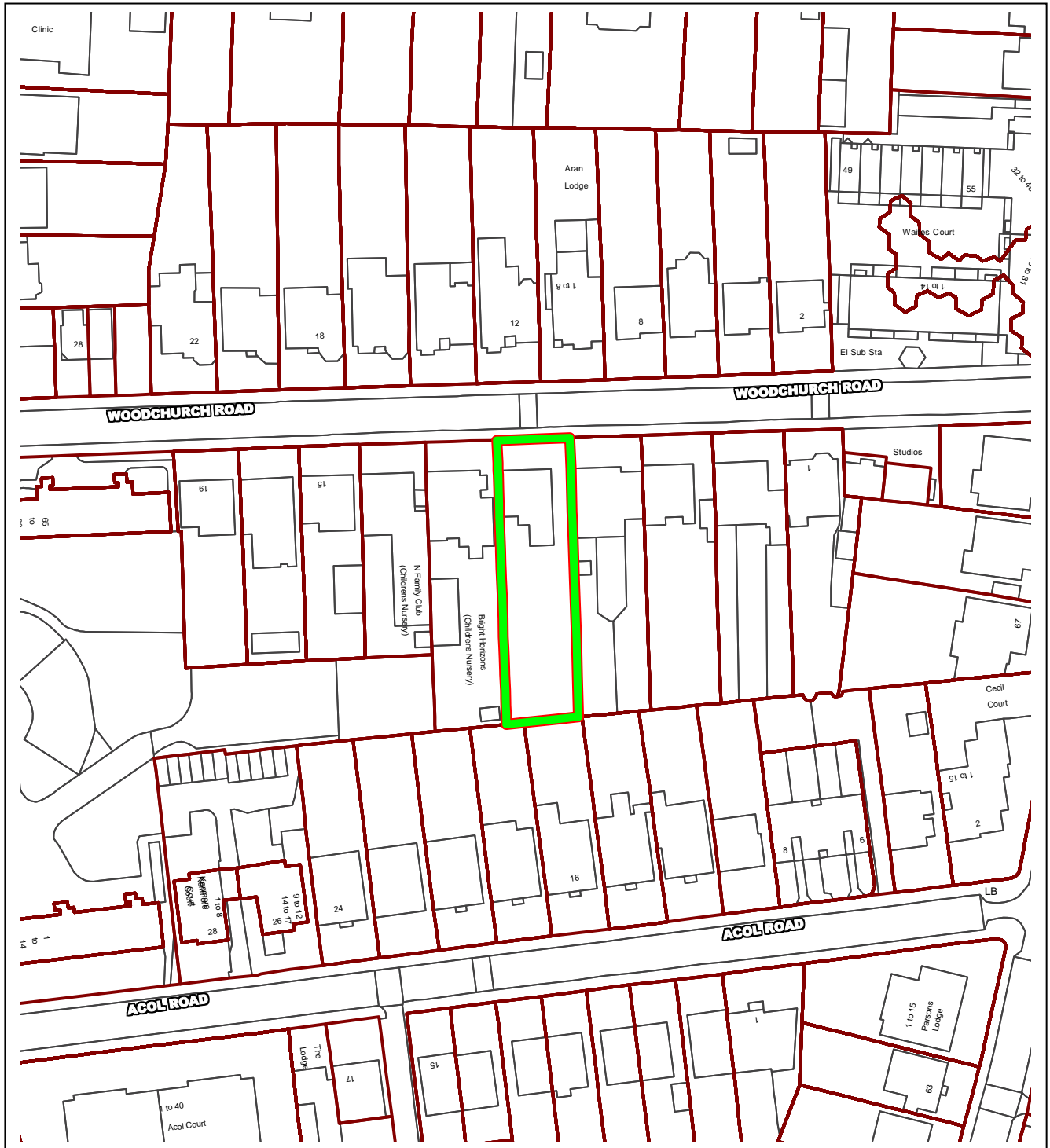


# 2023/3909/P – 9 Woodchurch Road



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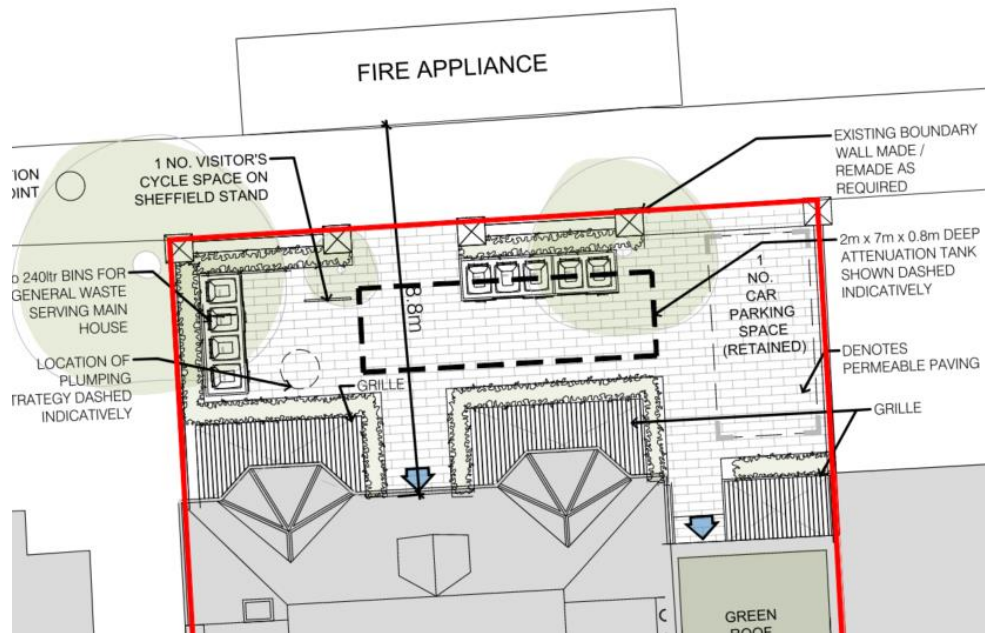


