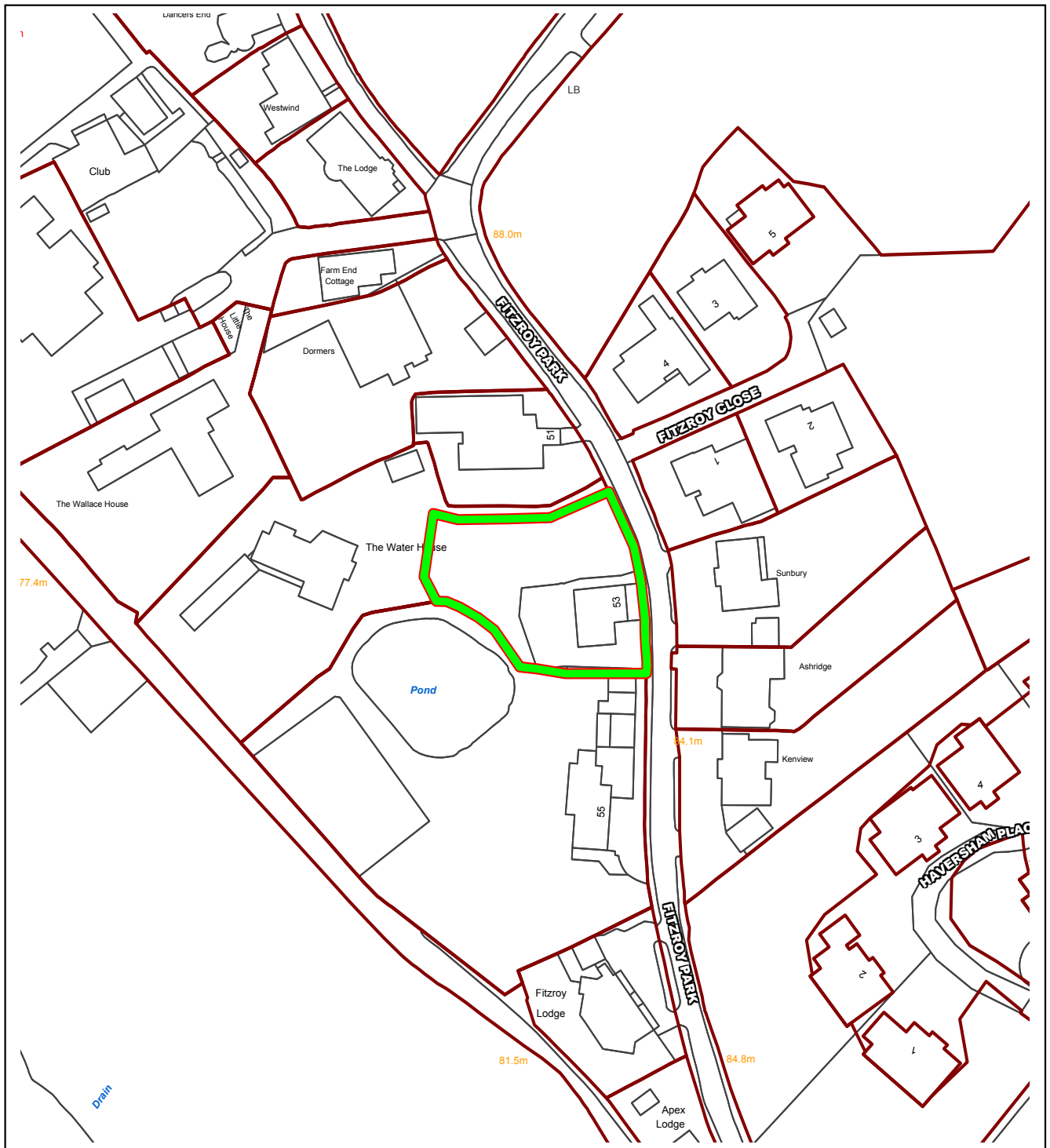


53 Fitzroy Park - 2018/2104/P



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	31/07/2018
		N/A / attached		Consultation Expiry Date:	08/07/2018
Officer			Application Number(s)		
Gideon Whittingham			2018/2104/P		
Application Address			Drawing Numbers		
53 Fitzroy Park London N6 6JA			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Variation of Conditions 2 (plans), 3 (details/samples of materials), 8 (Noise Levels) and 13 (SuDS) to planning permission ref: 2015/0441/P dated 04/07/2016, for; Erection of a three storey single dwelling following demolition of existing dwelling (Class C3), to amend fenestration; lightwell added to north side; entrance relocated to the corner; bike storage relocated to south side boundary; metal spandrel changed to natural stone; external stair removed at rear lower ground floor level; metal balustrade changed to glass; cornices changed to plain natural stone; rear curved bay squared off at lower ground level; recessed blind window omitted and recessed wall revised on south elevation.					
Recommendation(s):		Grant Conditional Planning Permission subject to a Section 106 Legal Agreement (Deed of Variation)			
Application Type:		Variation or Removal of Condition(s)			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
Summary of consultation responses:	<ul style="list-style-type: none">A site notice was displayed from 17/04/2018 (expiring on 05/08/2018).A public notice was displayed in the local press from 19/04/2018 (expiring on 10/05/2018). <p>An objection was received from the address at Fitzroy Park noting:</p> <ul style="list-style-type: none">Repositioning of dwelling unsympatheticSense of enclosure as a result of structureLoss of open space <p><i>Officer comment: As stated in section 2.1 of the report below, the size, scale, massing and position of the building will remain as per the extant permission. These elements have not been proposed for amendment and were considered acceptable and can be reviewed as part of the officer's full report (2015/0441/P).</i></p> <ul style="list-style-type: none">Privacy / overlooking <p><i>Officer comment: See section Amenity of neighbouring occupiers</i></p> <ul style="list-style-type: none">CMP remains outstanding <p><i>Officer comment: See section Transport</i></p>					
