

Mr Davide Cappello
Milan Babic Architects
B Bickels Yard
151B Bermondsey Street
London
SE1 3UW

Application Ref: **2015/2557/P**
Please ask for: **Fiona Davies**
Telephone: 020 7974 **4034**

15 March 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**465 - 467 Finchley Road
London
NW3 6HS**

Proposal:

Excavation of basement to provide storage area for existing ground floor unit.

Drawing Nos: Site plan, PA/BS/679/101, PA/BS/679/102, PA/BS/679/200, PA/BS/679/201, AB1115_0102, AB1115_0001 Rev E, AB1115_SEQ_0001 Rev B, AB1115_SEQ_0002 Rev B, AB1115_SEQ_0003 Rev A, AB1115_SEQ_0004, AB1115_SEQ_0005, AB1115_0008 Rev B, AB1115_0009 Rev B, AB1115/20151117.L2, AB1115_GEN_01 Rev A, 1115_S.I_0001 Rev A, Appendix A: Site plans and Exploratory Hole Logs, Basement Impact Assessment Stage 1 & 2 (Screening and Scoping Study), Basement Impact Assessment and Construction Method Statement dated April 2015, DV/BC/J12147 (Ground movement analysis letter report), PA 679/1001, Underpinning Method Statement prepared by City Building (D&Z) Limited, Construction Phase Plan prepared by City Builders Limited

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 plan, PA/BS/679/101, PA/BS/679/102, PA/BS/679/200, PA/BS/679/201, AB1115_0102, AB1115_0001 Rev E, AB1115_SEQ_0001 Rev B, AB1115_SEQ_0002 Rev B, AB1115_SEQ_0003 Rev A, AB1115_SEQ_0004, AB1115_SEQ_0005, AB1115_0008 Rev B, AB1115_0009 Rev B, AB1115/20151117.L2, AB1115_GEN_01 Rev A, 1115_S.I_0001 Rev A, Appendix A: Site plans and Exploratory Hole Logs, Basement Impact Assessment Stage 1 & 2 (Screening and Scoping Study), Basement Impact Assessment and Construction Method Statement dated April 2015, DV/BC/J12147 (Ground movement analysis letter report), PA 679/1001, Underpinning Method Statement prepared by City Building (D&Z) Limited, Construction Phase Plan prepared by City Builders Limited

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

- 3 Prior to the commencement of development, 'approval in principle' (AIP) for the proposed development must be secured from Transport for London (the highway authority for the site).

Reason: To ensure the structural integrity of the public highway is maintained in accordance with the requirements of policy CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16 and DP21 of the London Borough of Camden Local Development Framework Development Policies.

- 4 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 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.

- 5 The development shall be carried out in strict accordance with the basement impact assessment prepared by Abstract Consulting Engineers dated 30/04/2015 and associated supporting documents hereby approved.

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.

Informative(s):

- 1 Reasons for granting permission.

The application site is an end of terrace property on the south west side of Finchley Road on the corner with West End Lane, located on a TfL (Transport for London) Red Route and within a neighbourhood centre. The property is a four storey building fronting Finchley Road and benefits from access to both street frontages as well as a rear alleyway. The site has been unoccupied and boarded up for an extended period. The site lies within the Fortune Green and West Hampstead Neighbourhood Plan area.

The proposal seeks permission for a basement to provide a new storage area for the ground floor A1/A2 unit, an area of c.80 - 90 sq metres, beneath the existing footprint of the property. A Basement Impact Assessment (BIA) has been submitted and independently verified in accordance with Policy DP27 and Camden Planning Guidance 4. It is accepted that the BIA has shown that the development will have no significant detrimental effect on slope or ground stability of the surrounding area and will not detrimentally affect the hydrogeology of the surrounding area. The independent audit report concludes that the applicant's BIA has adequately identified the potential impacts from basement construction and proposes sufficient mitigation in accordance with the requirements of policy DP27 and CPG4.

The non-habitable use of storage is considered appropriate for the basement development proposed. The proposed basement plan layout will be split the floor area into three sections. It is considered that the proposed design and layout is acceptable for storage use.

The proposed extension is not considered to be detrimental to neighbouring residential amenity. The site's planning history was taken into account when coming to this decision.

No objections were received from neighbouring properties as a result of consultation. However TfL's consultation response requires that an Approval in Principle (AIP) is secured as well as a CMP (Construction Management Plan). A condition has been attached to this Decision Notice to ensure that works do not

commence on the site until the AIP from TfL is secured. The Construction Management Plan would be secured by legal agreement.

As such, the proposed development is in general accordance with policies CS5, CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP16, DP21, DP23, DP24, DP26 and DP27 of the London Borough of Camden Local Development Framework Development Policies and with the Fortune Green and West Hampstead Neighbourhood Plan. The proposed development also accords with policies 7.4, 7.6 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56-68, 100 and 103 of the National Planning Policy Framework.

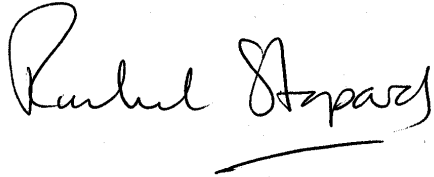
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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 Guidance on AIP requirements, and AIP submissions, should be forwarded to structurestechnicalapproval@tfl.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 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.

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 'Rachel Stopard', with a horizontal line underneath the name.

Rachel Stopard
Director of Culture & Environment