



Application ref: 2018/4518/P  
Contact: Samir Benmbarek  
Tel: 020 7974 2534  
Date: 22 May 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

ADN Planning Ltd  
8 Kerria Way  
West End  
Woking  
GU24 9XA

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:  
**152-156 Kentish Town Road**  
London  
**NW1 9QB**

**Proposal:**

Variation of condition 11 (detailed design and method statements for ground and below ground), 12 (Written Scheme of Investigation) and condition 20 (ground investigation) of planning permission ref: 2016/1372/P dated 21/11/2016 for the Replacement of existing building with a four storey (plus basement) mixed use building comprising retail (A1 Use Class) at ground and basement level and office space (B1 Use Class) and Dental Practice (D1 Use Class at first floor level) with 8x residential units (5x2bed and 3x3bed) on upper floors; namely to change the pre-commencement conditions to be discharged post above-ground demoliiton

**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 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 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 before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:10;

c) Manufacturer's specification details of all facing materials and plant enclosure screening and samples of those materials.

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 policy D1 of the London Borough of Camden Local Plan.

- 3 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 A1 and D1 of the London Borough of Camden Local Plan 2017.

- 4 The secure and covered cycle parking as shown on drawing P\_01 B shall be provided in its entirety prior to the first occupation of any of the new units, and be permanently retained thereafter.

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

- 5 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 CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 6 Details of bird and bat nesting bricks and/or boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. Features should be integrated into the fabric of the building wherever possible to increase sustainability. Details shall include the exact location, height, aspect, specification and indication of species to be accommodated. Boxes shall be installed in accordance with the approved plans prior to the first occupation of the development and thereafter maintained. Guidance on biodiversity enhancements including artificial nesting and roosting sites is available in the Camden Biodiversity Action Plan: Advice Note on Landscaping Schemes and Species Features.

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 policy A3 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

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 London Borough of Camden Local Plan 2017.

- 8 No impact piling until a piling method statement, prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works, has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CC3 of the London Borough of Camden Local Plan 2017. The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 9 All new dwellings, as indicated on plan number/s hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

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 C6 of the London Borough of

Camden Local Plan 2017.

- 10 Notwithstanding the details as shown on the approved drawings, prior to first occupation, the development shall comply with the details as approved by the Local Planning Authority on 22/08/2018 under ref: 2017/6126/P [1.1m high balustrade at the front terrace at first floor level on the boundary with 150 Kentish Town Road shall be set back by a minimum of 1m from the boundary]. The balustrade shall be permanently retained and maintained thereafter

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

- 11 No development shall take place (other than demolition works to the top of the existing ground floor level and above), until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which: provide details on all structures; accommodate the location of the existing London Underground structures and tunnels; accommodate ground movement arising from the construction thereof; and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 12 No development shall take place (other than demolition works to the top of the existing ground floor slab level and above), until such a time as a Written Scheme of Investigation (WSI) shall be submitted and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To safeguard the archaeology of the immediate area in accordance with the requirements of policies D2 and A5 of the London Borough of Camden Local Plan 2017.

- 13 The development shall comply with the details on the green roof as approved by the Local Planning Authority on 22/08/2018 under ref: 2017/6126/P. [Full details of a biodiverse, substrate-based extensive living roof shall be submitted to and approved in writing by the local planning authority. The design and planting scheme should be informed by the Ecological Appraisal and should reflect the local conditions and species of interest. The details shall include the following: A. detailed maintenance plan, B. details of its construction and the materials used, C. a section at a scale of 1:20 showing substrate depth averaging 130mm with added peaks and troughs to provide variations between 80mm and 150mm and D. full planting details including species showing planting of at least 16 plugs per m<sup>2</sup>. 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. Guidance on living roofs is available in the Camden Biodiversity Action Plan: Advice Note on Living Roofs and Walls].

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies A3, CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 14 The development shall comply with the details of the enhanced sound insulation value for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings as approved by the Local Planning Authority on 22/08/2018 under ref: 2017/6126/P.

[Details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely eg. living room and kitchen above bedroom of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained].

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise.

- 15 The development shall comply with the details of sound insulation of the floor/ ceiling separating the commercial part(s) of the premises from noise sensitive

premises as approved by the Local Planning Authority on 22/08/2018 under ref: 2017/6126/P.

[Details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling separating the commercial part(s) of the premises from noise sensitive premises. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained].

Reason: To ensure that the amenity of occupiers of the development site/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise.

