

Application ref: 2019/1568/P
Contact: David Fowler
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Date: 2 July 2020

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D. Rose Planning LLP
19-20 Bourne Court
Southend Road
Woodford Green
IG8 8HD
United Kingdom

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:
246-248
Kilburn High Road
London
NW6 2BS

Proposal:

Variation of Condition 2 (Approved Plans) and Condition 16 (M4 Building Regulations) granted under reference 2017/3206/P dated 24/04/18 for demolition of existing building on site and erection of two buildings for residential use, providing 27 new units (9 x one-bed, 13 x two-bed, 5 x three-bed). Building A (street block) to be part-four, part-five storeys in height and Building B (courtyard block) to be part-five, part-six storeys in height.

Associated landscaping, cycle parking and plant room. Changes are namely to increase the height of Block B by 355mm and the lift overrun by 575mm and also with regards the Block A common parts complying with Part M4(1) and Block B common parts complying with M4(2).

Drawing Nos:

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

Condition(s) and Reason(s):

- 1 Three years

The development hereby permitted must be begun not later than the end of three years from the date of the original permission (24/04/2018).

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2 Approved plans

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

Existing plans: P1512_P_100, P1512_P_101, P1512_P_110, P1512_P_111, P1512_P_112, P1512_P_113, P1512_P_114, P1512_P_115, P1512_P_116.

Proposed plans: P1512_P_200 B, P1512_P_201A, P1512_P_202A, P1512_P_203A, P1512_P_204A, P1512_P_205, P1512_P_210, P1512_P_300A, P1512_P_301A, 7234-B/08 B, 7234-B/09 A, 7234-B/10 A, P1512_P_303 A, P1512_P_304 A, P1512_P_310, P1512_P_311, P1512_P_320, P1512_P_321A.

Documents: Planning Statement (May 2017) Andmore Planning Ltd, Design and Access Statement () InsideOut Architecture, Desk Study and Contamination Assessment G/121224/002 (21 January 2013) KF Technical Services Limited, Sustainable Drainage Systems Assessment Revision A (May 2017) Studio 246 Media Ltd, Air Quality Assessment (May 2017) Amec Foster Wheeler, Draft Construction Management Plan (May 2017) InsideOut Architecture, Daylighting Impact Assessment (22/5/2017) Fabric, Energy Statement (20th May 2017) Fabric, Crime Impact Assessment (20th July 2017) InsideOut Architecture, Statement of Flood Risk (22nd September 2017) Water Environment Limited, Daylighting Impact Assessment (Fabric) 1817/ND A, Covering letter (D Rose Planning) 22 March 2019,.

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

3 Detailed drawings/samples

The proposals shall be built in accordance with the details approved under application reference 2019/0880/P dated 13 September 2019.

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 Camden Local Plan 2017.

4 Water efficiency

The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CC3 of the Camden Local Plan 2017.

5 Solar Photo-Voltaics

The proposals shall be built in accordance with the details approved under application reference 2019/3487/P dated 4 March 2019.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies CC1 and CC2 of the Camden Local Plan 2017.

6 Floodproofing and water exclusion

The floodproofing and water exclusion shall be implemented in accordance with the details approved under application reference 2019/3724/P dated 17 September 2019 and shall be retained in perpetuity.

Reason: To ensure that the development does not cause flooding, in accordance with the requirements of Camden Local Plan policy A3.

7 Green roof/wall

The green roof shall be fully provided in accordance with the details approved under 2018/4390/P dated 24/08/2019, prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of Camden Local Plan policy A3.

8 Landscaping details

The relevant part of the works shall not be carried out otherwise than in accordance with the details approved under planning application 2018/4232/P dated 22 November 2018.

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 Camden Local Plan policy A3.

9 Provision of landscaping

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 Camden Local Plan policy A3.

10 Cycle parking

The cycle parking approved under planning application 2019/3721/P dated 13 September 2019 shall be made ready for use prior to occupation, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the Camden Local Plan 2017.

11 Refuse and recycling

The refuse and recycling facilities 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 of the Camden Local Plan.

12 Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water

Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

13 Non-road mobile machinery

All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and/construction phase of the development.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Camden Local Plan 2017 policies G1, C1 and A1.

14 Air quality monitoring

The monitors shall be retained and maintained on site for the duration of the development in accordance with the details approved under planning application 2018/4850/P dated 29 January 2019.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Camden Local Plan 2017 policies G1, C1 and A1.

15 M4 building regulations

All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) with at least 10% designed and constructed in accordance with Building Regulations Part M4 (3) adaptable. Block A common parts shall be designed and constructed in accordance with Building Regulations Part M4(1) and Block B common parts shall be designed and constructed in accordance with Building Regulations Part M4(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 Camden Local Plan 2017.

16 Mechanical ventilation

The development shall thereafter be constructed and maintained in accordance with the details approved under planning application 2018/3874/P dated 8 March 2019.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Camden Local Plan 2017 policies G1, C1 and A1.

Informative(s):

1 Reason for approval

Block B is located at the rear of the site, facing on to Kilburn Grange Park. The increase in the height of Block B is considered small enough to not be noticeable and would still relate sufficiently to its context. The lift overrun would be set back from the park elevation and this increase in height would also not be readily noticeable.

Given the modest scale of the increase in height, there would be no material impact in neighbouring properties in terms of loss of light or outlook.

The original wording of condition 16 was erroneous as there was no lift proposed in Block A and therefore the common parts would not be able to meet Part M4(2). The section 96a applications seeks to rectify this error. Officers are therefore happy with the proposed change.

No objections have been received.

- 2 All of the conditions attached to application reference 2017/3206/P, dated 24/04/2018, have now been discharged - except for condition 12 (Piling Method Statement), should piling be proposed.

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 printed name and title.

Daniel Pope
Director of Economy, Regeneration and Investment