CAAC/Local groups comments:	<p>The Highgate CAAC object:</p> <p>Highgate CAAC feels that these changes in no way improve the design of this building but in fact make it appear even more clumsy. bulky and overwhelming . The enlarged windows add nothing to the balance of the facades and increase possibility of overlooking neighbours.</p> <p><i>Officer Comment: See section Conservation and Design</i></p>					

Site Description

The site is located to the southwest of Fitzroy Park which is a private road. The site comprises a part-two part-three storey flat roofed dwelling house.

The site slopes to the west, away from Fitzroy Park and the existing building is built into the slope. This part of Highgate is characterised by its secluded, verdant feel, and the site and surrounding context is heavily screened by trees. The building is not visible from the Heath due to its position away from Millfield Lane, and the extensive tree cover, although some of the neighbouring properties which are scattered around the fringes of the Heath can just be seen.

The site is located on private open space known as 'Fitzroy Open Space' a large space adjacent to the eastern edge of Hampstead Heath. No trees on the site are subject to statutory protection by Tree Preservation Order, but the trees are within the conservation area and are therefore protected.

The site is in the Highgate Village Conservation Area although the building itself is not considered to make a positive contribution to the wider conservation area. There are no listed buildings in the immediate vicinity of the site.

The area comprises individual houses of varied architectural styles and scales set within their own grounds into the topography of the area. Many of the post-war houses within this area were architect designed and the variety of material, forms and styles in relation to the rural nature of the area give it a unique character.

No 53 dates from 1952 and was designed by the architect Stephen Gardiner. It is a flat-roofed house of a cuboid form, the first floor of which is clad in horizontal white painted weatherboarding with brick used elsewhere. The site slopes away from the street with the garden level one storey lower than the road level. Two storeys are presented to each of these sides, with the road side one storey higher in real terms.

