

Application ref: 2021/2368/P  
Contact: Josh Lawlor  
Tel: 020 7974 2337  
Email: Josh.Lawlor@camden.gov.uk  
Date: 13 April 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](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Simply Planning Limited  
Suite 204  
Cheltenham house  
Temple Street  
Birmingham  
B2 5BG

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:

**Land adjacent to  
1 St John's Wood  
London  
NW8 6QS**

Proposal:

Variation of conditions 2 (approved drawings/documents), 3 (design details), 6 (Structural Engineer Details), 9 (Air inlet locations) and 14 (cycle storage) and removal of conditions 15 (Landscape details) and 17 (living roof) of planning permission 2018/4763/P dated 25/11/2019 (as varied under planning permission 2019/6323/P dated 15/07/20 for 'Redevelopment of former garage site to form 6 storey (plus basement) residential block containing 9 units with associated amenity space, cycle store, plant, and waste storage'; namely to extend the rear wall at ground to fourth floor levels; relocate waste and cycle stores; make alterations to side access; reduce internal ceiling heights (and overall height of the building); replace roof level railings with 'mansafe system'; and extend side basement wall).

Drawing Nos: Drawing Nos: IA SJWP Landcaping Design, (PL) 500 B - Basement Floor Plan, (PL) 501 E Ground Floor Plan, (PL) 502 B First Floor Plan, (PL) 503 B Second Floor Plan, (PL) 504 B Third Floor Plan, (PL) 505 B Fourth Floor Plan, (PL) 506 C Fifth Floor Plan, (PL) 507 D Roof Plan, (PL) 600 F Front Elevation, (PL) 601 F Side Elevation North, (PL) 602 F Rear Elevation (West), (PL) 603 F Side Elevation (South) (PL) 700 B Section A-A, (PL) 701 D (Section BB) , Planting dated 11/08/2021, Materials dated 11/08/2021, Maintenance Schedule 11/08/2021, Engineer Details dated 02/10/2020, List of samples/specifications provided 10/11/2021& 23/11/2021

Energy and Sustainability Statement Rev.F by Envision 21/09/2021; Centair CMEV.4e Datasheet Noise Assessment Statement of Conformity Ref: P18-492-L01 by Hepworth Acoustics dated 22/01/2019; Daylight and Sunlight Statement of Conformity Ref:13025 by GIA dated 21/01/2019; Basement Impact Assessment Version 1.0 by Ridge dated 11/01/2019; Basic/Screening Air Quality Assessment Ref: WIE15480-100-R-1-2-1 by Waterman Infrastructure & Environmental Ltd dated January 2019; Noise Assessment Ref:P18- 492-R01 by Hepworth Acoustics dated October 2018; Financial Viability Assessment by Grimshaw Consulting Ltd dated October 2018; Affordable Housing Statement by Grimshaw Consulting Ltd dated 10/10/2018; Daylight and Sunlight Overshadowing Assessment Ref:13025 by GIA dated 28/09/2018; Daylight and Sunlight Report Ref:13025 by GIA dated 01/10/2018; Transport Statement by Ridge dated 01/10/2018; Townscape Assessment dated October 2018; Asgard Bike Store Details & Sheffield Cycle Stand Specification by Broxap.

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 ref: 2018/4763/P dated 25/11/2019.

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:

Drawing Nos: IA SJWP Landcaping Design, (PL) 500 B - Basement Floor Plan, (PL) 501 E Ground Floor Plan, (PL) 502 B First Floor Plan, PL 503 B Second Floor Plan, (PL) 504 B Third Floor Plan, (PL) 505 B Fourth Floor Plan, (PL) 506 C Fifth Floor Plan, (PL) 507 D Roof Plan, (PL) 600 F Front Elevation, (PL) 601 F Side Elevation North, (PL) 602 F Rear Elevation (West), (PL) 603 F Side Elevation (South) (PL) 700 B Section A-A, (PL) 701 D (Section BB) , Planting dated 11/08/2021, Materials dated 11/08/2021, Maintenance Schedule 11/08/2021, Engineer Details dated 02/10/2020, List of samples/specifications provided 10/11/2021& 23/11/2021

