

Application ref: 2020/2087/P
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Date: 27 January 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Lambert Smith Hampton
United Kingdom House
180 Oxford Street
London
W1D 1NN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**31 Daleham Gardens
London
NW3 5BU**

Proposal:

Demolition of the existing fire-damaged building.

Drawing Nos: Drawings:

Existing First and Second Floor Plan 17/252, Existing Basement and Ground Floor Plan 17/253, Location Plan, Pre Existing Elevations received 06/11/2020, Site Plan, Block Plan, Demolition Plan 201106 dated 06/11/2020

Documents:

Heritage Statement_2020-2087 dated 27/10/2020, Air Quality Report Final dated 12/08/2020, 201007_Daleham Structural Report_REV 4 dated 09/11/2020, Asbestos Report ref. A-45889 dated 22/10/2020, Demolition Justification dated May 2020, Appendix A Demolition Justification dated 20/05/2020, Demolition Method Statement received 13/05/2020, Planning Summary Statement_06112020, Tree Protection Plan dated 08/12/2020, Tree location Plan dated 02/12/2020

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

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

- 2 Tree protection details

No demolition or development shall commence until tree protection measures as approved in the Tree Location Plan dated 02/12/2020 and Tree Protection Plan dated 08/12/2020 have been fully implemented. The tree protection measures shall thereafter be retained and maintained for the duration of the demolition period.

Reason: In order to ensure the retention of, and avoid irrevocable damage to, the retained trees in accordance with policy A3 of the Camden Local Plan.

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

Existing First and Second Floor Plan 17/252, Existing Basement and Ground Floor Plan 17/253, Location Plan, Pre Existing Elevations received 06/11/2020, Site Plan, Block Plan, Demolition Plan 201106 dated 06/11/2020

Documents:

Heritage Statement_2020-2087 dated 27/10/2020, Air Quality Report Final dated 12/08/2020, 201007_Daleham Structural Report_REV 4 dated 09/11/2020, Asbestos Report ref. A-45889 dated 22/10/2020, Demolition Justification dated May 2020, Appendix A Demolition Justification dated 20/05/2020, Demolition Method Statement received 13/05/2020, Planning Summary Statement_06112020, Tree Protection Plan dated 08/12/2020, Tree location Plan dated 02/12/2020

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

- 4 Protection and retention of boundary wall

The south boundary wall to the property shall be retained and protected during the course of the demolition works and thereafter retained. If the wall is damaged during the course of demolition works, details and a schedule of repair shall be submitted to and approved in writing by the local planning authority within six weeks of damage. The wall shall thereafter be repaired in accordance with the approved details and schedule.

Reason: To safeguard the appearance of the wall and the character of the area in accordance with policy D1 and D2 of the Camden Local Plan.

- 5 Historic building recording

No demolition of the external walls shall commence until an appropriate programme of historic building recording (Level 2 as set out by Historic England) and analysis has been secured and implemented in accordance with

a written scheme which has been submitted to and approved in writing by the local planning authority. The record shall be carried out in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority

Reason: To ensure that an appropriate record is made of the historic building fabric and significance in accordance with Policy D2 of the Camden Local Plan.

6 **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 commenced 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 the planning permission granted on 27/01/2021 (Camden reference 2020/2087/P) and those obligations shall apply to all conditions below marked with **.

Reason: In order to define the permission and to secure development in accordance with the objectives of the development plan.

7 **Temporary Remediation Plan

Within three months of demolition, submit a Temporary Remediation Plan for the Council's approval setting out the measures that the Owner will adopt in undertaking the remediation of the site following the Demolition Phase to minimise the impacts on the health and amenity of the residents and to ensure that the Property is not left vacant, including:

(a) measures for temporary site remediation, taking into account any opportunities for community involvement

(b) an indicative programme for the future development of the Property incorporating a schedule for specific steps and milestones for delivery, and review after specific milestones have been reached and at least every six months

(c) indicative measures for landscape remediation in the event that no new development can be secured to commence at the Property within 24 months of demolition

(d) provision of information and mechanism for review.

Reason: In order to protect the conservation area, and the health and amenity of residents, in accordance with Policies A1 and D2 of the Camden Local Plan 2017.

8 ** Compliance Statement

A statement shall be submitted by the Owner to the Council for its approval demonstrating how any new development in relation to the Property permitted under any subsequent planning permission will meet the planning objectives of developing the Property, these being:

(a) The proposed approach to replacing all of the lost residential floorspace, in accordance with Policy H1 (maximising housing supply), Policy H3 (Protecting existing homes) and Policy H5 (Protecting and improving affordable housing) of the Local Plan;

(b) The proposed approach to maximising affordable housing with a minimum delivery of 50% affordable housing in total across the scheme, calculated by floorspace, with a mix of appropriate tenures including full re-provision of the lost social affordable floorspace as a minimum level of social affordable;

(c) The proposed approach to maximising sustainability measures achieving a zero carbon scheme and a minimum of 35% carbon reduction on site, in accordance with policy CC1 and CC2 of the Local Plan;

(d) The proposed approach to securing high quality design endorsed by the Camden Design Review Panel, which considers the contribution of the previous building as set out in the historic building record submitted to the Archaeology Data Service (ADS), in accordance with policies D1 and D2 of the Camden Local Plan 2017.

Reason: In order to secure the public benefits of the site Regeneration Strategy in accordance with policy D2 of the Camden Local Plan 2017.

9 ** Demolition Management Plan

Prior to commencement of development the Owner shall submit a Demolition Management Plan demonstrating how the Demolition Phase of the Development can be carried out safely and with minimal possible impact on and disturbance to the surrounding environment and highway network, in accordance with the Plan. The measures contained in the Demolition Management Plan shall at all times remain implemented during all works of demolition.

Reason: In order to protect the transport infrastructure, the environment, conservation area, and the health and amenity of residents, in accordance with Policies A1, D2, CC4, and T4 of the Camden Local Plan 2017.

10 **DMP monitoring fee

On or prior to Implementation, confirmation that the necessary measures for the provision monitoring the CMP shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the transport infrastructure, the environment, conservation area, and the health and amenity of residents, in accordance with Policies A1, D2, CC4, and T4 of the Camden Local Plan 2017.

11 **DMP bond

On or prior to Implementation, confirmation that the necessary measures for a

bond for the CMP shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the transport infrastructure, the environment, conservation area, and the health and amenity of residents, in accordance with Policies A1, D2, CC4, and T4 of the Camden Local Plan 2017.

12 Construction Management Plan (CMP)

All construction works shall be implemented in accordance with the approved CMP or other such details which have been submitted to and approved in writing by the local planning authority. The measures contained in the Construction Management Plans shall at all times remain implemented during all works of 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 G1, CC4, T4 and DM1 of the Camden Local Plan 2017.

Informative(s):

- 1 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 2 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.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations

need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

4 Construction related impacts - Mitigation

Mitigation measures to control construction-related air quality impacts should be secured within the Construction Management Plan as per the standard CMP Pro-Forma. The applicant will be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included.

5 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.

6 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).

7 Conditions marked with **

The matters covered by conditions 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 a relevant interest in the Application Site (which for the avoidance of doubt will not include disposals to individual tenants and occupiers) 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.

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 centered on a light grey rectangular background.

Daniel Pope
Chief Planning Officer