

Application ref: 2020/5330/P
Contact: Kristina Smith
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Date: 7 May 2021

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Tibbalds Planning and Urban Design
19 Maltings Place
169 Tower Bridge Road
London
SE1 3JB

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:

**Belle Vue Hampstead
Rowland Hill Street
London
NW3 2AD**

Proposal:

Variation of condition 19 (approved plans) of planning permission ref: 2014/6449/P dated 28/08/2015 (for Demolition of the existing student hostel building and replacement with a part 4, 6, 7, 10 storey building plus basement to provide extra-care accommodation for older people), namely to replace car stacker with car lift and associated reduction in car parking spaces

Drawing Nos: Existing plans- A213-A-(00)- 001, 101, 102, 103, 201, 202, 203, 204, 205, 206, 207, 208; Proposed plans- A213-A-(01)- 001, 104A, 105, A, 106A, 107A, 108A, 109A, 110A, 111A, 112A, 203A, 204A, 301A, 302A; 2755_GAD_130033_A, 2755_GAD_130032_A, 2755_GAD_130031_A, 2755_GAD_130021_A, 2755_GAD_130011_A; Car Parking Management Plan (by Lifestory dated October 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 the original planning permission ref. 2014/6449/P dated 28/08/2015.

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

- 2 The development shall be carried out in accordance with the design details approved under ref. 2017/4964/P or other such details which have been submitted to and approved in writing by 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 Camden Local Plan 2017.

- 3 The brickwork shall be carried out in accordance with the details approved under application ref. 2017/5491/P or other such details which have been submitted to and approved in writing by 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 Camden Local Plan 2017.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, 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 Camden Local Plan 2017.

- 5 The hard and soft landscaping shall be carried out in accordance with the details approved under application ref. 2018/2134/P or other such details which have been submitted to and approved in writing by the local planning authority.

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

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details, 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 policies A2, A3 and D1 of the Camden Local Plan 2017.

- 7 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

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

- 8 The remediation measures shall be implemented strictly in accordance with the details approved under application ref. 2015/7197/P or other such details which have been submitted to and approved in writing by the local planning authority.

A written report detailing the remediation shall be submitted to and approved by the local planning authority in writing prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with of policy A1 of the Camden Local Plan 2017.

- 9 The development shall not be occupied until the whole of the car parking provision shown on the approved drawings is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the occupiers and users of the development. The basement level carpark shall be operated in accordance with the Car Parking Management Plan dated October 2020 hereby approved.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets which would be contrary to policy T1 of the Camden Local Plan 2017.

- 10 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the building.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policies A1 and T4 of the Camden Local Plan 2017.

- 11 The cycle storage facility shall be provided in accordance with the details approved under application ref. 2015/7197/P or other such details which have been submitted to and approved in writing by the local planning authority. It shall be permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T2 of the Camden Local Plan 2017.

- 12 The photovoltaic cells shall be installed in accordance with the details approved under ref. 2018/3603/P or other such details which have been submitted to and approved in writing by the local planning authority. The cells shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies CC1, CC2 and D1 of the Camden Local Plan 2017.

- 13 The bird and bat boxes shall be installed in accordance with the details approved under application ref. 2019/5819/P or other such details which have been submitted to and approved in writing by the local planning authority. The bird and bat boxes shall be permanently retained thereafter.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policies A2 and A3 of the Camden Local Plan 2017.

- 14 The sustainable urban drainage system (SUDS) shall be implemented in accordance with the details approved under application ref. 2015/7197/P or other such details which have been submitted to and approved in writing by the local planning authority. The SUDS shall be permanently retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policy CC3 of the Camden Local Plan 2017.

- 15 The green roof shall be fully provided in accordance with the details approved under application ref. 2019/5819/P or other such details which have been submitted to and approved in writing by the local planning authority. The green roof shall be permanently 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 policies A2, A3, CC3 and D1 of the Camden Local Plan 2017.

- 16 Notwithstanding the provisions of Class A3 of the Schedule of the Town and Country Planning (Use Classes) Order, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the proposed ground floor cafe associated with the overall residential use shall not be used as a separate and independent Class E food and drink establishment.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of policies

A1 and T1 of the Camden Local Plan 2017.

- 17 The combined heat and power unit (CHP) shall be carried out in accordance with the details approved under application ref. 2016/1548/P or other such details which have been submitted to and approved in writing by the local planning authority.

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

- 18 Any piling must be undertaken in accordance with the terms of the piling method statement approved under application ref. 2019/5819/P or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To safeguard existing underground sewerage utility infrastructure and controlled waters in accordance with the requirements of policy CC3 of the Camden Local Plan 2017.

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

Existing plans- A213-A-(00)- 001, 101, 102, 103, 201, 202, 203, 204, 205, 206, 207, 208; Proposed plans- A213-A-(01)- 001, 104A, 105, A, 106A, 107A, 108A, 109A, 110A, 111A, 112A, 203A, 204A, 301A, 302A; 2755_GAD_130033_A, 2755_GAD_130032_A, 2755_GAD_130031_A, 2755_GAD_130021_A, 2755_GAD_130011_A

Supporting documents (all dated October 2014 unless otherwise stated)- Planning, Design and Access Statement by Tibbalds, Duggan Morris and Camlins; Townscape, Visual Impact and Heritage Statement by Peter Stewart; Statement of Community Involvement by Keeble Brown; Transport Assessment and Travel Plan (revision 5 dated 19.3.15) by Aecom; Daylight/sunlight and Overshadowing Assessment by JLL; Construction Management Plan by Aecom; Tree Survey and Arboricultural Statement by Camlins; Basement Impact Assessment by Elliot Wood; Sustainability and Energy Statement (revision B dated March 2015) by Max Fordham; Noise, vibration and ventilation Assessment by Max Fordham; Air quality Assessment by Aecom; Ecology Survey (phase 1) by White Young Green; Bartram's Planning Amendments dated April 2015; letters from JLL dated 16.3.15 (re light to school) and 9.4.15 (re light impact from revised scheme); email from Ian Thody dated 16.3.15 (re overshadowing); 0994-SA02 (sunlight amenity study plan); LL478-200-0003 (tree planting plan dated 13.3.15) and -0031 (tree protection plan dated 26.1.15); 213839d/002/P2 (below ground drainage plan); Car Parking Management Plan (by Lifestory dated October 2020)

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

Informative(s):

1 Reasons for granting permission-

The revisions largely relate to a change in the car parking system at basement and ground floor level, moving from the approved car stacker to a more traditional 'valet' system with car lift. The change has arisen because the manufacturing company ceased trading during the installation. As a result, the basement layout will be of a traditional car park layout, reducing the capacity from 28 spaces down to 18. This meets the current car parking requirements of the building as only 5 residents currently need a car parking space. The reduction in car parking spaces is welcomed as it helps the Council to achieve its objectives relating to energy and sustainability, air quality and congestion. The new alternative valet operational system is considered acceptable and will have no further impact on highway conditions or neighbouring amenity.

Separately, there are some minor diversions from the consented scheme at ground floor level, including slight revisions to the positioning and size of doorways and the incorporation of hit and miss brickwork. It is noted that, apart from the basement level car parking, the building has now completed and is considered to be of high quality design.

There are no associated amenity impacts with the changes.

The full impact of the scheme has already been assessed by virtue of the previous approval granted on 28/08/2015 under 2014/6449/P.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, H1, H4, H6, H7, H8, H10, C1, C6, D1, T1, T2, T4, A1, A2, A4, A5, CC1, CC2, CC3, CC4, CC5 and DM1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 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 2363).
- 3 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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.

- 4 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 5 This permission is granted without prejudice to the necessity 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 or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.
- 6 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.
- 7 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.
- 8 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.
- 9 You are advised that all wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). 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 nests.
- 10 You are advised that Thames Water makes the following comments on waste and water matters. They request the incorporation of a non-return valve to avoid the risk of sewerage backflow during storm conditions. They recommend that storm flows are attenuated through on or off site storage. Any proposal to discharge into a public sewer requires approval from Thames Water. You

should take account of the minimum water pressure in your design. Further advice in relation to this and the details required under condition 18 can be sought from Thames Water Developer Services on 0800 009 3921.


- 11 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.
- 12 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>.

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 written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer