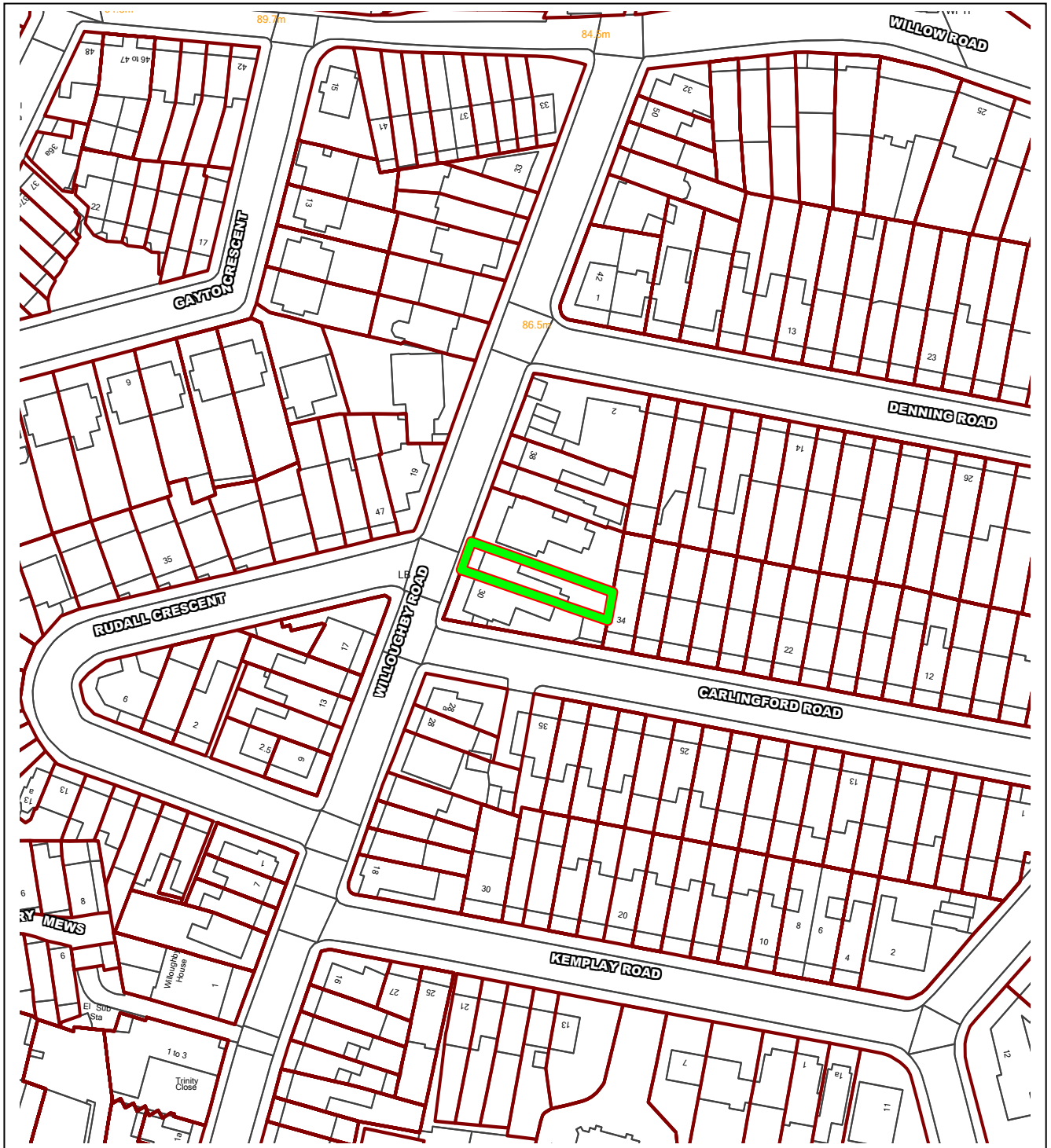


2023/1671/P 32 Willoughby Road



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Image 1, an aerial view of the site.



Image 2. View of the rear along the flank patio facing east



Image 3. Showing the existing gate along the flank elevation



Image 4. rear elevation, looking west

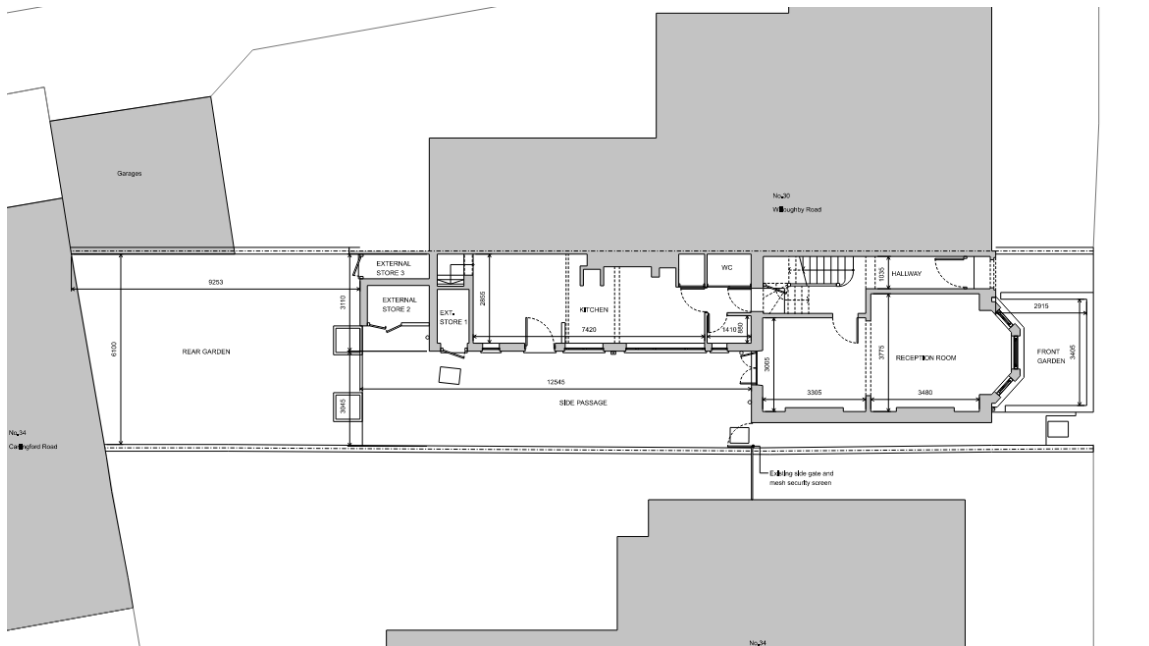


Image 5. Existing ground floor plan

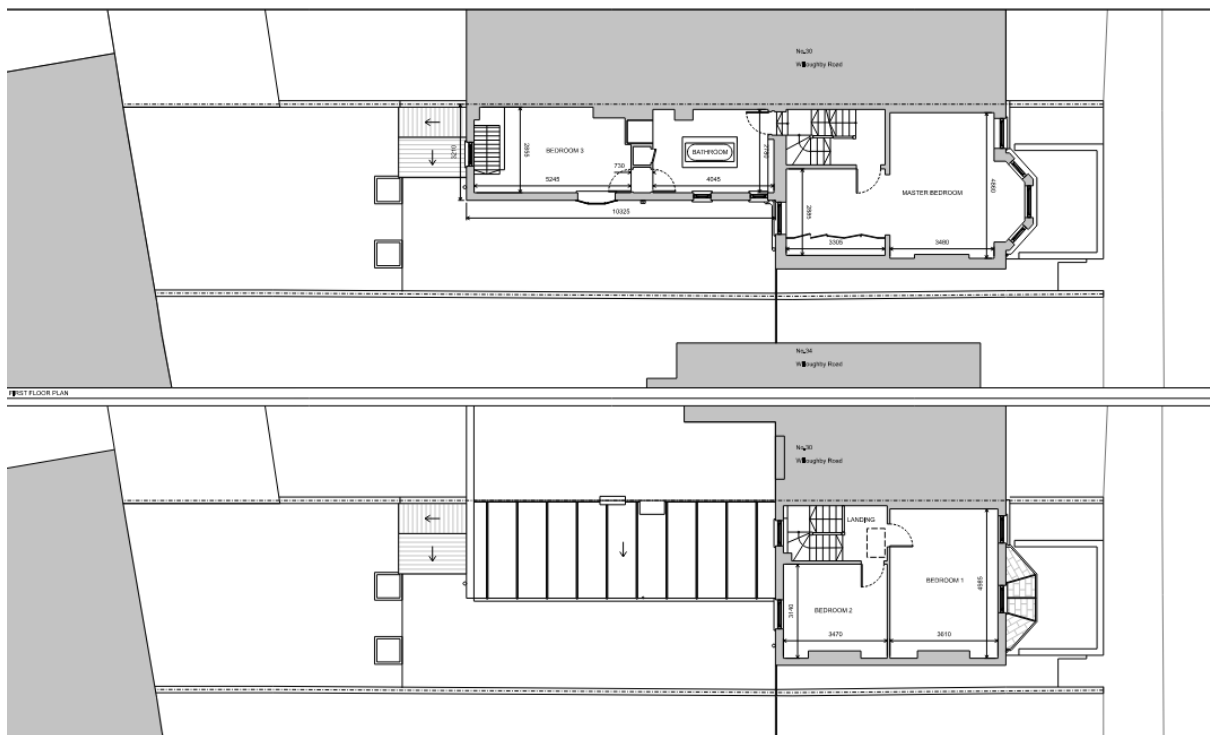


Image 6. Existing first floor and roof plan

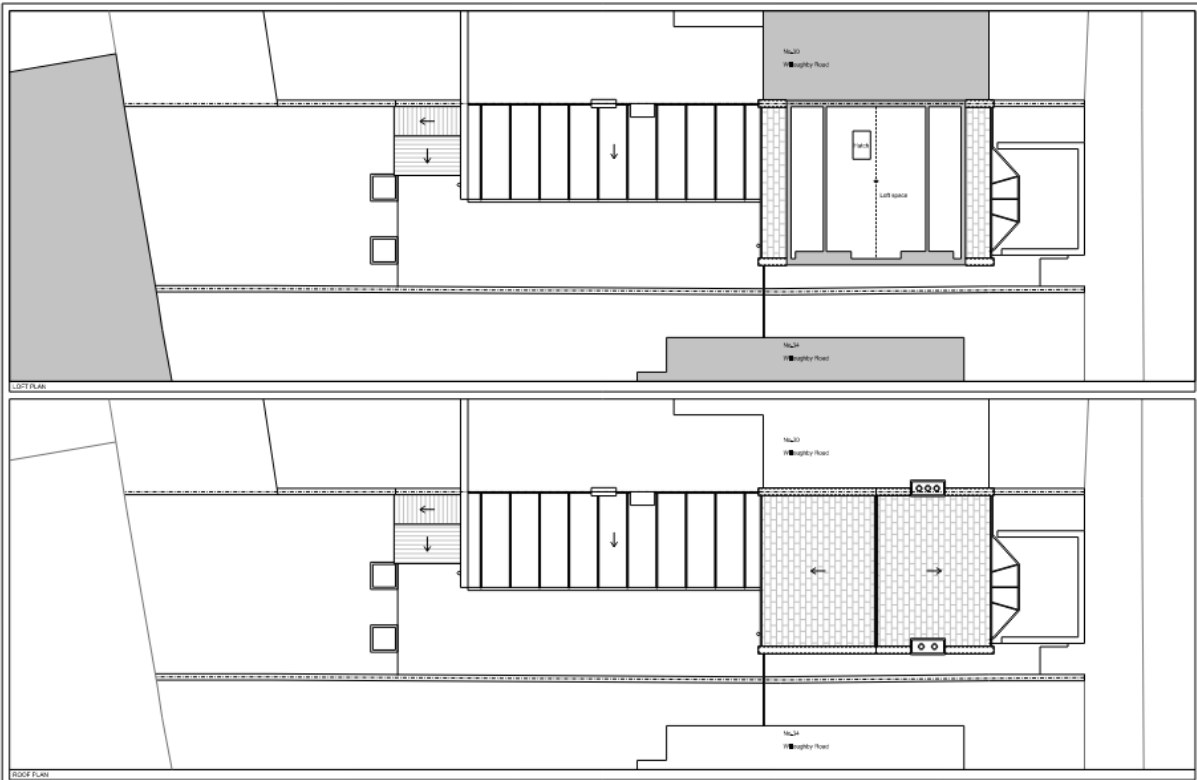
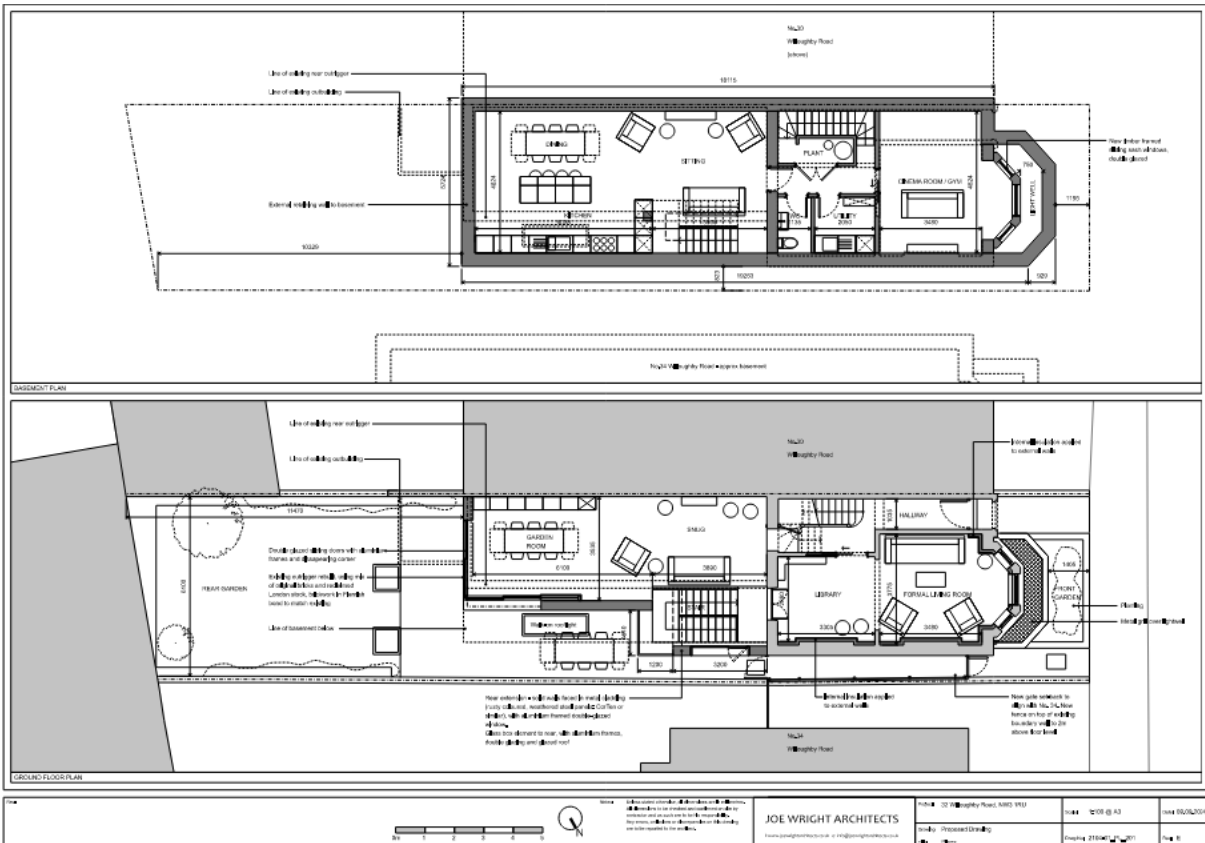


Image 7. Existing loft and roof plans



Notes:
 1. All dimensions are in millimeters unless otherwise stated.
 2. All dimensions are to the center of the element unless otherwise stated.
 3. All dimensions are to the finished surface unless otherwise stated.
 4. All dimensions are to the center of the element unless otherwise stated.

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Image 8. Proposed basement and ground floors

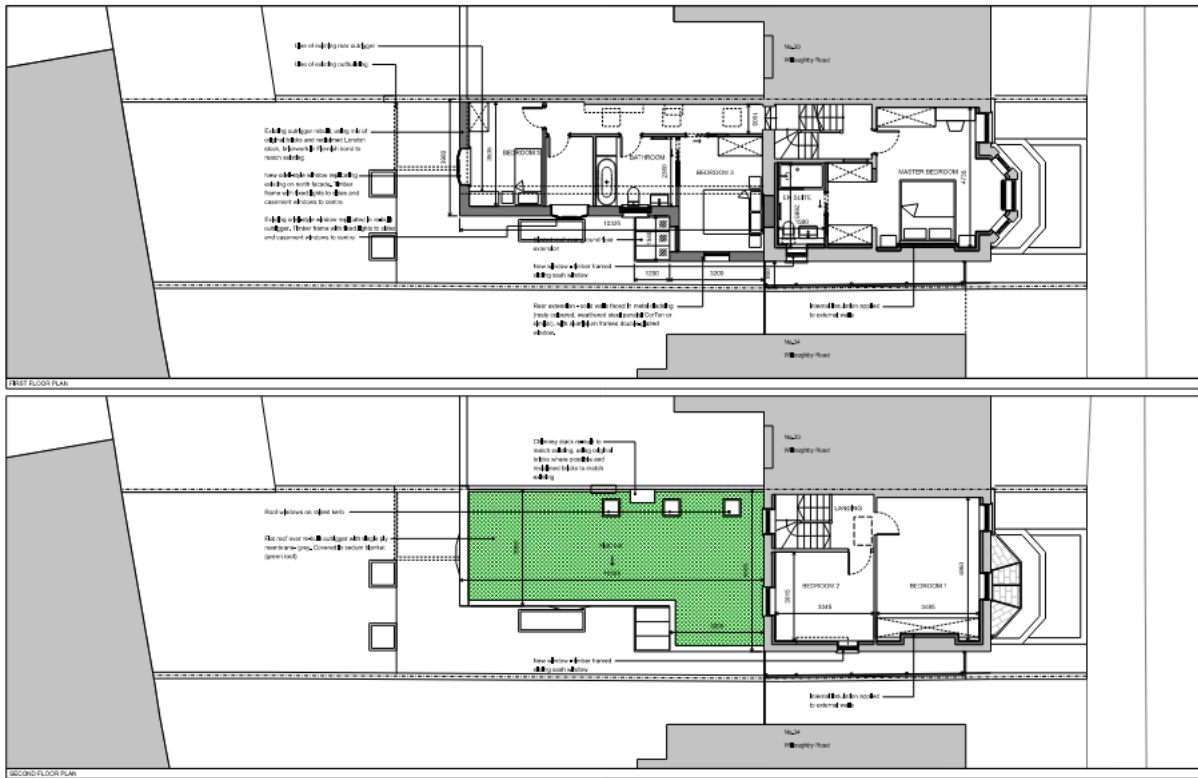


Image 9. Proposed first and second floor plans.



Image 10. Proposed Loft and roof plans



Image 11. Existing front rear and flank elevations

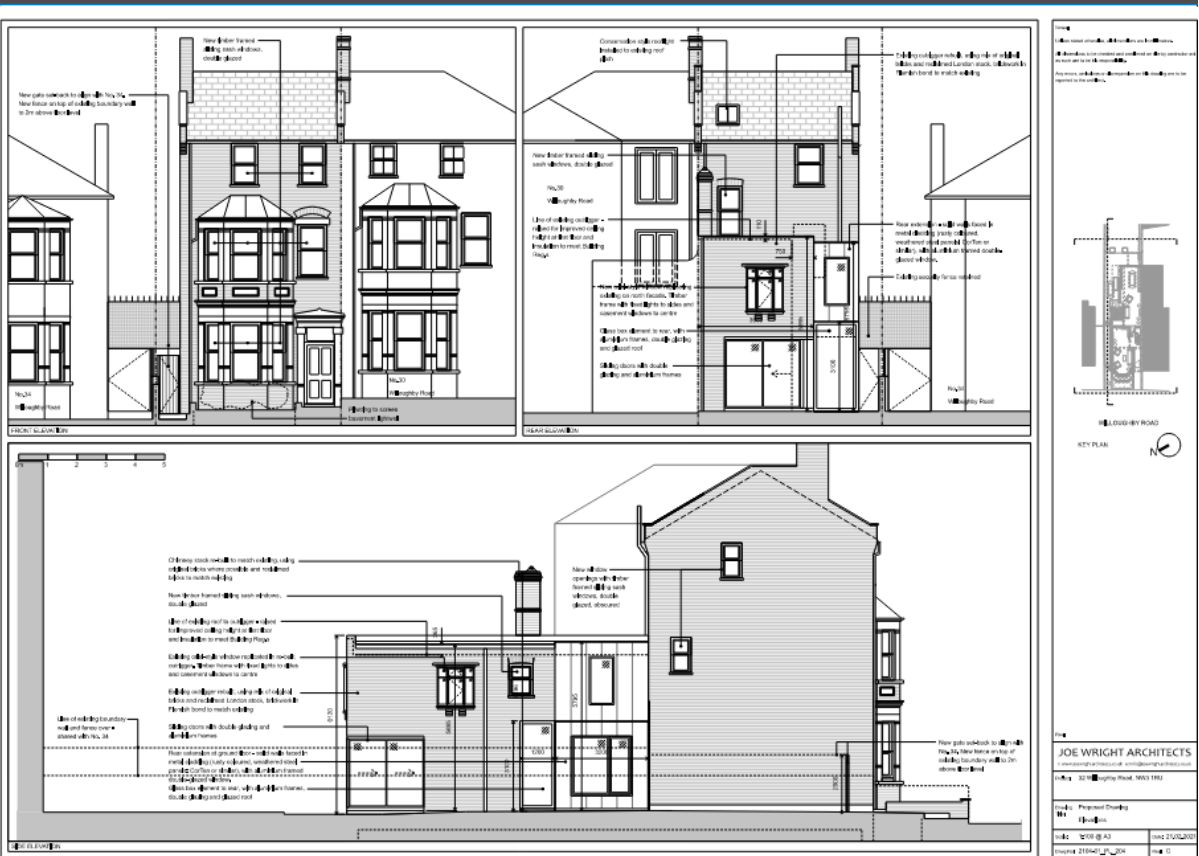


Image 12. Proposed front, rear and side elevations.

Delegated Report		Analysis sheet		Expiry Date:	19/06/2023
(Members' Briefing)		N/A		Consultation Expiry Date:	11/06/2023
Officer					
Obote Hope			2023/1671/P		
Application Address			Drawing Numbers		
32 Willoughby Road London NW3 1RP			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Demolition of existing two storey outrigger and replacement with an enlarged two-storey outrigger and two-storey rear extension, all with a green roof; construction of basement extension under the existing dwelling and part of rear garden and front lightwell; addition of side gate and fence; addition of side windows and rear roof lights and replacement sash windows.					
Recommendation(s):		Grant Conditional Planning Permission Subject to Section 106 Legal Agreement			
Application Type:		Householder application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	06	No. of objections	06

Summary of consultation responses:

Publicity

- A site notice was displayed on 12/05/2023 (expired 05/06/2023)
- A press advert was published on 18/05/2023 (expired 05/06/2023)

6 objections were received from neighbouring residents including an Independent assessment from LBHGBO Ground Engineering Ltd objections raised are summarily listed below:

1. Inadequate consultation on the application and no pre-involvement with neighbours at application stage;
2. Structural concerns including subsidence and impact to foundations, and general concern that the basement extension would not be compliant with policy and the basement assessed is flawed;
3. Tree impact and movement from existing tree roots exacerbated by basement excavation;
4. Wrong certificate is signed given the application extends outside the red line area of the application site, Certificate B should have been completed and notice served;
5. The proposal would result in substandard accommodation due to the living accommodation at basement level;
6. The proposal would cause loss of daylight/sunlight with no 30 Willoughby Road;
7. Expense and costs are to be incurred by leaseholders;
8. I can find no other occasions when an existing application for renovations has then been substituted for a basement application;
9. Screening questions have been answered incorrectly as “no” leading to mis-scoping;

Officers' response:

1. *It is duly noted that there were multiple planning applications submitted within a short space of time all these applications were published online for public scrutiny and consultations were made in accordance with our Statement of Community Involvement 2024 which can be found [here](#). Moreover, the site notice was displayed on the nearest lamppost to the property which was also advertised in the local press, therefore the application meets the statutory obligation as required under Article 15 of the Development Management Procedure Order;*
2. *The Basement Audit was updated to include details of the structural stability of the building and neighbouring properties. The updated report concluded that appropriate measures would ensure that the structural infrastructure of the host building and the neighbouring ones will be maintained – for full details relating to basement impact, please see section 3 of this report. Notwithstanding this, Structural impacts are not a matter for consideration in the determination of planning applications. Structural issues are for consideration/action under the Party Wall Act, Building Regulations and civil law;*
3. *The arboricultural report indicates no trees are to be removed as part of the development and shows that the root zones of the nearest trees do not extend into the area of the proposed basement. Tree root protection measures have been recommended both in the arboricultural report and by the tree officer who raised no objection to the proposed works.*
4. *In relation to works affecting the party wall, Certificate B has now been completed and the requisite notice sent to the freehold company and*

all leaseholders of number 30 Willoughby Road. A copy of the signed certificates both dated 13th June 2023 are published on the Council's website;

5. The application as submitted given the layout and design of the property is not considered as substandard accommodation given the dwelling house is not being converted into flats and the proposed basement is being used as an ancillary kitchen, plantroom and gym;
6. Please see the amenity assessment below in paragraph 10;
7. The cost and expense that may occur in the future would be a civil matter between both parties and would not be considered as material consideration in determining this planning application;
8. The site has had various planning area over the last few years and whilst this can be confusing the works relates to different schemes the **2022/2877/P** planning application was for a replacement part one, part two storey rear extension that was (**Granted 16/09/2022**) whilst the **2022/4631/P** – Relates to a two storey part rear and part infill extension which was granted on **12/12/2022**). The current application being assessed is similar to the previous **2022/4631/P** with the exception of a new basement being proposed;
9. Screening and scoping exercises have been undertaken, generally informed by a desk study and reference to the Arup GSD document;

The Hampstead CAAC was consulted and they had no comment on this application.

The Hampstead Neighbourhood Forum was also consulted and no comment was received at the time of writing up this application.

