

Mr Nick Maclean  
Mr Nick Maclean  
8A Chamberlain Street  
London  
NW1 8XB

Application Ref: **2012/3815/P**  
Please ask for: **Rob Tulloch**  
Telephone: 020 7974 **2516**

13 November 2012

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:  
**4 Hampstead Square**  
**London**  
**NW3 1AB**

#### **Proposal:**

Excavation works to provide new basement level, including installation of ground floor rooflights to garden and covered lightwell to dwelling house (Class C3)

Drawing Nos: Site location Plan; 1790 10 Rev 01; 11 Rev 01; 12 Rev 01; 13 Rev 01; 14 Rev 01; 15 Rev 01 (proposed south elevation); 15 Rev 01 (Rooflight section); 25 Rev 01; 12003 E01; 01 Rev R02; 05 Rev 02; 02 Rev R02; 03 Rev P01; 03 Rev R02; 04 Rev R02; 06 Rev R02; 07 Rev R02; 08 Rev R02; 09 Rev R02; 16 Rev R02; 17 Rev R02; Tree Constraints Plan; Tree report by Open Spaces dated February 2012 ref OS 410-12; Design and Access Statement; Basement Impact Assessment by Card Geotechnics Ltd dated February 2012 ref CG/5919 Revision 0.0; Basement impact Assessment by CHC dated 12 July 2012; Basement Impact Assessment 4 by Ecos Maclean Ltd dated September 2012; Construction Management Plan by CHC dated July 2012; Construction Management Plan Addendum dated 17th September 2012 Ecos Maclean Ltd.

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: Site location Plan; 1790 10 Rev 01; 11 Rev 01; 12 Rev 01; 13 Rev 01; 14 Rev 01; 15 Rev 01 (proposed south elevation); 15 Rev 01 (Rooflight section); 25 Rev 01; 12003 E01; 01 Rev R02; 05 Rev 02; 02 Rev R02; 03 Rev P01; 03 Rev R02; 04 Rev R02; 06 Rev R02; 07 Rev R02; 08 Rev R02; 09 Rev R02; 16 Rev R02; 17 Rev R02; Tree Constraints Plan; Tree report by Open Spaces dated February 2012 ref OS 410-12; Design and Access Statement; Basement Impact Assessment by Card Geotechnics Ltd dated February 2012 ref CG/5919 Revision 0.0; Basement impact Assessment by CHC dated 12 July 2012; Basement Impact Assessment 4 by Ecos Maclean Ltd dated September 2012; Construction Management Plan by CHC dated July 2012; Construction Management Plan Addendum dated 17th September 2012 Ecos Maclean Ltd.

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

- 3 The details of the rooflight to Stamford Close (as shown on drawing no. 12003 05 Rev 12) shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. Such details shall include a section, sample of proposed glass and manufacturer's specifications. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the structural integrity of the footway and the safety of pedestrians in accordance with the requirements of policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy, and policy DP21 (Development connecting to the highway network) of the London Borough of Camden Local Development Framework Development Policies.

- 4 Prior to commencement of the development:

(A) 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 to the satisfaction of the Council. Details shall be submitted to and approved by the Council before works commence on site to demonstrate how trees to be retained shall be protected during construction work: such details shall follow guidelines and standards set out in BS5837:2005 "Trees in Relation to Construction"

(B) Evidence in the form of a report and photographs demonstrating that tree

protection measures have been implemented in accordance with the approved details, shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 (Open space and biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 5 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 both permanent and temporary basement construction works 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 Council 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 policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Development Policies and policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours) and DP27 (Basements and Lightwells) 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 2363).
- 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 and 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 (Developing and monitoring the Core Strategy); and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies D16 (The transport implications of development), DP20 (Movement of goods and materials), DP21 (Development connecting to the highway network), DP23 (Water), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours), and DP27 (Basements and lightwells). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 4 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.
- 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

**Disclaimer**

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