

Application ref: 2017/6973/P
Contact: David Fowler
Tel: 020 7974 2123
Date: 7 November 2018

Development Management
Regeneration and Planning
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Savills
33 Margaret Street
London
W1G 0JD

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:
29 New End
LONDON
NW3 1JD

Proposal:

Variation of condition 22 (Basement Impact Assessment) of planning permission 2012/3089/P, granted on appeal (reference APP/X5210/A/14/2218243) dated 02/02/2015 (for 'Erection of a 7 storey block to provide 17 self contained residential units (Class C3), (comprising 2 x studio, 5 x 2 bedroom, 6 x 3 bedroom, and 4 x 4 bedroom units) with associated roof terraces, plus new vehicular access and basement parking for 17 cars; new pedestrian access, refuse store and substation on front boundary; green roofs; communal open space and landscaping, following demolition of existing nurses' hostel (Sui Generis)') namely for the following revisions:

- Changing the way the basement is construction (from bearing piled foundation to bearing raft below basement slab - to be done in accordance with the approved BIA (2016/2833/P) and the submitted addendum BIA.

Drawing Nos:

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

Condition(s) and Reason(s):

- 1 This entry is left blank intentionally.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents, or as modified in compliance with other conditions in this schedule: Site plan NEN-PL-001B; Proposed plans NEN-PL-003B, 090P, 100M, 110L, 120L, 130L, 140K, 150J, 160I, 200E, 210N, 220H, 230G, 240G, 300E, 310G, 320F, 330E, 340E, 350D, 370D, 380D; Landscaping plans 137511-01rev 1, 1375-11-02 rev 1; On street parking layout 2011-1007-CR-004; Overlooking plan NEN-SK-05, 'Basement Impact Assessment Addendum' Rev 02 (Ross & Partners) Nov 2017, Letter dated 27 April 2018 (Stephen Buss Environmental Consulting), 'Response to Basement Impact Assessment Audit' (Geotechnical Consulting Group) 02 May 2018, 'Note on Expected Ground Movements due to Pile Installation' (Ross and Partners) April 2017, 'North Bank Monitoring - Base Readings' 09/10/2017.

- Reason: For the avoidance of doubt and in the interest of proper planning.
- 3 Detailed drawings in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun: i) elevation drawings at a minimum scale of 1:10 of each window type, door type, balcony and balcony balustrade/handrail; ii) plans and sections at a minimum scale of 1:5 of all typical fenestration and door details (jambs (including stone surrounds), heads (including stone surrounds), cills, frame profiles); iii) plans, sections and elevations at a minimum scale of 1:5 of all dressing details (including parapet copings), and of junctions. The relevant parts of the works shall be carried out in accordance with the details thus approved.

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

- 4 No meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes, shall be fixed or installed on the external face of the building, 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 Camden Local Plan 2017.

- 5 No external lights shall be installed except in accordance with details which have first been submitted to and approved in writing by the local planning authority.

Reason: To ensure that there would be no unnecessary light nuisance to neighbouring properties, in accordance with policy A1 of the Camden Local Plan 2017.

- 6 A sample board and product information, showing all facing materials including a 1m x 1m panel of brickwork (demonstrating the proposed colour, texture, face-bond and pointing), natural slate, stone dressings, balcony and handrail sections, windows and external doors 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 approved samples 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 policies D1 and D2 of the Camden Local Plan 2017.

- 7 Roofs, roof terraces and parts of roof terraces shown in Appendix 1 of Appeal Document A14 to be roofs, planting areas or non-accessible roof terraces shall provide access only for maintenance or planting and shall not be used as amenity space.

Reason: To ensure that neighbouring flats would have a satisfactory level of privacy, in accordance with policy A1 of the Camden Local Plan 2017.

- 8 Notwithstanding the note referring to the obscured glazing on drawing No NEN-SK-05, the windows marked 'O' on that drawing shall be fitted with obscure glazing prior to occupation of the dwellings served by those windows, and the obscured glazing shall be permanently retained thereafter.

Reason: To ensure that neighbouring flats would have a satisfactory level of privacy, in accordance with policy A1 of the Camden Local Plan 2017.

