

Application ref: 2017/4471/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 4 June 2018

Development Management
Regeneration and Planning
London Borough of Camden
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London
WC1H 9JE
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Quod
Ingeni Building
17 Broadwick Street
London W1F 0AX

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:

Land at Kiln Place

**(Blocks 1-64 65-80 81-96 97-104 105-116 117-164; entrance ways into 81-96; land between 81-96 and 117-164; land between Kiln Place and Meru Close; land to east of Kiln Place and playground between blocks 65-80 and 81-96)
London NW5**

Proposal:

Variation of condition 2 (approved drawings) and condition 18 (service management plan) of planning permission 2014/6697/P dated 31/03/2015 (as amended by 2016/2651/P dated 10/03/2017) (for development of 15 residential units on 6 sites across Kiln Place estate, following demolition of foyer entrances and refuse storage area for blocks 1-64, 65-80, 81-96, 97-104, 105-116, 117-164 Kiln Place along with provision of new pathway and front entrances into lower maisonettes of 81-96 Kiln Place, enlargement and improvement of playground) namely omission of archway between Unit 2.2 and Unit 3.1, changes to internal layout of Unit 2.1 and Unit 3.1 to create larger units, lowering of roof lines, alteration to communal entrance to existing 97-116 Kiln Place, reconfiguration of bin stores and additional front entrance walls to 117 and 118 Kiln Place; and alteration to trigger of condition 18.

Drawing Nos:

Superseded: 116_P_01P Rev H; 116_L_001 Rev K; 116_L_101 Rev J; 116_L_201 Rev J; 116_L_002 Rev F; 116_L_102 Rev E; 116_L_202 Rev E; 116_E_05 Rev C; 116_E_06 Rev B; 116_E_07 Rev B; 116_E_08 Rev C; 116_E_09 Rev B; 116_E_10 Rev A; 116_E_11 Rev A; 116_E_12 Rev C; 116_E_13 Rev B; 116_S_03 Rev B; 116_S_04 Rev A; 116_S_05 Rev B;

Proposed: 116_P_01P Rev J; 116_L_001 Rev M; 116_L_101 Rev K; 116_L_201 Rev K; 116_L_002 Rev G; 116_L_102 Rev F; 116_L_202 Rev G; 116_E_05 Rev D; 116_E_06 Rev C; 116_E_07 Rev C; 116_E_08 Rev D; 116_E_09 Rev C; 116_E_10 Rev B; 116_E_11 Rev C; 116_E_12 Rev E; 116_E_13 Rev D; 116_S_03 Rev D; 116_S_04 Rev B; 116_S_05 Rev C; Cover letter prepared by Quod dated 4th October 2017; Root protection Plan 23318-01 rev 2

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 31 March 2015, the date of the original permission ref 2014/6697/P.

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

- 2 For the purposes of this decision, condition no.2 of planning permission 2014/6697/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Planning Statement by Quod Planning dated October 2014 (As amended by letter from Quod dated August 2016); 116_S_01 Rev D; 02 Rev B; 06 Rev A; 116_E_01 Rev E; 02 Rev B; 03 Rev C; 04 Rev B; 14 Rev A and 15 Rev B; 23318_01 Rev 2; Additional elevations and images; Tree survey overlay drawing; Arboricultural Method Statement by Tree Aware Ltd dated 26/9/2014; Arboricultural Impact assessment by Tree Aware Ltd dated 26/9/2014; Tree Survey by Tree Aware Ltd dated 23/01/2014; Habitat Survey by Ramboll dated October 2014; Design and Access Statement by Peter Barber Architects dated October 2014; Flood Risk Assessment by Ramboll dated October 2014; Daylight/Sunlight report dated 16/9/2014; Energy Strategy and CFSH Report by Ramboll dated 30/09/2014; Transport Statement by Ramboll dated September 2014; Construction Management Plan by JMP dated 16/7/2014; Geotechnical and Environmental desk study by Ramboll dated October 2014; Noise and vibration impact assessment by Ramboll dated October 2014 and Waste Assessment by Ramboll dated 20/10/2014; 116_P_01P Rev J; 116_L_001 Rev M; 116_L_101 Rev K; 116_L_201 Rev K; 116_L_002 Rev G; 116_L_102 Rev F; 116_L_202 Rev G; 116_E_05 Rev D; 116_E_06 Rev C; 116_E_07 Rev C; 116_E_08 Rev D; 116_E_09 Rev C; 116_E_10 Rev B; 116_E_11 Rev C; 116_E_12 Rev E; 116_E_13 Rev D; 116_S_03 Rev D; 116_S_04 Rev B; 116_S_05 Rev C

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

- 3 A sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing 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 panel shall be retained on site until the work has been completed.

