

Application ref: 2021/1017/P  
Contact: Kristina Smith  
Tel: 020 7974 4986  
Email: Kristina.Smith@camden.gov.uk  
Date: 8 September 2021

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Mr Marcos Sousa  
Unit 31  
Regents Studios  
London  
E8 4QN

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:  
**32 Glenilla Road**  
**London**  
**NW3 4AN**

#### **Proposal:**

Variation of conditions 2 (approved plans), 8 (compliance with BIA) and 9 (compliance with tree protection plan) of planning permission ref. 2016/6712/P dated 30/04/2019 (as amended by ref. 2020/1842/P dated 17/03/2021) for (Erection of two 3-storey plus basement dwelling houses (Use Class C3) with hard and soft landscaping following demolition of existing single storey church (Use Class D1), namely for amendments to basement depth and footprint and minor design changes

Drawing Nos: (Prefix 060/) Existing - 2001; 2010; 2020; 2050; 2051; 2052; 2053; 2060; Proposed - L304 (Rev 07); L302 (Rev 07); L301 (Rev 08); L300 (Rev 08); L204 (Rev 10); L203 (Rev 10); L301 (Rev 08); L104 (Rev 13); L103 (Rev 13); L102 (Rev 13); L101 (Rev 13); L100 (Rev 13); L100 (Rev 13)

Cover letter prepared by Tibbalds dated 5th December 2016; Design & Access Statement prepared by Adam Khan Architects dated 30th November 2016; Design & Access Statement Addendum prepared by Adam Khan Architects dated 02.10.17; Arboricultural Report prepared by Crown Consultants dated 15th February 2021; Geotechnical Interpretative Report and Basement Impact Assessment Revision 5 prepared by CGL dated September 2017; Daylight & Sunlight Report prepared Waterslade dated November 2016; Energy Statement prepared by Ritchie + Daffin dated 28 November 2016; Planning Statement prepared by Tibbalds dated December

2015; Letter Report by Card Geotechnics Ltd, ref. CG/18516c, dated 5 March 2020; Basement Comparison Sketch by Price and Meyers, ref. 24357-SK019, rev 1, dated 13 March 2020; Letter Report by Card Geotechnics Ltd, ref. CG/18516c, dated 17 May 2021; Pile Installation Case Studies Summary Worksheet by Card Geotechnics Ltd, dated April 2021; Method Statement by Golden Houses Developments Ltd, dated 13 May 2021.

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 permission 2016/6712/P dated 30/04/2019.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: (Prefix 060/) Existing - 2001; 2010; 2020; 2050; 2051; 2052; 2053; 2060; Proposed - L304 (Rev 07); L302 (Rev 07); L301 (Rev 08); L300 (Rev 08); L204 (Rev 10); L203 (Rev 10); L301 (Rev 08); L104 (Rev 13); L103 (Rev 13); L102 (Rev 13); L101 (Rev 13); L100 (Rev 13); L100 (Rev 13)

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

- 3 The development shall be carried out in accordance with the design details approved under application ref. 2020/4061/P (dated 02/06/21) or other such details that have been submitted to and approved in writing by the Local Planning Authority.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be constructed on site and retained on site for the duration of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 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 policies D1 and D2 of the Camden Local Plan 2017.

- 5 The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2); evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the Camden Local Plan 2017.

- 6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 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 D2 of the Camden Local Plan 2017.

- 7 The development shall be carried out in accordance with the basement engineer details approved under application ref. 2020/0459/P (dated 30/04/20). Any subsequent change or reappointment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the Camden Local Plan 2017.

- 8 The development hereby approved shall be carried out strictly in accordance with the BIA compiled by Card Geotechnics Limited dated October 2016 and the updated information compiled by Card Geotechnics (dated between March 2021 - May 2021) specifically insofar as it relates to a detailed works programme, condition surveys of neighbouring properties, movement monitoring and trigger values, trial pitting, groundwater monitoring, protection of the party wall, and boundary drainage.

Reason: To safeguard the appearance and structural stability of neighbouring

buildings and the character of the immediate area in accordance with the requirements of policies D2 and A5 of the Camden Local Plan 2017.

- 9 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Report dated 15/02/2021 by Crown Consultants. 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 BS5837:2012 and 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 Camden Local Plan.

- 10 The development shall be carried out in accordance with the sustainability statement approved under application ref. 2020/4061/P (dated 02/06/21) or other such statement that has been submitted to and approved in writing by the Local Planning Authority.

Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1 and CC2 of the Camden Local Plan 2017.

- 11 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

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

- 12 Prior to the construction and implementation of all hard and soft landscaping, means of enclosure and open areas not to be built on, full details shall have been submitted to and approved by the Council. Such details shall include details of at least 2 no. replacement trees, in the front garden, and 1 no. replacement tree, in the rear garden of 32a Glenilla Road, to be planted and maintained in accordance with BS8545:2014 and any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved. 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.

The relevant part of the works shall not be carried out otherwise than in

accordance with the details thus approved.

Reason: To enable the Council to ensure a reasonable standard of amenity in the scheme in accordance with the requirements of Policies D1 and A1 of the Camden Local Plan 2017.

- 13 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to first occupation of the residential units, or in the case of soft landscaping by not later than the end of the planting season following completion of the development. 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 amenity in the scheme in accordance with the requirements of Policies D1 and A1 of the Camden Local Plan 2017.

- 14 Full details in respect of the green roof in the areas indicated on the approved plans, including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for an initial scheme of maintenance shall be submitted to and approved by the local planning authority prior to the installation of the green roof. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3 and CC3 of the Camden Local Plan 2017.

- 15 The development shall be carried out in accordance with the heritage record approved under application ref. 2020/4061/P (dated 02/06/21). The recorded information must also be submitted to the Camden Archives and London Metropolitan Archive for their records.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.

- 16 Prior to occupation of the hereby approved units, the cycle storage as annotated on plan No. 060/2121r shall be provided in its entirety and permanently retained thereafter.

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

Informative(s):

## 1 Reasons for granting-

### Condition 2

Various amendments are proposed to the design of the property following detailed design stage. The rear building line has been cranked slightly at ground floor level so as to break up the massing previously achieved by a slight difference in heights, which has been lowered overall. A chimney feature has been added to this part of the building.

The arrangement of dormers at main roof level has been slightly amended and one dormer split into two smaller ones on both slopes to align with a revised internal plan. A dormer on the west elevation at first floor level has been changed to a rooflight.

Openings on the south elevation have been adjusted in proportion for consistency and slender metal baulstrades introduced.

All of the design amendments are considered minor in the context of the scheme and would preserve the overall quality and character of the architecture.

### Condition 8

It is proposed to amend the basement through slight alterations to the footprint, lowering the slab by 300mm and inclusion of two pump tanks.

Revised information including a Ground Movement Assessment has been audited by Campbell Reith who find the amended proposal to be acceptable and compliant with CPG Basements. The wording of condition 8 is amended to reflect the additional documents

### Condition 9

The wording of condition 9 is amended to refer to an updated Arboricultural report. The alteration to the basement's footprint will extend into the Root Protection Area (RPA) of T3; however, only 1% of the RPA will be affected and so the potential impact is considered negligible.

All other elements of the scheme shall remain consistent with the approved scheme.

By virtue of the nature of the amendments, the proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

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 A1, A2, A3, A5, H6, CC1, CC2, CC3, T1, T2, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework.

- 2 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).
- 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 You are advised that this proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the CIL form, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £33,900 (678sqm x £50) for the Mayor's CIL and £339,000 (678sqm x £500) for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to  
CIL@Camden.gov.uk

- 5 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.
- 6 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.

- 7 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.

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 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the name and title of the signatory.

Daniel Pope  
Chief Planning Officer