

Application ref: 2017/0851/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 20 June 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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Shaun Knight Architecture Ltd
40 Falcon Road
Hampton
TW12 2RA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**Land adjacent to
1 St John's Wood Park
London
NW8 6QS**

Proposal:

Erection of 3 storey plus basement, 5 bedroom single dwellinghouse (Class C3), including new boundary walls following demolition of 6 existing garages on land adjacent 1 St John's Wood Park (as an amendment to planning permission ref 2015/4800/P dated 11/04/2016 to allow an enlargement of the approved basement and sub-basement and an increased width of 0.3m to the whole building).

Drawing Nos: Existing drawings: 200; 301; 302; Proposed drawings: 201; 202A; 203; 206A;
Supporting documents: Basement Impact Assessment Rev 3 prepared by Croft Structural Engineers dated 11.1.16; BIA Revision 3 Addendum dated 16.2.17.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Existing drawings: 200; 301; 302; Proposed drawings: 201; 202A; 203; 206A; Supporting documents: Basement Impact Assessment Rev 3 prepared by Croft Structural Engineers dated 11.1.16; BIA Revision 3 Addendum dated 16.2.17.

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

- 4 A sample panel (0.4m x 0.4m) 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.

- 5 Notwithstanding the annotations shown on drawings 201 and 202, no development shall take place until full details of hard and soft landscaping including a replacement tree have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or prior to the occupation of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the 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 policy D1 of the London Borough of Camden Local Plan 2017.

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

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies A3, CC2, CC3, CC4 and D1 of the London Borough of Camden Local Plan 2017.

- 8 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 policy A1 of the London Borough of Camden Local Plan 2017.

- 9 a) 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 designed to accommodate all storms up to and including a 1:100 year storm with a 30% provision for climate change, and shall demonstrate that greenfield run off rates (5l/s) will be achieved.

b) Prior to occupation of the development, evidence that the sustainable drainage system has been implemented shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

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.

- 10 The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2).

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 Before the development commences, details of secure and covered cycle storage

area for 2 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 the development 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.

- 12 No impact piling shall take place 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.

- 13 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the London Borough of Camden Local Plan 2017.

- 14 The development shall be carried out in strict accordance with the Basement Impact Assessment Rev 3 prepared by Croft Structural Engineers dated 11.1.16 and BIA Revision 3 Addendum dated 16.2.17 hereby approved.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission

The scheme is effectively a variation to the previous planning permission dated 11.4.16 ref 2015/4800/P for a new house, involving an enlargement of approved basement floor footprint at the front, a new sub-basement plant room and an

increased width of 0.3m of the whole building.

The applicant has confirmed that the garages have been demolished and the site cleared following the previous approval 2015/4800/P. The size of the basement would be increased by 24sqm. The sub-basement would be extended by 65sqm with a head height of 1.8m to provide ancillary plant space for the swimming pool. The enlargement of the basement is to take account of the additional excavation required to provide access to a Thames Water pipeline. The footprint of the basement would be squared off in line with the Thames Water pipeline access. The plans have been revised to include 1m of soil above the proposed basement at the front of the property.

The Council's independent auditors have confirmed that the ground movements / damage assessment to the adjacent property (1 St John's Wood Park), assessed as part of the previous audit, are still considered to be appropriate here. The new basement is approximately 5m longer, which brings it into closer proximity with the highway, within 5m. The structural works scheme previously submitted should be sufficient to ensure structural stability retention of the highway. However an approval in principle (AIP) from the Council's highways team would be required to ensure the basement would not damage the footpath and road. This AIP and its associated fee would be secured by legal agreement. Therefore the enlarged basement would have no further harmful impact on local land stability and hydrogeological conditions.

The increase in the width and size of the building would be marginal compared to that previously approved. This would not harm neighbouring amenity in terms of daylight, sunlight or sense of enclosure. The small increase in the size of the building would not be harmful in terms of the house's overall design or impact on the townscape.

All other aspects of the development were previously assessed to be acceptable by virtue of the previous planning permission (ref: 2015/4800/P), subject to matters secured by a S106 legal agreement requiring car-free housing, Construction Management Plan, highway repairs contribution, energy efficiency and sustainability plan. This new scheme will be subject to the same conditions and S106 clauses as before plus a new one on a AIP.

Objections have been received and taken account of prior to making this decision. 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 G1, H1, H6, H7, C6, A1, A3, A5, D1, CC1, CC2, CC3, T1, T2, T4 and DM1 of the London Borough of Camden Local Plan 2017.

- 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 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-](http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en)

[contacts/environment/contact-the-environmental-health-team.en](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.

- 4 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £31,200 (624sqm x £50) for Mayoral CIL and £312,000 (624sqm x £500) for Camden's CIL (Zone B Residential).

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

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

Yours faithfully

David T. Joyce

David Joyce
Director of Regeneration and Planning