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

- 4 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 trees.

- 5 Prior to the commencement of either:
 - a) the development;
 - b) works in connection with the provision of new entrances to 81-96 Kiln Place; or
 - c) works in connection with the playground;

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.

- 6 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) 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 policy D1 of the London Borough of Camden Local Plan 2017.

- 7 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct

impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

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

- 8 At least 28 days before development commences:
- (a) the written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas has been approved by the local planning authority 18/10/2017 (planning ref: 2017/3509/P); 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 in writing.
- 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 in writing 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 policies C1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 9 Prior to the commencement of development, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition or works in relation to the provision of new entrances to 81-96 Kiln Place, or works in connection with the playground, details of secure and covered cycle storage areas for 22 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 London Borough of Camden Local Plan 2017.

- 10 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved 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 London Borough of Camden Local Plan 2017.

- 11 The development shall be carried out in accordance with the noise mitigation measures to ensure acceptable internal noise levels within the proposed residential units as set out in the Noise and vibration impact assessment by Ramboll dated October 2014 and no unit shall be occupied until the mitigation measures relevant to all units have been installed.

Reason: To safeguard the amenities of the future occupants of the development in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 12 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 a 1:100 year event with 30% provision for climate change demonstrating at least 50% attenuation of all runoff.

The development shall incorporate the systems as approved which shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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 London Borough of Camden Local Plan 2017.

- 13 No development shall take place on either;
- a) the development;
 - b) works in connection with the playground; or
 - c) works in connection with the provision of new entrances to 81-96 Kiln Place other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition, until full details of hard and soft landscaping and means of enclosure of all un-built, open areas prepared in consultation with the Councils transport department have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. 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 A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 14 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. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

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

- 15 * Affordable housing shall be provided in accordance with the conditions and approved documents as set out in this decision. All affordable housing units shall be constructed and fitted out as units which are suitable for occupation as

affordable housing and shall only be occupied and shall be retained in perpetuity for no purpose other than for the provision of social rented housing, in line with the definition for such as set out within Camden Supplementary Planning Document "Affordable Housing and Housing in Mixed-Use Development" and the requirements of the London Plan in relation to Social Rented Housing as such may be; not disposing of any interest in the Affordable Housing Units (except by way of mortgage) other than to any other Registered Social Landlord registered with the Regulator or any other body organisation or company registered with the Charity Commissioners for England and Wales and approved by the Homes and Communities Agency or the Regulator or the Council.

Reason: To secure sufficient provision of affordable and other tenures of housing in a balanced and sustainable manner across the development in accordance with the requirements of policies H4, H5, H6, H7 and DM1 of the London Borough of Camden Local Plan 2017.

- 16 * Prior to first occupation of any of the residential units, the landowner shall ensure through agreement that occupiers of the new units are informed of the Council's policy that they shall not be entitled (unless they are the holder of a disabled person's badge issued pursuant to s. 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a residents parking bay; shall not be able to buy a contract permanently to park within any car park owned, controlled or licensed by the Council nor shall they be entitled to be granted a Business Parking Permit.

Reason: In order to ensure that the development does not contribute to increased car use and parking congestion in accordance with the requirements of policies T2 and DM1 of the London Borough of Camden Local Plan 2017.

- 17 * Code for Sustainable Homes

The development shall be implemented in accordance with the design stage Sustainability Assessment approved 28/06/2017 (planning ref: 2017/2173/P).

Prior to first occupation of the residential units, a post-completion certificate which demonstrates that the phase has achieved Level 4 shall be submitted to and approved in writing by the local planning authority.

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with the requirements of policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 18 * Service Management Plan

Prior to occupation of the development, a Servicing Management Plan (SMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the proposed layout and access routes and how they will accommodate appropriately sized servicing vehicles.

The development shall not be serviced other than in accordance with the SMP as approved.

Reason: To avoid obstruction of the surrounding streets and ensure the safety of pedestrians, cyclist and other road users, in accordance with the requirements of policies T1, T4 and A1 of the London Borough of Camden Local Plan 2017.

19 * Local employment

The applicant and/or developer shall carry out the agreement approved by the local planning authority 18/10/2017 (planning ref: 2017/3509/P) to ensure the following:

a) an agreement with Kings Cross Construction Skills Centre to ensure that all job vacancies during the construction phases are registered with KSCSC at the same time as other recruitment efforts and all reasonable endeavours are used to ensure that no less than 20% of the work force is comprised of residents of the London Borough of Camden,

b) an agreement with the Kings Cross Construction Skills Centre (KXCSC) to ensure provision of no less than 2 construction trade apprentices employed for at least 52 weeks each

c) confirmation that the necessary measures to support and ensure the recruitment and training of each apprentice have been put in place;

d) an agreement with the Kings Cross Construction Skills Centre (KXCSC) to ensure provision of no less than 3 work placements of no less than 2 weeks each;

Reason: To ensure the development provides sufficient employment and training in line with the requirements of policies E1 and E2 of the London Borough of Camden Local Plan 2017.

