

Application ref: 2021/5920/P
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Date: 19 April 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
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planning@camden.gov.uk
www.camden.gov.uk/planning

The Basement Design Studio
Maple Court (Suite 17)
Grove Park
White Waltham
SL6 3LW

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:

**33 and a half Mill Lane
London
NW6 1NZ**

Proposal:

Excavation of single storey basement and associated front lightwell incorporating external stairwell from basement to ground floor level plus a glazed roof light within the front driveway, all in association with the existing dwelling.

Drawing Nos: Existing plans: 21-021-01 (sheet 1 of 3); 21-021-01 (sheet 2 of 3); 21-021-01 (sheet 3 of 3)

Proposed plans: 21-021-02B (sheet 1 of 3); 21-021-02B (sheet 2 of 3); 21-021-02B (sheet 3 of 3)

Supporting documents: Covering letter by The Basement Design Studio dated 02/12/2021; Basement Impact Assessment by Croft Structural Engineers dated November 2021; Flood Risk Assessment by Croft Structural Engineers dated 01/12/2021; Geotechnical Interpretative Report and Ground Movement Assessment by Maund Geo-Consulting dated June 2022; Tree Support Statement by Tree Projects dated 27/10/2021; Construction / Demolition Management Plan proforma.

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-
Existing plans: 21-021-01 (sheet 1 of 3); 21-021-01 (sheet 2 of 3); 21-021-01 (sheet 3 of 3)
Proposed plans: 21-021-02B (sheet 1 of 3); 21-021-02B (sheet 2 of 3); 21-021-02B (sheet 3 of 3)
Supporting documents: Covering letter by The Basement Design Studio dated 02/12/2021; Basement Impact Assessment by Croft Structural Engineers dated November 2021; Flood Risk Assessment by Croft Structural Engineers dated 01/12/2021; Geotechnical Interpretative Report and Ground Movement Assessment by Maund Geo-Consulting dated June 2022; Tree Support Statement by Tree Projects dated 27/10/2021; Construction / Demolition Management Plan proforma.

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

- 3 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 policy D1 of the London Borough of Camden Local Plan 2017.

- 4 The development 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 and A5 of the London Borough of Camden Local Plan 2017.

- 5 The development shall not be carried out other than in accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment prepared by Croft Structural Engineers dated November 2021 hereby approved, including but not limited to the monitoring requirements in section 7.4.4 and confirmation at the detailed design stage that the damage

impact assessment would be limited to Burland Category 1.

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 2017.

- 6 The cycle parking space located within the bin / bike store on the front forecourt as shown on drawing no 21-021-02B hereby approved shall be provided 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.

Informative(s):

- 1 Reasons for granting permission.

Basement works-

The proposed basement would be single storey in height and would extend under the footprint of the existing dwelling to provide an ancillary family room and study. It would also partially extend below the existing driveway to the front and incorporate a new lightwell with external staircase to access the basement and provide some daylight. The basement would provide 40.6 sq.m of additional floor space.

The basement would be expressed externally by a new vehicular-rated skylight within the front forecourt and new external stair that includes a glazed balustrade. The building is of a contemporary design and the use of glass complements the existing design of the house which includes large glazed openings. The ground floor front elevation is screened from views from the street by 2m high metal vehicular gates so any views of the external stairs would be mainly screened from any public vantage point.

The size, layout and depth of the basement would comply with criteria in Policy A5 and CPG Basement guidance. A Basement Impact Assessment has been submitted and audited by the Council's independent engineers who confirm the BIA accords with policy and guidance and would not harm the built or natural environment, local hydrogeological conditions, flooding or stability of the host or neighbouring buildings. Damage to neighbouring properties would be no greater than Burland Category 1, in accordance with policy requirements.

Amenity-

The application building is adjacent to a similarly sized two storey dwelling house (no. 33G) that was granted planning permission in 2010 (ref 2010/5732/P). The proposed basement would not result in any harmful impact on the amenity of the neighbouring property in terms of daylight, sunlight, outlook or privacy as the works are mainly contained at basement level. The properties fronting Hillfield Road are at a higher level than the properties fronting Mill Lane and are approximately 14m away. The proposed works would have a satisfactory relationship with these properties in terms of impact

on their amenity. Noise from any construction works would be controlled by Environmental Health legislation and a Construction Management Plan would be secured to minimize the impact on neighbouring amenity.

Trees-

A London Plane Tree is located in the rear garden of no. 14 Hillfield Road. A 2 storey dwelling (no. 33G) has been constructed in the rear garden of no. 16 which separates the application site at rear of no.18 and the garden of no. 14. The majority of the roots from the tree have been retained within the garden of no. 14 by a retaining wall and the foundations of no. 33G. A tree statement has been submitted in support of the application which the Council's Tree Officer has reviewed. It is considered that, given the distance of the site from the tree, the change in levels and previous development at a neighbouring site, there would be no impact of the basement works on the plane tree.

Cycle parking-

As part of the original planning permission for the erection of the new dwelling, 1 cycle parking space was provided in the forecourt and was secured by condition. The new external stair from basement level and driveway space would restrict the area for a cycle parking space in the front forecourt. However the cycle parking space would continue to be provided within the existing bin / bike store in the front forecourt. A condition would be attached to ensure the retention of this space.

2 Construction Management Plan (CMP)-

Due to the nature and scale of basement excavation on this restricted site, a CMP would need to be secured to minimize the impact on the highway infrastructure and neighbouring community. A CMP implementation support contribution of £3,920 and a Construction Impact Bond of £7,500 would be secured by section 106 legal agreement in accordance with Policy A1.

Concerns have been raised by a local resident about the location of the skip during the construction phase. It is proposed to locate a skip on the carriageway adjacent to the site. The Council's Transport officer has advised that the currently proposed location of the skip would block the road when vehicles are parked in the parking bays on the opposite side of the road. Solutions to this would be discussed and agreed as part of the Construction Management Plan (CMP) which would be secured through a s106 legal agreement.

Highways Contribution-

The footway directly adjacent to the site is likely to sustain damage because of the proposed excavation works to construct the basement. The Council would need to undertake remedial works to repair any damage following completion of the proposed development. A highways contribution would need to be secured as a section 106 legal agreement.

Approval in Principle (AIP)-

The development would involve excavations adjacent to the public highway. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed excavations. The applicant would be required to submit an AIP report. This report together with an associated

assessment fee of £1,938.83 would be required to be secured via a legal agreement.

One letter of objection was received following public consultation which has been addressed above. One letter raising no objections was also received. These comments and the planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A3, A5, CC3, D1 and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021, and the National Planning Policy Framework 2021.

- 3 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 4 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.
- 5 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).
- 6 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.
- 7 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.

- 8 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:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope
Chief Planning Officer