Figure One: Proposed front yard arrangement



Figure One: Proposed back yard arrangement

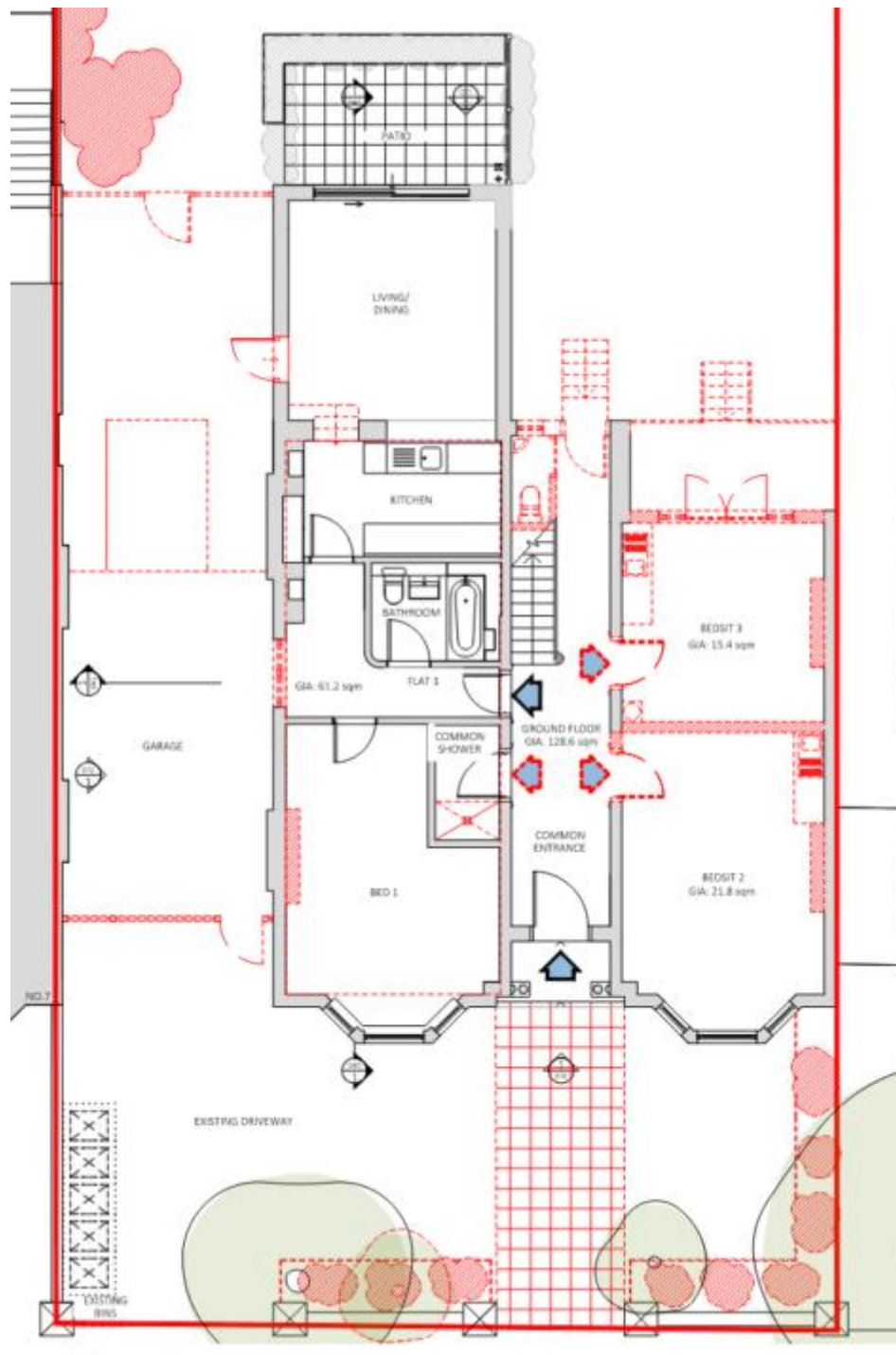
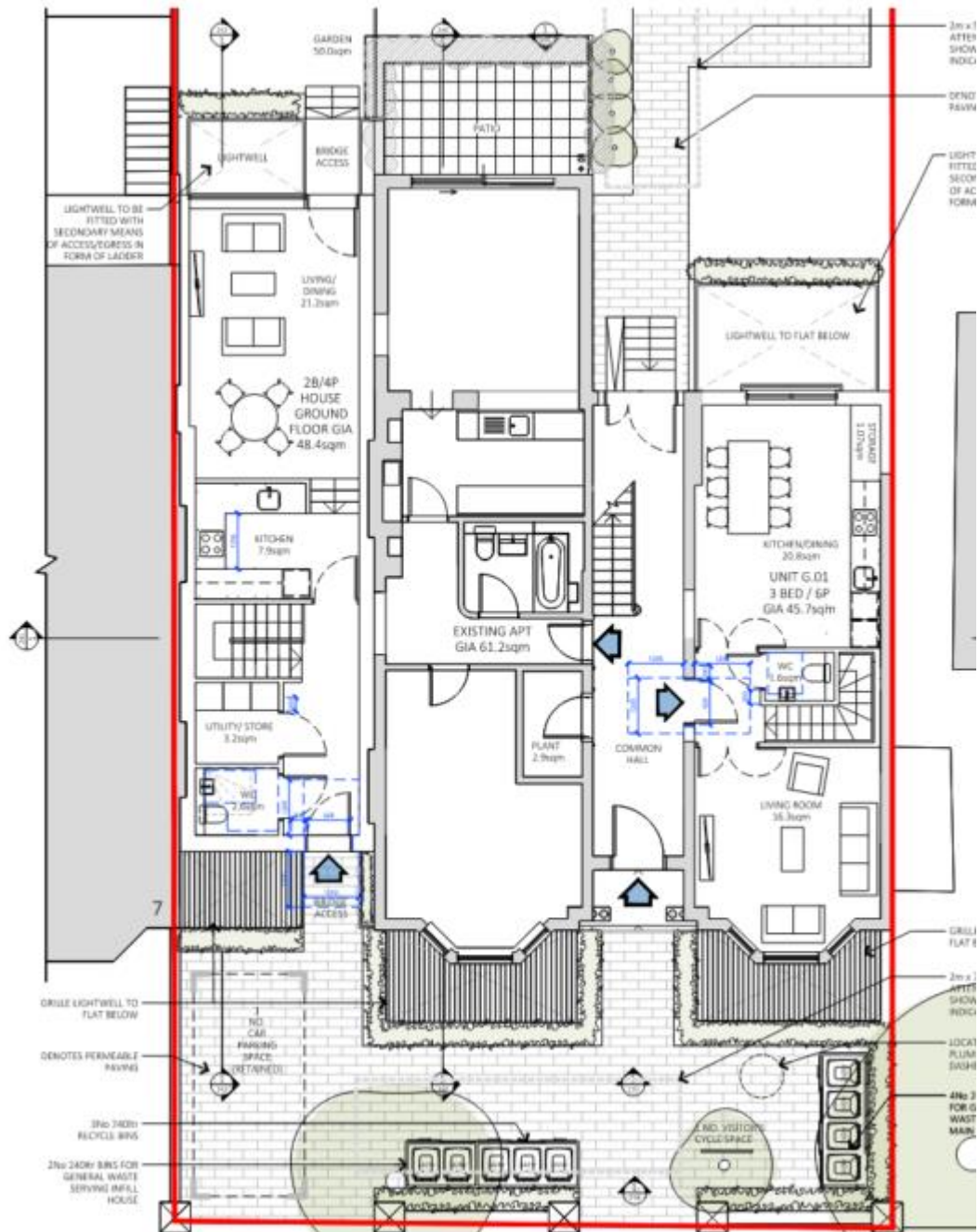


Figure Three: Existing ground floor (demo) plan



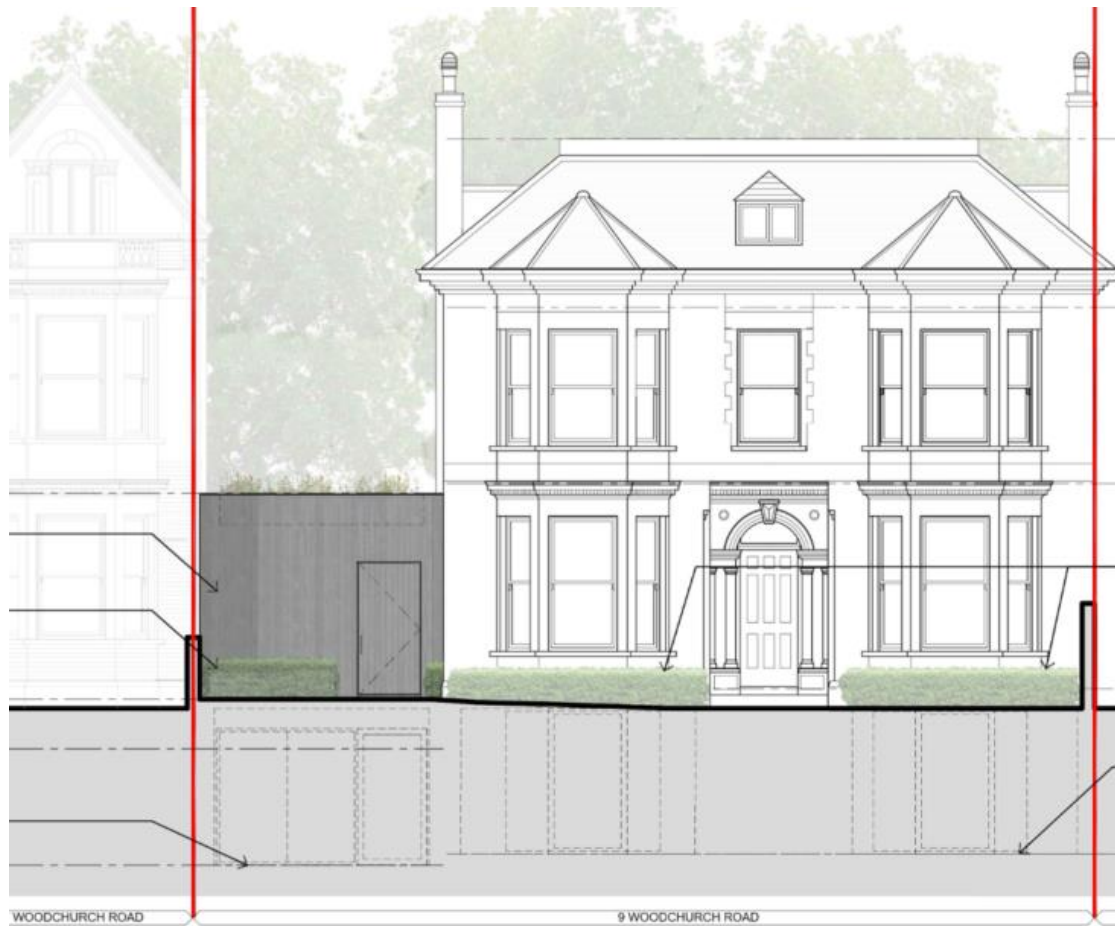


Figure Five: Proposed street front elevation. Infill dwelling shown to the left.

<b>Delegated Report</b> <b>(Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	14/11/2023
		N/A / attached		<b>Consultation Expiry Date:</b>	14/12/2023
<b>Officer</b>				<b>Application Number(s)</b>	
Brendan Versluys				2023/3909/P	
<b>Application Address</b>				<b>Drawing Numbers</b>	
9 Woodchurch Road London NW6 3PL				See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Excavation of basement extension with front and rear lightwells; erection of single storey plus basement side extension and single storey rear extension; new side and rear dormers; and internal reconfiguration to convert from 1 x 1 bed flat, 1 x studio, 5 x bedsits and 1 x 2 bedroom flat, to provide 1 x 1 bed flat, 1 x 2 bed flat, 1 x 3 bed flat, 1 x 2 bed house and 4 bedsits; erection of new bin stores and long-stay and visitor cycle facilities					
<b>Recommendation:</b>		Grant conditional planning permission subject to a s106 legal agreement			
<b>Application Type:</b>		Full Planning Permission			



Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	Site notice(s) were displayed near to the site on 1/11/2023 (consultation end date 25/11/2023).  A press notice was advertised 2/11/2024 (consultation end date 26/11/2023).			
Adjoining Occupiers:	No. of responses	5	No. of objections	3
Summary of consultation responses	<u>Objections:</u>  3 objections have been received.  A summary of responses are as follows:  <u>General:</u> <ul style="list-style-type: none"><li>Lack of consultation</li></ul> <u>Design:</u> <ul style="list-style-type: none"><li>The proposal does not support or enhance the character of South Hampstead Conservation Area.</li><li>The proposed development as a whole and which includes significant below ground excavations, is too large and will result in the over-development of 9 Woodchurch.</li><li>No sites for possible development were identified in 2011 by SHCA. We therefore believe that the infill building included in this proposal is not situated on a site suitable for development.</li><li>The material (wood) proposed for the façade of the in-fill maisonette/house does not blend-in with the building materials used in this conservation area.</li></ul> <u>Amenity:</u> <ul style="list-style-type: none"><li>Concerns that the proposed development will invade the privacy, and compromise the outlook of residents at 7 Woodchurch Road</li></ul> <u>Trees:</u> <ul style="list-style-type: none"><li>The proposed development is likely to require the removal of trees at the rear of 9 Woodchurch Road and will prevent the planting and maturing of trees in the gardens of both 9 and 7 Woodchurch Road.</li><li>Concerns that the proposed development will impinge on the right-to-light for Flat 2, 7 Woodchurch Road.</li><li>With no rear access, the only way to effect repairs to the roof/structure at 7 Woodchurch, is to erect scaffold around the west elevation of our property. The erection of a 2-storey house would prevent us from carrying out such repairs in the future.</li></ul> <u>Construction impacts</u> <ul style="list-style-type: none"><li>The scale and complexity of the proposed build is likely to cause damage to our property and undermine the structural integrity of our</li></ul>			

	<p>property.</p> <ul style="list-style-type: none"> <li>• The proposed construction works will cause significant disruption to the residents of Woodchurch Road.</li> </ul> <p><u>Officer's response:</u></p> <p><i>The consultation has been carried out in accordance with the Council's statement of community involvement. The Council does not control how the applicant chooses to engage with local stakeholders. Pre-application discussions are confidential, it is at the applicant's discretion whether they choose to engage with local stakeholders at that stage of the development process.</i></p> <p><i>Design and heritage effects are assessed in section 4 of this report.</i></p> <p><i>Flooding/drainage effects are assessed in section 8 of this report.</i></p> <p><i>Basement effects are assessed in section 9 of this report.</i></p> <p><i>Amenity effects are assessed in section 10 of this report.</i></p> <p><i>Transport effects are assessed in section 6 of this report.</i></p>
<p><b>Combined Residents' Associations of South Hampstead (CRASH):</b></p>	<p>A letter of objection on behalf of CRASH was received on 12/12/2023.</p> <p><i>CRASH (Combined Residents' Associations of South Hampstead) remains opposed to all - with a very rare exception - excavation and/or extension of basements within the conservation area due to the harm, often very serious harm, done to neighbouring properties and to the area in general. We note that the applicant recognises the danger of flooding in the vicinity and intends to instal various defensive measures such as non-return valves. Thames Water are currently installing NRVs in the area and they have reported that valves installed some years ago are no longer in working order. CRASH contends that the danger of basement flooding will remain with no guarantee that the mitigation measures will protect the residents and their belongings.</i></p> <p><i>CRASH asks that the application be refused consent.</i></p> <p><u>Officer's response:</u></p> <p><i>Design and heritage effects are assessed in section 4 of this report.</i></p> <p><i>Basement effects are assessed in section 9 of this report.</i></p> <p><i>Flooding/drainage effects are assessed in section 8 of this report.</i></p>



## Site Description

The application site is occupied by what was originally a large 2 storey detached dwelling, constructed in London stock brick and painted red on the front.

The building has now been converted into 1 x 1 bed flat, 1 x studio, 5 x bedsits and 1 x 2 bedroom flat.

The building is set back from the main road, with the front of the site accommodating a paved forecourt.

A single storey garage occupies the space between the east of the building and the adjoining house at No7.

A modern extension (constructed in the mid-late 2010s) is situated to the rear elevation.

A low brick wall with brick piers is situated along the front boundary. Planting and some specimen trees are set behind the wall.

The site has a large back garden.

The site is located in the South Hampstead Conservation Area and the application building is identified in the South Hampstead Conservation Area Character Appraisal and Management Strategy as making a positive contribution to the character of the Conservation Area.

## Relevant History

The planning history for the application site can be summarised as follows:

**2015/2119/P** - Conversion of 1 x studio flat and 1 x bedsit (9A Woodchurch Road) into 1 x 1 bed flat at ground floor level including erection of rear extension with 2x rooflights and raised terrace. **Granted 08/06/2015**

**2018/3266/P** - Conversion of 1 x studio flat (9A Woodchurch Road) and 1 x bedsit (Flat 1, 9 Woodchurch Road) into 1 x 1 bed flat at ground floor level including erection of rear extension and raised patio and alterations to side fenestration. **Granted Subject to a Section 106 Legal Agreement 26/03/2019**

## Relevant policies

### National Planning Policy Framework (2023)

### The London Plan (2021)

### Camden Local Plan (2017)

- **H1** Maximising housing supply
- **H4** Maximising the supply of affordable housing
- **H6** Housing choice and mix
- **H7** Large and small homes
- **H10** Housing with shared facilities
- **A1** Managing the impact of development
- **A3** Biodiversity
- **A5** Basements
- **D1** Design

- **D2** Heritage
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change
- **T1** Prioritising walking, cycling and public transport
- **T2** Parking and car free development
- **DM1** Delivery and monitoring

**Camden Planning Guidance:**

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Energy efficiency and adaptation (2021)
- CPG Housing (2021)
- CPG Transport (2021)

**South Hampstead Conservation Area Appraisal and Management Strategy (2011)**

**Draft Camden Local Plan**

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

## **Assessment**

### **1. The proposal**

The application seeks to undertake full internal reconfiguration and refurbishment of the existing building, as well as associated external works.

The proposal would involve converting the existing building from 1 x 1 bed flat, 1 x studio, 5 x bedsits (with shared bathroom facilities) and 1 x 2 bedroom flat, to 1 x 1 bed flat, 1 x 2 bed flat, 1 x 3 bed flat, 1 x 2 bed house and 4 bedsits.

The lower ground floor level would accommodate the bedrooms of the 3 bedroom maisonette unit. Two lightwells would be constructed to the front elevation of the building, each serving a bedroom. A third lightwell/terrace would be constructed to the rear elevation, to serve the larger of the three bedrooms. The ground floor would accommodate the living areas of the maisonette unit, as well as the existing two bedroom flat which is to be retained in its current layout.

The first floor would accommodate four bedsits, and second floor (currently a loft) would accommodate a two bedroom flat.

A two-level dwelling would be constructed to the east elevation of the existing building, in place of the existing garage to be removed. The lower ground floor would accommodate two bedrooms, each with a lightwell to the front and rear elevations. The ground floor would accommodate the living areas. A green roof would be constructed over the roofs of this building. An ASHP would be located to the rear of the dwelling within the garden.

Within the existing garden area, two groups of cycle lockers would be located to serve the dwellings.

At the front, new timber bin stores would be erected, and a Sheffield cycle stand (for visitor cycle parking) installed.

### **Revisions**

The following revisions have been made to the proposal:

- One of the two groups of bin stores in the front yard, has been repositioned from parallel to the front boundary, to be alongside the western side boundary.

### **2. Assessment**

2.1. The principal considerations material to the determination of this application are as follows:

- Land use
- Design and Heritage
- Energy & Sustainability
- Transport
- The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)

### **3. Land use**

#### *Provision of housing*

3.1. Policy H1 of the Local Plan states that self-contained housing is the priority land use for the Council. The proposal to retain the existing residential use at the site, albeit in a different form to existing, is appropriate, given the context of the existing use and surrounding residential area.

- 3.2. Policy H7 seeks to provide a range of unit sizes to meet demand across the Borough. For market units, table 1 of the policy considers 1 bedroom/studios and 4 bedroom or more units to have a lower priority, 2 and 3 bedroom units to be of high priority..
- 3.3. Policy H10 aims to ensure that there is continued provision of housing with shared facilities to meet the needs of small households with limited incomes and modest space requirements. The proposal would result in the loss of one of the five bedsit units at the site. However, this is considered acceptable given the re-provided bedsits would be a higher quality accommodation than existing, with modern facilities/fittings and all individual units having their own bathroom. The bedsits would include two separate kitchen spaces each shared by two bedsits, which is considered an improvement to the existing accommodation where the kitchens are fully contained in each of the bedsits.
- 3.4.
- 3.5. The loss of the single bedsit would also be balanced against the proposal providing for a greater number of larger units at the site compared to the existing situation, without resulting in a net loss of residential units. In particular the proposal would provide for a new three-bedroom unit, which is identified as a high priority housing typology in the borough. Overall, the proposal would improve the mix of dwellings at the site and provide for an increased number of larger units.
- 3.6. The new self-contained dwellings would comply with the minimum gross internal floor areas outlined under Nationally Described Space Standards. Appropriate storage is also provided for the new dwellings.
- The outlook from the lower ground floor habitable rooms would be more constrained, being limited to the new lightwells. However, as these spaces are bedrooms only and the living spaces (at upper ground floor) have unconstrained outlook, this arrangement is considered acceptable. The lower ground floor bedrooms would have generous sized windows in any event and the lightwells themselves are relatively spacious. Overall, all units would be provided with acceptable outlook.
- 3.7. All bedrooms and living areas have adequate access to sunlight and daylight, as confirmed in the applicant's Daylight and Sunlight Report.
- 3.8. All dwellings would have access to their own private outdoor living spaces, with the exception of the first floor and second floor units, where these units would have access to the generously sized and landscaped communal rear garden.
- 3.9. For these reasons above, the proposed units are considered to provide an acceptable standard of accommodation for future occupants and would be in accordance with policies H6 and D1.
- 3.10. Policy H4 ensures development maximises the provision of affordable housing. The Council will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more, and where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity. The proposed additional GIA floor area would be 176m<sup>2</sup>. For residential schemes, the rate for affordable housing payment-in-lieu is £5,000 per sqm GIA. The required payment therefore amounts to £35,200 (176m<sup>2</sup> is 2 x homes, therefore 4% affordable housing contribution. 4% of 183 is 7.04, and 7.04 x £5,000 is £35,200), which is secured via section 106 legal agreement.

Conclusion:

- 3.11. For these reasons above, the proposed new and reconfigured residential floor space, is considered acceptable.

## 4. Design and Heritage

- 4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policies D1 and D2 are relevant to the application: development should respect local context and character; preserve or enhance the historic environment and heritage assets; comprise details and materials that are of high quality and complement the local character; and respond to natural features.
- 4.2. With regard to the proposed alterations and additions to the existing building, as well as the changes to the front garden area, these are considered acceptable by Council's Conservation Officer. In particular:

### Side extension

- The proposed location for the new two-level dwelling (to the east of the existing building) is occupied by carport, an informal structure in a relatively poor condition and of no architectural merit or not having any key relationship with the existing detached principal building. The removal of this structure would offer a small enhancement to both the principal building and the conservation area.
- The proposed single storey extension would be set back from the frontage and would still read as a subservient structure. It would also allow views through to the trees and greenery of the rear gardens, which are an important feature of the conservation area.
- Its simple appearance, with timber cladding and a green roof have a garden feel which is appropriate on what was historically open space.

### Rear extension

- A small ground floor extension is proposed which squares off the rear elevation. This extension is subservient in scale and does not adversely alter the form of the building.

### Dormers:

- Two dormers are proposed on the rear elevation, to serve the reconfigured second floor habitable space. The dormers would replace two existing, larger dormers in a similar position as those proposed. The dormers would be of a high quality design, with an appropriate proportion of glazing relative to the dormer cheeks, and be subordinate in size to the roof slope. The dormers would overall be less prominent than the existing larger dormers to be removed.

### Front and rear gardens:

- Whilst lightwells are not a feature on this group of buildings, the low boundary hedge and metal grilles will largely hide the appearance of the basement in views from the street. The rear lightwells would also be of an appropriate modest size, and would not encroach into garden space.
- Similarly, the cycle lockers in the rear garden would have very limited public views, and would be a minor element of the spacious rear garden. Due to the constraints of the existing building, it would not be feasible to provide cycle facilities within the building.
- Regarding the proposed bin stores, again due to the constraints of the existing main building, it is not feasible to locate the bins at the rear of the building. The proposal originally involved the

bin stores being located behind both sets of front boundary walls, however the scheme has been amended to locate one of the bin stores along the western boundary within the front yard (leaving only one group along the front boundary) and to lower the heights of the bin stores. The height of the bins would therefore sit just above the hedge planting (set behind the front brick wall) and would not dominate over the street scene, in particular with the other set of bin stores being located perpendicular to the road frontage. The bin stores would be constructed with timber which is a lightweight material to minimise the bulk of these structures within the front yard. The bin stores would therefore have an appropriate height and avoid a harmful visual impact. The Sheffield stand would be a minor element within the front yard and not appear as a discordant feature.

- 4.3. Overall, the works are generally non-obtrusive and retain much of the character of the existing property. The existing carport would be replaced with a similar scale structure to existing and would be designed to remain subservient to the main building and in keeping with the character of the conservation area.
- 4.4. The Council's Conservation Officer has reviewed the proposal and has no objections to the works. The works are appropriately designed such that the character and appearance of the South Hampstead Conservation Area and setting of the listed building overall will be retained.
- 4.5. 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.

## **5. Trees and Landscaping**

- 5.1. Policies A3 and D1 advise that the Council seek to protect gardens and resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value.
- 5.2. The works involve the removal of 3 x trees, and a tree, hedge and shrub group. All trees to be removed have been identified as low quality (as assessed against in accordance with BS5837:2012), with the exception of T2 which is identified as moderate quality. Two trees, T9 and T19 (cat. U – poor quality) are proposed for removal irrespective of development due to their poor condition, with the other two trees needing to be removed to facilitate construction of the bicycle stores to the rear.
- 5.3. The Council's Tree Officer has advised the loss of canopy cover and amenity provided by the trees proposed for removal can be mitigated against through replacement planting.
- 5.4. With regard to impact on existing trees at the site to remain, the impact will be of an acceptable level provided suitable tree protection measures (recommended to be secured as a condition of planning permission) are employed. The applicant has agreed to a condition of consent that prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work to be submitted to and approved by Council. The condition would stipulate 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 the approved protection details.
- 5.5. While no landscaping plans have been provided, they will be secured as a condition of consent, ensuring the proposed replacement hedge planting on the boundaries within the front yard would provide a vegetative buffer between the bin stores and the street frontage. The retention of the majority of existing boundary landscaping, which includes mature specimen trees and hedging, would also ensure biodiversity outcomes are broadly consistent with the existing situation.

- 5.6. In light of the above, the proposed scheme is considered to have an acceptable impact on the biodiversity of the site and landscaped character of the wider area.

## **6. Transport**

- 6.1. Policy T2 requires all new residential developments in the borough to be car-free. Parking is only considered for new residential developments where it can be demonstrated that the parking to be provided is essential to the use or operation of the development (e.g. disabled parking). It should be noted that Policy T2 is wide ranging and is not merely about addressing parking stress or traffic congestion. It is more specifically aimed at improving health and wellbeing, encouraging and promoting active lifestyles, encouraging and promoting trips by sustainable modes of transport (walking, cycling and public transport), and addressing problems associated with poor air quality in the borough. Thus, car-free housing is required in the borough, regardless of any parking stress that may or may not locally exist.
- 6.2. The proposal would provide one on-site car parking space at the front of the new attached dwelling. While on-site car parking for residential developments is discouraged in Local Plan policy, considering the existing site already has on-site car parking (in the form of two stacked spaces) and the proposal does not provide for an increased number of dwellings at the site, the retention of one existing on-site car parking space is considered appropriate and still represents a reduction compared to the existing situation. The applicant has agreed for all of the other dwellings to be 'car free', which would exclude the owner/occupier from obtaining any on-street parking permit for the dwelling. The 'car free' provision would be secured via a s106 legal agreement.
- 6.3. The provision of the 6 cycle lockers (12 spaces) meets the London Plan standards for the new dwellings and therefore the proposal would be compliant with policy T1 with regard to the requirement for cycle facilities. While it would be preferable to locate the cycle parking at the front of the site, given the constraints of the front yard and taking into account the rear cycle parking would be conveniently accessible via a wheel ramp, the cycle facilities for the flats in the main building are acceptable. While no formal cycle parking is provided for the new property within the side extension, it is considered that sufficient space exists within the property (such as within the utility/store) to accommodate cycles if required.
- 6.4. The Sheffield stand within the front forecourt would provide adequate visitor cycle facilities.
- 6.5. Policy A1 on Amenity states in para 6.12 that 'Disturbance from development can occur during the construction phase. Measures required to reduce the impact of demolition, excavation and construction works must be outlined in a Construction Management Plan.' The applicant has agreed to prepare and adhere to a Construction Management Plan in relation to the construction works and has also offered an associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000, which would be secured via a s106 agreement. Implementation of the CMP will minimise the impact of construction works on the transport network and surrounding residential properties. Overall, construction effects will be acceptable and will be appropriately mitigated via implementation of the CMP.

## **7. Energy and Sustainability**

- 7.1. In line with policies CC1 and CC2, the Council will require development to incorporate sustainable design and construction measures.
- 7.2. An Energy and Sustainability Statement has been submitted by the applicant. All main targets are met and exceeded in accordance with Policies CC1 and CC2 of the Camden Local Plan 2017. Planning requirements for the proposed residential refurbishment is to achieve the greatest



possible carbon reduction – meeting Part L1B for retained thermal elements. The residential refurbishment will reduce emissions by 31% when compared to the Part L 2021 baseline, during the Be Lean stage. Additionally, the proposal will achieve a carbon reduction of 73% compared to the existing situation. This achievement surpasses the target set by the Camden Local Plan, which aims for a 19% improvement in carbon emissions for new builds.

7.3. The applicant has proposed a number of sustainable design measures to be incorporated within the refurbishment and extension works.

7.4. The following energy efficiency measures are incorporated into the design of the proposal:

Overheating:

- Integration of a mechanical ventilation heat recovery system into the new build dwelling, with the refurbished dwellings in the main building featuring extract fans in bathrooms and kitchens.
- Incorporation of openable windows to mitigate overheating and provide efficient purge ventilation.
- Building fabric elements to comply with building fabric elements standards of Part L1:2021
- Rectifying envelope tightness deficiencies in the existing main building.
- Incorporation of high-efficiency low-energy lighting and controls.
- Providing insulation over pipes, duct systems and water heaters
- Installation of high annual energy efficiency plant
- Installation of Electric panel heaters for space heating, instantaneous heating system, and ASHPs (in lieu of less energy efficient boilers)

7.5. Generally, the sustainability measures are commensurate with the nature and scope of the works proposed at this location.

7.6. Taking into account the carbon reductions and energy saving to be achieved, the proposed development is therefore considered to accord with the sustainability outcomes sought by the Local Plan.

## **8. Flooding**

8.1. Policy CC3 seeks to ensure that development does not increase flood risk and reduces the risk of flooding where possible.

8.2. Woodchurch Road is identified as having been subject to historical flooding.

8.3. The applicant's Flood Risk Assessment has found that the site is at a very low risk of flooding, however a drainage / SuDS strategy solution is proposed, which includes the incorporation of green roofs and permeable paving with attenuation tanks, and a rainwater harvesting water butt system into the design of the development. A stormwater pumping station is also proposed underneath the front yard area. Surface water will have a controlled discharge into the existing Thames Water combined sewer network adjacent to the proposed development.

8.4. In terms of flood risk to occupants, it is noted no self-contained units are proposed at the lower ground floor, with the bedrooms of the maisonette dwelling at the lower ground floor having direct access to the ground floor via an internal staircase. Additionally, the proposed front lightwells to this dwelling incorporate a 300mm upstand, to protect from the risk of surface water flooding entering the lightwells.

8.5. A condition is recommended requiring that prior to the commencement of the development, full details are to be submitted to and approved by Council, demonstrating the proposed internal water efficiency and/or water recycling equipment to ensure that the development will pose no additional strain on adjoining sites or the existing drainage infrastructure; and the proposed

internal water efficiency and/or water recycling equipment to ensure that the development will pose no additional strain on adjoining sites or the existing drainage infrastructure.

- 8.6. Subject to the recommendations outlined in the applicant's Flood Risk Assessment report being adopted, and compliance with the above recommended condition, the risk of flooding at the site and exacerbating flooding at surrounding sites, is adequately mitigated.

## **9. Basement considerations**

- 9.1. Policy A5 states that the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Specific criteria f-m against which to assess basement development is provided. The proposed basement accords with the requirements of Policy A5 in terms of its impact on the character and appearance of the host building, the wider area, and the significance of heritage assets. The basement also complies with the criteria laid out in parts (f) to (m) of the policy and is consequently considered to be acceptable in terms of siting, location, scale, design and its subordination.

- 9.2. Policy A5 of the Local Plan notes that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- c) neighbouring properties;*
- d) the structural, ground, or water conditions of the area;*

- 9.3. The policy goes on to note that applicants will need to demonstrate that proposals for basements:

- (n) do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';*
- (o) avoid adversely affecting drainage and run-off or causing other damage to the water environment;*
- (p) avoid cumulative impacts;*

- 9.4. Paragraph 6.117 of the Local Plan states that "In order to provide the Council with greater certainty over the potential impacts of proposed basement development, we will generally expect an independent verification of Basement Impact Assessments to be funded by the applicant".

- 9.5. The application is accompanied by a Basement Impact Assessment (BIA), which has been independently audited by Campbell Reith. The screening and scoping stages within the report are in accordance with the requirements of CPG Basements. The basement for the new side dwelling, and the new lightwells, would not harm the structural, ground, or water conditions of the area. The basement works would also not have any adverse effect on adjacent properties and not require the removal of any trees. In particular, the BIA includes a Ground Movement Assessment, which predicts damage no worse than Burland Category 1, which ensures any damage is aesthetic only, and in compliance with Policy A5.

- 9.6. As discussed in the Amenity section of this report, the applicant is required to submit a construction management plan (CMP) which will be secured by S106 agreement to ensure the development takes measures to minimise the impact of construction works.

## **10. Amenity**

- 10.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused from the construction phase of development.

- 10.2. The adjoining side property on Woodchurch Road (7 Woodchurch Road) does not have any windows facing onto the application site, and therefore would not be adversely affected by the proposed new side dwelling. The proposed side dwelling would protrude a very short distance (approximately 1m) from the rear elevation of 7 Woodchurch Road, therefore there would minimal sunlight/daylight effects to this property.
- 10.3. Given outlook from the new dwellings would generally be over the front or rear of the site, persons of adjoining properties would not be adversely affected in respect to visual privacy.
- 10.4. Regarding the proposed ASHP within the rear garden and noise effects, the ASHP would be located in an acoustic enclosure, and a condition is recommended requiring the applicant to provide a Noise Impact Assessment (assessing the noise impacts of the ASHP) to Council, prior to installation of the ASHP. The condition would require the ASHP to be installed in accordance with the approved NIA. Therefore, noise impacts of the ASHP would be suitably mitigated.
- 10.5. Policy A1 on Amenity states in para 6.12 that 'Disturbance from development can occur during the construction phase. Measures required to reduce the impact of demolition, excavation and construction works must be outlined in a Construction Management Plan.' The applicant has agreed to prepare and adhere to a Construction Management Plan in relation to the construction works and has also offered an associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000, which would be secured via a s106 agreement. Implementation of the CMP will minimise the impact of construction works on the transport network and surrounding residential properties. Overall, construction effects will be acceptable and will be appropriately mitigated via implementation of the CMP.
- 10.6. Overall, the proposal would result in acceptable amenity effects.

