

Application ref: 2024/2091/P
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Development Management
Regeneration and Planning
London Borough of Camden
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London
WC1H 9JE

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planning@camden.gov.uk
www.camden.gov.uk/planning

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

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

29 Ulysses Road
London
NW6 1ED

Proposal:

Excavation of a front light well and extension of the basement level, together with the erection of a lower ground floor side and rear wrap around extension, a rear roof extension, removal of chimney, and installation of two roof lights to the front roof slope associated with a loft conversion.

Drawing Nos: Location Plan; Site Plan; EX-01 Rev C; EX-02 Rev C; PR-03 Rev C (Existing Sections AA-BB); EX-04 Rev C; PR-01, PR-02, PR-03 (Proposed Sections), PR-03 (Proposed Section - CC); SK-1 (Existing and Proposed External Hardstanding); SK-1 (Existing and Proposed Basement); SL-10 Rev 2; Geotechnical Interpretive Report and Ground Movement Assessment (Maund Geo-Consulting, November 2021); Flood Risk Assessment Rev 1 (Croft Structural Engineers, 05 January 2023); Basement Impact Assessment Rev 3 (Croft Structural Engineers, 05 January 2023); Surface Water Calculations (Croft Structural Engineers, 27 September 2023); Basement Impact Assessment Audit Rev F1 (Campbell Reith, October 2023); Design Statement (Proficiency 03 May 2024).

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:

Location Plan; Site Plan; EX-01 Rev C; EX-02 Rev C; PR-03 Rev C (Existing Sections AA-BB); EX-04 Rev C; PR-01, PR-02, PR-03 (Proposed Sections), PR-03 (Proposed Section - CC); SK-1 (Existing and Proposed External Hardstanding); SK-1 (Existing and Proposed Basement); SL-10 Rev 2; Geotechnical Interpretive Report and Ground Movement Assessment (Maund Geo-Consulting, November 2021); Flood Risk Assessment Rev 1 (Croft Structural Engineers, 05 January 2023); Basement Impact Assessment Rev 3 (Croft Structural Engineers, 05 January 2023); Surface Water Calculations (Croft Structural Engineers, 27 September 2023); Basement Impact Assessment Audit Rev F1 (Campbell Reith, October 2023); Design Statement (Proficiency 03 May 2024).

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 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2016.

- 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 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment Rev 3 (Croft Structural Engineers, 05 January 2023) and the Basement Impact Assessment Audit Rev F1 (Campbell Reith, October 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 and A5 of the London Borough of Camden Local Plan 2017.

- 6 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, and A3 of the London Borough of Camden Local Plan 2017 and Policy 17 of the Fortune Green and West Hampstead Neighbourhood Plan.

- 7 The green roof on the lower ground floor extension is not to be used as a roof terrace and should only be accessed for the purpose of maintenance.

Reason: To protect the amenity of adjoining properties in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan and policy 17 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

Informative(s):

- 1 Reasons for granting permission:

The application site is located on the southeastern side of Ulysses Road at No.29. The existing property is a mid-terrace late-Victorian property comprising a two-storey main building and three-storey rear outrigger with a moderately sized rear garden. The ground floor of the outrigger sits at a lower level than the ground floor of the main building due to the slope of the site, with the external ground level sloping from the front of the site down to the rear. The

upper floor of the outrigger is also at a different level to the upper floor of the main building.

The property has been divided into two flats, one at front ground level and rear lower level (one-bedroom flat) and the other at the rear ground level and first floor level (three bedrooms).

The site is not located within a conservation area and is not a listed building, nor is it located within close proximity to any listed or locally listed buildings. The site is located within the Fortune Green and West Hampstead Neighbourhood Plan area. The immediately surrounding area is predominantly residential, characterised by perimeter block terraced houses.

The proposal is for the excavation of a front light well and extension of the basement level, together with the erection of a lower ground floor side and rear wrap around extension, a rear roof extension, removal of chimney, and installation of two roof lights to the front roof slope associated with a loft conversion.

