

Application ref: 2023/2415/P
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Date: 13 December 2023

Development Management
Regeneration and Planning
London Borough of Camden
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Novak Hiles Architects
Flat 3
29 Croftdown Road
London
NW5 1EL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:

**70 Lady Margaret Road
London
NW5 2NP**

Proposal:

Excavation of new basement level; demolition of existing rear extensions and erection of replacement three storey rear extensions; fenestration alterations; reinstatement of original eaves line; installation of front and rear rooflights; front and rear landscaping alterations; and associated external works including installation of refuse and cycle storage.

Drawing Nos:

Supporting documents: Design and Access Statement (prepared by Novak Hiles Architects, dated 18/05/2023); BS 5837 Arboricultural Report & Impact Assessment (prepared by Crown Tree Consultancy, dated 27/02/2023); Tree Constraints Plan CCL 11413 / TCP Rev 1; Tree Schedule; Arboricultural Method Statement CCL 11413 Rev 1 (prepared by Crown Tree Consultancy, dated 25/10/2023); Basement Impact Assessment 22276-SYM-XX-XX-RPT-S-0001 Rev F (prepared by Symmetrys Structural / Civil Engineers, dated 13/10/2023); Basement Impact Assessment Audit D1 (prepared by Campbell Reith, dated September 2023); Basement Impact Assessment Audit F1 (prepared by Campbell Reith, dated October 2023).

Drawings: NH110_A_3_00_001_P01; NH110_A_3_00_005_P01;
NH110_A_3_01_010_P01; NH110_A_3_01_050_P01; NH110_A_3_01_100_P01;
NH110_A_3_01_110_P01; NH110_A_3_01_120_P01; NH110_A_3_01_130_P01;
NH110_A_3_01_140_P01; NH110_A_3_01_200_P01; NH110_A_3_01_210_P01;
NH110_A_3_01_300_P01; NH110_A_3_01_310_P01; NH110_A_3_01_800_P01;

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: Design and Access Statement (prepared by Novak Hiles Architects, dated 18/05/2023); BS 5837 Arboricultural Report & Impact Assessment (prepared by Crown Tree Consultancy, dated 27/02/2023); Tree Constraints Plan CCL 11413 / TCP Rev 1; Tree Schedule; Arboricultural Method Statement CCL 11413 Rev 1 (prepared by Crown Tree Consultancy, dated 25/10/2023); Basement Impact Assessment 22276-SYM-XX-XX-RPT-S-0001 Rev F (prepared by Symmetrys Structural / Civil Engineers, dated 13/10/2023); Basement Impact Assessment Audit D1 (prepared by Campbell Reith, dated September 2023); Basement Impact Assessment Audit F1 (prepared by Campbell Reith, dated October 2023); NH110_A_3_00_001_P01; NH110_A_3_00_005_P01; NH110_A_3_01_010_P01; NH110_A_3_01_050_P01; NH110_A_3_01_100_P01; NH110_A_3_01_110_P01; NH110_A_3_01_120_P01; NH110_A_3_01_130_P01; NH110_A_3_01_140_P01; NH110_A_3_01_200_P01; NH110_A_3_01_210_P01; NH110_A_3_01_300_P01; NH110_A_3_01_310_P01; NH110_A_3_01_800_P01; NH110_A_3_01_810_P01.

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 and Policy D3 of the Kentish Town Neighbourhood Plan 2016.

- 4 The approved cycle storage facility provided space for four bicycles shall be provided in its entirety and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.

- 5 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Method statement ref.CCL11413/TTP rev.1 dated 25/10/2023 by Crown Tree Consultancy. 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 BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

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 No development shall take place until full details of hard and soft landscaping, to include details of at least two replacement trees, and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. 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 in accordance with the requirements of policies A2, A3, A5, and D1 of the London Borough of Camden Local Plan 2017.

- 7 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. 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, and D1 of the London Borough of Camden Local Plan 2017.

- 8 Prior to commencement of development, full details to demonstrate the proposed internal measures to ensure the development has been designed to mitigate flood risk and cope with potential flooding including a suitable positive pump device or non-return valves to protect against sewer flooding should be submitted to the Local Planning Authority and approved in writing.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC2 and CC3 of the London Borough of Camden Local Plan 2017 and Policy

SI 13 of the London Plan 2021.

- 9 'Symmetrys Structural/Civil Engineers' shall inspect, agree 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. Should there be a subsequent change or reappointment, the replacement shall be a suitably qualified chartered engineer with membership of the appropriate professional body and 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 continuation of basement construction works. Any subsequent change or reappointment shall also 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.

- 10 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment by Symmetrys, ref. 22276-SYM-XX-XX-RPT-S-0001 Revision F dated 13/10/2023 and the recommendations set out in Campbell Reith's audit report revision F1 dated October 2023, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1 and A5 of the London Borough of Camden Local Plan 2017.

- 11 The flat roofs of the extensions hereby approved shall not be used at any time as amenity space, and any access out onto these areas shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 12 The outbuilding hereby approved shall only be used for ancillary purposes to 70 Lady Margaret Road and shall not be used as a separate residential dwelling or business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers and prevent substandard living accommodation and excessive on-street parking pressure in accordance with policies A1, H6 and T2 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

The application site is a four storey semi-detached house located on the eastern side of Lady Margaret Road, close to the junction with Brecknock Road. It is not located within a conservation area but is within the Kentish Town Neighbourhood Area.

The proposed basement is modestly sized and would be located primarily underneath the proposed rear extensions. Although the basement is sited past the principal rear elevation, no part of the basement extends into the garden further than the existing or proposed rear extensions, so it is considered a subordinate addition that would have minimal impact on the host property. The basement would be accessed through an internal staircase leading into the ground floor kitchen and through sunken access into the rear garden, which would read as discrete and appropriate. It is considered that the basement complies with the criteria set out in CPG 'Basements'.

