

Application ref: 2018/4916/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 17 December 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
www.camden.gov.uk/planning

Montagu Evans LLP
5 Bolton Street
London
W1J 8BA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**254 Kilburn High Road
London
NW6 2BS**

Proposal:

The creation of 6 x residential dwellings within the permitted 6th floor, the installation of set-back windows to the exterior elevation at 6th floor level, the creation of external private amenity space and the provision of an additional cycle parking spaces.

Drawing Nos: As approved: 360_20_: 201; 202; 203; 204; 205; 206; 207; 3144_: 020 D; 015; 016; 008; 009; 010; 011; S.00 A (site location plan)

As proposed: 3144_: 050 F; 008; 009; 010; 011; 015; 20_206 01

Supporting documents: Letter prepared by Montagu Evans dated 3/10/18; Design and Access Statement prepared by CH +MRP Architects dated August 2018; Waste Storage and Collection Report prepared by Vectos dated October 2018; Building Servicing Strategy prepared by Walker Mower

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

As approved: 360_20_: 201; 202; 203; 204; 205; 206; 207; 3144_: 020 D; 015; 016; 008; 009; 010; 011; S.00 A (site location plan)

As proposed: 3144_: 050 F; 008; 009; 010; 011; 015; 20_206 01

Supporting documents: Letter prepared by Montagu Evans dated 3/10/18; Design and Access Statement prepared by CH +MRP Architects dated August 2018; Waste Storage and Collection Report prepared by Vectos dated October 2018; Building Servicing Strategy prepared by Walker Mower

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

- 3 The use of the roof as a terrace shall not commence until the screens, as shown on the approved drawings, has been constructed. The screens shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 4 The development shall not commence until a Fire Statement has been submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The development shall be carried out in accordance with the approved details.

Reason: In order to provide a safe and secure development in accordance with Policy D11 of the Draft London Plan and Policy 7.13 of the London Plan March 2016.

- 5 Prior to the commencement of any part of the development, a comprehensive energy strategy for the six flats at 6th floor including:

(a) energy efficient measures to demonstrate a 19% CO2 reduction below Part L 2013 Building Regulations.

(b) the feasibility for appropriate renewable or low carbon sustainable energy sources with the aim of reducing the development's carbon emission by at least 20%.

(c) any associated air quality or noise management reports (including mitigation measures).

shall be submitted to and approved by the local planning authority. The development shall thereafter not proceed other than in complete accordance with all the measures as recommended in the approved strategy, which shall be permanently retained and utilised as the main power sources for the development. The measures shall include the installation of a meter to monitor the energy output from the approved systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

- 6 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 Policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 7 The secure and covered cycle storage area for 8 cycles hereby approved shall 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.

- 8 Units 601, 602, 604A, 604B and 605, 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 Policies H6 and C6 of the London Borough of Camden Local Plan.

- 9 Unit 603 as indicated on the plan number/s hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (3) (2a). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the wheelchair units would be capable of providing adequate amenity in accordance with Policies H6 and C6 of the London Borough of Camden Local Plan 2017.

- 10 The refuse store hereby approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1 and A4 of the London Borough of Camden Local Plan 2017.

11 Sustainability Statement

Prior to construction of the development hereby approved, the applicant shall submit a sustainability statement demonstrating how sustainable design principles and climate change adaptation measures have been incorporated into the design and construction of the development (6 x flats at 6th floor) to be approved by the Local Planning Authority. The sustainability statement shall address the following:

- a. not increasing, and wherever possible reducing, surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems;
- b. incorporating bio-diverse roofs, combination green and blue roofs and green walls where appropriate; and
- c. measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.

Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policy CC2 and CC3 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 that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 This proposal may be liable for the Mayor of London's Community

Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

- 4 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.
- 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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 7 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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 'DPope', is centered on the page.

Daniel Pope
Chief Planning Officer