

Application ref: 2022/1537/P
Contact: Nora-Andreea Constantinescu
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Date: 14 February 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

www.camden.gov.uk/planning

Savills
33
Margaret Street
London
W1G 0JD
undefined

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**42 Elsworthy Road
London
Camden
NW3 3DL**

Proposal:

Erection of two-storey west side extension following demolition of existing structure, demolition and rebuilt of existing east side extension; basement excavation with front, rear lighthwells as per app ref 2019/0149/P dated 14/09/2020; extension of front, side dormers; new side dormer - south west elevation; increase doors height at lower ground floor rear; increase height of vehicular gates and piers to front; like for like replacement of all single glazed with double glazed timber sash windows; new landscaping; provision of bin and cycle storage to front garden; new plant equipment in rear garden; demolition and rebuild of front steps, all to reconfigure the existing three flats. [Amended description]

Drawing Nos: Site location plan; 2164-PL-002-0; 2164-PL-009-0; 2164-PL-010-0; 2164-PL-011-0; 2164-PL-012-0; 2164-PL-013-0; 2164-PL-014-0; 2164-PL-015-0; 2164-PL-020-0; 2164-PL-021-0; 2164-PL-022-0; 2164-PL-023-0; 2164-PL-024-0; 2164-PL-026-0; 2164-PL-030-0; 2164-PL-034-0; 2164-PL-036-0; 2164-PL-038-0; 2164-PL-202-C; 2164-PL-208-A; 2164-PL-209-B; 2164-PL-210-C; 2164-PL-211-C; 2164-PL-212-A; 2164-PL-213-A; 2164-PL-214-A; 2164-PL-215-A; 2164-PL-220-C; 2164-PL-221-B; 2164-PL-222-B; 2164-PL-223-B; 2164-PL-224-C; 2164-PL-226-B; 2164-PL-230-A; 2164-PL-234-B; 2164-PL-236-C; 2164-PL-238-C; 2164-PL-266-0; 2164-PL-202-B; 2164-PL-109-B; 2164-PL-110-B; 2164-PL-111-B; 2164-PL-112-A; 2164-PL-113-A; 2164-DE-114-A; 2164-DE-115-A; 2164-PL-120-B; 2164-PL-121-A; 2164-PL-122-A; 2164-DE-123-A; 2164-PL-124-B; 2164-PL-126-B; 2164-PL-130-A;

2164-DE-134-A; 2164-PL-136-B; 2164-PL-138-B; 2164-PL-021-A; 2164-PL-102-B; EMTEC Noise Impact of the Proposed New External Plant QF9166/PF7110/RP2 dated 22/02/2022; Design & Access Statement - PL Rev C dated 19 January 2023 by WOLDD ARCHITECTS; Daylight and sunlight report by HOLLIS dated 04 November 2022; Note on 42 Elsworthy Road, London, Nw3 3DL Planning Application Ref 2022/1537/P by Savills dated 11 November 2022 to state basement currently under construction; Revised Basement Impact Assessment by Create Consulting Engineers Ltd, ref: CB/CS/P17-1308/01/Rev E, dated November 2022; Revised Structural Engineers Statement by Axiom Structures Limited, ref.: 21142, rev P4, dated 11 June 2022; Revised Architectural Drawings by Wolff Architects including demolition, existing and proposed plans and sections, dated 28th March 2022 unknown, Rev. B0; Revised Arboricultural Impact Assessment by John Cromar's Arboricultural Company Ltd ref.: S87-J4-AMSCI-1, dated August 2022; Underpinning Wall Design by WBD Structures, ref.:2022113-WDB-TW-REP003, dated April 2023; Revised Ground Movement Assessment by CGL, ref.: CGL/09996, Rev. 1 dated May 2023.

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 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.

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Details including sections at 1:10 of all new windows (including jambs, head and cill), ventilation grills, external doors as granted under Approval of Details application 2023/1735/P dated 06/07/2023;
- b) Manufacturer's specification details of all facing materials for the western two storey extension, and sample photos of those materials. Samples of the materials should be kept on site at all times during the construction, as granted under Approval of Details application 2023/1215/P dated 23/06/2023;
- c) Details of lighthwells grills, scale 1:10;
- d) Details including sections at 1:10, 1:20 of glazing structure on the eastern side, facing no. 40 Elsworthy Road.

The relevant part of the works shall be carried out in accordance with the

details thus approved and all approved samples shall be retained on site during the course of the works.

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 development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan; 2164-PL-002-0; 2164-PL-009-0; 2164-PL-010-0; 2164-PL-011-0; 2164-PL-012-0; 2164-PL-013-0; 2164-PL-014-0; 2164-PL-015-0; 2164-PL-020-0; 2164-PL-021-0; 2164-PL-022-0; 2164-PL-023-0; 2164-PL-024-0; 2164-PL-026-0; 2164-PL-030-0; 2164-PL-034-0; 2164-PL-036-0; 2164-PL-038-0; 2164-PL-202-C; 2164-PL-208-A; 2164-PL-209-B; 2164-PL-210-C; 2164-PL-211-C; 2164-PL-212-A; 2164-PL-213-A; 2164-PL-214-A; 2164-PL-215-A; 2164-PL-220-C; 2164-PL-221-B; 2164-PL-222-B; 2164-PL-223-B; 2164-PL-224-C; 2164-PL-226-B; 2164-PL-230-A; 2164-PL-234-B; 2164-PL-236-C; 2164-PL-238-C; 2164-PL-266-0; 2164-PL-202-B; 2164-PL-109-B; 2164-PL-110-B; 2164-PL-111-B; 2164-PL-112-A; 2164-PL-113-A; 2164-DE-114-A; 2164-DE-115-A; 2164-PL-120-B; 2164-PL-121-A; 2164-PL-122-A; 2164-DE-123-A; 2164-PL-124-B; 2164-PL-126-B; 2164-PL-130-A; 2164-DE-134-A; 2164-PL-136-B; 2164-PL-138-B; 2164-PL-021-A; 2164-PL-102-B; EMTEC Noise Impact of the Proposed New External Plant QF9166/PF7110/RP2 dated 22/02/2022; Design & Access Statement - PL Rev C dated 19 January 2023 by WOLDD ARCHITECTS; Daylight and sunlight report by HOLLIS dated 04 November 2022; Note on 42 Elsworthy Road, London, Nw3 3DL Planning Application Ref 2022/1537/P by Savills dated 11 November 2022 to state basement currently under construction; Revised Basement Impact Assessment by Create Consulting Engineers Ltd, ref: CB/CS/P17-1308/01/Rev E, dated November 2022; Revised Structural Engineers Statement by Axiom Structures Limited, ref.: 21142, rev P4, dated 11 June 2022; Revised Architectural Drawings by Wolff Architects including demolition, existing and proposed plans and sections, dated 28th March 2022 unknown, Rev. B0; Revised Arboricultural Impact Assessment by John Cromar's Arboricultural Company Ltd ref.: S87-J4-AMSCI-1, dated August 2022; Underpinning Wall Design by WBD Structures, ref.: 2022113-WDB-TW-REP003, dated April 2023; Revised Ground Movement Assessment by CGL, ref.: CGL/09996, Rev. 1 dated May 2023.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 5 The development hereby approved shall commence in line with the appointment letter from Axion Structures dated 6/09/2023 which provides details of 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. 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, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 6 The roof of the new two storey south-west extension hereby permitted shall not be used as a roof terrace/balcony at any times.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local 2017.

- 7 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment by Create Consulting Engineers Ltd, ref: CB/CS/P17-1308/01/Rev E, dated November 2022, Structural Engineers Statement by Axiom Structures Limited, ref.: 21142, rev P4, and BIA Audit NSkb-13693-68-190623-42 Elsworthy Road_F1 dated June 2023, hereby approved, 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, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 8 Prior to the first occupation of the building, full details of hard and soft landscaping, details of at least five 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, as well as details of gates, boundary walls and fences at scale 1:10, 1:20. 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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 9 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, prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. 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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 10 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural report by John Cromar's Arboricultural Consultancy Limited ref. S87-J4-AMSCI-1 dated 18th August 2022. 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 works shall be undertaken under the supervision of the project arboriculturalist.

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 Camden Local Plan.

- 11 Notwithstanding the approved plans, prior to the first occupation of the two flats, details of secure and covered cycle storage area for 4 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

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

- 12 Notwithstanding the approved plans, prior to the first occupation of the two flats, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1, A4 of the London Borough of Camden Local Plan 2017.

- 13 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan 2021 and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

- 14 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 15 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 16 Before the use commences, the plant equipment shall be provided with acoustic isolation, sound attenuation and anti-vibration measures in accordance with the approved plans and Noise Assessment dated 4th of September 2018. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy G1, A1, A4, D1, CC1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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.
- 3 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.

- 4 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.
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 7 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.

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.](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 centered on the page.

Daniel Pope
Chief Planning Officer