Relevant History

2017/3425/P - Erection of a three storey single family dwelling, including green roofs at first floor and roof level, solar panels at roof level and associated landscaping following the demolition of the existing part-two, part-three storey dwelling (Class C3). Withdrawn

2016/1579/P - Details of cycle storage required by condition 15 of the planning permission 2015/2197/P dated 29/05/2015, for; Erection of a three storey single dwelling including basement level, green roof, solar panels and landscaping following demolition of existing dwelling (Class C3). Granted 05/06/2016

***2015/0441/P** - Erection of a three storey single family dwelling including basement level, green roofs at first floor and roof level, solar panels at roof level and associated landscaping following the demolition of the existing part-two, part-three storey dwelling (Class C3). Granted 04/07/2016

2015/2197/P - Demolition of existing dwelling. Granted 29/05/2015

2011/1682/P & 2011/1686/C - Erection of a three storey single dwelling including basement level, green roof, solar panels and landscaping following demolition of existing dwelling (Class C3). Granted Subject to a Section 106 Legal Agreement 16/11/2012.

2011/0728/P & 2011/0805/C - Erection of a three storey single dwelling including swimming pool at basement level, green roof, solar panels and landscaping following demolition of existing dwelling (Class C3). Withdrawn 28/02/2011

2009/5369/P & 2009/5370/C - Erection of three storey single family dwelling house plus basement and sub basement levels, following demolition of existing three storey dwelling house (Class C3). Withdrawn 10/03/2010

8802690 – The erection of a two storey side extension at lower ground and ground floor levels to provide a gallery and storeroom for artwork and a single storey side addition at lower ground level to provide a garden store and bay window to existing studio room. Granted 04/07/1989

*This decision is a material consideration to take into account in the assessment of the current application and is addressed further in the report below.

Relevant policies

National and Regional Policy

National Planning Policy Framework (NPPF) 2018

London Plan 2016

Camden Local Plan 2017

Policy G1 Delivery and location of growth

Policy H1 Maximising housing supply

Policy H3 Protecting existing homes

Policy H4 Maximising the supply of affordable housing

Policy H5 Protecting and improving affordable housing

Policy H6 Housing choice and mix

Policy H7 Large and small homes

Policy A1 Managing the impact of development

Policy A2 Open space

Policy A3 Biodiversity

Policy A4 Noise and vibration

Policy D1 Design

Policy D2 Heritage

Policy CC1 Climate change mitigation

Policy CC2 Adapting to climate change

Policy CC3 Water and flooding

Policy CC4 Air quality

Policy CC5 Waste

Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car-free development

Policy T3 Transport infrastructure

Policy T4 Sustainable movement of goods and materials

Policy DM1 Delivery and monitoring

Camden Planning Guidance

Adopted March 2018:

CPG Housing (interim)

CPG 2 Housing, May 2016 (updated March 2018)

CPG Amenity

Adopted Prior:

CPG 1 Design (July 2015)

CPG 3 Sustainability (July 2015)

CPG 7 Transport (September 2011)

CPG 8 Planning obligations (July 2015)

Highgate Village Conservation Area Statement (2007)

Highgate Neighbourhood Plan (September 2017)

Assessment

1. Background

- 1.1 As per section 'RELEVANT HISTORY', permission was granted, via the Development Control Committee on 21st January 2016 for the erection of a three storey single family dwelling including basement level, green roofs at first floor and roof level, solar panels at roof level and associated landscaping following the demolition of the existing part-two, part-three storey dwelling (Ref: **2015/0441/P**).
- 1.2 This permission remains extant and could be implemented up until 04/07/2019.
- 1.3 The application was considered against the now superseded LDF Core Strategy and Development Policies.
- 1.4 The Camden Local Plan has since been adopted, superseding LDF Core Strategy and Development Policies; as has the Highgate Neighbourhood Plan – HNP (September 2017), Camden Planning Guidance: CPG1, CPG2, CPG3, CPG4 and CPG8, have also been revised, along with the NPPF 2018.
- 1.5 The officer's Development Control Committee report from the approved application provides an overview of the issues considered.

2. Proposal

- 2.1 The application proposes the variation of permission 2015/0441/P, specifically:

Front (east) elevation:

- Ground floor level: Increase size of window openings, Additional window, entrance relocated to the corner of the building
- First floor level: Increase size of window openings, omit 2no. recessed blind windows; replace embellished stone string course with plain natural stone.

Flank (south) elevation:

- Ground floor level: Increase size of window openings, entrance relocated to the corner of the building; cornices changed to plain natural stone.
- First floor level: omit 3no. recessed blind windows;

Rear (west) elevation:

- Lower ground floor level: Increase size of window openings, Additional window; omit external staircase, replace metal spandrel with natural stone
- Ground floor level: Increase size of window openings; replace metal balustrade to the terrace with glass.
- First floor level: Increase size of window openings; cornices changed to plain natural stone.

Side (north) elevation:

- Lower ground floor level: Increase size of window openings; creation of lightwell (enclosed with glass roof) (0.75m depth x 5.20m length x 1.2m width)
- Ground floor level: omit 2no. recessed blind windows;
- First floor level: omit 2no. recessed blind windows; cornices changed to plain natural stone.

- 2.2 Given the scope of the alterations proposed, the considerations material to the determination of this application, in the context of an extant permission, are summarised as follows:

- Conservation and Design:
- Impact of basement development:
- Impact on neighbouring amenity:
- Transport

3. Conservation and Design

3.1 Forming part of the officer report (Ref: **2015/0441/P**) the following assessment was made:

Design

6.25 *The area, whilst having a distinctive rural feel, does not have consistent and harmonious architectural language. The dwellings in the area vary greatly in terms of their age and architectural style. In this regard there is no clear or consistent language to follow. What is important is that the look and feel of any building appropriately responds to the verdant, informal and rural character of the area. The verdant character of the area would be enhanced through the proposed level of planting. There is sufficient informality with the design which will appropriately preserve the character and appearance and rural informal nature of the area. There is a 'simplicity of detail and use of high quality materials' which is consistent with other new buildings in the area and what is seen above the front boundary wall is considered satisfactory to preserve the important rural character which is important to retain.*

6.26 *Whilst the design has raised comment by local groups for its as austere and visually intrusive appearance, the proposal has sought to introduce the informal approach to the front façade with a stone screen in front; and obscure glazed stone 'pop-out' with side windows. The detailed design of the stone pop outs; fenestration of the lift screen and embellished stone string course as well as the look and feel of the other materials on the dwelling will be seen above the boundary wall and allow them to have an impact on the character and appearance of the building. These features are sufficiently integral to the design and are considered satisfactory architectural tools to ensure the informality and softness of the design and not result in an austere building. In principle there is no objection to this design approach.*

3.2 The amendment would see the alteration of fenestration, cornicing and facing materials, along with staircases and the introduction of a covered lightwell, albeit maintaining a dwelling of the same mass, scale and form as that extant.

3.3 The alterations proposed are considered minor and sufficiently similar in colour and tone to meet the intentions of the originally proposed scheme. Assessed by conservations officers, the outcome would result in slightly less embellishment to the façade, little of which would be seen from the public realm, particularly given the location of the proposed lightwell.

3.4 The majority of detailed design matters relating to the substantive permission remain secured by condition, including:

- A sample panel of the all facing materials demonstrating the proposed colour, texture, face-bond and pointing

3.6 Within this context, the amendments are considered appropriate and provides a satisfactory contextual response to the building, streetscene and surrounding conservation area, with outstanding matters retained by updated conditions (specifically condition 3 - to incorporate materials for amended elements) to ensure a high quality finish.

