

Application ref: 2019/4280/P  
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**Development Management**  
Regeneration and Planning  
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CMA Planning  
113 The Timberyard  
Drysdales Street  
London  
N1 6ND  
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:

**Agar Grove Estate**  
**Agar Grove**  
**London**  
**NW1**

Proposal:

Variation of condition 60 (approved plans), 61 (Number and mix of residential units) and 6 (lifetime homes) of planning permission 2013/8088/P dated 04/08/2014 (as amended by 2020/0468/P dated 16/02/2020) (for Demolition of all existing buildings except Lulworth House and Agar Children's Centre, and erection of new buildings ranging between 4 and 18 storeys in height along with the refurbishment and extension of Lulworth House to provide Class C3 residential units; a community facility (Class D1); 2 flexible retail shop (Class A1) or restaurant and cafe (Class A3) units; business space (Class B1(a)); 2 flexible retail shop (Class A1), business (Class B1) or non-residential institution (Class D1) units), namely to allow adjustments to footprint, height, massing and external appearance of Block I and Block JKL, including revised balcony design; revised flat layouts; changes to unit type and mix; 14 additional Class C3 residential units; and associated landscaping.

Drawing Nos:

Revised: 1901-07-:100 P05; 101 P02; 102 P02; 103 P02; 104 P02; 105 P02; 106 P02; 210 P02; 211 P02; 212 P02; 310 P02; 311 P02; 312 P03; 313 P02; 400 P01; 410 P01; AGV-HBA-NE-: 00-DR-A-08-0100 P03; 01-DR-A-08-0101 P03; 02-DR-A-08-0102 P02; 03-DR-A-08-0103 P02; 04-DR-A-08-0104 P02; 05-DR-A-08-0105 P02; 06-DR-A-08-0106 P02; XX-DR-A-08-0200 P02; XX-DR-A-08-0201 P03; XX-DR-A-08-0202 P02;

XX-DR-A-08-0300 P02; XX-DR-A-08-0510 P02; XX-DR-A-08-0511 P02; AGC377-  
GRA-1C-XX-DR-L-: 1101 04; 1103 03; 1104 04; 1105 03; 1106 03; 2101 04; 3101 03;  
5101 03; 5102 03; AGV-HBA-NE-XX-DR-A-08-0520 P00

Supporting Documents: Supplementary Design and Access Statement August 2019;  
Phase 1c - Sitewide Summary prepared by Hawkins Brown dated 07/02/2020; Plot JKL  
- Unit and Area Schedule - Stage E dated 07/02/2020; Tree Survey, Arboricultural  
Impact Assessment Arboricultural Method Statement & Tree Protection Plan prepared  
by Hayden's dated 23/08/2019; Solarium Design Note Rev B prepared by Max  
Fordham dated 2/8/19; Block JKL - Projecting balustrade study prepared by Hawkins  
Brown dated Oct 2019; Block JKL Private Amenity Study prepared by Hawkins Brown  
dated Oct 2019; Agar Grove Estate Redevelopment Support Information and  
Compensation; Comparable Analysis prepared by Savills dated Oct 2019; Financial  
Viability Report prepared by Arcadis dated Aug 2019; Planning Statement prepared by  
CMA Planning dated Aug 2019; Energy and Sustainability Update Rev A prepared by  
Max Fordham dated 16/08/19; Daylight & Sunlight Within prepared by Anstey Horne  
dated 16/08/19; Daylight & Sunlight Report prepared by Anstey Horne dated Aug 2019;  
5.35 Block I - Detail Cycle Storage Update

Background papers: Independent Viability Review prepared by BPS dated 20/9/19

Superseded: 1423\_DWG\_PL\_I\_00\_200\_Rev B; 1423\_DWG\_PL\_I\_00\_201\_Rev A;  
1423\_DWG\_PL\_I\_00\_202\_Rev A; 1423\_DWG\_PL\_I\_00\_203\_Rev A;  
1423\_DWG\_PL\_I\_00\_204\_Rev A; 1423\_DWG\_PL\_I\_00\_205\_Rev B;  
1423\_DWG\_PL\_I\_00\_206; 1423\_DWG\_PL\_I\_00\_230; 1423\_DWG\_PL\_I\_00\_231;  
1423\_DWG\_PL\_I\_00\_250 REV A; 1423\_DWG\_PL\_I\_00\_251;  
1423\_DWG\_PL\_I\_00\_252; 1423\_DWG\_PL\_I\_00\_253; 1423\_DWG\_PL\_I\_00\_280;  
1423\_DWG\_PL\_JKL\_00\_200; 1423\_DWG\_PL\_JKL\_00\_201;  
1423\_DWG\_PL\_JKL\_00\_202; 1423\_DWG\_PL\_JKL\_00\_203;  
1423\_DWG\_PL\_JKL\_00\_204; 1423\_DWG\_PL\_JKL\_00\_205;  
1423\_DWG\_PL\_JKL\_00\_206; 1423\_DWG\_PlotJKL\_00\_230;  
1423\_DWG\_PlotJKL\_00\_231; 1423\_DWG\_PL\_JKL\_00\_250;  
1423\_DWG\_PL\_JKL\_00\_251; 1423\_DWG\_PL\_JKL\_00\_252;  
1423\_DWG\_PlotJKL\_00\_280; 1423\_DWG\_PlotJKL\_00\_281;  
1423\_DWG\_PlotJKL\_00\_282; 1423\_DWG\_PlotJKL\_90\_001;  
1423\_DWG\_PlotJKL\_90\_002; 1423\_DWG\_PlotJKL\_90\_010;  
1423\_DWG\_PlotJKL\_90\_011;

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of  
three years from the date of the original planning permission ref 2013/8088/P  
dated 04/08/2014.

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

- 2 Before the relevant parts of the works within the relevant phase (a) phase 1; b)  
phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development

commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition associated with that phase, sample panels of all the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panels shall be retained on site until the work has been completed.

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.

- 3 Before the relevant parts of the works within the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition associated with that phase, 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 all windows (including jambs, head and cill), external doors, balconies, balustrades, communal entrance screens and gates;
  - b) Details of parapet/eave junctions at a scale of 1:10;
  - c) Manufacturer's specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site - 2 metres by 2 metres in size).
  - d) street furniture;
  - e) play equipment and associated surfaces;
  - f) photovoltaics / solar thermal panels;
  - g) controlled vehicular access points to the north and south of Lulworth Tower (to be submitted at the time of b) phase 1)
  - h) design code of principles for the future sharing of the route along the eastern side of the site (to be submitted at the time of e) phase 4)

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 of the London Borough of Camden Local Plan 2017.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 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 D1 and A1 of the London Borough of Camden Local Plan 2017.

6 M4(2) Accessible and adaptable dwellings

All units shall be designed and constructed in accordance with Building Regulations Part M4 (2), with the exception of the following units which will be designed and constructed to M4(3): Block I:-00-01; 00-02; 00-03; Block JKL: A-00-05; B-00-02; A-00-07; A-00-06; B-00-03; C-00-02; B-00-01; C-00-01; Block E: PE-02-02; 02-03; 03-02; 03-03; 04-02; 04-03; Lulworth: PLu-01-06; 02-06; 03-06; 04-06; 05-06; 06-06; 07-06; 08-06; 09-06; 10-06; 11-06; 12-06; 13-06; 14-06; and 15-06.

Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation of the relevant residential block.

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 Camden Local Plan 2017.

7 The features and facilities of the 24 easily adaptable and 12 fully adapted wheelchair accessible dwellings, as indicated on the drawings and documents hereby approved (24 easily adaptable serving market units and 12 fully adapted serving affordable units), shall be provided in their entirety prior to the first occupation of the relevant block of new residential units. Any alterations to the approved wheelchair housing features and facilities, prior to the first occupation of the relevant new residential unit, shall be submitted to and approved by the local planning authority in writing. The subsequently approved wheelchair housing features and facilities shall thereafter be provided in their entirety prior to the first occupation of the relevant new residential unit.

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 Camden Local Plan 2017.

8 Prior to the first occupation of the residential block within the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development, details of the final numbers and layouts of the wheelchair adaptable/adapted accessible dwellings, as indicated on the drawings and documents hereby approved, shall be submitted to and approved in writing by the local planning authority. The subsequently approved wheelchair housing

features and facilities shall thereafter be provided in their entirety prior to the first occupation of the relevant new residential unit.

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 Camden Local Plan 2017.

- 9 Prior to the first occupation of any of the residential and non-residential units within the relevant phase of the development hereby approved, the whole of the waste and recycling storage and removal facilities shown on the approved drawings shall be provided in respect of the relevant phase. The whole of the waste and recycling storage and removal provision shall be permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate waste and recycling storage and removal facilities and to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CC5 and A1 of the Camden Local Plan 2017.

- 10 Prior to the first occupation of any new residential unit with Plots A, B, C, D, E, F, G, H, I, J, K and L, as detailed on the approved drawings, the whole of the cycle parking provision shown on the approved drawings for the relevant plot shall be provided in their entirety. The whole of the cycle parking provision shall be permanently retained and maintained 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.

- 11 Prior to the first occupation of any refurbished residential unit with Lulworth Tower, as detailed on the approved drawings, detailed plans indicating the type and layout of secure and covered cycle storage facilities for 156 cycles shall be submitted to and approved by the local planning authority in writing. The approved facilities shall thereafter be provided in their entirety prior to the first occupation of any refurbished residential unit with Lulworth Tower, 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.

- 12 Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Reason: To safeguard the amenities of the adjoining premises and the area generally and the operation of the rail network in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 13 Where vibro-compaction machinery is to be used in development, details of the

use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority, acting in consultation with the railway undertaker, prior to the commencement of relevant part of the works and the works shall only be carried out in accordance with the approved method statement.

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

- 14 Before the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition associated with that phase, full details of any mechanical ventilation inlets shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the relevant phase of the development is first occupied.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan 2017.