Energy and Sustainability Statement Rev.F by Envision 21/09/2021; Centair CMEV.4e Datasheet Noise Assessment Statement of Conformity Ref: P18-492-L01 by Hepworth Acoustics dated 22/01/2019; Daylight and Sunlight Statement of Conformity Ref:13025 by GIA dated 21/01/2019; Basement Impact Assessment Version 1.0 by Ridge dated 11/01/2019; Basic/Screening Air Quality Assessment Ref: WIE15480-100-R-1-2-1 by Waterman Infrastructure & Environmental Ltd dated January 2019; Noise Assessment Ref:P18- 492-R01 by Hepworth Acoustics dated October 2018; Financial Viability Assessment by Grimshaw Consulting Ltd dated October 2018; Affordable Housing Statement by Grimshaw Consulting Ltd dated 10/10/2018; Daylight and Sunlight Overshadowing Assessment Ref:13025 by GIA dated 28/09/2018; Daylight and Sunlight Report Ref:13025 by GIA dated 01/10/2018; Transport Statement by Ridge dated 01/10/2018; Townscape Assessment

dated October 2018; Asgard Bike Store Details & Sheffield Cycle Stand Specification by Broxap.

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

- 3 The relevant part of the works shall be carried out in accordance with the design details and specifications of facing materials hereby approved.

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 London Borough of 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.

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 London Borough of Camden Local Plan 2017.

- 5 No flat roofs within the development shall be used as terraces unless marked as such on the approved plans, without the prior express approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan.

- 6 The development hereby approved shall be completed by the newly appointed chartered engineer Peter Krige as referred to in the email dated 12/05/2020. The engineer shall 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 and A5 of the London Borough of Camden Local Plan 2017.

- 7 The basement shall be constructed in accordance with the details, recommendations, methodologies and mitigation measures in the Basement Impact Assessment Version 1.0 by Ridge dated 11/01/2019, and its supporting documents hereby approved.

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 and A5 of the London Borough of Camden Local Plan 2017.

- 8 The development hereby approved shall achieve a maximum internal water

use of 105 litres/person/day, allowing 5 litres/person/day for external water use.

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 London Borough of Camden Local Plan 2017.

- 9 The details of the mechanical ventilation system including air-inlet locations shall be constructed and maintained in accordance with the details hereby approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, D1 and CC4 of the London Borough of Camden Local Plan 2017.

- 10 All Non-Road Mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and/construction phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies G1, A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

- 11 Internal noise levels in habitable rooms shall comply with BS8233:2014 guidance criteria for indoor ambient noise levels in residential dwellings when they are unoccupied and Table B, Appendix 3: Noise Thresholds of the Local Plan.

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental noises sources in accordance with the requirements of policies G1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 12 Prior to the installation of any items of fixed plant associated with the operation of the development, a noise report shall be submitted to and approved in writing by the local planning authority.

The noise report shall demonstrate that cumulative sound levels from external building services and fixed plant are 10dB or more below the lowest background sound level (15dB if tonal components are present) at the nearest sensitive receptor at any time.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with policy A4 of the Camden Local Plan 2017.

- 13 Prior to first occupation of the residential units, the refuse and recycling storage areas shall be completed and made available for occupants of that plot.

The development shall not be implemented other than in accordance with such measures as approved. All such measures shall be in place prior to the first occupation of any residential units and shall be retained thereafter.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy CC5 of the London Borough of Camden Local Plan 2017.

- 14 The approved cycle storage facility shall 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.

- 15 The first floor northerly unit (3b, 4p), indicated as such on the plan numbers hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (3), with all other units being 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.