## **11. S106 Legal agreement**

- Dwellings to be 'car free'
- Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000
- Payment in lieu of affordable housing of £35,200

## **12. Recommendation**

- 12.1. Grant conditional Planning Permission subject to a s106 legal agreement.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 15<sup>th</sup> July 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2023/3909/P  
Contact: Brendan Versluys  
Tel: 020 7974 1196  
Date: 4 July 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)

PPM Planning Limited  
185 Casewick Road  
West Norwood  
London  
SE27 0TA  
United Kingdom

Dear Sir/Madam

**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

## **DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:  
**9 Woodchurch Road**  
**London**  
**NW6 3PL**

### **Proposal:**

Excavation of basement extension with front and rear lightwells; erection of single storey (plus basement) side extension and single storey rear extension; new side and rear dormers; and internal reconfiguration to convert from 1 x 1 bed flat, 1 x studio, 5 x bedsits and 1 x 2 bedroom flat, to provide 1 x 1 bed flat, 1 x 2 bed flat, 1 x 3 bed flat, 1 x 2 bed house and 4 bedsits; erection of new bin stores and long-stay and visitor cycle facilities

Drawing Nos: Plans: 22034 MS PL XX DR A 001 P04; 22034 MS PL XX DR A 073 P04; 22034 MS PL XX DR A 041 P04; 22034 MS PL XX DR A 071 P04; 22034 MS PL XX DR A 072 P04; 22034 MS PL XX DR A 070 P04; 22034 MS PL R1 DR A 013 P04; 22034 MS PL XX DR A 040 P04; 22034 MS PL 02 DR A 012 P04; 22034 MS PL 01 DR A 011 P06; 22034 MS PL XX DR A 002 P04; 22034 MS PL 00 DR A 010 P05; 22034 MS PL XX DR A 141 P06; 22034 MS PL B1 DR A 109 P06; 22034 MS PL XX DR A 173 P05; 22034 MS PL 02 DR A 112 P05; 22034 MS PL XX DR A 171 P06; 22034 MS PL XX DR A 170 P05; 22034 MS ZZ XX DR A 102 P07; 22034 MS PL XX DR A 142 P06; 22034 MS PL XX DR A 140 P08; 22034 MS PL R1 DR A 113 P06; 22034 MS PL 00 DR A 110 P10; 22034 MS PL XX DR A 174 P07; 22034 MS PL 01 DR A 111 P08;

Supporting information: Design and Access Statement prepared by Modulor studio ltd, rev P04, dated 04.09.2023; Construction Method Statement prepared by MBP Consulting Engineers, ref. 10014-MBP, dated 09/2023; FRA & SuDS Strategy prepared by The PES, dated 11/09/2023; Transport Statement prepared by TTP Consulting Ltd, dated August 2023; Heritage Appraisal prepared by The Heritage Practice dated 09/2023; Daylight and Sunlight Report prepared by EB7, ref. 6041, dated 28/07/2023; Cover letter prepared by PPM Planning dated 12/09/2023; Desk Study, Ground Investigation, Basement Impact Assessment & Ground Movement Analysis ref. J23117, rev 4, dated 03/2024; Arboricultural Impact Assessment prepared by TMA, ref. 221056-PD-11, June 2024.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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- 22034 MS PL XX DR A 001 P04; 22034 MS PL XX DR A 073 P04; 22034 MS PL XX DR A 041 P04; 22034 MS PL XX DR A 071 P04; 22034 MS PL XX DR A 072 P04; 22034 MS PL XX DR A 070 P04; 22034 MS PL R1 DR A 013 P04; 22034 MS PL XX DR A 040 P04; 22034 MS PL 02 DR A 012 P04; 22034 MS PL 01 DR A 011 P06; 22034 MS PL XX DR A 002 P04; 22034 MS PL 00 DR A 010 P05; 22034 MS PL XX DR A 141 P06; 22034 MS PL B1 DR A 109 P06; 22034 MS PL XX DR A 173 P05; 22034 MS PL 02 DR A 112 P05; 22034 MS PL XX DR A 171 P06; 22034 MS PL XX DR A 170 P05; 22034 MS ZZ XX DR A 102 P07; 22034 MS PL XX DR A 142 P06; 22034 MS PL XX DR A 140 P08; 22034 MS PL R1 DR A 113 P06; 22034 MS PL 00 DR A 110 P10; 22034 MS PL XX DR A 174 P07; 22034 MS PL 01 DR A 111 P08;

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 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 before the relevant part of the work is begun:

a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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 building and the character of the area in accordance with policies D1 and D2 of the Camden Local Plan 2017.

- 5 Before the development commences, details of secure and covered cycle storage area for 12 x 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.

- 6 The approved short stay cycle parking facility comprising 1 x Sheffield stand shall be provided as shown on plan 22034 MS PL 00 DR A 110 P08, prior to the occupation of the development and shall thereafter be permanently retained as such.

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.

- 7 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.

- 8 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment (Desk Study, Ground Investigation, Basement Impact Assessment & Ground Movement Analysis prepared by GEA dated March 2024, ref J23117, rev 4) 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.

- 9 Prior to commencement of development, full details of the following must be submitted to the Local Planning Authority and approved in writing:

- a. the proposed internal water efficiency and/or water recycling equipment to ensure that the development will pose no additional strain on adjoining sites or the existing drainage infrastructure; and
- b. the proposed measures to ensure the development has been designed to mitigate flood risk and cope with potential flooding including a suitable positive pump device to protect against sewer flooding & 300mm upstands surrounding potential water ingress points;

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 Policies and Policy SI 13 of the London Plan 2021.

- 10 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.



Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 11 Prior to the installation of the air source heat pump, a Noise Impact Assessment Report, assessing the ASHP, shall be submitted to and approved in writing by the local planning authority in writing. The ASHP and enclosure shall be constructed within the rear garden in accordance with the recommendations of the approved Noise Impact Assessment Report and as detailed in approved plan 22034 MS PL 00 DR A 110, rev P09.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 12 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 the approved protection details. The details shall include an auditable schedule of arboricultural site monitoring.

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.

- 13 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Details should include sufficient replacement trees to mitigate the loss of canopy cover provided by the trees proposed for removal; permeable paving in the front garden; and front garden planting scheme. 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.

- 14 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, 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.

Informative(s):

- 1 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.
- 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 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.
- 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 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.
- 6 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

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>.

Yours faithfully

Supporting Communities Directorate