

Application ref: 2022/0675/P
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Date: 19 July 2023

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

Phone: 020 7974 4444

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www.camden.gov.uk/planning

SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:

**12 Eldon Grove
London
NW3 5PT**

Proposal:

Excavation of basement level and front lightwell; erection of rear single storey extension at ground floor and side/rear extension at first floor; Roof extension involving erection of rear dormer and installation of rear/side rooflights; fenestration alterations; front/rear landscaping alterations and installation of front cycle and bin stores

Drawing Nos: E-001; E-002; E-003; E-004; E-100; E-110; E-130; E-200; E-300; E-301; E-302; E-303; D-001; D-100; D-110; D-300; D-301; D-302; D-303; P-002 Rev.B; P-003 Rev.A; P-004 Rev.A; P-090; P-100 Rev.A; P-110 Rev.A; P-120 Rev.B; P-130 Rev.B; P-200 Rev.A; P-201 Rev.A; P-300 Rev.B; P-301 Rev.B; P-302 Rev.B and P-303 Rev.B.

Supporting documents:

Daylight and sunlight report by Anstey Horne dated Dec 2021; Metal cladding by KSR Architects; Basement Impact Assessment by Byrne Looby, ref. 9001-BIA-001 dated January 2022; Basement Impact Assessment Geo Technical Note by Byrne Looby dated 28/03/2023; Sustainable Urban Design Report ref. Reference 9001-SUDS-001 by Byrne Looby dated 06/01/2021; PDisp and XDisp inputs and outputs from Byrne Looby (dated 21/10/2022, 18/11/2022, 24/01/2023 and 14/02/2023.) and E-mail from Paddock GeoEngineering dated 09/09/2022.

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:

E-001; E-002; E-003; E-004; E-100; E-110; E-130; E-200; E-300; E-301; E-302; E-303; D-001; D-100; D-110; D-300; D-301; D-302; D-303; P-002 Rev.B; P-003 Rev.A; P-004 Rev.A; P-090; P-100 Rev.A; P-110 Rev.A; P-120 Rev.B; P-130 Rev.B; P-200 Rev.A; P-201 Rev.A; P-300 Rev.B; P-301 Rev.B; P-302 Rev.B and P-303 Rev.B.

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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 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 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, check for compliance with the design (as approved by the local planning authority and building control body) 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 BA1, BA2, BA3, DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. 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.

- 6 The basement development shall be constructed in accordance with the method and recommendations set out in the following documents: Basement Impact Assessment by Byrne Looby, ref. 9001-BIA-001 dated January 2022; Basement Impact Assessment Geo Technical Note by Byrne Looby dated 28/03/2023; Sustainable Urban Design Report ref. Reference 9001-SUDS-001 by Byrne Looby dated 06/01/2021; PDisp and XDisp inputs and outputs from Byrne Looby (dated 21/10/2022, 18/11/2022, 24/01/2023 and 14/02/2023.), E-mail from Paddock GeoEngineering dated 09/09/2022; and the recommendations set out in Campbell Reith's audit report revision F1 dated April 2023.

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 BA1, BA2, BA3, DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission.

The proposed basement which is largely contained within the footprint of the house and expressed externally by a small front lightwell and to the rear as a walk on skylight is acceptable. The front lightwell, covered by a flush grate with planting in front, would be discrete and acceptable. The rear element above ground marginally projects beyond the rear extension and would appear as a raised terrace. The basement is considered to comply with the criteria set out in CPG basements.

It is noted the property has a distinctive asymmetrical roof with two pitches to the rear and the proposal will extend this to create a larger hipped roof, with a rear dormer and two side rooflights. It is considered that the roof extension would be subordinate with proportionate scaled rooflights and dormer.

At ground floor, the proposed single storey extension would not be full width as it is set in from the sides with a maximum rear projection of 3.2m. It would be clad in bronze with aluminium fenestration which helps differentiate it as a modern addition and its materiality is acceptable in this lower-level location which is not publicly visible. The infill extension at first floor is set back from the rear elevation and will match the materials and fenestration of the existing building. These extensions are considered to appear as subordinate extensions to the host property that respect the character of the host property and sufficient garden space would be retained.

A modest cycle store will be erected in the rear garden screened by the existing wall and a bin store in the rear garden which would be acceptable.

It is considered that the proposal overcomes the previous design related reason for refusal (ref. 2021/0143/P). It is considered that the development would constitute a proportionate addition in relation to the host property and would not appear out of character. Overall, the development in terms of its siting, scale and detailed design is not considered to harm the character of the host property, streetscene or conservation area.

A basement Impact Assessment (BIA) was submitted and independently audited by Campbell Reith in accordance with basement policy A5. It demonstrated that the proposals would not cause harm to neighbouring properties, structural, ground or water conditions of the area. The appointment of a suitably qualified chartered engineer to oversee the permanent and compliance with the BIA methodology are secured by pre-commencement conditions. There is a national rail tunnel in close proximity, TfL were consulted and raised no objection.

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 Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Concerns were raised by No.11 about the rear extension causing loss of light to rear garden. A daylight/sunlight report was submitted and showed that all the windows and the garden of this property would experience no or fractional decreases and would comply with BRE guidance.

Given the separation distances, the proposed extensions are unlikely to have a detrimental material impact on existing neighbour's amenity through loss of daylight, outlook or privacy.

Highways officers reviewed the development and concluded that a S106 legal agreement securing a CMP, a CMP monitoring fee, construction impact bond, highways contribution and approval in principle is required.

No trees are proposed to be removed to facilitate the development and a condition would secure details of tree protection measures.

Two objections were received during the statutory consultation period and duly taken into consideration in an associated consultation summary. The planning history of the site has been taken into account when coming to this decision.

- 2 As such, the proposed development is in general accordance with policies A1, A2, A3, A4, A5, CC3, D1, D2, T1, T2, T4 and DM1 of the Camden Local Plan 2017 and policies BA1, BA2, BA3, DH1, DH2, NE2, NE4, TT1 and TT4 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework 2021.
- 3 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).
- 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 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 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

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

Daniel Pope
Chief Planning Officer