A basement impact assessment (BIA) was also submitted, which was independently audited by Campbell Reith in accordance with Policy A5. This demonstrated that the proposals would not cause harm to neighbouring properties, or the structural, ground, or water conditions of the area. The BIA was prepared by Symmetrys Structural/Civil Engineers, who will also oversee the permanent and temporary construction works and ensure compliance with the methodology set out in the BIA; Symmetrys involvement with the development is secured by condition, and any change in the overseeing engineer is required to be approved in writing by the Council. The shower room within the basement would be fitted with non-return valves to prevent issues of sewer surcharge, and the topography of the area and location of the property towards the top of the hill that Lady Margaret Road sits on means that there is not considered to be a risk of flooding. Given that the site is located on a previously flooded street (though last in 2002), details of internal measures to mitigate against flood risk are secured by condition.

At ground level and above, it is proposed to replace the existing extensions with new replacement extensions, which would be roughly the same proportions and mass as currently exists. The ground floor extension would not increase any further in depth but would increase in width slightly so that it matches the width of the host property. There are a number of full width rear extensions with matching depth in this row of houses, so it is not considered that this proposal would be an inappropriate or out of character addition. The widening is also relatively modest, with an approximate increase in width of 1.8m at the largest point of increase. Most of the rear extensions are also single storey, and would have flat green roofs, which would reduce the visual impact of the extensions. The first floor extension would be very similar in area to the existing extension, but would be reduced slightly in depth and width, and would be matched at second floor level; here there would be an increase in massing, as there is currently a small rear extension and pitched roof at sixth level. However, given the steeper pitch of the existing roof at this level and the proposed flat roof of the extension, the change in massing is not substantial and the proposed extension would still read as a subordinate addition. It is also worth noting that the nearest neighbouring window also serves a stairwell, so not a habitable room.

- 2 The proposed rear extensions would all be constructed of brick to match the existing building with modern timber framed windows. They would also all feature flat roofs, which when combined with the proposed materials, would help differentiate the extensions as modern additions separate from the main building. Although the extensions would be publicly visible from street level, they would largely read as similar in scale and appearance to the existing arrangement, and the removal of pitched roofs would actually reduce public visibility in some places. In summary, all of the proposed rear extensions are considered to be subordinate additions to the host property that mostly match the existing scale and massing and respect the character of the host property.

It is also proposed to replace the glazing to the side dormer and install three new rooflights - one to the rear slope and two to the front slope. These would be minor additions that are small in scale and would be subordinate to both slopes and the host building itself. There would also be very limited public visibility of the rooflights, and there are many front and rear rooflights and additions in neighbouring roof slopes and within the surrounding area. The two chimneys to the side roof slope would be unaffected by all of the works.

In the rear garden, it is proposed to replace the existing shed with a new one, which would be located closer to the rear boundary and further from the host property. The replacement shed would be constructed with timber cladding and would have a green roof, which would give it an appearance that is in character with the host property and surrounding area. It would be modest in size, measuring approximately 6.8 sqm in area and approximately 2.5m tall. As such, it would be subordinate to the main dwelling house. Its use as ancillary to the residential use of the host property would be secured by a condition.

In terms of its siting, scale, and detailed design, the development is not considered to harm the character of the host property or wider area.

In terms of amenity impacts, it is not considered that none of the proposed extensions or additions would result in unacceptable harm to neighbouring amenity. The massing of the rear extensions would not result in significant loss of life, particularly as the depth would be reduced at higher level extensions on the first and second floors, and all the proposed rear extensions would have flat roofs, reducing the height in most places. The rear elevations of the host and neighbouring buildings facing south-east would also mean that any overshadowing resulting from the rear extensions would be limited to mornings and would be unlikely to have a detrimental material impact on the existing neighbour's amenity in terms of loss of daylight. The similarity in scale and massing between the existing and proposed structure would mean that there is not considered to be a detrimental impact on outlook or privacy, as no new opportunities for overlooking are created.

The Council's Transport Officer has reviewed the proposal and concluded that a Section 106 legal agreement would be required to secure a Construction Management Plan (CMP), CMP implementation support contribution, and impact bond. Cycle storage space for four cycles is also proposed to the front garden area, which would be contained within a timber store next to a refuse/recycling store, both of which would have green roofs and be screened

by planting and the front boundary wall. These are considered acceptable additions that would not harm the property or the streetscene, and the addition of cycle storage would comply with Policy T1 of the Local Plan. The provision of this cycle storage would be secured by condition.

- 3 The proposal involves the removal of a category C cherry tree, which is of low public visibility and is not considered to significantly contribute to the character and appearance of the area. It is proposed to plant two replacement trees, the details of which would be secured by condition. A separate condition would ensure that the trees to be retained are protected in accordance with submitted details, which have been reviewed by the Council's Trees and Landscape Officer. The proposal also involves the landscaping of the front and rear gardens, as well as the walkway along the side elevation of the house, which would entail the replacement of the existing hardstanding with permeable paving, which would be supported. A significant amount of garden space is maintained and neither the landscaping nor the extensions reduce the amenity or biodiversity value of the rear garden.

No objections were received prior to this decision being made, and one letter of support was received. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with Policies A1, A3, A5, D1, CC3, and T1 of the London Borough of Camden Local Plan 2017 and Policies D3 and GO3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the National Planning Policy Framework 2023 and the London Plan 2021.

- 4 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).
- 5 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.
- 6 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.

- 7 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', written over a faint rectangular stamp.

Daniel Pope
Chief Planning Officer