- 9 No dwelling shall be occupied until hard and soft landscaping and means of enclosure (including external gates) have been carried out in accordance with details which have first been submitted to and approved in writing by the local planning authority. Such details shall include any proposed earthworks including grading, mounding and other changes in ground levels, and planting of roof terraces. Any trees or plants 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 in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reason: In order to ensure the development undertakes reasonable measures to take account of trees and biodiversity in accordance with Camden Local Plan 2017 policy A3.

- 10 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. The trees shall be protected throughout the course of construction in accordance with the recommendations of the Tree Projects Arboricultural Report dated March 2012 and shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". No tree shown to be retained shall be pruned, lopped or otherwise altered except in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Reason: In order to ensure the development undertakes reasonable measures to take account of trees and biodiversity in accordance with Camden Local Plan 2017 policy A3.

- 11 The development shall proceed in accordance with the details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site, approved under application reference 2016/3334/P dated 25/07/2016.

Reason: To ensure that the works do not impact on neighbouring properties in terms of structure, in accordance with the requirements of policies A1 and A5

of the Camden Local Plan 2017.

- 12 The development shall proceed in accordance with the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site approved under application reference 2016/6436/P dated 22 March 2017.

Reason: To ensure that the works do not impact on neighbouring properties in terms of structure, in accordance with the requirements of policies A1 and A5 of the Camden Local Plan 2017.

- 13 Noise generated by plant or equipment shall not exceed 5dB(A) (or 10dB(A) where there is a distinguishable continuous note or distinct impulse) lower than the existing background level (LA90) expressed in dB(A), when measured at 1m external to any facade containing openings of a dwelling within the development hereby approved or any occupied building on adjoining land.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise and vibration in accordance with policy A1 of the Camden Local Plan 2017.

- 14 No external roof plant, ventilation or air conditioning equipment shall be installed except in accordance with details which have first been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise and vibration in accordance with policy A1 of the Camden Local Plan 2017.

- 15 No dwelling shall be occupied until facilities for waste and recycled materials storage and removal have been installed in accordance with details submitted to and approved in writing by the local planning authority, and the facilities shall be retained thereafter.

Reason: To ensure there is adequate waste facilities for the amenity of prospective and neighbouring occupants in accordance with policy A1 of the Camden local Plan 2017.

- 16 The development shall not be occupied until the whole of the car parking provision (including the 2 disabled bays) shown on the approved drawings is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the occupiers and users of the development, and the 2 disabled bays shall be kept available for the use of occupiers with a Camden issued blue badge.

Reason: To ensure that the scheme does not encourages car use, in line with policies T1 and T2 of the Camden Local Plan 2017.

- 17 No dwelling shall be occupied until storage facilities for 28 cycles in the basement and of 4 additional cycle stands for occupiers and visitors at ground level have been installed in accordance with details first submitted to and approved in writing by the local planning authority, and the facilities shall be retained thereafter.

Reason: To ensure that the scheme encourages cycling, in line with policy T1 of the Camden Local Plan 2017.

- 18 The development shall proceed in accordance with the programme of archaeological work approved under application reference 2016/0499/P dated 17/10/2016.

Reason: To ensure that archaeological remains are protected in accordance with policy D2 of the Camden Local Plan 2017.

- 19 No dwelling shall be occupied until bat and bird boxes have been installed in accordance with details, including location and species to be accommodated, that have first been submitted to and approved in writing by the local planning authority.

Reason: To protect and encourage biodiversity in accordance with policy A3 of the Camden Local Plan 2017.

- 20 No dwelling shall be occupied until the green roofs shown at Appendix 1 of Appeal Document A14 have been installed in accordance with details which have first been submitted to and approved in writing by the local planning authority. The details shall include species, planting density, substrate and a section at a scale of 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, along with a programme for a scheme of maintenance. The roofs shall thereafter be retained and maintained in accordance with the approved details.

Reason: To protect and encourage biodiversity in accordance with policy A3 of the Camden Local Plan 2017.

- 21 The suitably qualified Chartered Engineer who was approved by the Council under application reference 2016/0499/P dated 17/10/16, shall monitor the and temporary basement construction works throughout their duration.

Reason: To ensure that the works do not impact on neighbouring properties in terms of structure, in accordance with the requirements of policies A1 and A5 of the Camden Local Plan 2017.

- 22 The development shall be constructed and monitored in line with the following documents, submitted under application reference 2017/6973/P:

'Basement Impact Assessment Addendum' Rev 02 (Ross & Partners) Nov 2017, Letter dated 27 April 2018 (Stephen Buss Environmental Consulting), 'Response to Basement Impact Assessment Audit' (Geotechnical Consulting Group) 02 May 2018, 'Note on Expected Ground Movements due to Pile Installation' (Ross and Partners) April 2017, 'North Bank Monitoring - Base Readings' 09/10/2017.

Reason: To ensure that the works do not impact on neighbouring properties in terms of structure, in accordance with the requirements of policies A1 and A5 of the Camden Local Plan 2017.

- 23 No development, including demolition, shall commence before a contract has been entered into with the Local Highway Authority to secure the proposed changes to the highway and parking layout, which shall include the following

works: repaving footways/carriageways; level thresholds with the public highway; provision of a new crossover; changes to on-street parking bays as shown on drawing no.2011-1007-CR-004 (or any other variation subsequently approved by the Council); removal/relocation of street furniture; kerb build out and drainage; and any Traffic Management Orders required in connection with the development. The new units hereby permitted shall not be occupied until the works that are the subject of that contract have been completed.

Reason: To ensure a satisfactory pedestrian, cycle and vehicular environment is maintained in accordance with policy T1 of the Camden Local Plan 2017.

- 24 The development shall proceed in accordance with the details of levels approved under application reference 2016/0499/P dated 17/10/16.

Reason: To ensure a satisfactory pedestrian, cycle and vehicular environment is maintained in accordance with policy T1 of the Camden Local Plan 2017.

- 25 No dwelling shall be occupied until 4 active and 4 passive electric vehicle charging points for the car spaces have been installed in accordance with details which have been first been submitted to and approved in writing by the local planning authority, and the charging points shall thereafter be retained in working condition.

Reason: To encourage the use of electric vehicles in accordance with policies T1 and T2 of the Camden Local Plan 2017.

- 26 The lifetime homes features and facilities, as indicated on the approved drawings and at para 6.1 of the KSR Design and Access Statement, shall be provided in their entirety prior to the first occupation of any of the new residential units.

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

- 27 The photovoltaic cells approved under application reference 2016/0499/P dated 17/10/16 shall be installed in accordance with the approved details prior to the occupation of any dwelling, and thereafter retained and maintained in working condition.

Reason: To promote sustainability in accordance with policies CC1 and CC2 of the Camden Local Plan 2017.

- 28 The development shall be implemented in accordance with the SUDS details approved under planning reference 2016/2833/P dated 19/10/16 and thereafter retained and maintained in working condition.

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 CC1, CC2 and CC3 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Condition 22, requiring a BIA, was previously approved under application

reference 2016/2833/P dated 19/10/2016. However, the applicant wishes to change the method of constructing the basement. Given the level of public interest in this site, the applicant has submitted a section 73 application (as advised by the Council) rather than discharging condition 22 again.

The applicant now wishes to construct the basement using a bearing raft below the basement slab instead of the approved method using piled foundation. No changes are proposed in terms of depth, footprint or the external appearance of the development. A revised BIA has been submitted accordingly, as well as further information requested by Campbell Reith (CR), the Council's independent basement consultant.

A letter was received from the member of the public, raising concerns over the basement excavation and these concerns were forwarded on to CR to ensure they were taken into account. The concerns of the residents were taken into account in the determination of this application.

CR It is confirmed that the addendum to the BIA and supplementary information have adequately assessed the potential impacts arising out of the revised basement proposals and comply with the requirements of the Camden Planning Guidance.

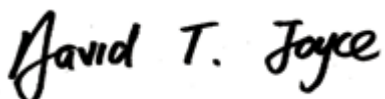
Given the above, officers are satisfied that the proposed method of excavation is acceptable and complies with Camden local Plan policy A5 and Camden CPG 'Basements'.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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