4. Impact of basement development

- 4.1. The extant permission was supported by a Basement Impact Assessment (BIA), Construction Method Statement (CMS) and Structural Engineering Design, and was compliant with the relevant policy requirements.
- 4.2. Due to the introduction of the lightwell along the northern elevation, specifically 0.75m depth x 5.20m length x 1.2m width, located towards the north side of the building to light the basement swimming pool, this application is supported by an addendum Basement Impact Assessment (BIA).
- 4.3. Campbell Reith were instructed to carry out a review of the plans and addendum Basement Impact Assessment (BIA) as a part of this application (reference 2018/2104/P) against the documents previously approved for the planning permission (reference 2015/0441/P).
- 4.4. The BIA has confirmed that the proposed basement will be founded within London Clay. The lightwell may however be founded within Made Ground. It is accepted that given the small scale of the proposed amendment, the previous BIA need not be revised. It is accepted that the proposed amendments are minor in nature and will not lead to any additional impact to the geology, hydrogeology, hydrology or land stability of the site than what was discussed in the original BIA.
- 4.5. Given that the Council's third party engineers have confirmed that the works would adhere to policy A5 and CPG4 within their audit, no objection to these proposed works are raised.
- 4.6. In review of the conditions and terms secured within the legal agreement, the proposal would comply with, amongst others, Policy DH7: Basements of the Hampstead Neighbourhood Plan.

5. Amenity of neighbouring occupiers

- 5.1. Forming part of the substantive officer report (Ref: 2015/0441/P) the following assessment was made:
 - 6.37 *Due to the nature of the proposed development there would not be an impact on neighbour amenity in regard to daylight, sunlight or outlook.*
 - 6.38 *The proposed building has been positioned further to the north west of the plot, set appropriately away and orientated in such a manner that no detrimental harm would result.*
 - 6.39 *Whilst the proposal would result in a closer building towards 51 Fitzroy Park, the dwelling would not introduce detrimental levels of overlooking to neighbouring properties, particularly those northwards and across the road on the east. The windows at ground floor level would be obscured by the boundary treatment to the front, flank and side elevations. A new window facing northwards at first floor level, at a distance of 14m from the neighbouring window at No.51, would in any case be obscurely glazed.*
 - 6.40 *The balconies/patio to the rear elevation, by virtue of their orientation and position, would not have a detrimental impact on the amenity of any neighbouring occupiers.*
 - 6.41 *Within this context, the proposal would not be overlooked to any greater detrimental degree than the existing or extant arrangement, which is of no harm to privacy.*

6.42 *The proposed building is 720mm higher than the existing building when taken at pavement level and would be positioned behind existing and replacement mature trees along the front of the site.*

6.43 *The existing outlook of the properties located opposite the site on the east side of Fitzroy Park is towards the front elevation of the existing building and the mature row of trees. The proposal building, by virtue of its sitting within the plot would be at least 14m, in a southerly direction from No.51 Fitzroy Park, and 20m easterly from houses across the street. In this context and given its orientation, the increase in bulk would be limited in terms of harm to adjacent occupiers and access to daylight and sunlight would also not be diminished to a detrimental degree.*

5.2 Those amendments which could have an amenity impact would include enlarging a number of window openings and the creation of a lightwell. Given their location, orientation and proximity from neighbouring properties however, no greater detriment would result. No windows would be closer to residential windows, nor would any new views be afforded as a result. Measures already in place to mitigate potential overlooking from within the extant scheme would remain also, this includes the first floor window on the north elevation, which would remain obscurely glazed (as annotated on plan).

6. Transport

6.1 The nature of changes proposed would not alter the assessment in the original officer report (Ref: 2015/0441/P). Matters including cycle storage (this amendment would relocate the bicycle storage to the southern boundary of the site and would be easily accessible and secure) and the method statement for demolition remain secured by condition, whilst the requirement of a CMP and a Bond Agreement with the Fitzroy Park Residents Association would remain secured by the legal agreement.

6.2 In review of conditions and terms secured within the legal agreement, the proposal would comply with Policy TR2: Movement of Heavy Goods Vehicles of the Hampstead Neighbourhood Plan.

