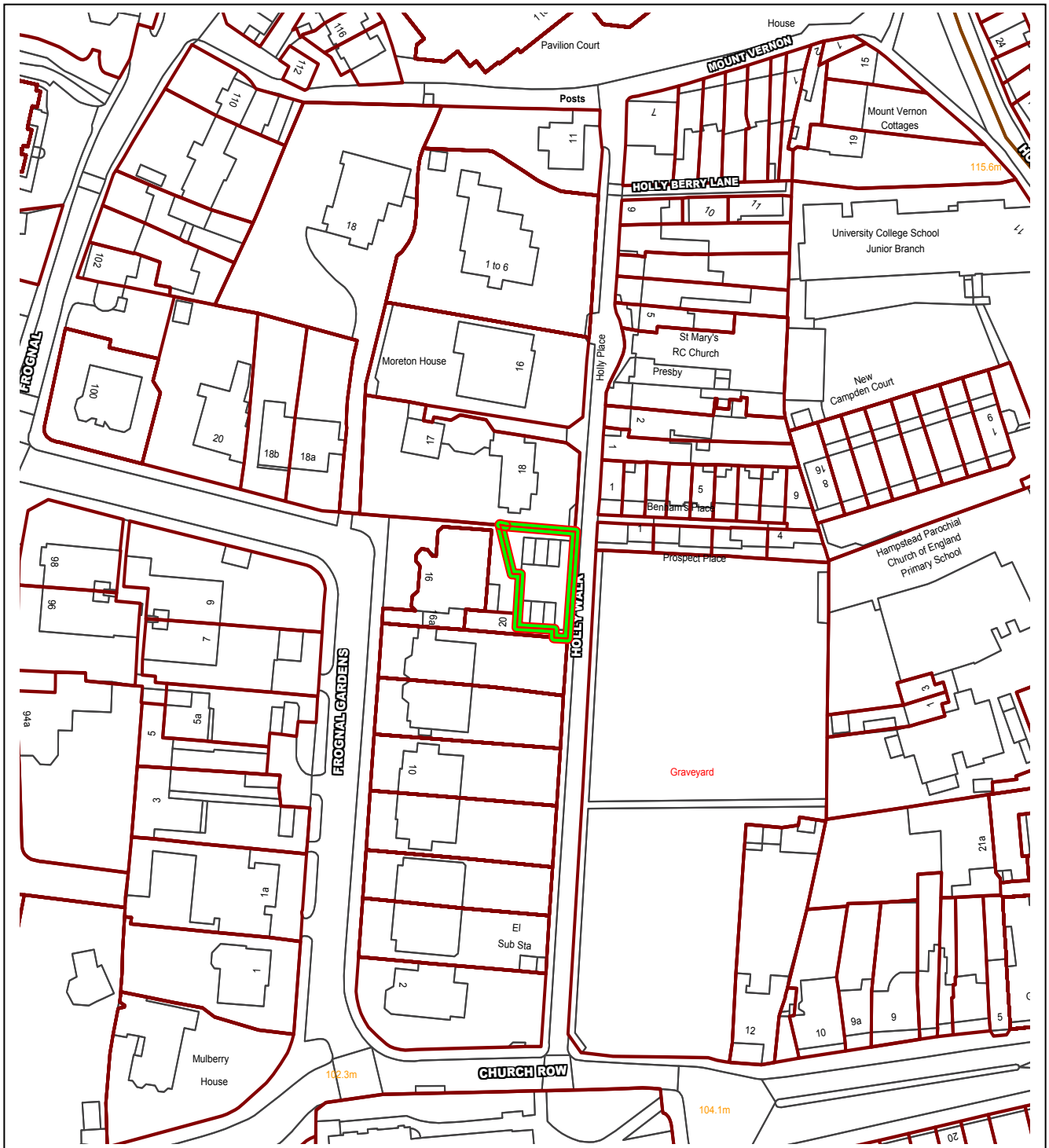


16 Frognal Gardens, NW3 6UX
2018/2440/P

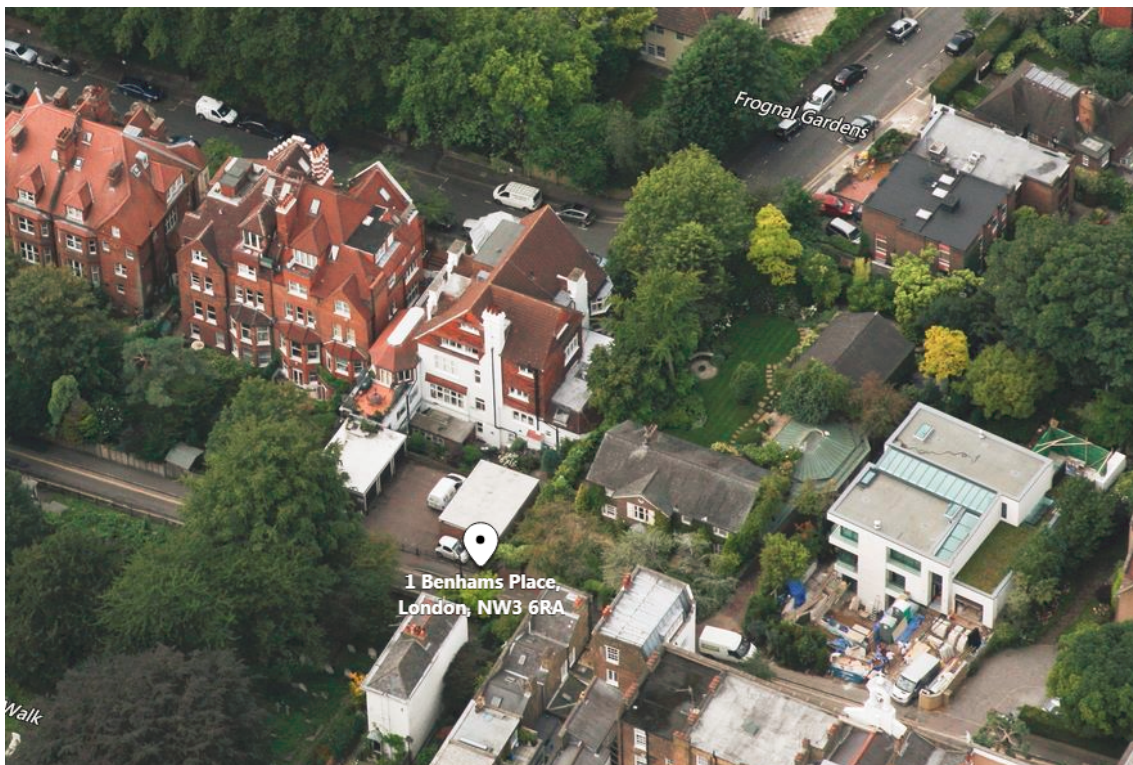


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Photographs and Images



Aerial view looking north-west



Aerial View looking southwest



Existing view from Holly Walk showing 'south' garage block on left and 'north' garage block to right



Existing longer view from Holly Walk with grave yard on right



Proposed view looking up Holly Walk (timber screen on south elevation has been reduced in height by 0.2m but CGIs not updated)



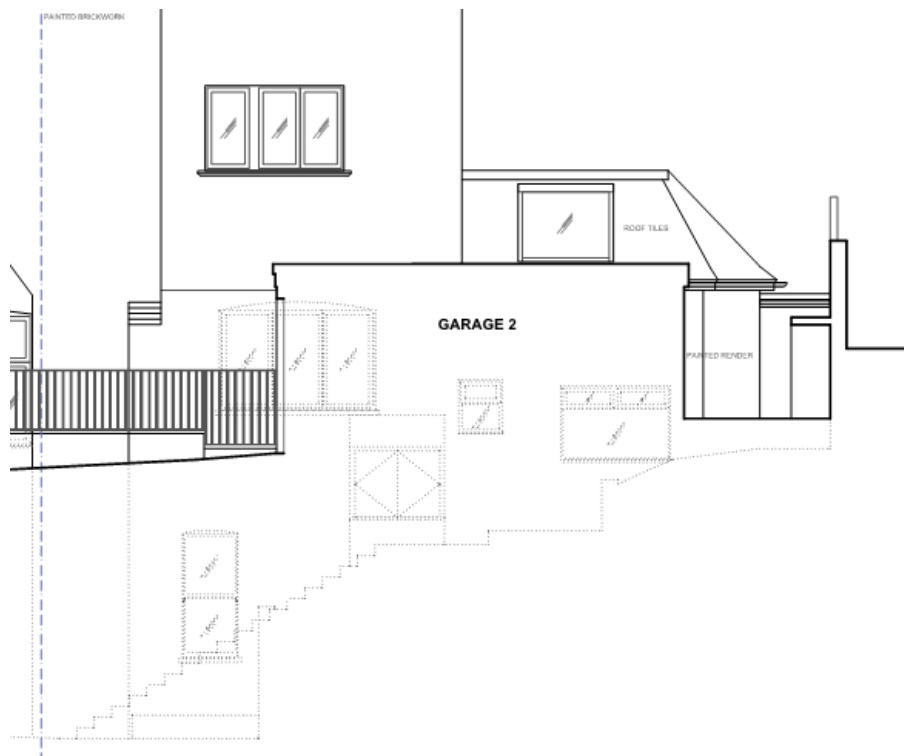
Existing view looking down Holly Walk with flank wall of closest listed building on left



Proposed view looking down Holly Walk



Axonometric view of proposal (timber screen on south elevation has been reduced in height by 0.2m but CGIs not updated)



Existing rear elevation with outline of windows on rear of 16 Frogna Gardens behind

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	03/08/2018
		N/A		Consultation Expiry Date:	19/10/2019
Officer			Application Number(s)		
Kristina Smith			2018/2440/P		
Application Address			Drawing Numbers		
16 Frognal Gardens London NW3 6UX			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal					
Erection of single storey (plus basement level) dwelling house (Class C3) with PV panels fronting Holly Walk following demolition of existing garage block; excavation of car stacker; hard and soft landscaping works including alterations to boundary treatment and provision of cycle and bin store.					
Recommendation(s):		Grant Conditional Planning Permission Subject to a Section 106 Legal Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	9	No. of objections	9
Summary of consultation responses: <i>Officer Response in Italics</i>	<ul style="list-style-type: none">A site notice was displayed from 12/06/2018 – 04/07/2018A press advert was displayed on 14/06/2018Following material revisions to the scheme, a further round of consultation was carried out between 25/09/2019 and 19/10/2019			
	9 objections were received on the initial scheme from residents at 10, 12 and 14 Frognal Gardens, 7 Holly Place, 18 Holly Walk and Mount Vernon. There were no objections following re-consultation; however, it has not been assumed that the revised scheme has satisfied previous concerns. The objections relate to the following:			
	<u>Design and Conservation</u> <ul style="list-style-type: none">Object to the bulk of the proposed building on the Holly Walk boundary as it would impact the appearance of Holly Walk and have a negative impact on the beauty of the area, especially on the cemetery and the adjacent Prospect Place, Blenheim Place and Holly Place.How will PV panels affect the appearance of the building in prime part of Conservation Area.Permission would set a precedent for other garden development along Holly Walk which would destroy character of street.Existing garages are low lying and inconspicuous – height of proposed building would be imposing.			
	<i>Refer to ‘Design considerations’ section of report for full assessment. It is noted that the objections were received prior to submission of revised drawings reducing the height and massing of the previous design iteration. Please refer to para 1.2 for detail on how the scheme has been revised.</i>			
	<u>Amenity</u> <ul style="list-style-type: none">Do not object strongly to the proposal, because it looks more attractive than the existing garage blocks. It will, however, detract from the view from the top flat of 14 Frognal Gardens.Work from home and main concern is noise and disruption caused by construction works for a currently undefined period.What invasion of privacy will there be for no’s. 12 and 14 Frognal Gardens?View and light enjoyed by large bedroom windows (rear bay window on 16 Frognal Gardens) will be obstructed. Invasion of privacy as development directly overlooks the large bedroom window.Erection of proposed building will obstruct my view, light and will be total invasion of privacy (14 Frognal Gardens).Harmful to enjoyment of the cemetery view and the peace and quiet of the area.Construction needs to be carefully managed due to narrowness of Holly Walk if it is to avoid causing disturbance.			
	<i>Refer to ‘Amenity’ section of report. It is also noted that no’s 12 and 14 Frognal Gardens are located approx. 20m and 27m (respectively) from the proposed development and as such would not be impacted. It is noted all objections relate to the previous design iteration. Please refer to para 1.2 for detail on how the scheme</i>			

	<p><i>has been revised.</i></p> <p><u>Transport</u></p> <ul style="list-style-type: none"> • Concerned that demolition of garages will lead to a serious parking problem <p>Officer response: refer to '<i>Transport</i>' section of the report</p>
Councillor/ Local groups comments:	<p>A meeting was held with Cllr Higson and the applicant and there has been correspondence with Cllr Spinella, both in relation to the progress of the application. No opinion was expressed on the scheme by either Councillor.</p>

Site Description

The application site comprises a developed area to the rear of 16 Frognal Gardens, accessed and highly visible from Holly Walk, which runs parallel to Frognal Gardens.

The site would have originally served as the rear garden for 16 Frognal Gardens; however, now contains two garage blocks. This application concerns primarily the northern block which currently accommodates three vehicles. The southern block has at some point been converted into habitable accommodation associated with 16A Frognal Gardens.

Holly Walk is strongly defined by the presence of mature landscaping within the rear gardens and high level rear boundary treatments of 2-14 Frognal Gardens, coupled with the more verdant character of the Graveyard Extension, which is part of a Site of Nature Conservation of Borough Importance. The application site represents a break in this character, with its open frontage to an area of hard-standing for parking.

The site is located within the Hampstead Conservation Area and the main house is identified as a positive contributor by the conservation area appraisal statement. The garages on the other hand are referred to as a negative feature that detract from the character and appearance of the conservation area. In close proximity to the north east of the site are several Grade II listed buildings, the closest of which is Benham Place, whose flank elevations directly abut Holly Walk. The site is located in an Archaeological Priority Area.

The site is also covered by the Hampstead Neighbourhood Plan.

Relevant History

8590/1149 – Conversion of 16, Frognal Gardens, N.W.3. into eight flats and nine garages consisting of one four room flat in basement, one two and one four room flat on ground floor, similarly on first floor, one two and one three room flat on second floor and one three room flat on third floor. – **Granted 12th December 1963.**

TPD1571/1504 – Conversion of 16, Frognal Gardens, N.W.3 into five self-contained flats, one per floor and erection of eight garages at rear with access to Holly Walk and one garage at side. – **Granted 2nd July 1964.**

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016

London Plan – Intend to Publish version 2019

Camden Local Plan 2017

G1 Delivery and Location of Growth

A1 Managing the impact of development

A2 Open space

A3 Biodiversity

A5 Basements

D1 Design

D2 Heritage

H1 Maximising housing supply

H4 Maximising the supply of affordable housing

H6 Housing choice and mix

H7 Large and small homes

CC1 Climate change mitigation
CC3 Water and flooding
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T4 Sustainable movement of goods and materials
DM1 Delivery and Monitoring

Hampstead Neighbourhood Plan (2019)

Policy DH1: Design
Policy DH2: Conservation areas and listed buildings
Policy BA1: Basement Impact Assessments Policy
Policy BA2: Basement Construction Plans Policy
Policy BA3: Construction Management Plans
Policy TT4: Cycle and car ownership
Policy HC1: Housing mix
Policy NE1: Local Green Spaces Policy
Policy NE2: Trees Policy
Policy NE3: Biodiversity Corridors Policy
Policy NE4: Supporting biodiversity

Camden Planning Guidance 2018/2019

CPG (Design)
CPG (Amenity)
CPG (Basements)
CPG (Transport)
CPG (Planning Obligations)
CPG (Biodiversity)

Hampstead Conservation Area statement (2001)

Assessment

1.0 Proposal

1.1 The applicant seeks permission for the following works:

- Erection of a new single storey 3-bed house (8.8m (w) x 10.5m (d) x 3.3m (h)) accessed from Holly Walk with PV panels and green roof, following demolition of existing 'north' garage block (5.6m (w) x 8m (d) x 2.5m (h)).
- Recladding of retained 'south' garage building
- Sunken car port to south of new building accommodating 4 vehicles (*overall reduction in 2 compared to existing situation*)
- Provision of new bin stores for flats at 16 Frognaal Gardens (accessed from within site), 20 Holly Walk and new dwelling (both accessed from Holly Walk)
- Replacement boundary treatment along Holly Walk comprising a combination of timber fencing and hedging
- Hard and soft landscaping

1.2 During the course of the application the following revisions were made:

- Comprehensive redesign of the scheme including reduction in depth by 1m and height by 1.6m

(on the north section of proposed building) and further basement excavation to a depth of 3m underneath footprint of new building (*a revised Basement Impact Assessment has been submitted and audited*);

- Change in boundary treatment along Holly Walk from red brick wall to timber fencing and hedging;
- Removal of roof terrace;
- Inclusion of two car stackers to accommodate 4 cars in total

2.0 Assessment

2.1 The planning considerations material to the determination of this application are as follows:

- Principle of development
- Housing
 - Housing mix
 - Housing standards
 - Affordable housing
- Design and heritage
- Basement considerations
- Amenity of surrounding occupiers
- Transport Considerations
- Sustainability
- Trees and Landscaping
- Archaeology

PRINCIPLE OF DEVELOPMENT

2.2 Policy G1 (Delivery and location of growth) of the Camden Local Plan is concerned with creating the conditions for growth to meet Camden's identified needs in terms of homes, jobs and infrastructure. In order to do this, the Council will support development that makes best use of its site, taking into account such considerations as quality of design, context, sustainability, amenity, heritage and transport accessibility. Self-contained housing is regarded as the priority land-use of the Camden Local Plan and Policy H1 states that the Council will make housing its top priority when considering the future of unused and underused land and buildings.

2.3 The support at local policy level for developing housing on underused land reflects a key objective of the NPPF 2019 which is to make effective use of land. Paragraph 117 states that '*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*'. It is considered that the application achieves this goal and discussion of how the proposal serves to protect the local environment and provide a good standard of residential accommodation is covered throughout the report. NPPF paragraph 118 states that planning decisions should promote and support the development of under-utilised land and buildings if this would help to meet identified needs for housing.

2.4 The site comprises two garage block structures of no design merit surrounded by hard impermeable landscaping. Low black metal railings with an electric sliding access gate form the frontage between Holly Walk and the site. As such, the site is not considered to hold any townscape or amenity value other than allowing the rear elevation of the main house to be viewed, which is an attractive, although somewhat altered, Arts & Crafts building. In reflection of the site's limited contribution, the garage court is identified within the Hampstead Conservation Area Statement as a feature that detracts from the character of the area and

would benefit from enhancement.

- 2.5 The Hampstead Conservation Area statement also cautions that development in the rear gardens of Frognal Gardens can easily harm the qualities of this lane; however, this is felt to be more of relevance to those gardens south of the application site that are undeveloped and do not already address Holly Walk. The application site, whilst historically a rear garden, has historically been developed. The site clearly has potential for improvement in order to enhance the Holly Walk streetscape as well as provide much needed good quality housing.

HOUSING

Housing mix

- 2.6 Self-contained housing is regarded as the priority land-use of the Camden Local Plan and Policy H1 states that the Council will make housing its top priority when considering the future of unused and underused land and buildings. Furthermore, this part of the Borough is predominantly residential, making it an appropriate location for additional residential accommodation. The proposal would create a new 3-bed dwelling house. As such, the proposal is compliant with policy H1 in terms of land use.
- 2.7 Policy H7 seeks to provide a range of unit sizes to meet demand across the borough and regards 2 and 3-bed units as the highest priority. The proposal would result in a new 3-bed unit and is therefore in full accordance with the priority dwelling sizes of the Local Plan.

Quality of residential accommodation

Size

- 2.8 CPG Housing requires development to provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms.
- 2.9 The London Plan introduced new Nationally Described Space Standards in March 2015, setting out minimum gross internal floor areas (GIA) and accommodation standards for new/converted residential units. The proposed dwelling, which comprises two double bedrooms and a single bedroom, would provide 123 sqm of residential floorspace over two floors. The relevant GIA standards for a 3-bed 5-person dwelling over two storeys is 93 sqm and the proposal would therefore comfortably comply.
- 2.10 In addition, the property would benefit from a private sunken courtyard of 12 sqm accessed from the bedrooms, a covered entrance way off Holly Walk and a small balcony at ground floor level.

Daylight and outlook

- 2.11 The ground floor of the property would benefit from triple aspect to the east, south and west through a continuous layer of high level glazing that continues around the east, south and west elevations. It would also be served by two rooflights. At lower ground floor level, two bedrooms would have windows/doors on to the lightwell whilst the third would be served by a small window on the west elevation. An internal daylight report has demonstrated that all bedrooms would achieve satisfactory Average Daylight Factor (ADF) levels.
- 2.12 The outlook at ground floor level would be slightly limited by the high level windows (necessary to protect privacy of surrounding occupiers); however, given the extent of high level glazing which would wrap around the building, plus floor to ceiling windows that look on to the internal courtyard area, this is considered acceptable. At basement level, outlook from the bedrooms would be on to the sunken courtyard (double bedrooms), or a high level window (single window). Whilst a little limited, this is considered appropriate given they are not main living

rooms.

Privacy

- 2.13 The privacy of the new dwelling is ensured by high-level windows on the outward facing elevations. As such, any views into the building would be very limited.

Accessibility

- 2.14 The dwelling has been designed to be compliant with M4(2) (adaptable dwellings), which would be secured by condition. Level access would be provided from the street and a WC provided at ground floor level.
- 2.15 The property is considered to make the best of a challenging site to achieve a good standard of residential accommodation. Taken as a whole, the dwelling would receive a good level of daylight, outlook and privacy within a constrained footprint.

Affordable housing

- 2.16 The residential floorspace uplift is 123 sqm and involves an uplift of 1 self-contained unit. As such, there is a requirement for an Affordable Housing contribution under policy H4.
- 2.17 Policy H4 expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to the residential floorspace of 100sqm GIA or more. This is based on an assessment where 100sqm of floorspace is considered to be capacity for one home. In developments that provide less than 10 units, affordable housing contributions can take the form of a payment in lieu.
- 2.18 The affordable housing target as detailed in policy H4 and its supporting text is based on a sliding scale with the target starting at 2% for an additional home (at 100sqm) and is increased by 2% for each home added to the capacity. The uplift in residential floorspace provided is c.123 sqm GIA; therefore rounded down to 100 sqm for this purpose resulting in the affordable housing target being 2% for this scheme.
- 2.19 Payments in lieu are taken from a figure based on the gross external area (GEA) of the application floorspace concerned. The GEA of the first floor level is calculated at 129.5 sqm (using the standard multiplier of 1.053). The level of payment in lieu for a market residential scheme is £2,650 per sqm.
- 2.20 The affordable housing contribution for this proposal is £7,155. This is calculated by 2% (the affordable housing target) of 136.4 sqm (the GEA) which results in 2.7 sqm. The value for this is then multiplied by £2,650 to get the payment figure of £7,155. The affordable housing contribution would be achieved via a Section 106 legal agreement upon approval of the proposal.

DESIGN AND CONSERVATION

- 2.21 The Council's design policies are aimed at achieving the highest standard of design in all developments and policy D1 requires developments to consider the character, setting, context and the form and scale of neighbouring buildings, as well as the quality of materials to be used. Policy D2 'Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance. The Hampstead Conservation Area appraisal provides more specific guidance which shall be referred to during the assessment. The site is also located in the Hampstead Neighbourhood Plan Area and policies DH1 and DH2 reiterate the importance of sympathetic and contextual design that takes advantage of opportunities to enhance conservation areas

and avoid harm to designated or non-designated heritage assets.

