

Application ref: 2021/2410/P  
Contact: Josh Lawlor  
Tel: 020 7974 2337  
Email: [Josh.Lawlor@camden.gov.uk](mailto:Josh.Lawlor@camden.gov.uk)  
Date: 17 January 2024

**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)

Proficiency Design & Build  
31 - 35 Fortune Green Road  
London  
NW6 1DU

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:  
**40 Leighton Road**  
**London**  
**NW5 2QE**

Proposal:  
External alterations including basement excavation and rear extension with front lightwell and railings, installation of bifold crittall doors and skylight to rear basement level extension, new sash windows to rear elevation.

Drawing Nos: PR-01, PR-02-F, PR-03-F EX-01-A, EX-02-A, EX-03-A, TW-101

Ground Movement and Building Damage Assessment Report Ref. 70572-2 dated 20/06/2022, Basement Impact Assessment - Land Stability Ref. 70572-2 April 2021, Basement Impact Assessment Rev\_3 08/02/2022.

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 and reports-

PR-01, PR-02-F, PR-03-F EX-01-A, EX-02-A, EX-03-A.

Ground Movement and Building Damage Assessment Report Ref. 70572-2 dated 20/06/2022, Basement Impact Assessment - Land Stability Ref. 70572-2 April 2021, Basement Impact Assessment Rev\_3 08/02/2022.

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

- 4 The appointed 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, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 5 The basement works hereby approved shall be carried out in accordance with the Basement Impact Assessment (and supporting documents) as approved in Campbell Reiths audit Report dated 23/11/2022.. Any change to the basement design or construction methodologies as approved shall be submitted to the local planning authority for approval in writing prior to their implementation.

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.

- 6 The development shall be carried out in accordance with the Temporary Works Method Statement Dwg Number TW-101 dated to retain and protect the front elevation. The development shall not be carried out other than in accordance with the approved details.

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

Informative(s):

1 Reasons for granting permission-.

The basement extension to the rear includes a skylight and the formation of a lightwell to the front. There are several examples of front lightwells and gardens with railings in the street, and it would therefore not harm the established character of the terrace and wider conservation area.

The first floor rear extension and mansard roof extension initially proposed have been removed from the plans. These elements were considered to cause harm to the original character and proportions of the host building and the appearance of the wider conservation area.

The proposed single storey rear extension at lower ground level is secondary to the host building in terms of scale. The bifold crittal style doors are acceptable in terms of design. There will be new sash windows to the rear upper floors which is welcomed. The external wall finish will be yellow brick to match the existing.

The extensions are not considered harmful to the character of the rear elevation and the established pattern of rear development in the area, particularly given the existing extensions to No.38.

The size of the proposed basement with lightwells would comply with policy A5 criteria f) to m). The applicant has supplied a Basement Impact Assessment (BIA) and this has been audited by the Council's appointed independent auditor, Campbell Reith. The proposed basement development has been found to comply with all necessary requirements in relation to its impact on surroundings. Given the scale, complexity and impact of this proposal, the audit has not identified the need for a basement construction plan. Each stage of the BIA has been carried out by engineering professionals who hold qualifications relevant to the matters being considered. Conditions would be added to ensure that the methodologies and recommendations of the BIA are adhered to in the final design, and a suitably qualified chartered engineer is engaged with responsibilities throughout the design and construction of the basement. Subject to these provisions, the basemen meet the terms of policy A5.

The extensions would not harm the amenity of neighbouring occupiers as it would not project beyond the neighbouring rear building line.

The Council needs to ensure that the development can be implemented without being detrimental to amenities or the safe and efficient operation of the highway network in the local area. The application is granted subject to a S106 legal agreement for a construction management plan (CMP) and a CMP implementation support contribution in accordance with Local Plan policies A1 and T4.

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 (ERR) 2013.

Two objections were received prior to the determination of this application and have been addressed in a separate consultation summary. 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, D1, D2, T4, A5 and A3 of the Camden Local Plan. The proposed development also accords with The London Plan March 2021, Kentish Town Neighbourhood Plan 2016 and 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 positioned above the printed name and title.

Daniel Pope  
Chief Planning Officer