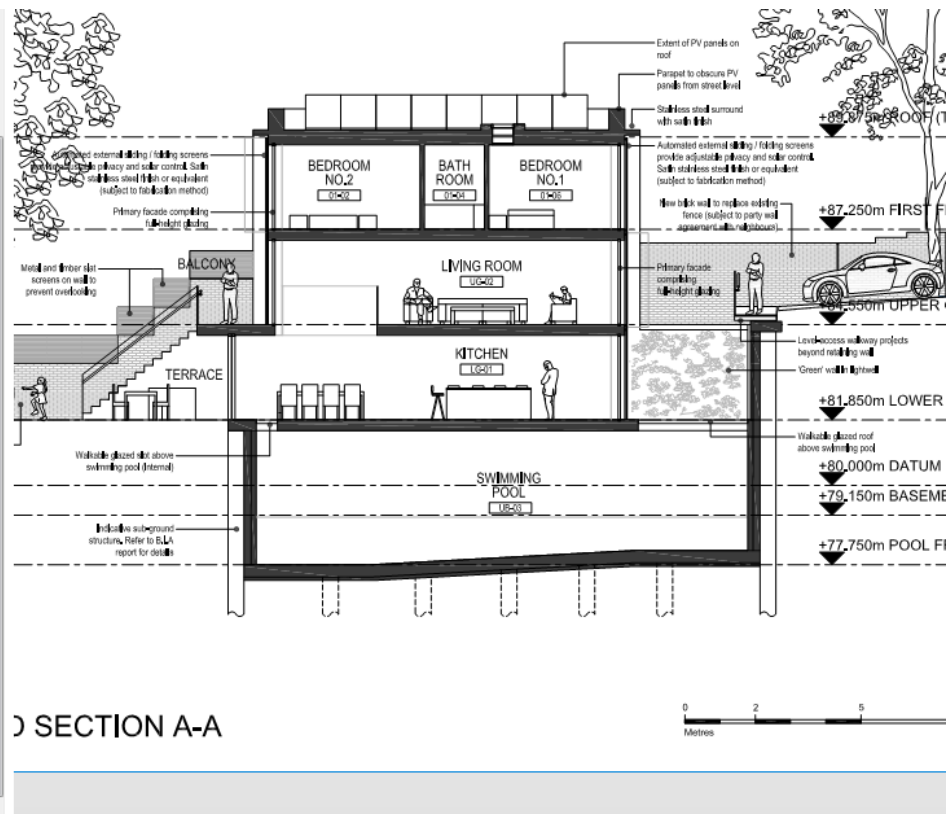
Proposed Lower Basement Floor



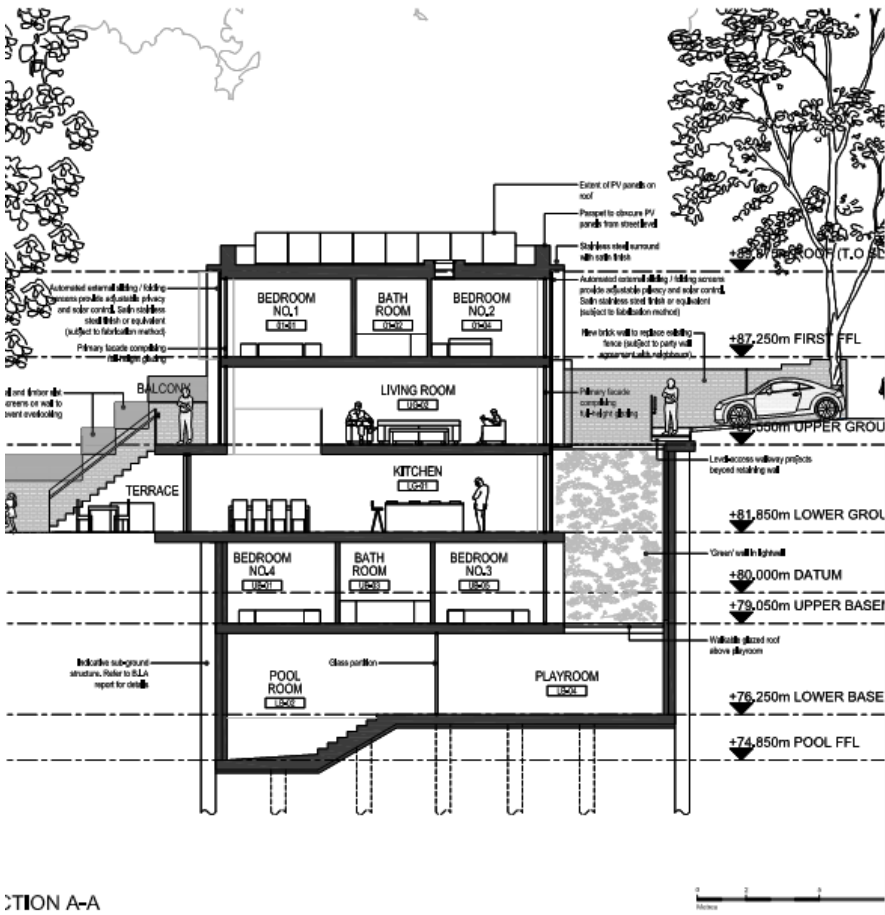
Proposed Upper Basement Floor



Proposed
basement
Section AA

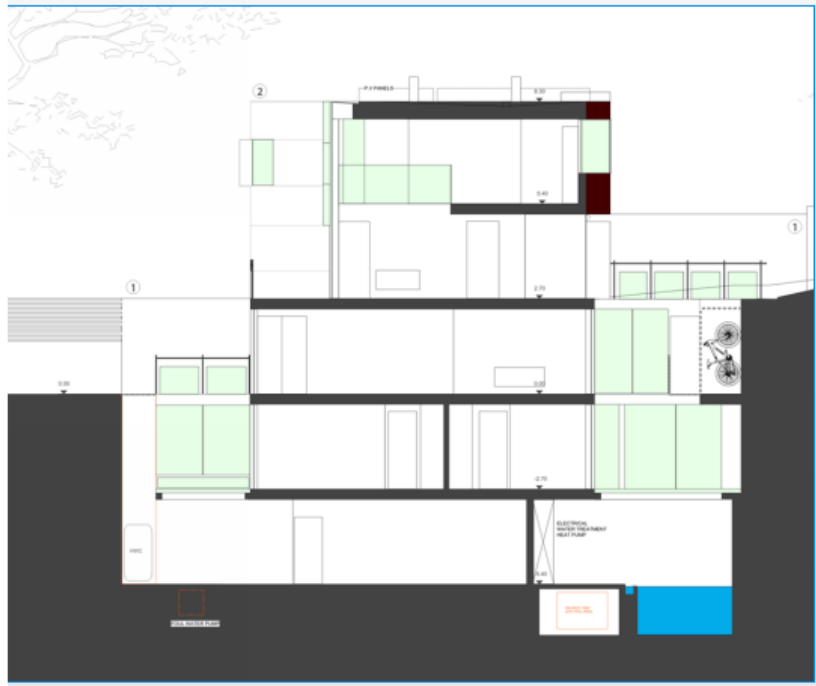


Basement
approved under
2013/7987



SECTION A-A

Proposed basement



Basement allowed under 2012/6795/P