- 16 As the proposed plant requires noise mitigation measures to comply:

Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as specified in report ref; 22647/PNA, dated 4th March 2016. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment.

- 17 Prior to commencement of development (excluding demolition and site preparation works) on site, full details of the mechanical ventilation including air inlet locations shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from roads and the boiler/CHP stack to protect internal air quality.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies TC1, A1 and A4 of the London Borough of Camden Local Development Framework Development Policies.

- 18 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 policy D1 of the

London Borough of Camden Local Plan 2017.

- 19 Details of lightwell treatment to include level drawings at an appropriate scale, section drawings at a scale of 1:20, plan drawings and sample of proposed covering material(s) shall be submitted to and approved by the Council prior to commencement of the scheme (excluding demolition and site preparation works)

Reason: To safeguard the appearance of the premises, the character of the immediate area and pedestrian safety in accordance with the requirements of policies A5 and D1 of the London Borough of Camden Local Plan 2017.

- 20 No development shall take place (other than demolition works to the top of the existing ground floor level and above), until such a time as:

(a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority; and

(b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.

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 London Borough of Camden Local Plan 2017.

- 21 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the parts of the premises to which this application relates at first floor levels shall only be used for Dental Surgery use, and for no other purpose.

Reason: To ensure that the future occupation of the building does not reduce its employment generating potential, local dentist provision or adversely affect the adjoining premises or immediate area by reason of noise, traffic congestion and excessive on-street parking pressure, in accordance with policies G1 (Delivery and location of growth), C2 (Community uses), E2 (Employment sites and premises), A1 (Managing the impact), A4 (Noise and vibration), and T2 (Parking and car-free development) of the London Borough of Camden Local Plan 2017.

- 22 The development hereby permitted shall be carried out in accordance with the following approved plans:

D\_01 A; 02A; 03A; 04A;

P\_00; P01B; P\_02A; P\_03A; P\_04B; P\_05B; P\_07C; P\_08C; P\_09C; P\_10C;  
P\_11C; P\_12C; P\_13B; P\_14C; P\_15B; P\_16B; P\_17B; P\_18B  
Air Quality Assessment (June 2016); BRUKL Document x2(dated 2/3/2016);  
BRUKL Output Document x4 (21/04/2016); Transport Statement (03/06/2016);  
Daylight & Sunlight Report (June 2016); Energy & Sustainability Statement  
(03/06/2016); Building Services Concept Design Report (02/06/2016);  
Basement Impact Assessment (June 2016); Site Waste Management Plan  
(03/06/2016); Planning Statement Addendum (June 2016); Planning Statement  
(March 2016); Design and Access Statement (June 2016); Historic  
Environment Desk-Based Assessment (March 2016); Environmental Noise  
Survey Plant Noise Assessment Report (4th March 2016); Drainage Strategy -  
(18/04/2016)

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

- 23 The development shall comply with the details on air quality as approved by the Local Planning Authority on 22/08/2018 under ref: 2017/6126/P.

[Full details of the air quality assessment for the non-residential areas have been submitted to and approved by the local planning authority in writing. Such details shall include any mitigation measures proposed to protect occupants should air quality objectives be exceeded].

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission-

The variation to the previously approved scheme will not result in any amendments to the design or physical aspects of the development. The variation to the scheme seeks to alter conditions 11, 12 and 20, which are pre-commencement conditions. These conditions can't be satisfactorily fulfilled until above ground demolition works have taken place in order for ground works to occur which relate to the method statements (condition 11), Written Scheme of Investigation (condition 12) and ground investigation (condition 20).

The wording of these conditions will be amended so that they will be discharged once above ground demolition has been undertaken. This has been in consultation with the relevant parties such as the Historic England, London Underground and the Council's Environmental Health department. The variation to these conditions does not raise any amenity concerns, nor materially alter the design of the approved scheme.

Notwithstanding, the full impact of the assessment has already been assessed by virtue of the previous approval granted 21/11/2016 under planning permission ref: 2016/1372/P.

No objections have been received prior to making this decision. The planning history of the site and relevant appeal decisions were taken into account when



coming to this decision.

As such, the proposed development is in general accordance with policies A1 and A1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 2 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).
- 3 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.
- 4 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, 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.
- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 7 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.

- 8 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 9 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.
- 10 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](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk).
- 11 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 12 Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."
- 13 Written schemes of investigation in relation to archaeological heritage assets will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

A handwritten signature in black ink, appearing to read 'DP', is positioned above the printed name and title.

Daniel Pope  
Chief Planning Officer

