

Application ref: 2021/2384/P
Contact: Nathaniel Young
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Date: 25 May 2022

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

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

Savills
33 Margaret Street
London
W1G 0JD

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:
16 Avenue Road
London
NW8 6BP

Proposal:

Variation of Condition 3 (approved drawings) of planning permission ref: 2016/5375/P dated 05/06/2017(for the 'Erection of a 2 storey (plus basement and loft), 7 bed dwellinghouse and associated re-landscaping following the demolition of existing house'), namely to alter fenestration (including dormer windows) and sub-basement floor slab; to add ventilation duct and to reposition car lift, driveway and lightwell.

Drawing Nos: (Prefix (932)) 215_PL01, 216_PL01, 217_PL01, 218_PL01, 219_PL01, 222_PL01, 226_PL01, 210_PL01, 211_PL01, 212_PL01, 213_PL01, 214_PL01, 220_PL01, 221_PL01, 225_PL01

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 2016/5375/P dated 05/06/2017.

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

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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 London Borough of Camden Local Plan 2017.

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

(Prefix 1611-FE-) 100 rev A, 011 rev 0, 012 rev 0, 013 rev 0, 014 rev 0, (Prefix (932)) 215_PL01, 216_PL01, 217_PL01, 218_PL01, 219_PL01, 222_PL01, 226_PL01, 210_PL01, 211_PL01, 212_PL01, 213_PL01, 214_PL01, 220_PL01, 221_PL01, 225_PL01

Arboricultural Assessment report ref WCEL/PEW/AIA/0708:16 rev 1 (dated Sept 2016); Ecological Appraisal report (dated Sept 2016); Draft Landscaping report (dated 9th Sept 2016); Noise Impact Assessment report ref 2932_001R_1-0 (dated Sept 2016); Areas Scheme report rev L (dated 29 Sept 2016); Sustainability Strategy ref 1609-27ba (dated 30 Sept 2016); Daylight and Sunlight report ref 11004 (dated Sept 2016); Strategic Summary of Mechanical and Electrical Building Services report (dated 30 Sept 2016); Planning Statement (dated Sept 2016); Design and Access statement (prepared by Wolfe architects Sept 2016); Structural Engineering Report and Subterranean Construction Method Statement rev P3 (dated Sept 2016); Drainage Strategy and SuDS Statement rev P2 (dated Sept 2016); Flood Risk Assessment rev P2 (dated Sept 2016); Desk Study & Basement Impact Assessment 116255/R1.1 (dated Sept 2016); Parking Provision assessment (160729-05a); Indicative front garden landscape plan (dated 25/08/16).

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

- 4 The proposed landscaping works shall be carried out in accordance with the details previously approved under application ref: 2020/0830/P. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 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 prior to the occupation for the permitted dwelling, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) 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, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 The sustainable urban drainage system shall be carried out in accordance with the details previously approved under application ref: 2020/0830/P. The system is based on a 1:100 year event with 30% provision for climate change and demonstrating 50% attenuation of all runoff. The system shall be implemented as part of the development and thereafter 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 policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the first occupation of the building, a plan showing details of the green roof 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 a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter 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 D1 and A3 of the London Borough of Camden Local Plan 2017.

- 8 The development hereby approved shall achieve a maximum internal water use of 110 litres/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 policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 9 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 G1, D1, D2 and

- 10 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post-installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 11 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and 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 and CC2 of the London Borough of Camden Local Plan 2017.

- 12 The replacement tree planting works shall be carried out in accordance with the details previously approved under application ref: 2020/0830/P.

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 D1, D2, A1 and A3 of the London Borough of Camden Local Plan 2017.

- 13 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted documents as being removed, shall be retained and protected from damage in accordance with the recommendations of the submitted Arboricultural Assessment report ref WCEL/PEW/AIA/0708:16 rev 1 (dated Sept 2016).

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A1 and A3 of the London Borough of Camden Local Plan 2017.

- 14 Any trees on or immediately adjacent the site 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 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 A1 and A3 of the London Borough of Camden Local Plan 2017.

- 15 Prior to first occupation of the development, a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

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 A3 and CC2 of the London Borough of Camden Local Plan 2017.

- 16 The replacement 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 C6 of the London Borough of Camden Local Plan 2017.

- 17 The combined heat and power unit (CHP) stack and its height relative to the mechanical ventilation air inlet locations shall be implemented in accordance with the details previously approved under application ref: 2020/0830/P. Air inlet locations should be located away from roads and the CHP stack to protect internal air quality.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 18 The proposed development shall be carried out in accordance with the air quality assessment previously approved under application ref: 2020/0830/P. The assessment meets the Mayor's 'air quality neutral' requirements and the proposed CHP plant complies with the emissions standards as set out in the Mayor's Sustainable Design and Construction SPG.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 19 Site drainage layouts, with dimensions and levels, of service trenches and other excavations on site shall be carried out in accordance with the details previously approved under application ref: 2020/0830/P and retained as such thereafter.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A1 and A3 of the London Borough of Camden Local Plan 2017.

- 20 Privacy screens, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected along either side return of the proposed first floor rear terrace prior to commencement of its use and shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 21 Prior to the occupation of the dwelling, the second floor northern side dormer window serving bedroom 7 shall be obscured and fixed shut to a height of 1.7 metres above the floor level of the room. The obscure glazing shall be permanently retained thereafter.

Reason: In order to prevent overlooking of the neighbouring occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 22 In accordance with the details previously approved under application ref: 2020/0830/P, a suitably qualified chartered engineer with membership of the appropriate professional body must inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

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 D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

-Reorientation of the approved car lift on the front driveway

The approved development included a car lift positioned at an angle to the main dwelling. There is no change in the number of vehicles that could be parked on-site as a result of the proposed amendment. The layout of the

driveway and landscaping would not change the vehicle capacity of the site. This amendment would have no significant design or transport impact.

-Relocation of the lightwell to the rear of the building

To the rear of the approved dwelling, the proposed lightwell has been reconfigured compared to the approved layout. The repositioning is considered to be a minor change which would not detrimentally impact upon the character and appearance of the building or neighbouring amenity.

-Internal layout changes and associated amendments to position of some windows on side and rear elevations

The revised fenestration is considered to be more sympathetic to the architectural style of the house and as such is acceptable. The internal layout changes would have no material impact on the quality of accommodation.

-Ventilation duct enclosures

These would appropriately be integrated into the building in a non-invasive manner and would not have a material impact upon the overall appearance of the building.

-Sub-basement floor slab

Minor changes have been proposed to the position and layout of the basement slab in the area around the services void to serve the swimming pool. This has not resulted in any increased area but simply a relocation of some elements within the overall approved basement 'box'.

The structural effect of this change has been reassessed by appropriate engineers who have confirmed that this will not alter the technical results within the existing approved Basement Impact Assessment. This element of the proposal has been reviewed by the Council's independent engineering consultants who raise no concerns. There will be no material change relative to the approved scheme.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing the conservation area, under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in general accordance with policies D1, D2, A1, A4, A5, T1 and T2 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework 2021.

- 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 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, 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 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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.

- 5 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.
- 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.

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 printed name and title.

Daniel Pope
Chief Planning Officer