

Application ref: 2017/7065/P
Contact: Kristina Smith
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Date: 26 April 2019

Development Management
Regeneration and Planning
London Borough of Camden
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Indigo Planning
Aldermay House
15 Queen Street
London
EC4N 1TX

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:
The Old Dairy
7 Wakefield Street
London WC1N 1PG

Proposal:

Variation of conditions 2 (approved drawings), 12 (noise level compliance) and 26 & 27 (Building Regulations compliance) and removal of condition 13 (details of plant installation) attached to planning permission ref. 2011/6032/P dated 14/03/2012 (as amended by 2017/2950/P dated 2/10/17) for redevelopment of site following demolition of existing warehouse to provide a mixed residential/commercial development of 13 dwelling houses (Use Class C3), 1,981sqm of residential floorspace (GEA), and 1,258 sqm (GEA) of Class B1 floorspace, including cycle and refuse stores in communal yard and associated plant, namely alterations to cladding, adjustments to building lines, installation of plant equipment and other minor design amendments.

Drawing Nos:

Superseded: 1250-11-002-PA02; 1250-11-003-PA02; 1250-11-004-PA02; 1250-11-005-PA02; 1250-12-001-PA02; 1250-12-002-PA02; 1250-12-003-PA01; 1250-12-004-PA01; 1250-13-001-PA02; 1250-13-002-PA02; 1250-13-003-PA02; 1250-13-004-PA02; 1250-13-006-PA02

Revised: 1250-11-002-PA02 (Rev B); 1250-11-003-PA02 (Rev B); 1250-11-004-PA02 (Rev B); 1250-11-005-PA02 (Rev B); 1250-12-001-PA02 (Rev B); 1250-12-002-PA02 (Rev B); 1250-12-003-PA01(Rev B); 1250-12-004-PA01(Rev B); 1250-13-001-PA02 (Rev B); 1250-13-002-PA02 (Rev B); 1250-13-003-PA02 (Rev B); 1250-13-004-PA02

(Rev B); 1250-13-006-PA02 (Rev B);

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2011/6032/P dated 14/03/2012.

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: Site Location Plan 22840003/1; 1250-10-02; 1250-10-03, 1250-10-04; 125010-05; 1250-10-006; 1250-11-002-PA02 (Rev B); 1250-11-003-PA02 (Rev B); 1250-11-004-PA02 (Rev B); 1250-11-005-PA02 (Rev B); 1250-12-001-PA02 (Rev B); 1250-12-002-PA02 (Rev B); 1250-12-003-PA01(Rev B); 1250-12-004-PA01(Rev B); 1250-13-001-PA02 (Rev B); 1250-13-002-PA02 (Rev B); 1250-13-003-PA02 (Rev B); 1250-13-004-PA02 (Rev B); 1250-13-006-PA02 (Rev B); Planning, Design and Access Statement dated November 2011, plus Appendix of photoviews; Planning Statement dated May 2017; Design and Access Statement Addendum dated May 2017; Transport Statement dated May 2017; Sunlight and Daylight Report dated November 2011; Internal Daylight Assessment by XCO2 Energy dated February 2015; Daylight and Sunlight Assessment (May 2017); Environmental Noise Survey & PPG24 Assessment report dated November 2011; Contamination Desktop Study dated November 2011; Arboricultural Report dated November 2011; Archaeological Desktop Assessment dated November 2011; Sustainability Strategy dated November 2011; Energy Strategy dated November 2011; Energy Statement (Addendum) dated May 2017; Heritage Assessment dated November 2009; Basement Design Statement dated November 2011; Addendum to Basement Design Statement and Report on the Structural Implications of the proposed development on St George's Garden Boundary Wall dated May 2017; Draft Construction Management Plan dated May 2017; Affordable Housing Statement dated January 2012; The Old Dairy Planning Statement prepared by Indigo Planning (dated December 2017); Energy Statement prepared by Michael Popper - Rev D (dated 15th December); Letter from Venta Acoustics to Goldenstone Development (dated 16 March 2018) re: Response to Clarke Saunders Review; Plant Noise Impact Assessment prepared by Venta Acoustics (dated 15 March 2018); Design and Access Statement Addendum dated December 2017; Daylight and Sunlight Assessment - Rev C prepared by Michael Popper (dated December 2017); Addendum to Basement Design Statement and Report on the Structural Implications of the Proposed Development on St George's Garden Boundary Wall prepared by mnp (Issue 3.2 dated 01.12.17); Part M(4)2 Accessibility Schedule prepared by Stanhope Gate Architecture (dated 28.03.18); Part M(4)3 Accessibility Schedule prepared by Stanhope Gate Architecture (dated 28.03.18)

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:
- i.) doors;
 - ii.) windows;
 - iii.) screens;
 - iv.) balustrades;
 - v.) staircase hatches;
 - vi.) facade metal cladding; and other architectural features,
- at a scale of 1:20, and details of samples of all facing materials to be used on the buildings shall be submitted to and approved in writing by the local planning authority before any work is commenced on the relevant part of the development.

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 policy 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 or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.

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 A sample panel of the facing brickwork to be used on all elevations of the entrance Block 1, demonstrating the proposed colour, texture, face-bond and pointing, shall be provided on site and approved by the Council 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 policies D1 and D2 of the Camden Local Plan 2017.

- 6 Prior to commencement of the relevant part, full details of hard and soft landscaping and means of enclosure of all open areas (including the proposed house patios and roof terraces), including details of the proposed private footway on the northern side of Block 1, shall be submitted to and approved by the Council. 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 A1 of the

Camden Local Plan 2017.

- 7 All hard and soft landscaping works shall be carried out to a reasonable standard 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, 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 Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 8 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 to the satisfaction of the Council and such construction work shall follow guidelines and standards set out in BS5837:2005 "Trees in Relation to Construction".

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 policies A2 and A3 of the Camden Local Plan 2017.

- 9 1.7 metre high privacy screens, details of which shall have been submitted to and approved by the Council, shall be erected on the northern sides facing Regent Square of all the inset roof terraces prior to commencement of their use and shall be permanently retained and maintained thereafter.

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

- 10 The structural method statement, showing the method of securing the protection during construction works and permanent retention thereafter of the northern boundary walls and gable ends of the existing warehouse adjoining Regent Square, shall be implemented in accordance with the details most recently approved under application 2017/3594/P dated 14/08/2017. No works of demolition shall be carried out other than in accordance with the approved method statement.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to safeguard the amenities of adjoining premises, in accordance with the requirements of policies A1, D1 and D2 of the Camden Local Plan 2017.

- 11 No music shall be played on the Class B1 premises in such a way as to be

audible within any adjoining premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 and A4 of the Camden Local Plan 2017.

- 12 Prior to commencement of the relevant part, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CC5 of the Camden Local Plan 2017.

- 13 The ground investigation for the presence of soil and groundwater contamination and landfill gas shall be carried out in accordance with the details as approved under application 2014/7816/P dated 13/03/2015.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the Camden Local Plan 2017.

- 14 The ground investigation for the presence of soil and groundwater contamination and landfill gas shall be carried out in accordance with the details as approved under application 2014/7816/P dated 13/03/2015.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the Camden Local Plan 2017.

- 15 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the site.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy A1, T3 and T4 of the Camden Local Plan 2017.

- 16 Before the development is occupied, the servicing and manoeuvring area within the site shall be clearly marked out in an appropriate surface treatment stating "No Parking". Thereafter, at no time shall any goods, vehicles, plant equipment or other obstruction be left in this area and the markings shall be permanently maintained and retained unless prior written consent is given by the Council.

Reason: In order to satisfactorily provide for the turning of vehicles within the

site and in the interests of highways and pedestrian safety in accordance with policies A1, T3 and T4 of the Camden Local Plan 2017.

- 17 Prior to commencement of the relevant part, notwithstanding the details shown on the drawings hereby approved, details of the proposed cycle storage area for 40 cycles shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained.

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

- 18 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 2008 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 to the dwellinghouses without the grant of planning permission having first been obtained from the Council.

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 A1, D1 and D2 of the Camden Local Plan 2017.

- 19 The programme of archaeological investigation shall be implemented in accordance with the details as most recently approved under application 2017/0669/P dated 17/03/2017. The development shall only take place in accordance with the detailed scheme approved with this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Council.

Reason: Important archaeological remains may exist on this site. Accordingly the Council wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development in accordance with the requirements of policies D1, D2 and C6 of the Camden Local Plan 2017.

- 20 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 and maintained, unless prior written permission is given by the local planning authority.

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 policy A3 of the Camden Local Plan 2017.

- 21 Full details in respect of all proposed green and brown roofs shall be submitted to and approved by the local planning authority before the relevant part of the

development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3 and CC3 of the Camden Local Plan 2017.

- 22 Details of security measures to be used on the site to achieve 'Secured by Design' status, such as CCTV cameras, lighting, entrance gates, fencing etc, shall be submitted to and approved by the Council before any work is commenced on the relevant part of the development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to ensure the scheme incorporates appropriate community safety measures, in accordance with the requirements of policies D1 and C5 of the Camden Local Plan 2017.

- 23 No works should be carried out to the trees in St Georges Gardens without agreement with the Council's Arboricultural Services section regarding the nominated tree surgeon, scheduling and payment if necessary.

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 A2 and A3 of the Camden Local Plan 2017.

- 24 The development hereby permitted shall be carried out in accordance with documents, 'Part M4(2) Accessibility Schedule (dated 28.03.18)' which demonstrate how the wheelchair adaptable units will achieve compliance with Building Regulations Part M4(2) as far as is feasible.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time and to ensure that the wheelchair units would be capable of providing adequate amenity in accordance with policy H6 of the Camden Local Plan 2017.

- 25 The development hereby permitted shall be carried out in accordance with document, 'Part M4 (3) Accessibility Schedule (dated 28.03.18)' which demonstrate how the wheelchair adapted units (D+E) will achieve compliance with Building Regulations M4(3).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time and to ensure that the wheelchair units would be capable of providing adequate amenity in accordance with policy H6 of the Camden Local Plan 2017.

- 26 Prior to the first use of the proposed plant items associated with the development, detailed layout drawings indicating plant/enclosure locations, and atmosphere-side AHU ducting and attenuator layouts shall submitted for approval.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

- 27 The cumulative sound level from external building services and fixed plant shall be 10dB or more below the lowest background sound level (15dB if tonal components are present) at the nearest residential receptor at any time. The plant and equipment shall be installed and constructed to ensure compliance with the above requirements.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 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 that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 3 This site is within an area of archaeological significance/archaeological potential where development is likely to result in the destruction of ancient remains. Your attention is drawn to the British Archaeologists and Developers Liaison Group Code of Practice agreed by the British Property Federation and the Standing Conference of Archaeological Unit Managers. The Council recognises and endorses this Code and will expect the developer and approved archaeological organisations to abide by its provisions.
- 4 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 5 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental

health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 6 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.
- 7 You are advised that Thames Water requests that the developer incorporates suitable measures to deal with surface water drainage and sewage during storm conditions. You should contact Thames Water Developer Services on 0845-8502777 for more information.
- 8 You are advised that the Council will not necessarily look favourably on requests by future occupants of the houses hereby approved to prune or fell the adjoining trees in St Georges Gardens on account of possible complaints arising from shade or perceived loss of light from these trees.
- 9 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 10 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.

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 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer

