

Application ref: 2020/5974/P
Contact: Sofie Fieldsend
Tel: 020 7974 4607
Email: Sofie.Fieldsend@camden.gov.uk
Date: 26 July 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

Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**5B Prince Arthur Road
London
NW3 6AX**

Proposal:

REVISIONS RECEIVED: Demolition of existing dwelling and construction of replacement dwelling with basement and associated landscaping

Drawing Nos: EX_100; EX_000; EX_001; EX_002; EX_003; EX_004; EX_005;
EX_006; EX_007; EX_008; EX_009; EX_010; GA_000 Rev.D; GA_100 Rev.C;
GA_101 Rev.D; GA_102 Rev.C; GA_103 Rev.C; GA_104 Rev.C; GA_105 Rev.C;
GA_106 Rev.C; GA_200 Rev.C; GA_201 Rev.C; GA_202 Rev.C; GA_203 Rev.C;
GA_204 Rev.C; GA_205 Rev.C; GA_206 Rev.C; GA_207 Rev.C; GA_208; GA_209;
GA_210;

Basement Impact Assessment ref.9634_SL_GB_BIA 2.0 dated 18th Dec 2020 by Simpson Eng; Basement Impact Assessment Audit Rev.F1 Dated Dec 2020 by Campbell Reith; Sustainability and energy statement dated Jan 2022 by Iceni; Daylight/sunlight letter from David Maycox & Co dated 10/12/20; Tree survey and arboricultural method statement dated Nov 2020 by TreTec; Tree Protection Plan V2 Dated Nov 2020 and Addendum to Tree Surveys dated July 2021 by TreTec.

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

EX_100; EX_000; EX_001; EX_002; EX_003; EX_004; EX_005; EX_006; EX_007; EX_008; EX_009; EX_010; GA_000 Rev.D; GA_100 Rev.C; GA_101 Rev.D; GA_102 Rev.C; GA_103 Rev.C; GA_104 Rev.C; GA_105 Rev.C; GA_106 Rev.C; GA_200 Rev.C; GA_201 Rev.C; GA_202 Rev.C; GA_203 Rev.C; GA_204 Rev.C; GA_205 Rev.C; GA_206 Rev.C; GA_207 Rev.C; GA_208; GA_209; GA_210;

Basement Impact Assessment ref.9634_SL_GB_BIA 2.0 dated 18th Dec 2020 by Simpson Eng; Basement Impact Assessment Audit Rev.F1 Dated Dec 2020 by Campbell Reith; Sustainability and energy statement dated Jan 2022 by Icen; Daylight/sunlight letter from David Maycox & Co dated 10/12/20; Tree survey and arboricultural method statement dated Nov 2020 by TreTec; Tree Protection Plan V2 Dated Nov 2020 and Addendum to Tree Surveys dated July 2021 by TreTec.

Reason:

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

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including plans, coloured elevations and sections at 1:10 of all new windows (including jambs, head and cill), bay, doors, balustrades, and associated elements; and

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials including a brick panel (to be provided on site). Samples of materials to be provided at a suitable size (eg. 1x1m) and alongside all neighbouring materials.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course 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 and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan (2018).

- 4 Prior to occupation of development and installation of ASHP, full details in respect of the ASHP in the area indicated on the approved site plan including a

noise reporting showing it will comply with the noise criteria outline in condition 5 shall be submitted to and approved by the local planning authority. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing LA90 (15 minutes) measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment

The ASHP 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.

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 London Borough of Camden Local Plan 2017.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 15dB(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 London Borough of Camden Local Plan 2017.

- 6 Before occupation of the development, details of secure and covered cycle storage area for 3 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017 and Policy TT4 of the Hampstead Neighbourhood Plan (2018).

- 7 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The living roofs 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.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 8 The development (excluding demolition) hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to 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. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. 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 and Policies DH1, DH2 and BA1 of the Hampstead Neighbourhood Plan (2018).

- 9 The development hereby approved shall be carried out strictly in accordance with the Basement Impact Assessment ref.9634_SL_GB_BIA 2.0 dated 18th Dec 2020 by Simpson Eng and the recommendations in the Basement Impact Assessment Audit Rev.F1 Dated Dec 2020 by Campbell Reith.

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 and Policy BA1 of the Hampstead Neighbourhood Plan (2018).

- 10 No development (excluding demolition) shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing.

Details should not allow for more than one off-street parking space to be accommodated on site. 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 and to ensure that the development does not create additional off-street car parking in accordance with the requirements of policies A2, A3, A5, D1, D2 and T2 of the London Borough of Camden Local Plan 2017 and Policies BA1, NE4, DH1 and DH2 of the Hampstead Neighbourhood Plan (2018).

- 11 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 any phase of the development, 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 and Policies BA1, NE4, DH1 and DH2 of the Hampstead Neighbourhood Plan (2018).

- 12 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 Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 13 Prior to occupation of the development, the applicant will have constructed and implemented all the measures contained in the approved Sustainability and energy statement dated Jan 2022 by Iceni and such measures shall be permanently retained and maintained thereafter.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with Policies G1, C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

- 14 The use of the roof as a terrace shall not commence until the balustrade, as shown on the approved drawings, has been constructed. The balustrade shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the

- 15 Prior to the commencement of any works on site, details in line with the Tree survey and arboricultural method statement dated Nov 2020 by TreTec, Addendum to Tree Surveys dated July 2021 by TreTec and Tree Protection Plan V2 Dated Nov 2020 demonstrating how trees to be retained shall be protected during construction work shall be implemented . Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 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 London Borough of Camden Local Plan 2017 and Policy NE2 of the Hampstead Neighbourhood Plan (2018)

- 16 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.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy D1 [and D2 if in CA] of the London Borough of Camden Local Plan 2017.

- 17 Only the roof area indicated as terrace at 1st floor as shown on plan ref.GA_102 Rev.C shall be used as amenity space, the remaining roof shown as planted shall not be used at any time as amenity space, and any access out onto these areas shall be for maintenance purposes only.

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

- 18 The demolition hereby approved shall divert 95% of demolition waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to reducing waste and supporting the circular economy in accordance with the requirements of Policy CC1 of the London Borough of Camden Local Plan 2017, Camden Planning Guidance, and Policy SI 7 of the London Plan 2021.

- 19 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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.
- 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 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.
- 5 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.

- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer