

Application ref: 2021/1841/P
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Lambert Smith Hampton
UK House
180 Oxford Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:

**31 Daleham Gardens
London
NW3 5BU**

Proposal: Details of Condition 5 (Historic Building Recording), Condition 9 (Demolition Management Plan), Condition 10 (DMP Monitoring Fee) and Condition 11 (DMP Bond) granted under Planning Application reference 2020/2087/P dated 27/01/21 for demolition of the existing fire-damaged building.

Drawing Nos: Heritage Statement (as submitted with planning application ref 2020/2087/P); Evidence of submission to archival bodies; Demolition Management Plan and appendices; S106 Discharge Notice, 210527 31 Daleham Gardens_Historic Recording.

The Council has considered your application and decided to grant permission.

Informative(s):

1 Reasons for approval:

Conditions 5, 9, 10 and 11 were heads of terms in the Shadow S106 Agreement which the Council entered into with itself. These heads of terms were also imposed as conditions as the Council cannot undertake a formal

S106 Agreement with itself.

Historic building recording

Condition 5 requires a Level 2 Historic building recording to be secured in accordance with Historic England recording practice. The applicant has provided confirmation of the written scheme (Heritage Statement) having been submitted to the Historic Environment Records Office (GLAAS). A record of the search has also been provided to demonstrate that it is now officially recorded. This meets the requirements of condition 5 and therefore it can be discharged.

Demolition Management Plan (DMP)

Condition 9 required the submission of a DMP demonstrating how the demolition phase of the development will be carried out safely and with minimal possible impact on and disturbance to the surrounding environment and highway network. The applicant has provided the DMP that was submitted to and approved by the Council's Construction Management Plan team. This meets the requirements of the condition and therefore it can be discharged.

DMP monitoring fee

Condition 10 requires confirmation that the CMP monitoring fee has been provided. The applicant has provided a S106 Discharge Notice which confirms that the DMP bond and implementation and support contribution has been paid to the requirements of the condition. Condition 10 can be discharged on this basis.

DMP Bond

Condition 11 requires confirmation of the necessary measures for the DMP bond for the CMP. The applicant has provided a S106 Discharge Notice which confirms that the DMP bond and implementation and support contribution has been paid to the requirements of the condition and Shadow S106 Agreement. Condition 11 can be discharged on this basis.

The full impact of the scheme has already been assessed during the determination of the original application. The planning history of the site has been taken into account when coming to this decision. As such, the submitted details are in accordance with policies A1, D2, CC4, and T4 of the Camden Local Plan 2017.

- 2 You are reminded that conditions 7 **Temporary Remediation Plan and 8 ** Compliance Statement of planning permission granted on 27/01/2021 under Ref. 2020/2087/P require details to be submitted and approved.
- 3 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 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer