

Delegated Report		Analysis sheet		Expiry Date:		21/05/2012	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Gavin Sexton				2012/0824/P			
Application Address				Drawing Numbers			
11 NETHERHALL GARDENS LONDON NW3 5RN				Refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
<p>Details pursuant to conditions 3 (tree protection), 6a (contaminated land: ground investigation - in part only), 10 (appointment of engineer to monitor basement construction) and 13 (sustainable urban drainage system) of planning permission granted 27/03/12 (2011/3471/P) for "erection of building comprising basement, ground and first to third floor plus roof following demolition of the existing building except party wall to 9 Netherhall Gardens" (abbreviated) and condition 3 (schedule of retained architectural features) of Conservation Area Consent granted on 27/03/2012 (2011/3477/C) for "Demolition of existing building (with the exception of the party wall with 9 Netherhall Gardens)".</p>							
Recommendation(s):		Grant approval of details					
Application Type:		Approval of Details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:	N/A						
CAAC/Local groups* comments: <small>*Please Specify</small>	N/A						
Site Description							
<p>The property is situated on the west side of Netherhall Gardens, within the Fitzjohns/Netherhall Conservation Area and is recognised in the conservation area statement as making a positive contribution to the Conservation Area. The property is set in generous grounds with mature trees and planting, and shares a front building line with many other properties in the street.</p> <p>The house is two storeys high plus roof with dormers and gable. Originally double-fronted, the house was substantially extended in the early 20th Century with a full depth, full height side addition to the</p>							

North and a narrower two-storey side extension to the South. The current width of the property is twice that of the original house and occupies nearly the full width of the plot.

Relevant History

In March 2012 approval was granted (ref 2011/3471/P) subject to s106 for *“Erection of building comprising basement, ground and first to third floor plus roof to provide 1 x 1-bedroom, 3 x 2-bedroom and 5 x 3-bedroom self-contained flats (following demolition of the existing building except party wall to 9 Netherhall Gardens).”*

Concurrent application: (2011/5653/P) is still under consideration: *“Amendments to planning permission granted 27/03/12 (2011/3471/P) for erection of building comprising basement, ground and first to third floor plus roof to provide 1 x 1-bedroom, 3 x 2-bedroom and 5 x 3-bedroom self-contained flats (following demolition of the existing building except party wall to 9 Netherhall Gardens), namely form, layout and use of basement including creation of larger rear lightwells, omission of leisure suite and replacement with habitable accommodation, changes to layout of car parking, alterations to the fenestration at basement and ground floor level and creation of new access to rear garden from ground floor.*

Relevant policies

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

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)

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)

DP32 (Air quality and Camden's Clear Zone)

Assessment

The applicant is seeking the discharge of 4 conditions relating to the extant permission:

Condition 6: (Contaminated land) states:

*"a) The applicant has submitted a programme of ground investigation for the presence of soil and groundwater contamination and landfill gas for approval in writing by the Council; and
b) The investigation has been carried out in accordance with the approved details and the results and remediation measures (if necessary) have been submitted to and approved by the Council.
c) All approved remediation measures shall be implemented strictly in accordance with the approved details and a verification report shall be submitted and approved by in writing the Council."*

The applicant has submitted details of a site investigation which indicates significant levels of reworked made ground in the vicinity of historic railway activity. The Council's contaminated land officer is content that work can commence on site but that only the initial investigation may be signed off at this stage. Full discharge of condition 6 will require further assessment of the soft landscaping areas and a human health risk assessment with verification of an appropriate remediation scheme to mitigate any risks.

Condition 3 (Trees) states:

"No works shall commence on site until such time as details demonstrating how trees to be retained shall be protected during construction work have been submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2005 "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 to the satisfaction of the Council."

The submitted details demonstrate how all relevant trees would be protected and is acceptable.

Condition 10 (appointment of an engineer) states:

"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 demolition and 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."

The applicant has submitted a letter from Price & Myers setting out the nature of their engagement relating to the development. The terms outlined in their letter (specifically under the heading 'schedule of services') provides sufficient detail to demonstrate that a firm employing appropriately qualified engineers with Membership of the relevant professional bodies will be engaged to undertake the necessary commitments in respect of the temporary and permanent works.

Condition 13 (SUDs) states:

"The development hereby approved shall not be occupied until the Local Planning Authority has agreed in writing that all items listed on the schedule of retained architectural features of the conservation area consent for the demolition of the existing building, have been properly incorporated into the development."

The applicant has submitted details of a site drainage scheme with attenuation tank designed to ensure that peak runoff from the site is restricted to no more than the existing. The condition and the original

committee report did not set out a requirement for any greater extent of attenuation and therefore the details are acceptable.

Recommendation: Approve discharge of conditions 3, 10 and 13 and partial discharge of 6.

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