

Ms Tracey Rust
TJR Planning
Suite 3 The Mansion
Wall Hall Drive
Aldenham
Hertfordshire
WD25 8BZ

Application Ref: **2015/2513/P**
Please ask for: **David Peres Da Costa**
Telephone: 020 7974 **5262**

25 November 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
4/4A Wadham Gardens
London
NW3 3DP

Proposal:
Excavation under front garden area with installation of underground parking lift.
Drawing Nos: Site location plan; 582/GA: 022 P2; 025 P2; 021 P2; 006 P2; 003 P2; 023 P2; 020 P1; 024 P1; 002 P1; 004 P1; 005 P1; 007 P1

Supporting documents: Ground investigation report prepared by Site Analytical Services dated April 2015; Revised Basement impact assessment prepared by Site Analytical Services dated April 2015; Structural Engineering Report and Subterranean Construction Method Statement prepared by Elliot Wood dated April 2015; Noise assessment report prepared by Equus Partnership dated 29th April 2015; Arboricultural impact assessment prepared by Landmark Trees dated 18th September 2015

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: Site location plan; 582/GA: 022 P2; 025 P2; 021 P2; 006 P2; 003 P2; 023 P2; 020 P1; 024 P1; 002 P1; 004 P1; 005 P1; 007 P1

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

- 4 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.

- 5 Before the use commences, the car lift motor and hydraulic pump shall be provided with acoustic isolation in accordance with the Equus noise assessment report hereby approved. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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.

- 6 Prior to the commencement of any works on site, details demonstrating how the street trees 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 The approved cycle store for 10 cycles shall be provided in its entirety prior to the first occupation of the development, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities and does not provide additional off-street car parking spaces in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 and DP18 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reason for granting permission

Planning permission was granted 17/02/2015 (ref: 2014/4948/P) for a basement under the footprint of 4A Wadham Gardens. The approved basement was 91 sqm (connecting to the existing basement underneath 4 Wadham Gardens) and provided a home cinema. Permission is now sought to excavate the hardstanding in front of 4A Wadham Gardens to provide an underground parking lift and one car space and cycle parking. The proposed basement would extend the footprint of the previously approved basement by approximately 26sqm. Glazing and a door would separate the basement parking from the consented home cinema.

The basement impact assessment has been independently audited and found to be acceptable. There are two street trees (mature Plane trees) which could be affected by the proposals. An arboricultural report has been submitted which confirms there will be no significant impact on either of these trees. The Council's tree officer has assessed the report and accepts its conclusions. Conditions would ensure that tree protection measures were submitted for approval before works commenced.

The basement car lift would result in one additional parking space. Planning permission was previously granted 17/02/2015 for the conversion of 4 and 4A into a single dwelling (ref: 2014/4948/P). Given that two properties are being converted into one and that the cycle rack will limit the basement to one car parking space, a car lift is acceptable in this particular instance.

There would be no alteration to the front boundary wall and gate in front of the annex building. Given the sensitive residential location of the site a Construction Management Plan should be secured by s106 Legal Agreement. The proposed excavation and construction is likely to result in damage to the vehicle crossover and footway. The applicant is therefore required to make a contribution (£4,770.87) towards repaving the crossover and footway adjacent to the annex. This would be secured via s106 legal agreement. As the proposed excavation would be located close to the footway, an informative would be included, advising the applicant would need to apply for an Approval in Principle from the Council's engineering team in order to ensure that the structural integrity of the public highway is maintained.

A noise assessment has been provided to support the application for a car lift. The nearest noise sensitive property is 6 Wadham Gardens (approximately 7m from the proposed car lift). The motor and hydraulic pump would be located in a basement plant room which would be acoustically lined. A condition would be included to ensure the recommendations of the noise report were implemented and that Camden's noise thresholds were not breached.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5, CS11, CS13, CS14, CS15 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP16, DP18, DP19, DP20, DP21, DP23, DP24, DP25, DP26, and DP27 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 5.13, 6.13, 7.4, 7.6 and 7.8 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56-66 and 126-141 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 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.

- 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 You are advised that under the Highways Act 1980 you are required to apply for an Approval in Principle from the Council's Engineering Service in order to ensure that the structural integrity of the public highway is maintained.

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

A handwritten signature in black ink, appearing to read 'Ed Watson', written in a cursive style.

Ed Watson
Director of Culture & Environment