Thames water comments are as follows:

1. The applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions.
2. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.

Officer comment

1. A condition is attached requiring details of the piling method statement to be submitted and approved by Thames Water
2. An informative about piling is attached as requested.

Hampstead CAAC

**Hampstead
Neighbourhood Form**

Thames Water

Site Description

The property is a semi-detached three storey dwelling house located on the east side of Willoughby Road, with the junction of the Carlingford Road to the south and Rudall Crescent to the west.

The property is listed as a positive contributor to the character and appearance of the Hampstead Conservation Area in the relevant Conservation Area Statement and is within the Hampstead Neighbourhood Plan area. The site is not listed.

Relevant History

Relevant planning history on the application site:

2023/0521/P - Demolition of existing two storey rear wing and replacement with a wider 2 storey rear wing and a three storey part-width rear infill extension, both with green roofs; installation of replacement side gate and fence; addition of 2 side windows and 1 rear rooflight and replacement sash windows throughout. **Refused** on 11/04/2023

Reason for refusal:

The proposed three storey rear infill extension, by reason of its location, scale, excessive bulk and height, and incongruous design and materiality, would be harmful to the character and appearance of the host building, streetscene and conservation area. The proposal is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

2022/2877/P - Demolition of existing two storey outrigger and replacement with part one, part two storey rear extension; provision of cycle store, two side windows and rear roof light (**Granted 16/09/2022**)

2022/4631/P - Demolition of existing two storey outrigger and replacement with two storey part rear and part infill extension; provision of cycle store, two side windows and rear roof light (**Granted 12/12/2022**)

Relevant policies

National Planning Policy Framework (2024)

The London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development
A2 Open Space
A3 Biodiversity
A5 Basements
D1 Design
D2 Heritage
CC1 Climate Change Mitigation
CC2 Adapting to Climate Change
CC3 Water and flooding

Hampstead Neighbourhood Plan (2018)

DH1 Design
DH2 Conservation areas and listed buildings
NE2 Trees
NE4 Supporting Biodiversity
BA1 Basement Impact Assessments
BA2 Basement Construction Plans
BA3 Construction Management Plans

Camden Planning Guidance

CPG Design

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 which 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. Proposal and Background

1.1. The applicant seeks planning permission for demolition of the existing two storey outrigger and replacement with an enlarged outrigger with an additional two storey extension to the rear elevation, all with a green roof. It is also proposed to construct a basement extension below the footprint of the building and extending into the rear garden and front lightwell, as well as the installation of a side gate and fence; the installation of side windows and rear roof lights; and replacement sash windows to the front and rear elevations.

1.2. The proposed planning application addresses the previous reason for refusal given for a similar scheme at the same site, by omitting the addition storey (see planning history section for details). In terms of visual bulk and scale, this is similar to the application that was granted planning permission (ref no: 2022/4631/P following pre-application advice under 2021/6287/PRE), which demonstrated that the principle of the demolition of the two storey outrigger and its replacement by another wider 2 storey rear wing plus an adjoining 2 storey infill extension was acceptable in design and heritage terms, as this was not overly bulky and maintained a level of subordination with the host dwelling as well as not being publicly visible.

1.3. Revision

1.4. Concerns were raised by the Council officers over the excavation of the sub-basement for its use as an ancillary wine cellar. Given the works was for the provision of a sub-basement this element has now been removed as the proposal would be contrary to Planning Policy A5.

1.5. The revisions made did not materially affect the scheme and as such were accepted as amendments without the need for re-consultation.

2. Assessment

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

- Principle of Basement Construction
- Design and heritage
- Amenity
- Transport and Highways
- Trees/Biodiversity
- Flood Risk and Water Infrastructure
- Sustainability

3. Principle of Basement Construction

3.1. Policy A5 of the Local Plan states that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to siting, location, scale and design of basements should have a minimal impact on and be subordinate to the host property, and as such should (f) not comprise more than one storey and should (g) not be built under an

existing basement, in tandem with other requirements as described in parts (h) to (m) of the policy which ensure that back gardens are not affected.

- 3.2. In determining proposals for basements, applications should be supported by a Basement Impact Assessment. The Council will require applicants to demonstrate through their BIA that proposals for basements meet the requirements of parts (n) to (u) of Policy A5, which includes not harming neighbouring properties, avoiding impact to the local water environment, not prejudicing the ability of the garden to support trees, and other measures being respected including local character and residential amenity. These parameters are expanded upon with Basements CPG. The Council will only permit basement development where it has been satisfactorily demonstrated that the works would accord with these criteria.

Basement Impact Assessment review

- 3.3. In accordance with the requirements of policy A5, the applicant has submitted a Basement Impact Assessment which reviews the impacts of the proposed basement structure and construction methods in terms of its impact upon drainage, flooding, groundwater conditions and structural stability. The submitted BIA was produced by Built Engineers.
- 3.4. The document has been subject to a full audit by Campbell Reith (CR) in line with the requirements of policy A5 and CPG Basements.
- 3.5. The BIA states that the basement would be constructed using two lifts of underpinning and contiguous bored piling. The basement excavation will be c.4.00m deep and the founding stratum is identified as the London Clay and it's accepted that the proposed development will not increase the amount of hardstanding draining to the sewers and will not have a significant impact on the hydrology of the area and although Claygate Member soils were encountered on one side of the site, CR confirmed that it's accepted that limited groundwater was encountered during the site investigation and the development will not have a significant impact on the hydrogeology of the area. Following an initial review, CR requested further information from the applicant and structural information has been provided, including outline temporary and permanent works.
- 3.6. Campbell Reith confirmed that any damage that could potentially occur as the result of the proposed basement works would be limited to a maximum of Burland Category 1 (very slight) which is considered an acceptable threshold for basement works by Policy A5 part (n). A movement monitoring strategy is provided and based on the additional information provided it can be confirmed that the BIA complies with the requirements of CPG: Basements.
- 3.7. Groundwater was not recorded in the boreholes during the ground investigation. Two monitoring standpipes were installed and the revised submission includes the results of two subsequent groundwater monitoring visits. Water was encountered in one of the trial pits, which was considered to represent perched water held in the Made Ground. The revised submission provides additional consideration of the groundwater regime at the site and identifies that any groundwater encountered during construction is likely to be low volume and can be dealt with by sump pumping. It is accepted that the proposed basement will not have a significant impact on the hydrogeology of the area.
- 3.8. A Structural Stability Report (SSR) and Construction Method Statement (CMS) has been produced for the proposed basement. Temporary and permanent works information is provided in sufficient detail to inform the BIA. The report was updated to provide details which confirmed that retaining wall was updated with the Ground Movement Assessment (GMA) which has been carried out for the development using the CIRIA C760 to estimate horizontal and vertical movements that may be generated by the underpinning and piling works proposed. While CIRIA C760 is intended for embedded retaining walls, that gave reasonable estimates of ground movement resulting from underpinning.

