

Ms Katharina Uberschar
Gregory Phillips Architects
17 Savile Row
London
W1S 3PN

Application Ref: **2013/0825/P**
Please ask for: **Aysegul Olcar-Chamberlin**
Telephone: 020 7974 6374

09 December 2013

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:
**63 Frognal
London
NW3 6YA**

Proposal:

Excavation of basement level with two side lightwells and rear sunken garden, erection of wrap around single storey rear and side extension at ground floor level and part two part single storey side extension at ground and upper ground floor levels, remodelling of rear elevation, alterations to side elevations, two new rooflights on crown top, erection of one rear dormer, installation of air conditioning units into proposed side lightwells and re-landscaping (following substantial demolition of existing building) to existing dwelling house (Class C3).

Drawing Nos: (Prefix: 236_) EX.000 (Site Location Plan); EX.001 P; EX.002 P; EX.003 P; EX.004 P; EX.005 P; EX.006 P; EX.007 P; EX.008 P; EX.009 P; GA.100B P-B; GA.101A P-A; GA.102B P-B; GA.103 P2; 104 P-A; GA.105 P; GA.106B P-B; GA.107 P; GA.108A P-A; GA.109 P; GA.110C P-C; GA.111 P; GA.112 P; GA.113B P-B; GA.114A P-A; GA.115A P-A; GA.116 P1; GA.117B P-B; and GA.118B P-B.

Supporting Documents: Arboricultural Impact Assessment Report dated 21st January 2013 by Landmark Trees; Desk Study and Ground Investigation Report dated January 2013 by



Conisbee; Draft Construction Management Strategy dated February 2013 by Gregory Phillips Architects; Planning Application Structural Report (including Construction Method Statement) dated February 2013 by Conisbee; Background Noise Level (noise report) dated February 2013 by Tim Lewers Acoustics; and e-mail from Katharina Uberschar at Gregory Architects (agent) dated 10/07/2013.

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 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: (EX.001 P; EX.002 P; EX.003 P; EX.004 P; EX.005 P; EX.006 P; EX.007 P; EX.008 P; EX.009 P; GA.100B P-B; GA.101A P-A; GA.102B P-B; GA.103 P2; 104 P-A; GA.105 P; GA.106B P-B; GA.107 P; GA.108A P-A; GA.109 P; GA.110C P-C; GA.111 P; GA.112 P; GA.113B P-B; GA.114A P-A; GA.115A P-A; GA.116 P1; GA.117B P-B; and GA.118B P-B.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 Detailed drawings, and/or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:
 - a) Plan, elevation and section drawings, including jambs, head and cill, of new double-glazed timber casement windows (plans and sections at a minimum scale of 1:2, elevations at a minimum scale of 1:10).
 - b) Samples and manufacturer's details of all new facing materials.
 - c) A brickwork panel no less than 1m by 1m including junctions with window openings, demonstrating the mortar colour, texture, face-bond and joint finish which shall be erected on site for inspection by the local planning authority.

The relevant part of the works shall then be carried in accordance with the approved details

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details (as shown on drawing no: 236_GA.100B P-B). Any trees or areas of planting 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 policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 6 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 Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

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 policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 7 At least 28 days before development commences:
- (a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority; and
 - (b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous

industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 8 In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 10 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, approve and monitor the critical elements of the permanent and temporary basement construction works and measures to maintain the stability of the retained dwelling, throughout their duration, to ensure compliance with the design which has been checked and approved by a building control body. 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 safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the

requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 11 Prior to first occupation of the approved development rainwater harvesting system shall be implemented in accordance with the approved details and permanently retained and maintained as such thereafter.

Reason: To ensure a sustainable and resource efficient development in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 (Managing the impact of growth and development), CS11 (Promoting sustainable and efficient travel), CS13 (Tackling climate change through promoting higher environmental standards), CS14 (Promoting high quality places and conserving our heritage), CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity) and CS19 (Delivering and monitoring the Core Strategy) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP16 (The transport implications of development), DP17 (Walking, cycling and public transport), DP20 (Movement of goods and materials), DP22 (Promoting sustainable design and construction), DP23 (Water), DP24 (Securing high quality design), DP25

(Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours), DP27 (Basements and lightwells) and DP28 (Noise and Vibration). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officer report.

- 4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 Please also note that where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 845 850 2777.
- 7 The Construction Management Plan would need to address the detailed transport considerations as described on pages 41, 42 and 43 of CPG6 Amenity; available on our website at the hyperlink (<http://camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-policy/supplementary-planning-documents/camden-planning-guidance.en>).
- 8 You are advised that planning permission does not guarantee that highways works will be implemented as it is always subject to further detailed design, consultation

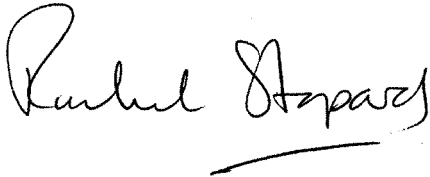
and approval by the Highway Authority.

- 9 The proposed guest room located with the basement hereby approved shall not be used as an independent flat and should only provide ancillary accommodation to the single-family dwellinghouse.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online planning applicants' survey. We will use the information you give us to monitor and improve our services.

