

Application ref: 2022/0889/P  
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Date: 30 May 2023

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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Marek Wojciechowski Architects  
66-68 Margaret St  
London  
W1W 8SR

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**38 Chester Terrace  
London  
NW1 4ND**

Proposal:

Amendments to planning permission ref 2020/5801/P dated 18.5.21 for various internal and external works to dwelling, namely further alterations to pavement vaults, main roof, and rear elevation and courtyard.

Drawing Nos: Cover Letter Revision A dated 23/03/2023, P0200, P1100; P1101; P1102; P1102; P1200; P1201; P1202; P0599 REV D; P0600 REV C; P0601 REV B; P0603 REV A; P0605 REV A; P0700 REV C; P0701 REV A; P0702 REV C; P0800 REV A; P0801 REV C; P0802; REV D; P1999 REV D; P2000 REV C; P2001 REV D; P2002 REV B; P2003 REV B; P2005 REV B; P2100 REV B; P2101 REV B; P2102 REV D; P2103 REV D; P2200; REV A; P2201 REV E; P2202 REV F; P1103, P0602, P2290 REV B – Proposed Lower Ground Floor RCP, P2291 REV D – Proposed Upper Ground Floor RCP, P2292 REV D – Proposed First Floor RCP, P2293 REV D – Proposed Second Floor RCP, P2294 REV C – Proposed Third Floor RCP.

Design and Access Statement Revision E by MWA dated 03/03/2022; Photographic room survey by MWA dated December 2020; Door and Window Schedule Revision D by MWA dated 03/03/2023, 11122/1601 rev C2, Geo-Environmental Desk Study and Basement Screening Assessment by Jomas Associates Ltd dated 09/04/2021 and associated Appendices (Part 1, 2, and 3) dated November 2020, Environmental Noise Report for Planning by Cundall dated 01/02/2022.

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: Cover Letter Revision A dated 23/03/2023, P0200, P1100; P1101; P1102; P1102; P1200; P1201; P1202; P0599 REV D; P0600 REV C; P0601 REV B; P0603 REV A; P0605 REV A; P0700 REV C; P0701 REV A; P0702 REV C; P0800 REV A; P0801 REV C; P0802; REV D; P1999 REV D; P2000 REV C; P2001 REV D; P2002 REV B; P2003 REV B; P2005 REV B; P2100 REV B; P2101 REV B; P2102 REV D; P2103 REV D; P2200; REV A; P2201 REV E; P2202 REV F; P1103, P0602, P2290 REV B – Proposed Lower Ground Floor RCP, P2291 REV D – Proposed Upper Ground Floor RCP, P2292 REV D – Proposed First Floor RCP, P2293 REV D – Proposed Second Floor RCP, P2294 REV C – Proposed Third Floor RCP. Design and Access Statement Revision E by MWA dated 03/03/2022; Photographic room survey by MWA dated December 2020; Door and Window Schedule Revision D by MWA dated 03/03/2023, 11122/1601 rev C2, Geo-Environmental Desk Study and Basement Screening Assessment by Jomas Associates Ltd dated 09/04/2021 and associated Appendices (Part 1, 2, and 3) dated November 2020, Environmental Noise Report for Planning by Cundall dated 01/02/2022.

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

- 4 The development hereby approved shall be carried out strictly in accordance with the BIA (and other supporting documents) compiled by Jomas Associates, as well as the recommendations in the Basement Impact Assessment Audit Report Rev. F1 prepared by Campbell Reith, dated April 2021.

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 Prior to the installation of any items of fixed plant associated with the

development hereby approved, details of the plant machinery and a noise report shall be submitted to and approved in writing by the Local Planning Authority. 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 10dBA, by 15dBA 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. The report should reference the proposed noise limits included in Table 5-1 of the environmental noise report dated 01/02/2022. A post-installation noise assessment shall be carried out 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 site and surrounding premises is not adversely affected by noise from plant and equipment in accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 The final drainage design shall be implemented in accordance with the details as approved on 14.10.22 under ref 2022/2107/P.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CC3 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission.

The proposed alterations are based on the approved works granted permission under ref 2020/5801/P dated 18 May 2021.

The proposal seeks to marginally increase the depth of excavation of the pavement vaults to the front of the property already approved. This will not go deeper than existing foundations and is not deemed to be harmful to local structural or hydrogeological conditions. It does not represent any perceivable change to the character or special interest of the listed building nor to the conservation area.

To the rear of the building, the replacement window at upper ground floor would be a timber sliding sash to match adjacent windows on neighbouring properties. The air bricks to be added to the rear elevation are considered modest and inconspicuous. They will be black cast iron which is considered an appropriate material. The re-positioned housing of plant and associated amended staircase in the rear courtyard is considered acceptable, as the courtyard is below ground level on Chester Close North and the proposal keeps it in this inconspicuous location. It is noted that the external air conditioning units and associated enclosure have been approved by permission ref 2021/4041/P.

Existing rooflights will be replaced with larger ones in similar positions. The previously approved roof terrace and access staircase are now to be removed from the scheme, such that the roof form will not be as significantly modified.

All changes proposed are considered minor in nature and acceptable. None of the works proposed are considered to harm the significance of the listed building and the terrace of which it is part, nor harm the character and appearance of the wider Regents Park Conservation Area.

The proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook and privacy or of noise disturbance.

No objections have been raised. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

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.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.66 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Thus the proposal is in general accordance with policies A1, A5, D1 and D2 of the Camden Local Plan 2017. The proposal also accords with the London Plan 2021 and the provisions of the 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](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.


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-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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope  
Chief Planning Officer