- 16 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details (1A SJWP Proposed Landscaping Design, Planting Dated 11/08/2021, Materials dated 11/08/2021, Maintenance Schedule, 11/08/2021) by not later than the end of the planting season following completion 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, A5 and D1 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission-

The application seeks to vary the following conditions- 2 (approved plans) by referring to revised plans showing minor design alterations and an alternative

Energy Statement; 3 (design details) to refer to approved details of all architectural features and facing materials; 6 (appointed Structural Engineer) to refer to a new engineer; 9 (Air inlet locations) to show locations of the air inlets; 14 (Cycle storage) to remove reference to refuse and recycling storage areas. The application also seeks to remove 15 (Landscape details), as details have now been submitted, and condition 17 (living roof), as this is no longer necessary.

The introduction of a door into front garden from the ground floor unit is acceptable and has a privacy film to protect amenity. The recess to the north window has been reduced in length to fit within the internal layout which is acceptable. The second floor (typical) window levels have been adjusted for a variety of reasons including construction methodology and window alignments. However, the respective size differences are relatively minor and would not have a detrimental impact on the appearance of the façade.

Most of the roof plant remains behind the decorative upstand and will not be visible from the street. The only roof plant which exceeds the height of the decorative upstand is the smoke shaft. The smoke shaft specifications are fixed and cannot be reduced. In design terms the smoke shaft has been positioned in a central section of the roof. Therefore, whilst its height is fixed, locating the smoke shaft in a central part of the site will ensure any visual manifestation from ground level is negligible.

In terms of amendments to windows, the sizes have changed to comply with the 'protected areas' requirement under Approved Document B (fire). This only affects the rear façade due to its proximity to the road.

Overall the design changes are acceptable and will not harm the appearance of the building and streetscene.

Alterations to the PV layout are necessitated. As a result, there is insufficient space at roof level to account for the redesigned recesses, mansard, safety and access requirements for the PV units. The green roof is not able to be provided due to the enlarged area of PV panels, thus condition 17 requiring such details is no longer necessary. This is acceptable in design and biodiversity terms and has been justified in the updated Energy Report (Rev F).

Whilst there has been a reduction in PV panels, the updated Energy Report demonstrates that the scheme remains policy compliant. In total the development reduces CO<sub>2</sub> emissions by 22.46% over the Part L 2013 baseline, thereby complying with Camden Local Plan and London Plan energy policies. This is secured in the Deed of Variation to the approved S106 agreement.

The applicant has provided details of the air-inlet locations which are located to the rear away from the main road and as close to roof level, to protect internal air quality. Condition 9 is varied to secure compliance with these details.

The appointed engineer for the project has changed. The new engineer holds the required qualifications and therefore condition 6 can be varied to refer to his details.

Condition 14 referred to 'refuse and recycling' areas. This was a typographic error and has been reworded to secure the implementation of the cycle storage area as shown on the approved drawings.

A landscape plan and species list has been provided, including maintenance schedule, hard surfacing materials and planting specification to meet the requirements for condition 15. These details are considered acceptable in visual amenity and biodiversity terms and are secured by condition 16.

- 2 Details for condition 3 (railings, windows, facing materials and brickwork) have been provided within this application. The Council's Design Officer has inspected these samples on site and confirms that the details would be in accordance with the approved scheme and provide a high quality appearance and contextual response to the surrounding area.

The proposed alterations would not make any changes to the overall height and scale of the building and would not introduce any new fenestration or additional levels of overlooking. As such, the proposal is considered not to impact on the residential amenities of nearby occupiers above that of the original permission.

No comments have been received following public consultation on this scheme. The full impact of the scheme has already been assessed. The planning history of the application site was considered prior to this determination.

A further Deed of Variation will be needed to the original S106 agreement to refer to the new drawing numbers and energy strategy.

As such, the proposed development is in general accordance with policies A1, A2, A3, A4, A5, D1, T1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017, the London Plan 2021 and the National Planning Policy Framework 2021.

- 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](http://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 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.
- 6 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).
- 7 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](http://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.

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



Daniel Pope  
Chief Planning Officer