

Application ref: 2019/0882/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 10 October 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
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Montagu Evans
5 Bolton Street
London
W1J 8BA
England

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:

**44-44A
Gloucester Avenue
London
NW1 8JD**

Proposal:

Variation of condition 2 (approved plans) of planning permission 2015/1243/P dated 30/11/2015 (as amended by 2016/7074/P dated 19/07/2017; 2016/5890/P dated 09/05/2017; 2016/2201/P dated 26/08/2016; 2016/1564/P dated 26/08/2016) for demolition of existing buildings identified as Number 2 at the northwest corner of the site and Number 4 at the eastern corner of the site to provide a new ground plus 5 upper storey building along the north west part of the site and a ground plus 2 storey building at the eastern corner and refurbishment of existing building on site to create 40 residential units, employment floor area (Class B1a), car parking and landscaping within the courtyard with ancillary works; namely to change north-western building façade angle, increase height of ground floor sub-station fronting Gloucester Avenue, increase number of PV panels, install new louvres and window, changes to size and layout of plant, internal alterations to residential and commercial units at all levels.

Drawing Nos:

Superseded: 173_GA_-01 R; 173_GA_00 N; 173_GA_01 J; 173_GA_02 H;
173_GA_03 F; 173_GA_04 G; 173_GA_05 F; 173_GA_ROOF D; 173_GE_00 H;
173_GE_01 E; 173_GE_02 E; 173_GE_03 E; 173_GS_00 C; 173_GS_01 D;
173_GS_03 D;

Revised: 173_PL5_GA_-01 A; 173_PL5_GA_00 A; 173_PL5_GA_01 *;
173_PL5_GA_02 *; 173_PL5_GA_03 *; 173_PL5_GA_04 A; 173_PL5_GA_05 *;
173_PL5_GA_ROOF *; 173_PL5_GE_00 B; 173_PL5_GE_01 A; 173_PL5_GE_02 A;
173_PL5_GE_03 *; 173_PL5_GS_00 A; 173_PL5_GS_01 B; 173_PL5_GS_02 *;
173_PL5_GS_03 *; 173_SK_190827_001, Cover letter prepared by Montagu Evans
dated 13 February 2019; AMENDMENT DOCUMENT including Section 3.0 prepared
by 21ST Architecture dated 18/04/2019

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 2015/1243/P dated 30/11/2015

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 2015/1243/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:

Drawing Numbers:

173_PL5_GA_-01 A Proposed Basement Floor Plan, 173_PL5_GA_00 A Proposed Ground Floor Plan, 173_PL5_GA_01 * Proposed First Floor Plan, 173_PL5_GA_02 * Proposed Second Floor Plan, 173_PL5_GA_03 * Proposed Third Floor Plan, 173_PL5_GA_04 A Proposed Fourth Floor Plan, 173_PL5_GA_05 * Proposed Fifth Floor Plan, 173_PL5_GA_ROOF * Proposed Roof Plan, 173_PL5_GE_00 B Proposed General Elevation, 173_PL5_GE_01 A Proposed General Elevation, 173_PL5_GE_02 A Proposed General Elevation, 173_PL5_GE_03 * Proposed General Elevation, 173_GE_04 Rev D - Proposed General Elevation in Context, 173_PL5_GS_00 A - Proposed General Section, 173_PL5_GS_01 B - Proposed General Section, 173_PL5_GS_02 * - Proposed General Section, 173_PL5_GS_03 *- Proposed General Section, 173_LA_00 Rev A - Proposed Landscape Plan, 173_LFT_00 Rev A - Proposed Lifetime Home Compliance Drawing -General Arrangement, 173_LFT_01 Rev A - Proposed Lifetime Home Compliance Drawing - General Arrangement, 173_WHC_00 Rev A - Proposed Wheelchair Adaptability Drawing, 173_BS_00 Rev A - Proposed Bay Study Details, 173_BS_01 Rev A - Proposed Bay Study Details, 173_BS_02 Rev A - Proposed Bay Study Details and 173_BS_03 Rev A - Proposed Bay Study Details, 173_SK_190827_001 - Proposed Detail Sketch of Substation Section, Plan + Elevation.

Supporting Documents:

Planning Statement, Design and Access Statement plus appendices, Acoustic Report, Sustainability Statement, Heritage Statement, Ecology Report and BREEAM Report, Tree Assessment, Sunlight and Daylight Report, Basement Impact Assessment including Ground Movement Survey, Transport Assessment, Travel Plan, Construction Management Plan, Air Quality Assessment, Energy Statement and Construction Logistics Plan, Cover letter prepared by Montagu Evans dated 13 February 2019; AMENDMENT DOCUMENT including Section 3.0 prepared by 21ST Architecture dated 18/04/2019.

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

- 3 The development shall be carried out in full accordance with the detailed drawings and samples approved in connection with 2017/5923/P on 18/12/2017 and 2018/2534/P on 06/09/2018 and 2019/0851/P on 05/07/2019 and 2019/2230/P on 16/08/2019 or any subsequent submission in respect of a- e below approved in writing by the local planning authority before the relevant parts of the works are commenced:

- a) Plan, elevation and section drawings, including jambs, head and cill, of all new external windows and doors at a scale of 1:10 with typical glazing bar details at full size.
- b) Typical details of new railings, balustrade and new gates at a scale of 1:10 with finials at full size, to include method of fixing.
- c) Manufacturer's details of new facing materials including windows and door frames, metal cladding, gates, glazing, glazed link and balconies with a sample panel of not less than 1m by 1m demonstrating, the proposed colour, texture, face-bond and pointing of brickwork.
- d) Section drawings showing protrusion of photovoltaic panels to the roof of Building 2 at a scale of 1:10 and samples of the new panels to be installed.
- e) Samples of the materials and typical details to be used in the construction of the external surfaces of the extension to Building 1 (frontage building at 44 Gloucester Avenue) including sample panels of not less than 1m by 1m of all new facing brickwork demonstrating the proposed colour, texture, face-bond and pointing.

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 London Borough of Camden Local Plan 2017.

- 4 Before the development (other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition) commences, details of secure and covered cycle storage area for 68 cycle parking spaces for the residential part of the development and 8 cycle parking spaces for the office (Class B1a) part of the development shall be submitted to and approved by the local planning authority. The approved storage areas shall be provided in their 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.

- 5 A suitably qualified chartered engineer as approved 16/08/2016 under ref 2016/2025/P with membership of the appropriate professional body shall 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. Any subsequent change or reappointment to the chartered engineer approved on 16/08/2016 under ref 2016/2025/P 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.

- 6 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or man-safe rails shall be fixed or installed on the external face of any 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 The hard and soft landscaping shall be carried out in accordance with the details approved under ref: 2016/5840/P dated 23/03/2017. 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 policies A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 8 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, prior to the occupation for the permitted use 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 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 policies A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 9 The green roof hereby approved shall be provided prior to the first occupation

of the development in accordance with the approved details and 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 CC1, CC2, CC3, CC4, D1, and A3 of the London Borough of Camden Local Plan 2017.

- 10 The sound attenuation for the ventilation and extraction plant for the Class B1 premises shall be carried out in accordance with the details approved under ref: 2019/1638/P dated 04/08/2019 or any subsequent submission for ventilation and extraction plant including attenuation approved in writing by the Local Planning Authority prior to occupation of the commercial units. The approved measures shall be implemented prior to occupation of the commercial units and shall be retained and maintained as such thereafter.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 11 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.

- 12 The sustainable drainage system prioritising SUDS within the landscaping shall be carried out in accordance with the details approved under 2016/1836/P dated 25/07/2016 and shall thereafter be retained and maintained in accordance with the approved details.

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 CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 13 Prior to occupation of the development, evidence that the sustainable drainage system has been implemented in accordance with the approved details as part of the development 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 CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 14 The ground investigation (for the presence of soil and groundwater contamination and landfill gas) approved under 2016/1991/P dated 05/08/2016 and 2017/2927/P dated 2017/2927/P demonstrated no remediation was required.

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.

- 15 Prior to occupation of the development the refuse and recycling storage facilities intended for its occupiers as shown on the drawings hereby approved shall be provided. All refuse and recycling storage facilities shall be permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CC5, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 16 Prior to occupation of the development full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) Affordable Housing refuse store
- b) Affordable Housing cycle store
- c) Market units refuse stores
- d) Market units cycle store

The relevant part of the development shall then be carried out only in accordance with the approved details and samples.

Reason: To ensure the development provides adequate refuse and cycle parking facilities in accordance with the requirements of policies T1, CC5, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 17 All units 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.

- 18 Units G.01, G.02, G.04 and 108 as indicated on the plans hereby approved shall be designed and constructed in accordance with Building Regulations Part 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, in accordance with the requirements of policy H6 of the London Borough of Camden Local Plan 2017.

- 19 The demolition works shall be carried out in accordance with the method

statement and risk assessment, prepared in consultation with Network Rail, approved under 2016/5044/P dated 28/12/2016. The construction works shall be carried out in accordance with the method statement and risk assessment, prepared in consultation with Network Rail, approved under 2016/5841/P dated 17/02/2017.

Reason: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs and integrity of the neighbouring railway land in accordance with the requirements of Policy T3 of the London Borough of Camden Local Plan 2017.

- 20 The access to the Grade II* listed stationary winding engine vaults shown on Drawings 173_PL5_GA_-01 A and 173_PL5_GA_00 A hereby approved shall be provided prior to the occupation of the development and shall be permanently retained thereafter.

Reason: In order to safeguard the special architectural and historic interest of the listed vaults in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.

- 21 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 Assessment by Sharps Redmore and no unit shall be occupied until the mitigation measures relevant to that unit 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.

- 22 The development shall be implemented and thereafter maintained in accordance with the revised air quality assessment and mitigation measures approved under 2019/1727/P dated 15/08/2019.

Reason: To safeguard the amenities of the future occupants of the development in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan 2017.

- 23 The privacy screens, to be fitted to the ground floor fenestration on the western elevation facing No.48 Gloucester Avenue and Sunny Mews, shall be carried out in accordance with the details approved under 2017/5505/P dated 15/01/2018 or such other details submitted to and approved in writing by the Local Planning Authority prior to occupation. The development shall be implemented and thereafter maintained in accordance with the approved details.

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

Informative(s):

- 1 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).
- 2 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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.
- 3 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/contacts/councilcontacts/environment/contact-street-environment-services.en>.
- 4 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.
- 5 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.
- 6 This permission is granted without prejudice to the necessity of obtaining planning permission for any proposed extract/ventilation ducts or other plant such as air conditioning units.
- 7 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 be 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

- 8 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.
- 9 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.
- 10 The developer must either submit evidence that the building was built post 2000 or provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and shall be submitted to the Local Planning Authority (LPA) and must be approved prior to commencement to the development. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation.
- 11 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 12 The display of an advertisement without consent is a criminal offence under Section 224(3) of the Town and Country Planning Act 1990. Under Section 225 of the Town and Country Planning Act, Section 10 of the London Local Authorities Act 1995 and Section 11 of the London Local Authorities Act 1995 the Council has powers to enter the land and remove the display. As such, the Council will commence prosecution/action to secure the removal of the

advertisement.

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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer