

Application ref: 2016/5096/P
Contact: Jennifer Walsh
Tel: 020 7974 3500
Date: 21 May 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

Contemporary Design Solutions
46 Great Marlborough Street
London
W1F 7JW

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**10-12 Belmont Street
London
NW1 8HH**

Proposal:

Erection of 2 x 4 storey replacement dwellinghouses following part demolition of the existing 3 storey houses with existing side and internal structural walls being retained (retrospective)

Drawing Nos: Site Location Plan; 160910-A(SO)100; 160910-A(SO)110; 160910-A(SO)120; 160910-A(SO)130; 160910-A(GA)130 Rev B; 160910-A(GA)110 Rev B; 160910-A(GA)120 Rev B; 160910-A(GA)100 Rev B; 160910-A(GA)300 Rev B; 160910-A(GA)090 Rev B; 160910-A(GA)403 Rev A; 160910-A(GA)401; 160910-A(GA)400 Rev A; 160910-A(GA)301; 160910-A(GA)140; 160910-A(GA)130 Rev A; Planning Compliance Report dated 16th January 2019; Plant Noise Assessment R8240-1 Rev 1;

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

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

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

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

Site Location Plan; 160910-A(SO)100; 160910-A(SO)110; 160910-A(SO)120; 160910-A(SO)130; 160910-A(GA)130 Rev B; 160910-A(GA)110 Rev B; 160910-A(GA)120 Rev B; 160910-A(GA)100 Rev B; 160910-A(GA)300 Rev B; 160910-A(GA)090 Rev B; 160910-A(GA)403 Rev A; 160910-A(GA)401; 160910-A(GA)400 Rev A; 160910-A(GA)301; 160910-A(GA)140; 160910-A(GA)130 Rev A; Planning Compliance Report dated 16th January 2019; Plant Noise Assessment R8240-1 Rev 1;

Reason:

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

- 3 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 G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 4 Before the dwellings are occupied, the air-conditioning plant shall be provided with acoustic isolation and anti-vibration measures in accordance with the details included within the Plant Noise Assessment R8240-1 hereby approved. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy G1, A1, A4, D1 and CC1 of the London Borough of Camden Local Plan 2017.

- 5 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 and A1 of London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting planning permission

This application seeks retrospective planning permission for 2x 3 storey (with basement and roof extension) replacement dwellinghouses following part demolition of the existing 2x 2 storey dwellinghouses with the existing side structural walls being retained. This application has been built out and completed in line with the drawings submitted, but whilst it was submitted in 2016, it never received planning permission. There were previous planning applications 2014/3924/P and 2013/6903/P and the basement and some of the works were carried out under these permissions. The principal of the development was accepted under the 2014 reference number and this application seeks approval for changes in the design to that which were previously approved. This application also seeks approval for the revised design and only includes properties 10 and 12 Belmont Street (No. 14 has been removed from the application and no works have been implemented at this property).

The properties are situated on Belmont Street, just off Chalk Farm Road. The properties are not in a conservation area, but they are included within the Local List. They are next door to a large 5 storey piano factory which has undergone substantial redevelopment to provide residential units over the last couple of years.

Policy D1 seeks to secure high quality design in all development. The proposed design of the replacement dwellings, when considering the 2014 application, are in keeping with the character and appearance of the wider area. The context of Belmont Street is varied and the application relates to two buildings within a terrace of 3. The existing building was a typical Victorian terrace with a ground floor bay window. This application seeks to replace the front elevation with a redesign which sees a square bay being continued up the ground, first and second floor levels. The windows are sash windows in a green colour which match the colour of the neighbouring piano factory. A modern squared roof extension has been built. As the roof extension is set back behind the existing parapet and light weight in design, this is considered to be acceptable. Due to the context of Belmont Street, this design changes to the front elevation are considered acceptable.

To the rear elevations of the buildings some changes have been incorporated to allow more light into the floorplan. A ground floor side extension has been built to infill the space between the pre-existing projecting wing and the neighbouring property to Number 10. The extension enclosed a gap between the projecting wings and therefore no additional depth has been created. However, this depth has been extended to the roof level. To number 12 the rear building line has been increased in depth by approx. 1m. At basement level there is a patio lightwell and at ground floors, double doors open out onto a terrace/balcony. At first floor level there is a Juliet balcony with sash windows at second floor level. To the rear of the roof extension, the design is set in and double doors open up onto a small terrace. Due to the bulk being

previously agreed under the 2014 application, the design of the rear elevation is considered acceptable as whilst it is only visible from private vantage points, the design is modern and is not considered to harm the wider area. A condition will remove the permitted development rights for the replacement dwellings as the Council wishes to retain control over future extensions to the properties in the interest of design and neighbour amenity.

- 2 The proposed replacement dwelling would provide a good standard of living for future occupiers in terms of size, layout, orientation and outlook; amenity and storage space etc. Policy H6 of the Local Plan requires 90% of new-build self-contained homes to be accessible and adaptable in accordance with Building Regulation M4(2) and the Design & Access Statement notes that the proposals fully comply with M4(2). However, as the principal of the development was accepted in 2014 and the building was completed in 2017, the proposal was in line with part L of the 2013 Building Regulations. Information was submitted in relation to condition 13 of the 2014 permission which shows that the development achieved a 20% CO2 reduction beyond part L 2013 Building Regulations. The information submitted shows that there was a 76.7% reduction.

It is not considered that the proposed replacement dwellings would have a harmful impact on neighbouring properties. The ground floor extension and roof extensions have been well considered and do not dominate nor harm the neighbouring property of number 14 Belmont Street nor the neighbouring piano factory. An acoustic report has been submitted in support of the proposed plant for the two dwellings. The plant is to be located within the basement lightwells of the two properties. Due to space constraints and the retrospective nature of this application, bespoke acoustic enclosures have been proposed within the Technical report (R8240 - Rev 1) to ensure that the plant is in line with Camden's noise requirements. The design and amenity implications of the acoustic enclosure, as located at basement level are considered acceptable.

The application seeks approval for a basement level with front lightwell. This was included within the 2014 application and the permission is understood to have been lawfully implemented in line with the constraints included within that application. Therefore, this element of the build is considered acceptable.

Policy CC1 requires development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation; and Policy CC2 requires development to be resilient to climate change. An Energy and Sustainability Statement has been provided with the application and whilst it doesn't meet all of our current requirements in terms of Thermal Mass not meeting Camden Planning Guidance best practice and no on site renewable energy, it is considered that the build met the requirements set for the 2014 application and in this instance is considered acceptable.

Policy T1 promotes sustainable transport by prioritising walking, cycling and public transport in the borough. The London Plan requires the provision of 2x cycle parking spaces for a single family dwelling. These are provided internally within the ground floor area and are considered acceptable. Policy T2 seeks to limit the availability of car parking in the borough and requires all new

development to be car-free. The legal agreement will secure the new dwelling as car-free. The legal agreement will also secure the Highways Contribution, in line with Policy A1.

No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As the majority of the works have been carried out in line with the substantive permission from 2014, the proposed design changes are considered acceptable in this instance. The proposed development is in general accordance with Policies G1, H1, H6, H7, A1, A3, A4, D1, CC1, CC2, CC3, CC5, T1, T2 and T4 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the Intend to Publish 2019 London Plan; and the provisions of the National Planning Policy Framework 2019.

- 3 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.
- 4 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).
- 5 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.
- 6 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 7 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.

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 positioned above the typed name and title.

Daniel Pope
Chief Planning Officer