7. Amended conditions

7.1 Along with amending the approved plans (condition 2), condition 3 (details/samples of materials) has been reworded to require details of amended elements, Condition 8 (Noise levels) has been updated in mind of increased Camden Local Plan noise thresholds and condition 13 (SuDS) has been amended to provide greater specificity in this case.

8. CONCLUSION

8.3 Planning Permission is recommended subject to a S106 Legal Agreement (Deed of Variation) covering the following Heads of Terms:-

- Construction Management Plan
- Sustainability and Energy statements
- Bond Agreement with the Fitzroy Park Residents Association
- Financial contribution for highway works

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 24th

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'.

Michael Burroughs Associates
93 Hampton Road
Hampton Hill
Middlesex
TW12 1JQ

Application Ref: **2018/2104/P**

19 September 2018

Dear Sir/Madam

DRAFT
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:
53 Fitzroy Park
London
N6 6JA

DECISION
Proposal:

Variation of Conditions 2 (plans), 3 (details/samples of materials), 8 (Noise Levels) and 13 (SuDS) to planning permission ref: 2015/0441/P dated 04/07/2016, for; Erection of a three storey single dwelling following demolition of existing dwelling (Class C3), to amend fenestration; lightwell added to north side; entrance relocated to the corner; bike storage relocated to south side boundary; metal spandrel changed to natural stone; external stair removed at rear lower ground floor level; metal balustrade changed to glass; cornices changed to plain natural stone; rear curved bay squared off at lower ground level; recessed blind window omitted and recessed wall revised on south elevation.

Drawing Nos: Superseded: 1317-PL211 Rev E; 1317-PL-212 Rev F; 1317-PL-213 Rev G; 1317-PL-214 Rev F; 1317- PL-215 Rev F; 1317-PL-221 Rev F; 1317-PL-222 Rev F.

Proposed: 110-A1-01-01; 110-A1-01-02; 110-A1-01-03; 110-A1-01-04; 110-A1-01-05; 110-A1-02-01; 110-A1-02-02; Letter dated 4th April 2018 (371744), prepared by Dr. Clive Gerring for RSK Company Limited; Basement Impact Assessment Audit, Revision: D1, September 2018, Prepared by Campbell Reith Hill LLP.

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 must be begun not later than the end of three years from the date of the original permission, reference ref: 2015/0441/P granted 04/07/2016.

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:

