

Mr. Stephen Levrant
Heritage Architecture Ltd
62 British Grove
London
W4 2NL

Application Ref: **2014/7886/P**
Please ask for: **Neil Luxton**
Telephone: 020 7974 **6552**

16 March 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
41-42 Chester Terrace
London
NW1 4ND

Proposal:
Variation of condition 3 (in accordance with approved plans) to extend increased depth of 1593mm to plunge pool for full width of basement granted under reference 2014/2872/P dated 22/09/14.

Drawing Nos: Existing: N1915, EP-BF-01, Ep-GF-02, ES-AF-01 Proposed: N1915 - PP-BF-03, PP-GF-02, PS-AA-02; 404-030-001 Planting, Topiary, Hedging & Tree Plan; Arboricultural Assessment and Protection Method Statement, ha/ms3/41-2 Chester dated 26/03/2014; Site Investigation and BIA Report, ref: J13223, dated 05/09/2014 rev A dated Dec 2014; Traffic Management Plan dated 04/2014; Description of Services for Planning, ref: AP290, dated 11/04/2014. Method Statement 1 Benefits of Top Down Construction; Method Statement 2 Sequence of Works Top Down.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):



- 1 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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans :
Existing: N1915, EP-BF-01, Ep-GF-02, ES-AF-01 Proposed: N1915 - PP-BF-03, PP-GF-02, PS-AA-02; 404-030-001 Planting, Topiary, Hedging & Tree Plan; Arboricultural Assessment and Protection Method Statement, ha/ms3/41-2 Chester dated 26/03/2014; Site Investigation and BIA Report, ref: J13223, dated 05/09/2014 rev A dated Dec 2014; Traffic Management Plan dated 04/2014; Description of Services for Planning, ref: AP290, dated 11/04/2014. Method Statement 1 Benefits of Top Down Construction; Method Statement 2 Sequence of Works Top Down.

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

- 3 The basement structure shall be designed and constructed in accordance with the recommendations, methodologies and mitigation measures as set out in the Basement Impact Assessment hereby approved. Any deviations from these methodologies, recommendations or mitigation measures shall be submitted to the local planning authority for approval in writing prior to the work commencing.

The qualified and chartered engineers with membership of the appropriate professional bodies as detailed in letter of appointment, reference 7851/L/DG/RH shall inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Should this appointment change prior to the commencement of development, details of the replacement appointment taking their place, including their qualifications, membership of the professional bodies and responsibilities shall be submitted to and approved in writing by the local planning authority. Any subsequent change or reappointment during construction works shall be confirmed forthwith. It shall be a requirement of the terms of any subsequent engagement that the appointee certifies compliance with condition 4 to the LPA.

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.

- 4 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details 404-030-001 Planting, Topiary, Hedging & Tree Plan

by not later than the end of the planting season following completion of the development or any phase of the development.

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, 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.

- 5 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998:2010

Reason : To ensure the preservation of the amenity value and health of the trees.

- 6 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with Drawing 404-030-001 Planting, Topiary, Hedging and Trees Plan and the Arboricultural Assessment and Protection Method Statement, reference ha/ms3/41-2 Chester dated 26/04/2014. Any changes or deviations from these documents shall submitted to and approved by the local planning authority in writing.

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 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.

Informative(s):

- 1 Reasons for granting permission:

The proposed basement increase involves excavation further into the ground within a basement. Consequently, there are no design implications either for the host grade II listed building or the conservation area.

No TPO trees or conservation area trees would be affected.

The proposal would have no affect on neighbour amenity given its sub-surface nature and scale.

The proposal does not require a new BIA to be undertaken as its construction methodology has a better outcome and the revised Structural Design and Construction Statement has shown that the category of damage the proposal might entail is very slight.

The proposal does not have any implications for the other aspects of the approved scheme.

On a procedure note, the extant decision notice for the original permission is poorly drafted. Planning conditions 4 and 5 run together and so a new engrossed condition (Condition no.3) shall be created as part of this permission to clarify the matter.

To conclude, permission can be granted for the variation of condition 3 (in accordance with approved plans) to extend increased depth of 1593mm to plunge pool for full width of basement granted under reference 2014/2872/P dated 22/09/14.

As such the proposed development is in general accordance with policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP19, DP23, DP24, DP25, DP26 & DP27 of the London Borough of Camden Local Development Framework. The proposal also accords with policies 6.3, 7.4, 7.6 & 7.8 of the London Plan 2011 and paragraph 56 of the National Planning Policy Framework.

- 2 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).
- 3 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 Noise and Licensing Enforcement Team, 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.
- 4 The footway and roadway immediately outwit the application site and immediately affected by the works is care of the Crown Estate, hence the developer is encouraged to contact the crown estates prior to works commencing regarding the placement of skips, hoarding, access points, parking of construction vehicles and all associated activities which may affect the parts of the footway and highway and the flow of pedestrians and vehicles during construction works.
- 5 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

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson
Director of Culture & Environment