- 15 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), associated with Block A or with Blocks F, G or H, is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

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

- 16 No fixed ventilation plant and /or machinery, associated with any Class A1 or Class A3 use hereby approved, shall come into operation until full details of the plant and machinery serving any Class A1 or Class A3 uses, and any mitigation measures to prevent odour nuisances, has been submitted to and approved in writing by the Council. The plant/machinery shall thereafter be maintained in effective order to the reasonable satisfaction of the Council. In the event of no satisfactory ventilation plant and / or machinery being provided, no primary cooking shall take place on the Class A1/A3 premises hereby approved.

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

- 17 The Class A1, Class A3 and Class D1 uses hereby approved shall not be

carried out outside the following times: 07:00 to 23:00 Monday to Saturdays and 07:00 to 22:00 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies TC3, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 18 No music shall be played on the Class A1, Class A3, Class B1 or Class D1 premises hereby approved in such a way as to be audible within any adjoining premises or on the adjoining highway.

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

- 19 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the Class D1 floorspace hereby approved shall only be used as non-residential education and training centres, public halls or clinics and health centres, and for no other purpose.

Reason: To ensure that the future occupation of the Class D1 floorspace does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies G1, C2, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 20 Prior to the first occupation of the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development details of the proposed CCTV strategy, including full location, design and management details of any proposed CCTV equipment, shall be submitted to an approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the relevant phase of the development is first occupied.

Reason: In order to seek to protect the amenity of occupiers from possible instances of crime, fear of crime and anti-social behaviour and to safeguard the appearance of the premises and the character of the immediate area, in accordance with policies D1, C5 and A1 of the London Borough of Camden Local Plan 2017.

- 21 Prior to the first occupation of any residential unit within Plot B, details of a wind tunnel study, as per the Wind Microclimate Assessment by Peter Brett Associates, Ref 28732/007 Rev 02, dated 05/12/2013, shall be submitted to and approved in writing by the local planning authority. Should additional mitigation measures be required, these shall be provided in their entirety prior to the first occupation of the relevant residential unit and shall be permanently maintained and retained thereafter.

Reason: In order to protect the residential amenity of future occupiers from

harmful microclimate impacts, in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 22 Prior to the first occupation of any residential unit within Plot B, details of a mobility scooter storage area(s) strategy shall be submitted to and approved in writing by the local planning authority. Such area(s) shall be provided in their entirety prior to the first occupation of the any residential unit within Plot B and shall be permanently maintained and retained thereafter.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time and to provide a suitable quality of accommodation for future occupiers, in accordance with the requirements of policies H6 and A1 of the London Borough of Camden Local Plan 2017.

- 23 Full details of a lighting strategy, to include information about potential light spill onto buildings, trees and lines of vegetation, and nearby signalling apparatus and/or train drivers vision on approaching trains, shall be submitted to and approved by the Local Planning Authority, in writing, before the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition associated with that phase. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the relevant part of the development is first occupied and the first use of the space in which they are contained as appropriate.

Reason: To safeguard the appearance of the premises and the character of the immediate area, to protect the amenity of current and future occupiers from light pollution and to ensure compliance with the protection of possible habitats in accordance with policies D1 and A1 of the London Borough of Camden Local Plan 2017.

- 24 Full details of the living roofs shall be submitted to and approved by the Local Planning Authority, in writing, before the relevant phase of the development commences (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6), other than site clearance & preparation, relocation of services, utilities and public infrastructure and demolition associated with that phase. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the end of the first planting season after the relevant part of the development is first occupied. This must include a detailed maintenance plan, details of its construction and the materials used, to include a section at a scale of 1:20, and full planting details including densities.

Reason: To ensure that the living roofs are suitably designed and maintained in accordance with the requirements of policies CC1, CC2, CC3, CC4, D1, and A3 of the London Borough of Camden Local Plan 2017.

- 25 Details of no less than 100 bird and bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site in relation to the relevant phase



of works (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6). The details shall include the exact location, specification and design. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason: To ensure the development contributes towards creation of habitats and valuable areas for biodiversity in accordance with the requirements of the London Plan 2016 (Consolidated with Alterations Since 2011) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

- 26 Before the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition associated with that phase, full details of all hard and soft landscaping and means of enclosure of all un-built, open areas designs, including tree/plant species, sizes and positions and full details regarding the design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the end of the first planting season after the relevant phase of the development is first occupied.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 27 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, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 28 Prior to the commencement of any works on the relevant phase (a) phase 0; b) phase 1; c) phase 2; d) phase 3; e) phase 4; f) phase 5; g) phase 6) of the development, details demonstrating how trees to be retained shall be protected during construction work (also including details of on-site monitoring arrangements) shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees

growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 29 All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: To ensure the development contributes towards the protection of any existing habitats and valuable areas for biodiversity in accordance with policy A3 of the London Borough of Camden Local Plan 2017.

- 30 Before the relevant phase (a) phase 0; b) phase 1; c) phase 2; d) phase 3; e) phase 4; f) phase 5; g) phase 6) of the development commences, impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand, in order to safeguard the amenities of the area generally, in accordance with the requirements of policies CC3 and A1 of the London Borough of Camden Local Plan 2017.

- 31 Before the relevant phase (a) phase 0; b) phase 1; c) phase 2; d) phase 3; e) phase 4; f) phase 5; g) phase 6) of the development commences, no impact 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 and water 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: To safeguard the amenity of existing and future occupiers in the area as the proposed works are in close proximity to underground sewerage and water utility infrastructure, in accordance with the requirements of policy CC3 of the London Borough of Camden Local Plan 2017.

- 32 The surface water drainage scheme for the site shall be carried out in accordance with the details approved under 2015/5972/P dated 19/02/2018 before the development is completed and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To minimise the risk of flooding, to improve and protect water quality, and improve habitat and amenity, in accordance with the requirements of policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

33 \*Affordable Housing

Affordable housing shall be provided in accordance with the conditions and approved documents as set out in this decision. All affordable housing units shall be constructed and fitted out as units which are suitable for occupation as affordable housing and shall only be occupied for the purposes of and retained in perpetuity for Intermediate Affordable Housing in line with the London Plan definition for such as set out in the London Plan and Social Rented Housing (at rents equivalent to 'social rent' as set out in Camden's CPG2 September 2013) as the case may be; not disposing of any interest in the Affordable Housing Units (except by way of mortgage) other than to any other Registered Provider or any other body, organisation or company registered with the Charity Commissioners for England and Wales and approved by the Regulator or the Council.

Reason: To secure sufficient provision of affordable and other tenures of housing in a balanced and sustainable manner across the development in accordance with the requirements of policies DM1, H4 and H5 of the London Borough of Camden Local Plan 2017.

34 \*Phasing Plan

Phasing of the development shall be implemented in accordance with the Phasing Plan approved under 2018/5415/P dated 28/12/2018 or other such details which have been submitted to and approved in writing by the local planning authority. The Phasing Plan shall balance the delivery of the affordable and market housing with the phases of the development. The development shall thenceforth not proceed other than in complete accordance with such Plan as will have been approved from time to time by the Local Planning Authority.

Reason: To secure sufficient provision of affordable and other tenures of housing in a balanced and sustainable manner across the development in accordance with the requirements of policies DM1, H4 and H5 of the London Borough of Camden Local Plan 2017.

35 \*Re-appraisal of financial viability

At the practical completion of phase 5 (construction of Plots CDE) and prior to the commencement of phase 6 (refurbishment of Lulworth), other than site clearance & preparation, relocation of services, utilities and public infrastructure for phase 6, the applicant and/or developer shall submit to the local planning authority a Financial Viability Assessment to re-appraise the affordable housing provision within phase 6 of the development. If applicable, the expectation will be for additional affordable housing to be provided on-site, but where this cannot practically be achieved on-site, an off-site contribution and then a

payment-in-lieu will be provided. The additional affordable housing contribution shall be approved in writing by the Local Planning Authority and the development shall thenceforth not proceed other than in complete accordance with such Plan as will have been approved.

Reason: To secure sufficient provision of affordable and other tenures of housing in a balanced and sustainable manner across the development in accordance with the requirements of policies CS6 (Providing quality homes) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP3 (Contributions to the supply of affordable housing) and DP4 (Preventing the loss of affordable housing) of the London Borough of Camden Local Development Framework Development Policies.

36 \*Recruitment and apprenticeships

The local employment, skills and local supply plan to achieve the measures set out below shall be implemented in accordance with the details approved under 2015/4265/P dated 05/10/2015 or any subsequent submission prior to commencement of any construction works associated with the new buildings hereby approved (other than site clearance & preparation, relocation of services, utilities and public infrastructure and demolition) approved by the local planning authority in writing, setting out how the applicant and/or developer shall:

- have entered into an agreement with the Kings Cross Construction Skills Centre to support the recruitment of Camden residents to jobs created during the construction of the development; to advertise all construction job vacancies locally; and to work towards a target that 20% of jobs are filled by Camden residents
- have entered into an agreement with the Kings Cross Construction Skills Centre to provide a minimum of 40 construction industry apprenticeships to Camden residents using a range of options tailored to the build requirements of the development. The placements would be delivered throughout the course of the development. Also to deliver a minimum of 21 work placement/work experience opportunities throughout the construction process.
- have entered into an agreement with the Kings Cross Construction Skills Centre to deliver at least 1 End Use apprenticeship, e.g. caretaker, receptionist or another suitable role.
- submit to the local planning authority for written approval a local employment, skills and local supply plan setting out how the above will be achieved.

Reason: In order to ensure that unemployed people within the Borough of Camden have training and employment opportunities during the construction phase of major developments and to source goods and services from local businesses in accordance with policies E1, E2 and DM1 of the London Borough of Camden Local Plan 2017.

37 \*Local Procurement

The development shall be implemented in accordance with the details of local procurement approved under 2015/4265/P dated 05/10/2015 or other such details which have been submitted to and approved in writing by the local

planning authority.

Reason: In order to ensure that unemployed people within the Borough of Camden have training and employment opportunities during the construction phase of major developments and to source goods and services from local businesses in accordance with policies E1, E2 and DM1 of the London Borough of Camden Local Plan 2017.

38 \*Community facilities contribution

Prior to the first occupation of any residential unit within Plot B, confirmation that the necessary measures to secure appropriate provision of the proposed community facility within Plot B in perpetuity, including details of the final specification, management arrangements and subsidised rents for community groups shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the scheme makes satisfactory provision for community facilities in accordance with policies C2 and DM1 of the London Borough of Camden Local Plan 2017.

39 \*Health facilities

Prior to the beginning of phase 6 (refurbishment of Lulworth), a health care strategy to secure appropriate measures to support the local healthcare infrastructure shall be submitted to and approved in writing by the Local Planning Authority. This shall include evidence of an assessment of local health care needs, engagement with the NHS Commissioning Board, or equivalent health overseeing body, with view to demonstrating either that the need arising from the development can be absorbed within a nearby facility, a financial contribution is secured, or an on-site health care facility is secured within the flexible shop, business or non-residential institution (Class A1/B1/D1) space proposed at the ground floor of Lulworth, as appropriate.

Reason: To ensure that the scheme makes satisfactory provision for health care facilities in accordance with policies C1, C2 and DM1 of the London Borough of Camden Local Plan 2017.

40 \*Public open space contribution

Prior to occupation of Phase 1 of the development, or commencement of any other phase of the development other than site clearance & preparation, relocation of services, utilities and public infrastructure and demolition; whichever is sooner, confirmation through an open space strategy for the necessary measures to secure provision of, and improvements to, public open space shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the scheme makes adequate provision for open space facilities in the area and that the impact of the scheme on open space facilities is mitigated in accordance with policies DM1, A1, D1, A2 and A3 of the London Borough of Camden Local Plan 2017.

41 \*Code for Sustainable Homes

Before the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5) of the development commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition associated with that phase, the applicant and/or developer shall submit to the local planning authority a design stage Sustainability Plan assessment setting out the manner in which the development will achieve Code for Sustainable Homes (CfSH) level 4 for the residential units achieving 50% of the un-weighted credits in the Energy and Water sections and best endeavours to achieve 50% of the un-weighted credits in the Materials sections. The development shall at all times proceed in accordance with such Plan as will have been approved. Prior to first occupation of the residential units a post-completion certificate which demonstrates that the approved rating has been achieved shall be submitted to and approved in writing by the local planning authority.

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with the requirements of policies DM1, CC1, CC2, CC3 and CC4 of the London Borough of Camden Local Plan 2017.

42 \*BREEAM domestic refurbishment

Before phase 6 (refurbishment of Lulworth) of the development commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition associated with that phase, the applicant and/or developer shall submit to the local planning authority a design stage Sustainability Plan assessment setting out the manner in which the development will achieve at least BREEAM domestic refurbishment 'excellent' rating for the residential units achieving 60% of the un-weighted credits in the Energy and Water sections and 40% of the un-weighted credits in the Materials sections. The development shall at all times proceed in accordance with such Plan as will have been approved. Prior to first occupation of the residential units a post-completion certificate which demonstrates that the approved rating has been achieved shall be submitted to and approved in writing by the local planning authority.

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with the requirements of policies DM1, CC1, CC2, CC3 and CC4 of the London Borough of Camden Local Plan 2017.

43 \*Energy Efficiency

The development shall be carried out in complete accordance with the submitted Planning Energy & Sustainability Report by Max Fordham, dated 11/12/2013 to achieve a minimum of 32% reduction in carbon emissions from the development, and evidence of passivhaus certification shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any residential unit within the relevant phase of the development (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6), unless an alternative strategy is submitted to and approved in writing by the local

planning authority. The Plan shall contain mechanisms for monitoring, review and further approval by the local planning authority. The development shall at all times proceed in accordance with such Plan as will have been approved.

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with the requirements of policies DM1, CC1, CC2, CC3 and CC4 of the London Borough of Camden Local Plan 2017.

44 \*Car free development

Prior to first occupation of any of residential or non-residential unit, the landowner would ensure through agreement that occupiers of all units are informed of the Council's policy that they shall not be entitled (unless they are the holder of a disabled person's badge issued pursuant to s. 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a residents parking bay; shall not be able to buy a contract permanently to park within any car park owned, controlled or licensed by the Council nor shall they be entitled to be granted a Business Parking Permit.

Reason: In order to ensure that the development does not contribute to increased car use and parking congestion in accordance with the requirements of policies DM1 and T2 of the London Borough of Camden Local Plan 2017.

45 \*Highway works and public realm contribution

Highway works and public realm improvements shall be implemented in accordance with details approved under 2015/3436/P dated 07/07/2015 or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To ensure the development has an acceptable impact on the adjacent highway and provides an attractive safe and secure environment in accordance with the requirements of policies DM1 and A1 of the London Borough of Camden Local Plan 2017.

46 \*Pedestrian, cycling and environmental improvements

Pedestrian, cycling and environmental improvements shall be implemented in accordance with details approved under 2015/3436/P dated 07/07/2015 or other such details which have been submitted to and approved in writing by the local planning authority to secure the necessary pedestrian, cycling and environmental improvements for the development, including improving the connectivity of the areas between Agar Grove, Maiden Lane and Camley Street, pedestrian and cycling improvements along Agar Grove, bus stop improvements and Legible London pedestrian wayfinding signs

Reason: To ensure that the scheme makes adequate provision for promoting walking and cycling as sustainable transport alternatives and mitigating the impact of the development on public transport facilities in accordance with the requirements of policies DM1, T1 and A1 of the London Borough of Camden Local Plan 2017.

47 \*Travel Plans

The measures contained in the Travel Plan approved under 2018/0757/P dated 27/02/2018, shall at all times remain implemented or the development shall be carried out with such other Travel Plan details which have been subsequently submitted to and approved in writing by the local planning authority. The Residential Travel Plan and Commercial Travel Plan, as appropriate, shall set out measures for promoting sustainable transport modes for residents/occupiers within the relevant phase of the development, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London and shall contain mechanisms for monitoring, review and further approval by the local planning authority. The residential plan shall provide for a Travel Plan Co-ordinator and allow for an initial substantial review within six months of full occupation. The measures contained in the Travel Plans shall at all times remain implemented.

Reason: In order to ensure that the travel demand arising from the development does not significantly impact on the existing transport system and to accord with the requirements of policies DM1, T1 and A1 of the London Borough of Camden Local Plan 2017.

48 \*Travel Plans monitoring and review contribution

Travel plan monitoring and review shall be implemented in accordance with details approved under 2015/3527/P dated 07/07/2015.

Reason: In order to ensure that the travel demands from the development can be monitored and maintained in line with a Travel Plan in accordance with the requirements of policies DM1, T1 and A1 of the London Borough of Camden Local Plan 2017.

49 \*Level plans

The development shall be implemented in accordance with the level plans approved under application 2015/3977/P dated 27/02/2018 or such other details which have been subsequently submitted to and approved in writing by the local planning authority which include plans demonstrating the levels at the interface of the development, the boundary of the site and the public highway.

Reason: In order that the Council may ensure that the development is finished to a satisfactory standard and does not prejudice the surrounding highways network in accordance with policies DM1 and A1 of the London Borough of Camden Local Plan 2017.

50 \*Approval in Principle document

No part of the relevant phase of development (excluding enabling works) relating to Phases 3, 4 and 5 shall commence until such time as the local planning authority has confirmed in writing that it has received an 'Approval in Principle' (AIP) document, including structural details and calculations to



demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site (primarily Camley Street), and any mitigation measures possibly required.

Reason: In order that the Council may ensure that the development is finished to a satisfactory standard and does not prejudice the surrounding highways network in accordance with policies DM1, T1, T3 and A1 of the London Borough of Camden Local Plan 2017.

51 \*Delivery and Servicing Management Plan

Before the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development is first occupied, a Delivery and Servicing Management Plan (SMP), including where applicable details of the management of the controlled access points to the north and south of Lulworth, shall be submitted to and approved in writing by the Local Planning Authority and shall contain mechanisms for monitoring, review and further approval by the local planning authority from time to time. No servicing of any building shall take place on any part of the highway network or public realm other than in accordance with the SMP so approved.

Reason: To avoid obstruction of the surrounding streets and ensure the safety of pedestrians, cyclist and other road users, in accordance with the requirements of policies DM1, A1, A4, CC4 and T4 of the London Borough of Camden Local Plan 2017.

52 \*Construction Management Plan

Prior to the first demolition of the existing buildings a Construction Management Plan setting out measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the demolition and construction period(s) and taking account of the cumulative impact of concurrent or planned development within the immediate area, shall be submitted to and approved by the local planning authority in consultation with Transport for London and Network Rail and shall contain mechanisms for monitoring, review and further approval by the local planning authority, Transport for London and Network Rail as required from time to time. The Construction Management Plan shall also include details of a working group involving local residents and businesses, a contractor complaints/call-line and measures to be carried out to mitigate the impact of the noise arising from construction and demolition activities on local residents and businesses. The measures contained in the Construction Management Plan shall at all times remain implemented throughout the duration of the works of demolition and construction.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with policies DM1, A1, A4, CC4 and T4 of the London Borough of Camden Local Plan 2017.

53 \*London cycle hire contribution

Prior to the first occupation of any residential unit within phase 4 of the development (Plots I and B) confirmation that the necessary measures to secure public cycle hire facilities within the application site shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with advice from Transport for London, unless an alternative strategy is submitted to and approved in writing by the local planning authority in conjunction with Transport for London. The development shall at all times proceed in accordance with such measures as will have been approved.

Reason: To ensure that the scheme makes adequate provision for promoting sustainable transport alternatives and mitigating its impact on public transport in accordance with the requirements of policies DM1, A1, and T1 of the London Borough of Camden Local Plan 2017.

54 \*Electric vehicle charging and monitoring

Prior to first occupation of phase 4 of the development, confirmation of the necessary measures to secure 11 on street electric vehicle charging points within the development shall be submitted to and approved in writing by the local planning authority. Such measures shall be completed prior to the first occupation of any use in phase 4 and shall thereafter be retained.

Reason: To ensure that the scheme promotes the use of sustainable transport means in accordance with policy CC1 of the London Borough of Camden Local Plan 2017.

55 \*Car Parking Management Plan

Before the relevant phase (a) phase 1; b) phase 2; c) phase 3; d) phase 4; e) phase 5; f) phase 6) of the development is first occupied, a Car Parking Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. It shall also contain mechanisms for monitoring, review and further approval by the local planning authority from time to time. The management plan should include details of the management of blue badge bays, electric bays and detail a mechanism for managing how the overall number of on-site car parking spaces would be reduced over time as existing residents move away from Agar Grove in time. No car parking at the site shall take place other than in accordance with the Car Parking Management Plan so approved.

Reason: In order to ensure that the development does not contribute to increased car use and parking congestion in accordance with the requirements of policies DM1, A1 and T2 of the London Borough of Camden Local Plan 2017.

56 \*Employment space delivery strategy

Prior to the first commencement of any part of Plot B, details of a delivery strategy for the provision of Class B1 floorspace for Camden based businesses, including where appropriate space for business being displaced from wider Camden Community Investment Programme projects, shall be submitted to and approved in writing by the Local Planning Authority. The

spaces will be used for such purposes thereafter unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the development makes adequate provision to the improvement of employment floorspace in the Borough that provides employment opportunities for local residents and businesses in accordance with policies DM1, E1 and E2 of the London Borough of Camden Local Plan 2017.

57 \*Public art contribution

The public art measures shall be implemented in accordance with details approved under 2015/3436/P dated 07/07/2015 or such other details to secure appropriate measures to support public art which have been subsequently submitted to and approved in writing by the local planning authority.

Reason: To ensure that the scheme makes adequate provision for public art as part of the urban design process in enhancing public spaces and the surrounding townscape in accordance with policies DM1 and D1 of the London Borough of Camden Local Plan 2017.

58 \*Education contribution

Support for local education infrastructure shall be implemented in accordance with details approved under 2015/3436/P dated 07/07/2015 or such other details to secure appropriate support to the local education infrastructure which have been subsequently submitted to and approved in writing by the local planning authority.

Reason: To ensure that the impact of the scheme on the local education infrastructure is mitigated in accordance with policies DM1 and C2 of the London Borough of Camden Local Plan 2017.

59 Need for a Legal agreement

In the event that any owners of the land have the legal locus to enter into a Section 106 Agreement no works shall be progress on site until such time as they have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked with \* in this notice of planning permission.

Reason: In order to define the permission and to secure development in accordance with policy DM1 of the London Borough of Camden Local Plan 2017.

60 Trial pit Investigations (Block JKL)

Prior to the commencement of any works to Block JKL, details of the results of trial pit investigations and any mitigation required shall be submitted to and approved by the Council in writing. The trial pits shall be sited along the proposed line of excavation (for Block JKL) where it encroaches into the root protection areas of G005. The excavation of the trial pits shall be undertaken

under arboricultural supervision and shall extend to a depth of 1m where possible. If rooting activity is discovered, such details shall include a scheme of mitigation including consideration of specialist foundations. Mitigation shall be carried out in accordance with the scheme thus approved.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 61 For the purposes of this decision, condition no.61 of planning permission 2013/8088/P as amended by 2020/0468/P shall be replaced with the following condition:

#### REPLACEMENT CONDITION 61

##### Number and mix of residential units

The residential element of the development hereby approved shall provide 507 residential units comprising 251 market, 40 intermediate and 216 social rent units. The breakdown of the units shall be as follows: Plot A - 38 units; Plot B - 105 units; Plot C / D - 14 units; Plot E - 20 units; Plot F - 14 units; Plot G - 23 units; Plot H - 20 units; Plot I - 40 units; Plot J / K / L - 85 units; and Lulworth House - 148 units.

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

- 62 All plant/equipment associated with the development hereby approved, with the exception of plant/equipment associated with Block A and Blocks F, G and H, shall comply with the following noise thresholds. Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 15dB(A) below the LA90, expressed in dB(A).

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

- 63 For the purposes of this decision, condition no.60 of planning permission 2013/8088/P shall be replaced with the following condition:

#### REPLACEMENT CONDITION 60

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

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

Informative(s):

- 1 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](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 5 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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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.
- 6 You are advised that condition 17 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.

- 7 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 8 This permission is granted without prejudice to the possibility of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [planning@camden.gov.uk](mailto:planning@camden.gov.uk).
- 9 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 10 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.
- 11 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.
- 12 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.
- 13 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Environment Services (Recycling) on 0207 974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 14 In respect of condition 31 piling has the potential to impact on local underground sewerage and water utility infrastructure. You are advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.
- 15 Thames Water requests for the proposal to incorporate protection to the properties by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow waste at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

- 16 With regard to surface water drainage Thames Water advises that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that you ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Should you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 17 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
- 18 Thames Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. This is as failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 19 HS2 Ltd detail that the Applicant is advised that part of the application site falls within land that may potentially be required to construct and/or operate Phase One of a high speed rail line between London and the West Midlands, known as High Speed Two (HS2). Powers to construct and operate HS2 are to be sought by the promotion of a hybrid Bill deposited in Parliament on 25th November 2013. As a result the application site, or part of it, may be compulsorily purchased. More information can be found at [www.hs2.org.uk](http://www.hs2.org.uk).
- 20 You are advised that the biodiversity information/ecological assessment provided as part of this application will be made available to Greenspace Information for Greater London [GIGL], the capital's environmental records centre. This will assist in building up the data base of up-to-date ecological information and this will help in future decision making.
- 21 Active bird nests are protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended) which states that it is an offence to disturb, damage or destroy the nest of any wild bird while that nest be in use or being built. Active nests are highly likely to be present within the site during peak nesting season, considered by Natural England as between 1 March and 31 July. It should be noted that active nests are afforded legal protection at all times and can be encountered throughout a nesting season which may extend between mid February and October depending on bird species and weather conditions. Nesting habitats which includes trees, shrubs, climbing plants, grounds flora, buildings and other structures may be cleared at any time of year where survey (undertaken by a suitably experienced person) can establish active nests are absent. For further information contact Natural England on 0845 600 3078.
- 22 Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation (Natural Habitats) Regulations 1994 which protect bats from intentional or deliberate actions which may kill, injure

capture a bat and from actions that intentionally or recklessly damage, destroy or obstruct access to a bat roost (whether bats are present or not) or disturb a bat when occupying a roost. Actions such as demolition and renovation works to a building, and tree felling or significant tree surgery are likely to result in a breach of the above legislation if bats or bat roosts are present. For further information contact Natural England on 0845 600 3078.

- 23 In relation to condition 25 (bird and bat nesting boxes / bricks), it is clarified that a total of no less than 100 boxes / bricks are required across the seven phases of development ((a) phase 0; b) phase 1; c) phase 2; d) phase 3; e) phase 4; f) phase 5; g) phase 6) and not within each phase.
- 24 In relation to condition 24 (living roofs) it is recommended for the proposed substrate to be sourced from site (for example: soil and crushed brick) for sustainability reasons and to provide better conditions for local species.
- 25 In relation to condition 26 (hard and soft landscaping) it is advised that there may be scope to increase planting along Lulworth Avenue between the new tree planting to provide planting strips. This will enhance the quality of the streetscape, provide sustainable drainage and increase green infrastructure provision.
- 26 With regard to condition 32 (Surface water drainage scheme), the Environment Agency advises that the following information must be provided based on the agreed drainage strategy:
  - a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
  - b) Confirmation of the critical storm duration.
  - c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
  - d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.
  - e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
  - f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.
- 27 Network Rail advises that prior to the commencement of any works on site, the developers must contact Network Rail to inform them of their intention to commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.
- 28 Due to the nature of the development and its location adjacent to Network



Rail's operational railway, Network Rail strongly recommends that the developer contacts Network Rail's Anglia Asset Protection team at [AssetProtectionAnglia@networkrail.co.uk](mailto:AssetProtectionAnglia@networkrail.co.uk) prior to any works commencing on site and agrees an Asset Protection Agreement with Network Rail to enable approval of detailed works. More information can be obtained from the following website [www.networkrail.co.uk/aspx/1538.aspx](http://www.networkrail.co.uk/aspx/1538.aspx).

- 29 Network Rail advises that any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. To avoid scaffold falling onto operational lines, netting around the scaffold may be required. In view of the close proximity of the proposed works to the railway boundary you are advised to contact Network Rail's Asset Protection team before any works begin.
- 30 Network Rail advises that any future maintenance of the development should be designed to be conducted solely on the applicant's land, and not that of Network Rail. Any construction and any subsequent maintenance should be carried out without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space. Therefore Network Rail advises that all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. If it is necessary to close the railway and restrict rail traffic, "possession" of the railway must be booked via Network Rail's Territory Outside Parties Engineer and are subject to a minimum prior notice period for booking of 20 weeks.
- 31 Network Rail advises that any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Outside Parties Engineer before the development can commence. Given the closest demolition to the boundary with Network Rail land is 16m away (Broadstone), the developer is advised to seek confirmation from Network Rail's Outside Parties Engineer as to whether a method statement is required in this instance.
- 32 Network Rail advises that no water or effluent should be discharged from the site or operations on the site into the railway undertaker's culverts or drains. Furthermore, suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 - 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.
- 33 With regard to condition 23 (Lighting Strategy) Network Rail advises that any lighting associated with the development (including vehicle lights) must not

interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's approval of their detailed proposals regarding lighting. It is advised that this should be obtained in writing from Network Rail in advance of the relevant approval of details application, where appropriate.

- 34 Network Rail advises in respect of landscaping that any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted by Network Rail are: Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrs Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat "Zebrina". Not Permitted: Alder (Alnus Glutinosa), Aspen - Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).
- 35 The matters covered by conditions 33-58 above (also marked with an \*) are matters which would usually be incorporated into a Section 106 Agreement. On Council own schemes because the Council cannot enter into an agreement with itself the usual practice would for the permission to reference the Section 106 requirements for information. If the Council retains ownership of the application site although the reference to Section 106 requirements would not be legally binding they would act as a record of the requirements the Council as planning authority expects the Council as landowner to comply with. If the Council disposes of an interest in the Application Site the incoming owner will be required to enter into a Section 106 giving effect to those requirements which will then become a legally binding document. This reflects the terms of condition 59 on the planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is positioned above the printed name and title.

Daniel Pope  
Director of Economy, Regeneration and Investment