

Application ref: 2022/3416/P  
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Date: 7 February 2024

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE  
Phone: 020 7974 4444

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felix db limited  
12 Chichester Road  
London  
NW6 5QN  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:  
**70 Gascony Avenue**  
**London**  
**NW6 4NE**

Proposal:  
Excavation of existing cellar to create an enlarged single storey basement.

Drawing Nos: A001 REV2; A002 REV2; A003 REV2; A003 REV2; A004 REV2; A005 REV2; A006 REV2; A201 REV2; A202 REV2; A203 REV2; A204 REV2; A203 REV2; A204 REV2; A205 REV2; A206 REV2; A301 REV2; A302 REV2; A303 REV2; A304 REV2; A304 REV2; A305 REV2; A306 REV2; A401 REV2; A402 REV2; A601 REV2; 081114-CUR-XX-ZZ-RP-GE-001 REV3; 21.535-01; 21.535-02; 21.535-03; 21.535-04; 21.535-05; 21.535-TP101 to TP103; FDB-70GA-A -1 REV1; Basement Calculation and Construction Method Statement Structural Drawing; Construction Method Statement by Martin Redston Associates Consulting Civil & Structural Engineers dated 5th July 2022; Phase 1 Geotechnical Desktop Study by Site Analytical Services Ltd dated April 2022; Basement Impact Assessment Audit by Campbell Reith dated REV1 dated April 2023 and Basement Impact Assessment by Site Analytical Services Ltd dated April 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; A001 REV2; A002 REV2; A003 REV2; A003 REV2; A004 REV2; A005 REV2; A006 REV2; A201 REV2; A202 REV2; A203 REV2; A204 REV2; A203 REV2; A204 REV2; A205 REV2; A206 REV2; A301 REV2; A302 REV2; A303 REV2; A304 REV2; A304 REV2; A305 REV2; A306 REV2; A401 REV2; A402 REV2; A601 REV2; 081114-CUR-XX-ZZ-RP-GE-001 REV3; 21.535-01; 21.535-02; 21.535-03; 21.535-04; 21.535-05; 21.535-TP101 to TP103; FDB-70GA-A -1 REV1; Basement Calculation and Construction Method Statement Structural Drawing; Construction Method Statement by Martin Redston Associates Consulting Civil & Structural Engineers dated 5th July 2022; Phase 1 Geotechnical Desktop Study by Site Analytical Services Ltd dated April 2022; Basement Impact Assessment Audit by Campbell Reith dated REV1 dated April 2023 and Basement Impact Assessment by Site Analytical Services Ltd dated April 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 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, 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. 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 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.

- 5 Prior to commencement of any piling, a piling method statement shall be submitted to and approved in writing by the local planning authority. The Method Statement shall be prepared in consultation with Thames Water or the relevant statutory undertaker, and shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

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 host building is a three-storey end of terrace residential property located to the north of Gascony Avenue to the immediate north of Smyrna Road with residential properties to the east and south. There is an existing part-basement, including a small front garden and slightly larger rear garden area. Planning permission is sought for the excavation of the existing cellar for an enlarged basement under the footprint of the original dwelling.

At lower ground floor level, the proposed basement extension would extend beneath the original dwelling. The proposed basement consists of a single storey construction formed by lowering the existing basement area at the front of the development site to c. 3 metres below ground level and extending it to cover the footprint of the existing main dwelling. The only external manifestation of the basement would be 2 x circular windows to the west elevation. The proposed windows would be at basement level, and as such it is considered that it would not harm the appearance of the building.

The Basement Impact Assessment (BIA) submitted with the application has been independently assessed by the Council's third party engineering consultants, with subsequent revisions and further information provided during the course of the application. The audit reviewed the BIA for potential impact on land stability and local ground and surface water conditions arising from basement development. The revised BIA assessments predict movements in line with a maximum of Burland Category 1 (Very Slight) damage to neighbouring properties, the founding depths of the underpins have been clarified and the assessment updated accordingly, which the Audit accepts. Suitable geotechnical information, temporary works plans and design calculations have also been included in the revised BIA, and are accepted. The Audit confirms that the BIA has met the requirements of Policy A5 and CPG Basements for the identification of the potential impacts of the proposed basement construction and the proposed mitigation. However, a movement monitoring strategy is recommended during construction. A condition would be added to ensure that a suitably qualified chartered engineer is engaged with

responsibilities throughout the design and construction of the basement.

Thames Water raised no objection subject to a condition preventing construction close to the water main without details of diversion, and the associated conditions and an informative about water pressure. These have been attached.

The Council's Transport Planner has assessed the proposal and confirmed that a Construction Management Plan would not be required for the proposed development. To ensure the proposed excavations will not affect the stability of the adjacent highway, an 'Approval in Principle' (AIP) report will be required to be submitted to and approved by the Council's Highways Structures and Bridges Team within Engineering Services prior to commencement of development. The AIP and associated assessment fee would be secured via a s106 legal agreement.

Overall, the proposal is considered to preserve the character and appearance of the wider area.

Due to the location and nature of the proposed development, the works would not impact the amenity of neighbouring residential occupiers in terms of loss of outlook, daylight/sunlight or privacy.

No objections were received following statutory consultation. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposed development is in general accordance with policies A1, A5 and D1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 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.

- 5 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

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