20 * Local procurement

On or prior to Implementation, the developer shall meet with the Council's Economic Development Local Procurement Team (or any successor department) at least one month before tendering contracts to agree the specific steps that will be taken to give effect to the Local Procurement Code.

The construction of the Development shall not be carried out otherwise than in accordance with the programme for local procurement approved 18/10/2017 (planning ref: 2017/3509/P).

Reason: To ensure the development provides sufficient employment and training in line with the requirements of policies E1 and E2 of the London Borough of Camden Local Plan 2017.

21 * The measures contained in the Construction Management Plan approved 11/08/2017 planning ref: 2017/3959/P shall at all times remain implemented during all works of construction and demolition. Where separate Construction Management Plans are submitted for the demolition and the construction phases the provisions of this condition will apply to both plans.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in

accordance with policies T1, T4 and A1 of the London Borough of Camden Local Plan 2017.

- 22 * The development shall be carried out with the plans demonstrating the levels at the interface of the development with the boundary of the Property and the Public Highway approved 18/10/2017 (planning ref: 2017/3805/P).

Reason: To ensure that the scheme promotes the use of sustainable transport means in accordance with policy T3 of the London Borough of Camden Local Plan 2017.

- 23 In the event that any owners of the land have the legal locus to enter into a Section 106 Agreement no works shall be progress on site until such time as they have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked with * in this notice of planning permission.

Reason: In order to define the permission and to secure development in accordance with policy DM1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission

The principle change is the removal of an arched entrance which is considered acceptable. The other changes are relatively minor and do not significantly affect the appearance and quality of the approved scheme.

The alteration to the communal entrance to the entrance at Blocks 97-104 and 105-116 is required as the approved scheme would have resulted in the loss of part of the garden of 105 Kiln Place. Therefore the fence would no longer be relocated and the new entrance door would front onto the pavement directly (similar to the approved scheme), facing the Kiln Place estate road as it turns the corner. Furthermore, three easy going steps (125mm risers) would be introduced to the approach to the door due to existing site levels. This would create an enhanced entrance and a greater sense of overlooking/natural surveillance.

The proposed changes are considered acceptable and would maintain a high quality of design and are consistent with the original objective of enhancing the existing estate.

The internal layout of Unit 2.1 (market sale) has been reconfigured. This changes the 88sqm dwelling from a 2-bed 3-person to a 2-bed 4-person unit. The internal layout of Unit 3.1 (social rent) has been reconfigured and the size of the unit increased by 10sqm. This changes the dwelling from a 1-bed 2-person to a 2-bed 3-person unit. One bedroom units are a lower priority and 2-bedroom units are a high priority for social rented so the proposed change would accord with the Council's dwelling size priorities. It would also provide a better mix overall in the social rented units (4 x 1-bed, 2 x 2-bed, 1 x 3-bed) with 57% 1-beds (rather than 71%).

The alteration to the trigger for the submission of the service management plan

(condition 18) is considered acceptable. The transport team has confirmed they have no objection to a relaxation of the timing of the discharge of Condition 18 from pre-commencement to pre-occupation.

One comment was received and has been duly taken into account. The planning and appeal history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies D1, H5, H7, C5, C6, T4, and A1 of the Camden Local Plan 2017. The development also accords with the NPPF and the London Plan 2016.

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission 2014/6697/P is subject otherwise to the same terms, drawings, conditions and obligations 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).
- 3 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).
- 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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 5 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 6 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.
- 7 The matters covered by conditions marked with an * are matters which would usually be incorporated into a Section 106 Agreement. On Council own schemes because the Council cannot enter into an agreement with itself the usual practice would for the permission to reference the Section 106 requirements for information.

If the Council retains ownership of the application site although the reference to Section 106 requirements would not be legally binding they would act as a record of the requirements the Council as planning authority expects the Council as landowner to comply with. If the Council disposes of a relevant interest in the Application Site (which for the avoidance of doubt will not include disposals to individual tenants and occupiers) the incoming owner will be required to enter into a Section 106 giving effect to those requirements which will then become a legally binding document.

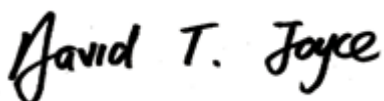
- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.

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.

You can find advice about your rights of appeal at:

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

Yours faithfully



David Joyce