Site context

- 2.22 Holly Walk is strongly defined by the presence of mature landscaping within the rear gardens and high level rear boundary treatments of 2-16 Frognal Gardens, coupled with the more verdant character of the Graveyard Extension, which is part of a Site of Nature Conservation of Borough Importance. The application site represents a break in this character, with its open frontage to an area of hard-standing for parking.
- 2.23 The northern end of Holly Walk includes Holly Place, a symmetrical terrace of small, brick and white painted three storey houses (Nos. 1-8) grouped around the Church of St Mary (1816). Historic lanes are located to the east of the northern section of Holly Walk (Prospect Place (1790s), Benham's Place (1813) and Holly Berry Lane. The flank elevation of properties on these historic lanes directly abut the Holly Walk street frontage though they are orientated towards the north. No's 16 and 17/18 Holly Walk, late 20th century houses built on the former garden of Moreton House to the north, are located on large plots, extending further to the west than those to the south facing Frognal Gardens. Houses on these plots are generously set back from the street.
- 2.24 The topography of Holly Walk inclines from south to north which results in a sequence of views that unfold as one travels up the hill, first spacious rear gardens and rear elevations of the large houses of Frognal Gardens followed by the smaller, tighter grain of buildings on Holly Place. It is therefore important for the new building to respect this sequence of views and not obstruct this unique and valued streetscape arrangement.

Proposed design

- 2.25 Although the site has been developed with two garage blocks and hardstanding, the proposed building has been designed with a garden context in mind and throughout pre-application and application stages, the applicant has been encouraged to restore and enhance the appearance as far as possible.
- 2.26 The site marks a transition in character between the rear gardens of properties that front Frognal Gardens and the properties that address Holly Walk. The development would see the existing black metal railings removed and replaced with timber fencing (integrating a sliding gate to maintain car access to site), continuing the treatment seen along the length of Holly Walk to the south of the site. The existing railings are low quality, appear harsh and overly formal in the context, and are not characteristic of any residential property along Holly Walk. A change in boundary treatment is therefore welcomed. Initially, a red brick boundary treatment was proposed but later changed to timber to better harmonise with the natural environment and soften the appearance of the new development.
- 2.27 The final design of the house itself is a low single storey building with a flat roof, stepping up slightly towards the rear of the building. The height has been kept as low as possible (1.3m higher than the existing garage block allowing for comfortable floor to ceiling height) to avoid impacting the unfolding views as one walks up or down Holly Walk. A single storey basement excavation, which includes a sunken private courtyard, has helped the height to remain low whilst achieving the desired amount of floorspace.
- 2.28 It was thought inappropriate to design a building that formally addresses Holly Walk and the applicant has been encouraged towards a design that gives the impression of an ancillary garden structure, rather than a house in its own right. The primary entrance to the building is from Holly Walk but its entrance is subtle, consisting of a timber door that could be a garden gate, which leads onto a covered courtyard before reaching the entrance door to the building. The front elevation to the building would be read as a continuation of the garden boundary treatment, comprising soft hedging with brick behind, with the high-level front windows

‘peeking’ out over the top of the wall.

- 2.29 The massing would take the form of an L-shape, allowing a narrow elevation that fronts Holly Walk and a wider element to the rearmost part of the building. The building has been kept narrow towards Holly Walk to reduce its dominance on this narrow street where the primary buildings are the listed properties opposite. The L-shape form also allows for the integration of a sunken courtyard that acts as a lightwell, allowing daylight to reach the lower ground floor bedrooms.
- 2.30 The material palette will be largely brick construction to the ‘base’ of the building with a lighter, largely glazed ‘top’ terminated with a flat roof. Timber cladding, both natural and charred black, will be used to give warmth to the building, complement its garden location, and distinguish it as a contemporary addition. Details of all facing materials will be secured by condition to ensure suitability, quality and durability.
- 2.31 The building would incorporate a green roof to soften the appearance from surrounding windows, reinforce the garden character as well as improving the biodiversity credentials. PV panels would be located on the rear section of the roof and further details about their positioning will be conditioned to ensure they have an acceptable visual impact, especially given the low height of the building and surrounding topography.

Other works

- 2.32 The retained ‘south’ garage block would be re-clad in a material complementary to the new building. It is likely this will be a charred timber; however, full details of the cladding will be secured by condition.
- 2.33 New bin stores for the flats in 16 Frognal Gardens would be provided in the area between Holly Walk boundary and the ‘south’ garage block, an area currently used as a car parking space. These would not be perceptible from the street as they would be concealed by the front boundary treatment.
- 2.34 Additional bin stores for 20 Holly Walk and the new building have been designed into the boundary, continuing the same timber from the fence to the gate to the bin stores.
- 2.35 The car stacker involves an upper and a lower level. For the most part, the upper level would be at ground floor and the lower level would be subterranean. To access the car at lower ground level the stacker would project upwards from the ground. It would be possible to do this even with a car at the upper level. The surface covering if the stacker would match the rest of the driveway enabling it to be indistinguishable.

Heritage assessment

- 2.36 The designated heritage assets in the vicinity are the Hampstead Conservation Area, the locally listed St John's Churchyard opposite and the grade-II-listed buildings to the north east.
- 2.37 To the south, Holly Walk is abutted by tall fences at the foot of back gardens. In contrast to its current open condition, the site is to be largely screened by a similar fence. In this regard, the proposal can be said to enhance the conservation area and improve the experience of the site from Holly Walk.
- 2.38 To the north, the pattern of development changes, with houses addressing Holly Walk. The proposal will pick up on this change, marking the start of the change from back gardens to frontages. However, it will do this on a modest scale, so as not to compete with the grade-II-listed houses to the north-east. Whilst it will be seen in the same views as the listed buildings, the development would not impact its setting or significance, which is derived from its age and architectural significance.

- 2.39 The proposal steps down as it approaches the lane, further reducing its impact. In dimensions, it resembles the garage block it replaces, while its palette of materials – brick and dark metal set behind hedging – would be controlled by condition to ensure consistency with the quality of the surroundings. The proposal is therefore considered to address the site-specific mention in the Hampstead Conservation Area Statement which referred to the existing situation as an ‘unsightly garage court’ which ‘intrudes on Holly Walk’.
- 2.40 The site’s relationship with the Locally listed churchyard will be enhanced by the creation of a solid boundary, screening the contents of the site as was originally intended. Its green roof will reduce and soften its visibility.
- 2.41 For these reasons, the proposal is considered to have no impact on the setting of nearby listed buildings, and would offer an enhancement to the conservation area and the locally listed churchyard, in accordance with the requirements of policies D1 and D2 of the Camden Local Plan and policies DH1 and DH2 of the Hampstead Neighbourhood Plan.
- 2.42 The Council’s Conservation Officer has reviewed the proposals and confirmed they would not result in harm to the setting of the nearby listed buildings, or the character and appearance of the Hampstead Conservation Area and locally listed churchyard.
- 2.43 Special regard has been attached to the desirability of preserving the setting of the adjacent listed buildings and any features of special architectural or historic interest which they possess under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 2.44 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

BASEMENT CONSIDERATIONS

- 2.45 A single storey basement would be fully located underneath the footprint of the property and have no external manifestations as viewed from Holly Walk. The basement would accommodate the three bedrooms of the property which would receive daylight via a lightwell / sunken courtyard. ADF values have been calculated that demonstrate all rooms would comply with the minimum target value of 1% for bedrooms.
- 2.46 In addition, there are two sunken car stackers adjacent.
- 2.47 The site is atypical and cannot easily be compared against the requirements of policy A5 given the context is not a traditional house with garden layout. Notwithstanding, it is considered that the objectives of policy A5 insofar that it resists large scale disproportionate basements that bring about harm to neighbouring buildings, and the garden setting, are satisfied.
- 2.48 A Basement Impact Assessment (BIA) has been submitted as part of this application, in accordance with policy A5 and BA1 of the Hampstead Neighbourhood Plan. This document has been independently reviewed by Campbell Reith with several subsequent revisions provided by an additional author during the course of the application. Campbell Reith has now confirmed that the BIA is in accordance with CPG Basements. The final audit report contains the following conclusions:
- The revised BIA reports have been produced by professionals that possess suitable qualifications according to Camden Planning Guidance Basements (CPG).
 - Amendments to Screening and Scoping assessments have been presented. It is accepted that the previous audit queries have been addressed.

- Utilities information is presented in the revised submissions.
- Geotechnical and outline structural information is presented.
- There will be no impact to the wider hydrogeological environment.
- A maximum of Category 1 damage is predicted with regard to 18 Holly Walk.
- Ground and structural monitoring is proposed for neighbouring buildings and along the highway with appropriate trigger values and contingency actions to control the works.
- There will be no impact to the wider hydrological environment.

2.49 The audit report has not flagged the requirement for a Basement Construction Plan or a particular construction methodology in order to avoid damage to neighbouring buildings. In accordance with BA2 (Basement Construction Plans) of the Hampstead Neighbourhood Plan, a BCP will not be required.

AMENITY OF NEIGHBOURING OCCUPIERS

Privacy

2.50 The rear elevation that faces 16 Frognal Gardens would comprise high level windows situated 1.9m above finished floor level (FFL). These high level windows would continue around the corner to the south. No views out would be possible. There would be no windows on the elevation along the boundary with 18 Holly Walk.

2.51 The rear windows of No's 12 and 14 Frognal Gardens are located sufficiently far away (approx. 27 and 20m away respectively) and at such an angle, for there to be no implications for their privacy.

Daylight / sunlight and outlook

2.52 A daylight/ sunlight assessment has been submitted with the application. The calculations are based on the original scheme which was 1.6m higher across the north most part of the building. In this scenario, only one of the residential windows failed to meet the BRE criteria using the VSC methodology. The window in question is on the rear elevation of 16 Frognal Gardens at ground floor level and serves a bedroom. The proposed development would mean that the ratio of change would be 0.78. BRE guidance recommends no less than 0.8 (negligible) change ratio and describes a change ratio of 0.7 to 0.8 (as is the case here) as having a minor adverse impact (described as *an alteration from the existing scenario which may be marginally noticeable to the occupant*). The fail is considered to be minor and only marginally below the 0.8 stated in BRE guidance.

2.53 It is important to note that were the assessment to be carried out based on the current massing, it is highly likely that the window would be compliant.

Outlook

2.54 There are six residential windows located on the rear elevation of 16 Frognal Gardens that would look out onto the new dwelling house (see diagram below). It is considered that outlook from all windows would be retained.

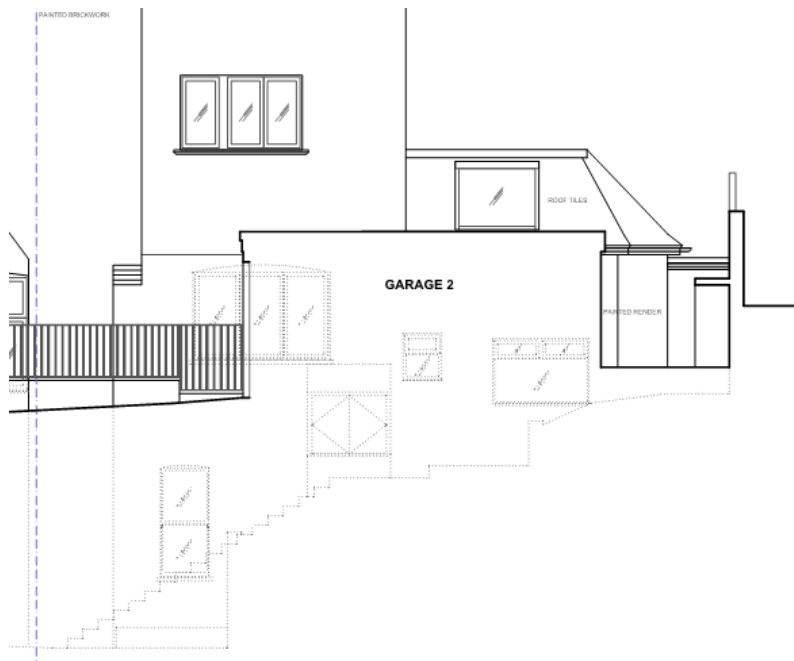
2.55 The proposed building would increase the height of built form compared to the garage block by an additional 1.3m. There would be no change in the distance between 16 Frognal Gardens and the proposed building, which would be maintained at 7m.

2.56 The lower ground floor window already looks out onto a lightwell with garage block above and would not experience a noticeable difference in outlook.

2.57 There are three windows at ground floor level at varying heights which look directly on to the blank side elevation of the garage block at present. Of the two smaller, lower windows, one

window is obscure glazed and clearly serves a bathroom whilst the other is understood to serve a bedroom. Given its direct outlook on to the existing garage block, the proposal would not worsen the situation. The third window is larger and higher, is already two thirds concealed by the garage block and importantly has reeded (obscured) glass and so has exceptionally limited outlook at present.

- 2.58 At first floor level, one of the windows is a rooflight which, by virtue of it being angled upwards, would retain its outlook. The other window is positioned just above where the proposed building terminates and so would retain its outlook.



- 2.59 The car stackers may temporarily bring about a loss of outlook from the rear windows of 16 Frognal Gardens; however, this would be for very limited time periods when the stacker is raised. Furthermore, the car stackers are associated with the applicant's flat at no.16A Frognal Gardens whose windows would look out on to it.
- 2.60 Several consultation responses refer to the impact of the proposed dwelling on their pleasant views from their windows. As noted in CPG Amenity, specific views from a property are not protected as this is not a material planning consideration.

TRANSPORT CONSIDERATIONS

Cycle parking

- 2.61 Policy T1 requires all new development to provide cycle parking facilities in accordance with the minimum requirements of Camden's cycle parking standards and the London Plan. Policy TT4 of the Hampstead Neighbourhood Plan goes further than this and requires residential units with 3 or more bedrooms to have at least 3 cycle spaces for long stay use. The proposal comprises two cycle spaces at ground floor level within covered external areas, with further scope for additional space at lower ground floor level off the courtyard. Whilst the third space would not benefit from step-free access, the provision is considered acceptable given the space constraints. The provision of the cycle storage would be secured by condition.

Car Parking

- 2.62 The existing garage to be demolished can accommodate three parking spaces. An additional three car parking spaces are provided outside of the garages but within the curtilage of the site. All these spaces are associated with existing flats within 16 Frognal Gardens and 20 Holly Walk. Ideally, no on site car parking spaces would be reprovided; however, these are not in

the applicant's ownership and belong to existing occupants. As such, it is considered reasonable to re-provide 4 car parking spaces, which is a reduction in 2 compared to the existing situation. It is worth noting that were the existing on-site car parking spaces removed, these would be shifted to the street.

- 2.63 The new dwelling would be secured as car-free via a section 106 legal agreement in accordance with policy T2 of the Local Plan.

Construction Management Plan

- 2.64 Given the extent of demolition and construction in a sensitive location from a narrow street, a Construction Management Plan (CMP) will be secured by Section 106 legal agreement to ensure the proposed development does not create traffic congestion or lead to a loss of amenity for surrounding occupiers in accordance with policies A1 and T4 of the Camden Local Plan and BA3 of the Hampstead Neighbourhood Plan. A CMP Implementation Support Contribution of £3,136 would also need to be secured as a Section 106 planning obligation if planning permission is granted

Highway Works

- 2.65 A financial contribution of £3,888 would be sought for highway works directly adjacent to the site to repair any damage to the pavement caused during construction of the proposed development. This would be secured as a section 106 planning obligation.

Approval in Principle

- 2.66 The proposal would involve basement excavations directly adjacent to the public highway on Holly Walk. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations.
- 2.67 The applicant will be required to submit an 'Approval in Principle' (AIP) report to the Council's Highways Structures & Bridges Team within Engineering Services (a requirement of British Standard BD2/12). The AIP report would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP report and an associated assessment fee of £1,800 would need to be secured via a legal agreement if planning permission were to be granted.

SUSTAINABILITY

- 2.68 The new house would incorporate PV panels at roof level to provide renewable energy as well as a green roof to improve the drainage performance of the site. A condition limiting water usage of the new dwelling to 110litres/person/day would also be attached.

TREES, LANDSCAPING AND BIODIVERSITY

- 2.69 No trees are to be removed to facilitate the development and there are no Tree Preservation Orders (TPO) affecting any nearby trees, although by virtue of the site being in a conservation area, all the trees are afforded some level of protection.
- 2.70 The Council's tree officer has reviewed the proposed works in relation to the nearest trees to the site, one of which is situated in the graveyard opposite and the other in the rear garden of 14 Frognaal Gardens. By virtue of the distance between the area of excavation and the trees as well as the site conditions, which consist of an impermeable hard standing area, it is highly unlikely that roots have extended as far as the area of excavation. Furthermore, the trees appear to be in poor health with limited longevity and as such have limited ecological and

townscape value.

- 2.71 The applicant has been encouraged to incorporate soft landscaping into the proposals to soften the new development and restore a garden-like appearance in order to enhance the appearance of Holly Walk and the conservation area. The proposals go some way in achieving this but are limited by the need to retain car parking spaces for existing occupants. As such, the landscaping has been concentrated along the boundary and through the provision of a green sedum roof.
- 2.72 Policy NE4 of the Hampstead Neighbourhood Plan and A3 of the Local Plan supports increasing the area of permeable surfaces and requires that development seeks to protect or enhance priority habitats, species and wildlife movement. The design approach is conscious of the proximity to the adjacent SINC and would incorporate measures to *enhance* biodiversity compared to the existing situation including the provision of bat and bird boxes, details of which would be secured by condition. The new building would also have limited glazing fronting Holly Walk to avoid light spill having an adverse impact on surrounding wildlife. Across the site, the existing tarmac surface covering would be replaced by a porous surface treatment to improve drainage. Details of the treatment will be secured by condition

ARCHAEOLOGY

- 2.73 The site is located in an Archaeological Priority Area. No assessment was provided with the application so a robust two-part condition will be attached. The first part will require a Stage 1 written scheme of investigation and the second part, which will only be required in the event archaeological remains are found, will require a statement of significance, the programme and methodology of site investigation and recording, and a programme for post-investigation assessment and analysis.

3.0 RECOMMENDATION AND PLANNING OBLIGATIONS

3.1 Grant conditional planning permission subject to a section 106 Legal Agreement to include the following Heads of Terms:

- Affordable housing (£7,155)
- Car-free (for new dwelling)
- Construction Management Plan (plus monitoring support fee of £3,136))
- Highways Contribution (£3,888)
- Approval in Principal (£1,800)

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 9th March 2020, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2018/2440/P
Contact:
Tel: 020 7974
Date: 4 March 2020

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

MZA Planning
14 Devonshire Mews
Chiswick
London
W4 2HA

Dear Sir/Madam

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
16 Frognal Gardens
London
NW3 6UX

Proposal:
Erection of single storey (plus basement level) 3-bed dwelling house (C3) with PV panels fronting Holly Walk following demolition of existing garage block; excavation of car stacker; hard and soft landscaping works including alterations to boundary treatment and provision of cycle and bin store.

Drawing Nos: Location plan; EX1 (Rev A); EX2 (Rev A); EX3 (Rev A); EX4 (Rev A); EX5;
EX6 (Rev A); EX7 (Rev A);

1908_L_031 (Rev B); 1908_L_032 (Rev B); 1908_L_033 (Rev B); 1908_L_034 (Rev C);
1908_L_035 (Rev C); 1908_L_036 (Rev C); 1908_L_037 (Rev C); 1908_L_038 (Rev C);
1908_L_039 (Rev C); 1908_L_046 (Rev C)

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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: Location plan; EX1 (Rev A); EX2 (Rev A); EX3 (Rev A); EX4 (Rev A); EX5; EX6 (Rev A); EX7 (Rev A); 1908_L_031 (Rev B); 1908_L_032 (Rev B); 1908_L_033 (Rev B); 1908_L_034 (Rev C); 1908_L_035 (Rev C); 1908_L_036 (Rev C); 1908_L_037 (Rev C); 1908_L_038 (Rev C); 1908_L_039 (Rev C); 1908_L_046 (Rev C)

Daylight and sunlight assessment (dated May 2018); Design and Access statement (prepared by Square Feet dated 19th September 2019); Structural appraisal dated July 2018, job reference no. 180618, issued by Croft Structural Engineers; Ground investigation report and basement impact assessment for the site at 16 Frognal Gardens, London NW3 dated October 2018, report reference no. GWPR2777/GIR, V1.01, issued by Ground & Water Ltd; Basement Impact Assessment - Structural dated 8 October 2018, job reference no. 180618, issued by Croft Structural Engineers; Ground investigation report and basement impact assessment (revised GI), dated December 2018, report reference no. GWPR2777/GIR, V1.02, issued by Ground & Water Ltd; Basement Impact Assessment - Structural (revised BIA-S), dated 21 December 2018, job reference no. 180618, issued by Croft Structural Engineers; Structural Monitoring Statement" (SMS), dated 21 December 2018, job reference no. 180618, issued by Croft Structural Engineers; Monitoring Plan", dated December 2018, job reference no. 180618, issued by Croft Structural Engineers; Ground investigation report and basement impact assessment for the site at 16 Frognal Gardens, London NW3" (revised GI), dated November 2019, report reference no. GWPR2777/GIR, V1.03, issued by Ground & Water Ltd; Basement Impact Assessment - Structural" (BIA-S) Revision 3, dated 7th November 2019, job reference no. 180618, issued by Croft Structural Engineers; Structural Monitoring Statement" (SMS) revision 2, dated 7th November 2019, job reference no. 180618, issued by Croft Structural Engineers; Structural Drawings SD10, SD15 and SD16 Revision 3, SD22 Revision 4, dated October to December 2018 job reference no. 180618, issued by Croft Structural Engineers; Thames Water Asset Search dated 16th December 2019; Structural Monitoring Statement" (SMS) revision 3, dated 19th December 2019, job reference no. 180618, issued by Croft Structural Engineers; Ground Movement Assessment 16 Frognal Gardens, job reference 60450, dated December 2019, issued by Ground and Project Consultants Ltd.

Reason:

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

- 3 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.

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 Camden Local Plan 2017 and DH1, DH2 of the Hampstead Neighbourhood Plan 2019.

- 4 Before the relevant part of the work is begun, 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:

a) Details including sections at 1:10 of windows (including jambs, head and cill), fascia and soffitt, and external gates.

b) Sample panel of the proposed brickwork (including main building and chamfered set-backs) to show type, colour, bond, mortar mix, joint and pointing to be provided on site;

c) Manufacturer's specification details and samples of all facing materials to be submitted to the Local Planning Authority

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 and D2 of the London Borough of Camden Local Plan 2017 and DH1, DH2 of the Hampstead Neighbourhood Plan 2019.

- 5 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas 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 policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017 and DH1, DH2 and NE4 of the Hampstead Neighbourhood Plan 2019.

- 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 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 (including trees existing at the outset of the development other than those indicated to be removed) 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, A5, D1 and D2 of the London Borough of Camden Local Plan 2017 and DH1, DH2 and NE4 of the Hampstead Neighbourhood Plan 2019.

- 7 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of Policies A3 and CC2 of the London Borough of Camden Local Plan 2017 and NE4 of the Hampstead Neighbourhood Plan 2019.

- 8 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used [for large areas of green roof add in : and showing a variation of substrate depth with peaks and troughs]
 - iii. full details of planting species and density

The living roofs 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.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017 and DH1, DH2 and NE4 of the Hampstead Neighbourhood Plan 2019.

- 9 The development hereby approved shall be carried out strictly in accordance with the BIAs compiled by Ground + Water and Croft engineers (and other supporting documents) and the recommendation in the Campbell Reith Audit dated February 2020.

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 Camden Local Plan 2017 and BA1 of the Hampstead Neighbourhood Plan 2019.

- 10 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 policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017 and DH1, DH2 and BA1 of the Hampstead Neighbourhood Plan 2019.

- 11 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, CC3 of the London Borough of Camden Local Plan 2017.

- 12 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 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 G1, D1, D2 and A1 of London Borough of Camden Local Plan 2017 and and DH1, DH2 of the Hampstead Neighbourhood Plan 2019.

- 13 The approved cycle parking facility (as shown on drawing no. 1908_L_032 (Rev C) shall be provided in its entirety prior to the first occupation of the new unit, 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 and TT4 of the Hampstead Neighbourhood Plan 2019.

- 14 No below ground works shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. No works 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 the stage 1 WSI then 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 below ground works 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, interpretation and/or public engagement strategy 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 and 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: Important archaeological remains may exist on this site and the local planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development to ensure satisfactory treatment of heritage assets of archaeological interest, in accordance with Policy D2 of the Camden Local Plan 2017 and DH2 of the Hampstead Neighbourhood Plan 2019.

- 15 The new dwelling house 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 H6 and C6 of the Camden Local Plan 2017.

- 16 Prior to first occupation of the new dwelling house, 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 G1, CC1 and CC2 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 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.
- 3 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.
- 4 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.

- 5 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.
- 6 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.
- 7 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.

- 8 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.

Yours faithfully

Supporting Communities Directorate