3.9. CR recommends the monitoring of adjacent properties and the public highway using tell tales and levelling targets and a number of responses have been submitted by the public during the planning consultation period with many of these relate to concerns of structural instability caused by the construction of the basement. However, CR confirmed that the updated information provided demonstrates that the basement can be constructed in compliance with CPG: Basements

3.9.1 Therefore, in accordance with the above specialist advice provided above, the submitted BIA information is considered to have adequately addressed parts (n) to (u) of policy A5. Conditions would ensure that the works are carried out in full accordance with the approved Basement Impact Assessment and that all works would be overseen by a suitably qualified engineer throughout all stages of construction.

Scale of the proposed basement development

3.9.2. In addition to protecting against flooding, ground instability and damage to neighbouring buildings as set out above, the Council will also seek to control the overall size of basement development to protect the character and amenity of the area, the quality of gardens and vegetation and to minimise the impacts of construction on neighbouring properties.

3.10. As discussed above, criterion (f) – (m) of Basement policy A5 therefore outline the maximum acceptable scale of basement extensions. The following table demonstrates how the proposed basement is compliant with these parts of policy A5 of the Camden Local Plan 2017.

Policy A5 Criteria	Response	Complies: Yes/No
Basement development should:		
f) not comprise of more than one storey;	The proposed basement would be single storey in depth.	Yes
g) not be built under an existing basement;	The proposed basement would be single storey in depth beneath the lower ground floor. The existing lower ground floor is not subterranean in any area and so the extension complies with the Basement CPG guidance. Basements to other properties on this street have been granted permission with a much larger floor area.	Yes
h) not exceed 50% of each garden within the property;	The proposed basement would cover a small area at the front of the property and would not extend into the garden area.	Yes
i) be less than 1.5 times the footprint of the host building in area;	The proposed basement would cover a small area at the front of the property and would not extend beyond it.	Yes
j) extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;	The proposed basement would not extend into the garden area or beyond the rear elevation.	Yes
k) not extend into or underneath the garden further than 50% of the depth of the garden;	The proposed basement would not extend into the garden area.	Yes

l) be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and	The proposed basement would cover a small area at the front of the property and would not extend beyond it.	Yes
m) avoid the loss of garden space or trees of townscape or amenity value.	Existing garden space would be retained and trees would be adequately protected.	Yes

3.11. As such, the proposed basement would be of a scale and proportion that would be in accordance with criterion (f) – (m) of policy A5. Furthermore, and considering the matters discussed in this section and that above regarding the BIA, it is also considered that parts (a) to (e) of policy A5 would be met as neighbouring properties, the structural, ground, or water conditions of the area, the character and amenity of the area, the architectural character of the building, and the significance of heritage assets would not be adversely affected by the proposed basement works.

3.12. It is therefore considered that the proposed basement works would be acceptable as it would be in accordance with the requirements of policy A5 and the CPG Basements.

3.13. A condition requiring a piling method statement in relation to Thames Water wastewater assets and informative about piling has been attached following Thames Water’s comments.

4. Design and heritage

Policy background

4.1. The Council’s design policies are aimed at achieving the highest standard of design in all developments. Policy D1 (Design) states that all development should consider the character, setting, context and the form and scale of neighbouring buildings whilst Policy D2 (Heritage) states that within conservation areas, the Council will only grant permission for development that ‘preserves and enhances’ its established character and appearance. The Council welcomes high quality contemporary design which responds to its context. Camden’s Local Plan Document is supported by Supplementary Planning Guidance CPG (Design).

4.2. The supporting text for policy D1 (Design) states:

7.2 The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:

- character, setting, context and the form and scale of neighbouring buildings;
- the character and proportions of the existing building, where alterations and extensions are proposed;
- the prevailing pattern, density and scale of surrounding development;
- the impact on existing rhythms, symmetries and uniformities in the townscape;
- the composition of elevations; its contribution to public realm and its impact on views and vistas; and
- the wider historic environment and buildings, spaces and features of local historic value

7.5 Design should respond creatively to its site and its context including the pattern of built form and urban grain, open spaces, gardens and streets in the surrounding area. Where townscape is particularly uniform attention should be paid to responding closely to the prevailing scale, form and proportions and materials.

4.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) provide a statutory presumption in favour of the preservation of the character and appearance of conservation areas. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

Rear extensions

- 4.4. The side elevation of the outrigger still provides a clear example of architectural heritage and design and positively contributes to the character of the site. However due to the layout of the adjacent properties, this part can be rarely, if at all, seen from the street or neighbouring gardens. The proposal replaces the existing outrigger with a new two storey replacement that would be re-built with a slightly larger width and the roof level raised slightly to provide a better ceiling height at first floor and accommodate additional roof insulation which the agent confirmed would meet building regulations. The scale and design still retains a stepped nature of the original structure and although large, matches the existing outrigger in terms of scale and massing. Therefore, the replacement is considered to keep an acceptable level of subordination, preserving the character of the site and therefore the conservation area.
- 4.5. In between the boundary wall and new outrigger a two storey infill extension is proposed. It is below the ridge of the outrigger and its depth is relatively small and the existing chimney stack over the rear outrigger would be rebuilt to match the existing. It's considered that the impact is minimal and the development preserves the character of the conservation area. Furthermore this is considered acceptable as it cannot be seen in any direct or public views and still retains a rear building line consistent with the wider building group.
- 4.6. The flat roof style has been retained, reducing the bulk and also highlighting the chimney as a positive feature. The roof lights on the roof of the outrigger and the original house are modest in size. The roof light on the original house has been confirmed to be a conservation roof light which is supported.
- 4.7. The replacement rear outrigger and the two-storey extension would have flat roofs. These would be finished in an extensive 35 sqm green roof consisting of a sedum blanket to improve biodiversity, retain/slow rainwater run-off, and provide visual amenity and soften the visual impact. The wider rear outrigger would be extended/rebuilt in reclaimed London stock brick, and the design and access statement confirmed that the brick would be laid in Flemish bond to match the existing. The original bricks reclaimed from the existing building would be used as far as possible.
- 4.8. The two-storey rear extension would be faced in weathered steel. While clearly a contemporary use of this material, it would sit comfortably next to the texture and colour of London Stock brick. Overall, the design and appearance is considered acceptable and the identical to the material which was approved for the two-storey infill extension under planning permission reference 2022/4631/P.

Boundary treatment

- 4.9. To the narrow side passage between No. 32 and 34 it is proposed to add a gate to the front and a fence over the boundary wall for security and to provide external storage. The existing security fence would be retained to the front elevation and a new pedestrian access gate, constructed in timber is proposed to the flank which would be aligned and be set-back with the existing gate at no 34 Willoughby. This means the appearance of separation from no.34 will be retained and therefore the impact will be minimised.

Fenestration treatment

- 4.10. Alongside the new roof window to the existing main pitched roof, new windows are proposed to the side elevations at first and second floors and the wider outrigger/rear extension would necessitate the removal of the existing rear first floor window. In terms of the fenestration and window details, the ground floor contains aluminium sliding doors with weathered steel on the two storey rear extension, and the replacement outrigger would include large-glazed windowpanes, which would be considered appropriate due to its modest prominence from this part of the property. Moreover, the design also retains a good level of brickwork. On the first floor, the material palette is more traditional with timber frames and sympathetic levels of glazing, and the oriel window to the

rear would be double glazed with timber framing, which aids in preserving the character of the conservation area. The weathered steel and aluminium framed windows featured over the two floors of the infill extension are acceptable given the modern character of this extension, including in terms of location, design, and materiality.

Front basement lightwell

- 4.11. The basement would be constructed under the full footprint of the building and extend into the rear garden to accommodate a large open plan kitchen/dining/family living space to the rear, with daylight provided by the double-height stairwell and a walk-on rooflight in the garden. There would be a lightwell shaped around the front bay providing daylight to the cinema room/gym. The centre of the plan would accommodate utility and plant spaces and a secondary access stair/fire escape.
- 4.12. At the front, a lightwell would be excavated, which would feature a metal grille and would allow an acceptable amount of garden space to be retained. The proposed metal grille would be set back by approximately 1.4m from the front boundary fence. However, the grille and lightwell would be located behind the front boundary wall and would be discrete and the opening would be screened by planting, so the impact on the host building and wider conservation area would be acceptable.
- 4.13. The proposal would preserve the character and appearance of the conservation area overall. The Council has had special regard to the desirability of preserving the character and appearance of the Conservation Area.

Amenity

- 4.2. Policy A1 seeks to ensure that development does not cause adverse amenity impacts to neighbours in terms of sunlight, daylight, privacy and overlooking, noise, vibration, and odour.
- 4.3. The impact on neighbouring properties from the proposed basement works is covered in the Basement section above. Furthermore, an element of disturbance from building works is to be expected from any development project and is not considered to be a reason for refusal. The proposed basement works shall be managed through a construction management plan secured by legal agreement. Details of further construction impact mitigation measures for the basement works are discussed in the Transport section below.
- 4.4. In relation to amenity, the outrigger does not extend any further in depth and is set away from the boundary of no. 34 by 2.4m. This means there would be no additional loss of light or outlook for both no.30 and no.34. The two storey infill is positioned in a way in that it will not impact any amenity enjoyed by no 34. The additional two-storey extension passes the 45 degree test and there would be no harmful loss of daylight or sunlight to neighbouring windows. None of the proposed new windows would introduce new opportunities for overlooking or significant impacts to the privacy of neighbours.
- 4.5. A condition would be attached for the flat roof of the rear extension not to be used as a terrace, this would protect the neighbouring amenities from be overlooked or from disturbance arising from this use.
- 4.6. As such, by virtue of its height, massing, and distance from surrounding buildings, the proposed rear extension and the other works included in the application would avoid an impact on neighbouring amenity, including in terms of impact on daylight and sunlight, loss of outlook, privacy, or overlooking.

5. Transport and Highways

- 6.1. Policy of the Local Plan states that the Council will promote sustainable modes of transport. Policy T4 states that the sustainable movement of goods and materials will also be promoted.

- 6.2. Most of the proposed works (other than the basement) are minor alterations and refurbishment works to the existing house and as such they would not be expected to lead to significant impacts from the construction process. The basement works would require a more substantial degree of excavation and other building works. The Council's Transport Officer has reviewed this application and considers it unlikely that damage to the public highway would occur from the proposed basement works. As such, the Transport Officer has raised no objections to the proposed construction works overall.
- 6.3. It is recommended that a construction management plan is secured for the basement works, as parking on the road would need to be temporarily suspended to allow for skip storage, deliveries and the movement of construction vehicles. Furthermore, financial contributions towards the management, monitoring and mitigation of the basement works is required in the form of an implementation support contribution (£4,194), impact bond contribution (£8,000) and an approval in principle contribution (£576.80). These shall be secured by legal agreement, to be paid prior to the commencement of any basement works.
- 6.4. Other than temporary impacts relating to basement works, no significant impact on local parking or road traffic conditions is expected to occur from this development proposal.
- 6.5. As such, subject to the aforementioned obligations secured through s106 legal agreement, it is considered the proposal is acceptable in transport and highway terms.

6. Trees and biodiversity

- 6.1. Policy A3 of the Local Plan states that the Council will protect existing trees and seek to secure the planting of additional trees and vegetation and will protect and enhance sites of nature conservation and biodiversity.
- 6.2. In support of the application, the applicant has provided an Arboricultural Impact Assessment. The BIA also states that tree root protection areas (RPAs) would not be encroached upon as part of the proposed basement works and the Arboricultural report submitted by Wood Consulting with the planning application found that no trees would be affected by the proposed development, subject to following tree protection measures as set out in his report. The Council's Trees and Landscaping officer has reviewed the submitted documents and raised no objection to the proposal, subject to the inclusion of conditions to secure tree protection and landscaping details.
- 6.3. It is noted that the Biodiversity Net Gain (BNG) requirement came into effect for major applications on 12th February 2024, and for small sites on 2nd April 2024. However, there are a number of statutory exemptions and transitional arrangements which mean that the BNG condition does not always apply. These are summarised by way of an informative attached to this decision.
- 6.4. This application was submitted prior to the 2nd April 2024, and so is exempt from BNG. The applicant is reminded of this by way of an informative attached to this decision.

8. Flood Risk and Water Infrastructure

- 8.1. Policy CC2 of the Local Plan states that development should not increase surface water run-off, whilst policy CC3 states that development shall not increase flood risk through harm to the water environment.
- 8.2. The site is not located on a historically flooded street nor is it located within a Local Flood Risk Zone – as such, it is not considered that the application is at risk of flooding. Regardless, the submitted BIA and planning statement include reference to measures to reduce run-off rates and mitigate the risk of flooding.

8.1. The footprint of the proposed extension is similar to the existing rear extension but slightly larger. The location of the extension is above existing hard surfacing so the peak run-off would not vary significantly. The proposed development will include a green roof to the new extension, which would absorb some level of rainwater to reduce run-off into the drainage system. It will not result in an increase in hardstanding area, as the current external areas are paved and drain to the local sewers and Campbell Reith has confirmed that the proposed basement construction would not have a significant impact on the hydrogeology of the area.

8.1. The proposed rear extension would be constructed on the existing hardstanding area thus, the proposal would not exacerbate surface water levels. The existing sewer connection would be maintained and existing drainage arrangements will be maintained or modified in accordance with best practice. Limited groundwater was encountered during the site investigation, whilst Ground Movement Assessment (GMA) has been provided. It is accepted that the range of movements predicted are within the range anticipated considering the depth and scale of the proposed basement and proposed construction techniques and Campbell Reith raised no objections to the conclusions of the BIA in this regard.

8.2. As such, it is considered that the proposal is acceptable in terms of its impact on flood risk and water infrastructure.

9. Sustainability

9.1 The proposed timber framed double glazed extension would be a more insulated extension which replaces the inefficient two storey outrigger to the rear of the property that would allow greater energy efficiency by improving solar gains by allowing more natural light and ventilation into the property which would provide comfort for the occupants - both cool in summer and warm in winter – with minimal heating or cooling requirements. The agent also confirmed that the proposed extension would be draught-proofed and would exceed Building Regulations where possible and the existing solid brick external walls to the house would also be lined internally with insulation, joisted within the ground floor whilst the roof would be insulated. The new extensions will incorporate insulation which exceeds current Building Regulations requirements. Replacement of the existing single glazed, draughty windows with replacement double-glazed windows, ventilation would be provided using MVHR which would minimise heat loss whilst providing continuous fresh air to the property in all weathers.

9.2 The proposed alterations to the fabric would offer significant improvements to the energy efficiency of the property and would be in accordance with planning policies CC1 and CC2 of the Camden Local Plan 2017.

9.3 Moreover, the extension covers an area of existing hardscaping and would not affect ecology or wildlife. However, to support biodiversity, the proposal would be constructed with 35m² of green roof which will assist with temperature regulation and the proposed green roof would slow rainwater run-off and increase biodiversity on the site.

10. Recommendation

10.1. Grant Conditional Planning Permission subject to Section 106 agreement with the following heads of terms:

The following section 106 planning obligations and conditions would be required if planning permission is granted:

- Construction Management Plan and associated Implementation Support Contribution of £4,075.60
- Construction Impact Bond of £7,874
- Approval in Principle fee of £1730.39
- Highways contribution of £8,694.55

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 3rd March 2025 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 and search for 'Members Briefing'.

Application ref: 2023/1671/P
Contact: Obote Hope
Tel: 020 7974 2555
Date: 26 February 2025

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

WEA Planning
14 Windermere Rd
2nd Floor
London
N19 5SG
United Kingdom

Dear Sir/Madam

DRAFT
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:
32 Willoughby Road
London
NW3 1RU

Proposal:

DECISION
Demolition of existing two storey outrigger and replacement with an enlarged two-storey outrigger and two-storey rear extension, all with a green roof; construction of basement extension under the existing dwelling and part of rear garden with front lightwell; addition of side gate and fence; addition of side windows and rear roof lights and replacement sash windows.

Drawing Nos: 2104-01_PL_000; 2104-01_PL_001 REVE; 2104-01_PL_001 REVE; 2104-01_PL_002 REVF; 2104-01_PL_003 REVE; 2104-01_PL_004 REVD; 2104-01_PL_005 REVE; 2104-01_PL_010 REVA; 2104-01_PL_201 REVE; 2104-01_PL_202 REVC; 2104-01_PL_203; 2104-01_PL_204 REVC; 2104-01_PL_205 REVE; 2104-01_PL_110 REVB; 2104-01_PL_111 REVA; Wood Consulting Arboricultural and Planning Impact Assessment Report dated 13th February 2023; WEA Planning Design and Access Statement dated April 2023; Revised Structural Stability Report by Baker Chatterton Structural Design dated 15.09.2023; Geological & Geotechnical Consultants Basement Impact Assessment dated April 2023; GS_bored pile dated 21/10/2024; Design Report Basement dated 04.11.2024; Construction Method Statement by Baker Chatterton Structural Design dated 23.10.2024 and Ground Movement Assessment by Baker Chatterton Structural Design dated September 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: 2104-01_PL_000; 2104-01_PL_001 REVE; 2104-01_PL_001 REVE; 2104-01_PL_002 REVF; 2104-01_PL_003 REVE; 2104-01_PL_004 REVD; 2104-01_PL_005 REVE; 2104-01_PL_010 REVA; 2104-01_PL_201 REVE; 2104-01_PL_202 REVC; 2104-01_PL_203; 2104-01_PL_204 REVC; 2104-01_PL_205 REVE; 2104-01_PL_110 REVB; 2104-01_PL_111 REVA; Wood Consulting Arboricultural and Planning Impact Assessment Report dated 13th February 2023; WEA Planning Design and Access Statement dated April 2023; Revised Structural Stability Report by Baker Chatterton Structural Design dated 15.09.2023; Geological & Geotechnical Consultants Basement Impact Assessment dated April 2023; GS_bored pile dated 21/10/2024; Design Report Basement dated 04.11.2024; Construction Method Statement by Baker Chatterton Structural Design dated 23.10.2024 and Ground Movement Assessment by Baker Chatterton Structural Design dated September 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and the proposal would be in general accordance with policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018 .

- 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 the proposal would be in general accordance policy BA1 of the Hampstead Neighbourhood Plan 2018.

- 5 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Construction Method Statement by Baker Chatterton Structural Design dated 23.10.2024 and of the Basement Audit 14006-31 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 and the proposal would be in general accordance with policy BA1 of the Hampstead Neighbourhood Plan 2018.

- 6 The flat roof of the two storey rear extension shall not be used as a roof terrace, sitting out area or other amenity space and only be accessed for maintenance purposes.

Reason: To protect the amenity of adjoining occupiers and the area in accordance with policies A1 and D1 and D2 of the Camden Local Plan 2017 and the proposal would also be in general accordance with policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 7 No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of Policy CC3 of the London Borough of Camden Local Plan 2017.

- 8 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 and showing a variation of substrate depth with peaks and troughs;
 - 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, CC4, D1, D2 and A3 of the London Borough of Camden Local Plan 2017 and the proposal would also be in general accordance with policy NE4 of the Hampstead Neighbourhood Plan 2018.

- 9 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 include a full auditable schedule of arboricultural site monitoring which 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.

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 and the proposal would be in general accordance with policies NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

- 10 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. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. 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 and the proposal would also be in general accordance with policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 11 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 and the proposal would also be in general accordance with policies DH1, DH2, NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

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 Biodiversity Net Gain (BNG) Informative (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is a Householder application.

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.

- It is for development of a 'Biodiversity Gain Site'.
- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

6 Biodiversity Net Gain (BNG) Informative (2/2):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

- 7 You are reminded that any external plant installation would require planning permission
- 8 Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

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

You can find advice about your rights of appeal at:

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

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

Yours faithfully

Supporting Communities Directorate