DRAFT

DECISION

[1317-EX-101; 1317-EX-102; 0932-0100-AP-004 Rev PL02; 0932-0100-AP-005 Rev PL02; 0932-0100-AP-006 Rev PL02; 1317-EX-121; 1317-EX-122; 1317-EX-123; 1317-EX-124; 1317-PL-201; 1317-PL-202; 110-A1-01-01; 110-A1-01-02; 110-A1-01-03; 110-A1-01-04; 110-A1-01-05; 110-A1-02-01; 110-A1-02-02; 1317-PL-231 Rev G; 1317-PL-232 Rev F; Outline Arboricultural Method Statement (WFA/53FZP/AMS/01D), prepared by Landmark Trees, dated 7th May 2015; Arboricultural Impact Assessment Report (WFA/53FZP/AIA/01D), prepared by Landmark Trees, dated 7th May 2015; Construction Traffic Management Plan - Rev 05a, prepared by Knight Build Ltd, dated 24 September 2015 (revised); Design & Access Statement (DOC REF: 1317-PL-DAS-REV-G) dated 21.10.15; Basement Impact Assessment 371263-01(03), prepared by RSK Environment Ltd (RSK), dated January 2015; Letter (13636/DG/BK/7877357v1) prepared by Nathaniel Lichfield & Partners Limited, dated 24 January 2015; Letter (13636/DG/8158846v1) prepared by Nathaniel Lichfield & Partners Limited, dated 27 January 2015; Energy Strategy (6601-01/002a11) prepared by CBG Consultants, dated Jan 2015; Letter dated 4th April 2018 (371744), prepared by Dr. Clive Gerring for RSK Company Limited; Basement Impact Assessment Audit Rev: F1 dated October 2015, prepared by Campbell Reith Hill LLP; Basement Impact Assessment Audit Rev: D1 dated August 2015, prepared by Campbell Reith Hill LLP; Basement Impact Assessment Audit, Revision: D1, September 2018, Prepared by Campbell Reith Hill LLP; Geotechnical, Hydrogeological and Geoenvironmental Site Investigation Report, prepared by RSK STATS Geoconsult Ltd (RSK), dated December 2010; Structural Engineering Design and Construction Method Statement prepared by Elliotwood Rev. P5 dated April 2015; S0100 P3; S0110 P3; S0111 P4; S0700 P2; S0800 P2; S0900 P3; S01000 P2; S01100; S01200; S3000 P4; S3001 P4; S3100 P4; S3101 P4; S3102 P4; S3103 P4; S3104 P4; S3105 P4; S3106 P4; S3200 P1; S4000 P3; S4001 P3; S4002 P3; S4003 P3; S4004 P3; S4005 P3; S4006 P3; S4007 P3; S4008 P3; S4009 P3; S4100 P3; S4101 P3; S4200 P2; Environmental Noise Assessment, prepared by Acoustics Plus, dated 06/11/2014; Planning and Heritage Statement (13636/DG), dated 25 January 2015; Code For Sustainable Homes Pre-Assessment (6601-01/003/A11), prepared by CBG Consultants Ltd, dated 29th September 2014; Site Waste Management Plan, prepared by Knight Build Ltd, dated 5th January 2015; Statement of Community Involvement, prepared by Hardhat, dated January 2015; Consultation Response - 53 Fitzroy Park, Hampstead (3967/AG/060515/FB), prepared by Clarkson & Woods Ltd, dated 6th May 2015].

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

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:
 - a) Details including sections at 1:10 of all windows (including jambs, head and cill), parapet, façade and roof junctions, lift, entrance canopy, doors, ventilation grills, external doors and gates;
 - b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 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 local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus 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 A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 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 or any phase of the development, 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 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 A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 8 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 15dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 9 Before the development commences, details of secure and covered cycle storage area for 4 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.

- 10 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-C)] 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 11 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (2016) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

- 12 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policy G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 13 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on demonstrating 50% attenuation of all runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies G1, CC1, CC3 and C1 of the Camden Local Plan 2017.

- 14 Prior to implementation a method statement for a precautionary working approach to demolition and construction should be submitted to the Local Authority and approved in writing. This shall include approaches to mitigate the impact on protected species, including impact of lighting during works. All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted. The applicant may need to apply for a protected species licence from Natural England, evidence of which should be submitted to the Local Authority.

Reason: To ensure the development contributes towards the protection and creation of habitats and valuable areas for biodiversity, ensuring compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policies A2 (Open Space) and A3 (Biodiversity) of the Camden Local Plan 2017.

- 15 Full details of a lighting strategy, to include information about potential light spill on to buildings, trees and lines of vegetation to minimise impact on bats, shall be submitted to and approved by the Local Planning Authority, in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

REASON: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

- 16 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 17 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

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 A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 18 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The details shall include species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies C1 and A2 of the Camden Local Plan 2017.

- 19 The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2) in relation to accessible dwellings and shall be maintained thereafter.

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.

- 20 The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation of the relevant part of the development, evidence demonstrating that this has been achieved shall be submitted 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 policy CC3 of the Camden Local Plan 2017.

- 21 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 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 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/cem/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 It shall be the Contractors' responsibility to report any serious defects noted whilst working in or climbing the tree(s) in question. Should this suggest the need for additional tree work to that specified or recommended, the Council should be notified in advance, excepting only in circumstances where safety reasons require immediate and urgent action.
- 4 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 4911 or www.naturalengland.org.uk.
- 5 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.
- 6 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).

- 7 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 8 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973)] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

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

Supporting Communities Directorate