

Application ref: 2024/3465/P
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Date: 24 April 2025

Development Management
Regeneration and Planning
London Borough of Camden
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ATP Architects + Building Surveyors Ltd
Brook House
2A Coventry Road
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IG1 4QR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Ground Floor Flat
127 Fordwych Road
London
NW2 3NJ

Proposal:

Conversion of the existing basement into habitable residential space, including the installation of new basement windows on the front and rear elevations; the formation of a new lightwell in the front garden; and the creation of a new lightwell/lower patio area.

Drawing Nos: 24102_004 (Rev D) Proposed Sections-Elevations; 24102_003 (Rev E) Proposed Floor Plan; 24102_002 (Rev B) Existing Sections-Elevations; 24102_001 (Rev D) Existing Floor Plan; Flood Risk Assessment; Covering Litter; Fire Safety Statement; SAS 1 Geoenvironmental RA; SAS 2 Basement Impact Assessment . - PART 1; SAS 2 Basement Impact Assessment 127 Fordwych Road. NW2 3NJ July 24- PART 2

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- 24102_004 (Rev D) Proposed Sections-Elevations; 24102_003 (Rev E) Proposed Floor Plan; 24102_002 (Rev B) Existing Sections-Elevations; 24102_001 (Rev D) Existing Floor Plan; Flood Risk Assessment; Covering Letter; Fire Safety Statement; SAS 1 Geoenvironmental RA; SAS 2 Basement Impact Assessment . - PART 1; SAS 2 Basement Impact Assessment 127 Fordwych Road. NW2 3NJ July 24- PART 2

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.

- 4 The basement shall be used only for ancillary purposes in connection with the main dwelling and shall not be subdivided or converted into independent living accommodation. Any proposed change of use or division of the basement into self-contained flats shall require a separate planning application and approval.

Reason: To prevent flood risk and mitigate potential amenity impacts, ensuring that the basement remains in accordance with the approved development and does not result in the creation of additional self-contained residential units that could adversely affect the area and the functioning of the property, in accordance with the requirements of Policy CC2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the occupation of the development hereby approved on drawing (24102_003. Rev:E), the following flood risk mitigation and resilience measures shall be implemented in full and thereafter retained and maintained for the lifetime of the development:

1. Permeable paving shall be installed in the front and rear lightwells.

2. All doors and window openings at basement level shall be fitted with appropriate flood barriers.

3. All gaps around cables and pipework entering the basement shall be sealed using silicone sealant or re-pointing mortar, as appropriate.

4. Suitable covers shall be provided for all vents at basement level.

5. Brickwork at basement level shall be re-pointed where necessary.

6. Flood-proof doors and windows shall be installed at basement level in strict accordance with the manufacturer's specifications and recommendations.

7. The following additional flood resilience measures shall be incorporated at basement level:

- a. All electric sockets shall be installed no lower than 600mm above the lower ground floor level;
- b. Waterproof plaster shall be used throughout the lower ground floor;
- c. Floor tiles shall be used as the floor finish; and
- d. No carpet shall be laid in the lower ground floor

Reason: To ensure the development is appropriately resilient to flood risk and in accordance with Policy CC3 (Water and Flooding) of the Camden Local Plan (2017).

- 6 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment (BASEMENT IMPACT ASSESSMENT, Ref: 23/38369-2, Date: July 2024, Factual Report on a Ground Investigation Ref: 24/38369-1, July 2024) 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.

Informative(s):

- 1 Reasons for granting permission

The application site is a ground-floor flat within a three-storey semi-detached property situated on the eastern side of Fordwych Road. The host building is not listed, nor is it locally listed, and it is located outside of any conservation area; however, it is located within the Fortune Green and West Hampstead Neighbourhood Area. The proposal involves the conversion of the existing basement into habitable residential space. This includes the installation of new basement windows on the front and rear elevations, the formation of a new lightwell in the front garden, and the creation of a new lightwell/lower patio area at the rear of the property.

Basement Window

The new basement windows would be located on the north and south elevations, bringing daylight and a sense of openness to the proposed habitable room, facing the front courtyard on Fordwych Road. The existing rear basement wall of the flat would be punctuated by with two new windows and a pair of french doors with glazed side-screens, appropriately sized and constructed from white-painted timber to match the existing windows in the building. Two new windows would be installed within the front elevation at lower ground floor level. These windows, also of timber construction would match the proportions and materials of those on the upper floors of the building and are therefore considered acceptable in terms of their impact on the character and appearance of the building, in accordance with Policy D1 of the

Camden Local Plan (2017) and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

Lightwells in the front garden and rear elevation

The proposed lightwell in the front garden would be enclosed by a 1.1m high railing. The creation of a new patio area and the formation of a rear lightwell would be minor in scale and have very limited public visibility. Similarly, the new basement windows to the front and rear elevations, along with the front garden lightwell and lower patio area, would be modest in size and would not significantly alter the character or appearance of the host dwelling. These changes are considered acceptable in design terms. Furthermore, the low positioning of the proposed works at basement level, combined with the existing brick wall and mature vegetation to the front, would ensure that the alterations remain largely obscured from public view. The creation of a new lightwell and lower patio area to the rear elevation is also considered acceptable, as it would not be visible from the public realm and would not result in any harm to the character or appearance of the conservation area. It is also noted that several properties along Fordwych Road, including Nos. 118, 112, and 110, have implemented similar basement conversions. Given its modest scale, the proposed extension would not appear overbearing or dominate the host property. Due to its limited height and the screening provided by existing boundary treatments, the extension would have minimal visibility from the public realm. As such, it is considered to be in keeping with the character of the surrounding area and would not detract from the visual amenity of the locality.

Transport

The proposed basement excavation and lightwells are modest in scale and set back from the public footway. As such, an Approval in Principle (AIP) is not required, and a Construction Management Plan, contribution, or bond is not considered necessary. The Transport Officer has reviewed the proposal and concurs with this assessment.

2 Conversion of Basement

The proposed basement excavation is relatively modest in depth and primarily intended to adapt the existing basement from storage use to habitable use. Given the scale of excavation and the purpose of the works, a Basement Impact Assessment audit is not considered necessary for this application.

Amenity Impact

In terms of neighbouring amenity, the proposed conversion and associated works would not result in any loss of daylight, sunlight, or outlook to adjacent properties. No side-facing windows are proposed, thereby avoiding any issues of overlooking or loss of privacy.

The objector, leaseholder in the building raises several concerns regarding the proposed construction works. They highlight the potential structural risks posed by major excavation and propping works, particularly with the installation of new patios, drainage, and lower ground floor concrete slabs, which could

undermine the building's foundations referring to their belief that the building was affected by WW2 bomb damage.. They also reference a past incident where an opening was created in the front elevation, which caused major vibration throughout the building, loosening entrance tiles. The objector requested a Basement Impact Assessment (BIA) to ensure independent oversight of the proposed works to protect the building from further harm. They also requested limits on construction hours to protect vulnerable individuals who reside in the property..

However, whilst the scale of works are not considered significant enough to warrant an independent BIA audit or construction management plan, the applicant has nevertheless submitted a Basement Impact Assessment which sets out that the proposed works will be professionally managed by renowned structural engineers, Super Structure Associates Ltd (SSA), who will oversee the project and recommend suitable contractors. The work will be conducted in compliance with all necessary regulations, including the Party Wall Act, and a License for Alterations will be formalized by RICS surveyors, Stokemont. The project aims to be completed within a reasonable timeframe to minimize disruption to surrounding residents. The applicant further clarifies that the building, 127 Fordwych Road, was not affected by bomb damage during World War II, contrary to claims, with evidence from the national archives confirming the nearest bomb impact was located a quarter of a mile away. Following communication with the applicant, the objector has indicated that their concerns have been addressed in the light of this information, and they have withdrawn their objection. A condition is attached requiring the works be undertaken in accordance with the submitted BIA documents.

3 Flooding Risk

The site lies within Flood Zone 1, indicating a very low risk of flooding (less than 0.1% annual probability). As a residential proposal, it is classified as a "More Vulnerable" use, which is acceptable in this zone. The development will slightly reduce permeable surfaces by 8.4m² (2.36%), but this is negligible given the underlying impermeable London Clay Formation. SuDS features like permeable paving and soft landscaping are proposed to manage surface water. The site is not at risk from reservoir or groundwater flooding. The applicant has submitted updated information regarding the proposed flood mitigation and resilience measures, which are supported from a sustainability perspective. The development will incorporate permeable paving within the front and rear light wells to aid in managing surface water runoff. At basement level, all door and window openings will be fitted with appropriate flood barriers, and all gaps around service entries such as cables and pipework will be sealed using silicone sealants or re-pointing mortar. Ventilation openings will be fitted with suitable covers, and where necessary, brickwork at basement level will be re-pointed to improve water resistance. All basement-level doors and windows will be flood-resistant units, to be installed in full accordance with manufacturer specifications. Additional resilience measures at basement level include the positioning of electrical sockets at a minimum of 600mm above floor level, the use of waterproof plaster throughout, tiled floor finishes, and the exclusion of carpet. The inclusion of a non-return valve, as noted in previous correspondence, is also welcomed. These measures are considered appropriate and proportionate to enhance the flood resilience of the

development. The above measures are secured as a condition to this grant of planning permission.

Conclusion

No objections were received from the Neighbourhood Forum. The planning history of the site was thoroughly considered during the decision-making process. In conclusion, the proposed development aligns with Policies A1, A5, D1, T1, T2, CC2 and CC3 of the Camden Local Plan 2017, as well as Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. It also complies with the London Plan 2021 and the National Planning Policy Framework 2024.

- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 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).
- 7 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.
- 8 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 provided, this will not require the approval of a BGP before development is begun because 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).

++ 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).

9 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

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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 positioned above the printed name of the Chief Planning Officer.

Daniel Pope
Chief Planning Officer