

Application ref: 2023/1404/P
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**5 Chamberlain Street
London
NW1 8XB**

Proposal:

Excavation of basement extension, new balustrade and juliet balcony to rear door.

Drawing Nos: CHA5-SITECHA5-2-EX-100-01, CHA5-2-EX-100-02, CHA5-2-EX-100-01, CHA5-2-EX-100-03

CHA5-2-PL-100-01d, CHA5-2-PL-100-02b, CHA5-2-PL-100-03a, CHA5-C-50-07, CHA5-C-50-09

STV6032-R01 (Rev A) (June 2023), Method Statement for Basement Works (22/06/2023), Heritage Statement (September 2022), Design and Access Statement (April 2023)

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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:

CHA5-SITECHA5-2-EX-100-01, CHA5-2-EX-100-02, CHA5-2-EX-100-01,
CHA5-2-EX-100-03

CHA5-2-PL-100-01d, CHA5-2-PL-100-02b, CHA5-2-PL-100-03a, CHA5-C-50-07,
CHA5-C-50-09

STV6032-R01 (Rev A) (June 2023), Method Statement for Basement Works (22/06/2023), Heritage Statement (September 2022), Design and Access Statement (April 2023)

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.

- 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, D2 and A5 of the London Borough of Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 5 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the STV6032-R01 (Rev A) (June 2023), Method Statement for Basement Works (22/06/2023), 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

- 6 If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the local planning authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and improved in writing by, the local planning authority

Reasons: Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

Informatives:

- 1 Reasons for granting permission.

During the course of application, the basement has been reduced to ensure the depth is kept at the same depth as the ground floor rear extension. Its size and bulk is considered acceptable and would not adversely impact the character and appearance of the historic building. It is considered that the previous reason for refusal under ref. 2022/3201/P has been overcome.

The development is not considered to cause harm to the grade II building's special interest or setting, or to the conservation area. The Council's Conservation Officer has assessed the revised proposal and does not object.

There are new balustrades proposed at ground floor level to cover the lightwell. These are now proposed as traditional black metal railings to ensure that traditional materials are used on the listed building which are sympathetic to its architectural age and style.

Due to the location of the extension at basement level it would mainly be screened from public vantage points and would not have an adverse impact on the character or appearance of the street or the surrounding conservation area.

The property's basement was previously self-contained with an entrance to the front through the light well, however the introduction of the internal staircase to the basement means that the building is now used as a single family dwelling house. This alteration, acceptable in heritage terms, is also not considered development due to its internal nature. This principle has been established in previous applications (2021/0292/P and 2022/3201/P)

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and of preserving the 3 listed building and its features of special architectural or historic interest, under s.66 and s72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

In terms of policy A5 (basements), the basement exists anyway and the small extensions is considered to satisfy the points and principles of A5. Following an assessment by the Council's independent auditors, they have found the basement and construction of the basement to be acceptable. Compliance conditions in relation to appointing a structural engineer and building the basement in accordance with the relevant documents will be placed on the application

Due to the location of the extension at basement level and the small scale nature of the balustrades the proposal would not have an adverse impact on the amenity of neighbouring occupiers in terms of daylight, sunlight or outlook. A large window opening would be installed in the side elevation but would not result in any additional overlooking or loss of privacy.

No objections have been received prior to making this decision. Following amendments to the scheme the Primrose Hill CAAC have withdrawn their objection on the application. 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, A5, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023

- 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) 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 2023.

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 positioned above the typed name and title.

Daniel Pope
Chief Planning Officer