The proposal seeks to create a roof level accommodation with the introduction of a full width extension with matching brick, which will make the rear elevation appear as four-storeys high, rather than the existing rear elevation appearing as three-storeys high. It is noted that the proposed rear roof extension would not protrude beyond the existing rear building line and a number of similar examples of roof-level accommodation in the form of roof dormers can be seen on neighbouring properties. It is therefore considered that the proposed roof extension would be subordinate in scale and location and would respect the character and setting of the surrounding area.

The proposed single storey rear and side infill extensions are considered to be subordinate in scale and location to the two-storey host building and would respect the character and setting of the surrounding area. The depth of the single storey infill extension is 3.2m and would be full width with a 1.1m stepped in rear wall to mirror the design of the neighbouring property, 27 Ulysses Road.

The simple modern scale of the extension would be proportionate to the size and bulk of the building and the proposed brickwork would match the existing aesthetics of the host building. There would be no views of the extension from the public realm. Furthermore, the proposed extension would retain a sufficiently sized rear garden.

The proposed roof lights to the front elevation would be flush with the existing roof slope and are characteristic of the area. As such, no objection is raised on account of their design and appearance.

The proposed basement extension would be modest in scale and be subordinate to the host property. The basement would not extend any further to the rear than the existing rear elevation, and whilst it would extend beyond the front elevation, this would only be a minor intrusion into the front garden. It is considered that the basement complies with the criteria set out in CPG 'Basements'.

A basement impact assessment (BIA) was also submitted, which was independently audited by Campbell Reith in accordance with Policy A5. The final BIA audit confirms that the proposed development complies with the Council's policies and supplementary guidance on basements and would not cause harm to the structural stability of the host and neighbouring properties nor would it impact slope stability or hydrological/hydrogeological environments.

- 2 The proposed development incorporates a green roof on top of the lower ground floor extension. The proposed green roof promotes biodiversity whilst adding to the green nature of the Fortune Green Road Neighbourhood Area, minimising the impact of the proposal. A green roof also aids with insulation and cooling, reducing the carbon footprint of the property. A planning condition has been included to require the submission and approval of full details of the green roof prior to its installation.

Overall, in terms of its siting, scale, and detailed design, the development is not considered to harm the character of the host property or wider area.

In terms of amenity impacts, it is considered that the proposed extensions or additions would not result in unacceptable harm to neighbouring amenity. The proposed single storey rear and side infill extension at lower ground floor would be constructed next to a matching extension at no.27. There are no windows to the flank elevation and the proposed infill extension would project only 1.2m further than the neighbour's infill addition. Therefore, owing to its limited bulk and depth, the proposed side extension would not harm the amenity of the adjoining residential occupiers in terms of the loss of light, outlook, or privacy. The proposed roof extension would have rear facing windows which would be a significant distance from the dwellings to the rear, thus would not result in loss of privacy or overlooking. The green roof above the single storey extension at lower ground floor will not be used as a roof terrace and a condition will be included to protect the privacy and amenity of adjoining properties.

The Council's Transport Officer has reviewed the proposal and concluded that a Section 106 legal agreement would be required to secure a Construction Management Plan (CMP), CMP implementation support contribution, and impact bond. This will help ensure that the proposed development is carried out without unduly affecting neighbouring amenity or the safe and efficient operation of the local highway network.

Given the proximity of the proposed front basement excavation and lightwell to the public highway, it is also necessary to secure an Assessment in Principle and associated contribution by means of the Section 106 Agreement. This will help ensure the proposed excavation is carried out without unduly impacting the structural stability of the adjacent public highway.

No objections were received prior to this decision being made. 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, CC2, CC3, and T1 of the London Borough of Camden Local Plan 2017 and Policies 2 and 17 of the Fortune Green and West Hampstead Neighbourhood Plan 2016. The proposed development also accords with the National Planning Policy Framework 2023 and the London Plan 2021.

- 3 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).
- 4 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.
- 5 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.

- 6 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.

- 7 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.

- 8 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer