

Mr Andres Fernandez  
Atelier West  
26 Cadogan Square  
London  
SW1X 0JP

Application Ref: **2015/0999/P**  
Please ask for: **Tania Skelli-Yaoz**  
Telephone: 020 7974 **6829**

15 July 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:  
**134 1/2 Abbey Road**  
**London**  
**NW6 4SR**

Proposal:

Excavation of basement for use as a workshop for car restoration (private use) and additional habitable accommodation, with front car lift access and a rear lightwell (Class use C3)

Drawing Nos: Site location plan 321/PA/001, (As existing:) 321/L/004/A, (As proposed:) 321/L/005/A, 321/L/006/A, 132085/L(23)11/P1, (As existing and proposed:) 321/L/007, 321/L/008, 321/L/009, 321/L/010. (Supporting Information:) Revised Independent BIA by GEA ref. J15134/MC/2 dated 18.9.2015, Independent BIA by GEA ref. J15134/MC/1 dated 15.6.2015, Structural Engineer's Design Statement by Form ref. 132085 Rev. P2 dated February 2015, Flood Risk Assessment by Hydro-Logic Services ref. K0482/PR/Rep1Rev1, Basement Impact Assessment - Revision 2 by CGL dated February 2015, Tree Survey Schedule ref. CC1340/AR2458 dated 6.1.2015, Tree Constraints Plan ref. TCP-CC/1340 AR2458 9.1.15.

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 321/PA/001, (As existing:) 321/L/004/A, (As proposed:) 321/L/005/A, 321/L/006/A, 132085/L(23)11/P1, (As existing and proposed:) 321/L/007, 321/L/008, 321/L/009, 321/L/010.

Reason:

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

- 4 Prior to first use of car lift the soft and hard landscaping as illustrated on drawing no. 321/L/005/A JAN 2015 to include the paving and planters in positions as shown shall be implemented and retained and maintained thereafter. The planters position shall not be altered without prior approval from the Council.

Reason: To ensure the development does not increase in car parking space capacity in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP18 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to the commencement of any works on site, details demonstrating how tree T1 (drawing no. TCP-CC/1340 AR2458 9.1.15) 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.

- 6 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.

Informative(s):

- 1 Reasons for granting permission:

The proposed basement excavation is subordinate to the host building and an appropriate design by virtue of it being mostly under the footprint of the existing building and by not being visible from the public realm. Due to its size and location, it would not significantly harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook, enclosure or privacy.

The previously approved (ref. 2014/2655/P) basement excavation to the front part of the house included front stairs and railings which are to be replaced with a planter and the extended excavation to the rear includes a lightwell within the existing rear courtyard area. Both elements will not be visible from the public realm and as such will not impact the character and appearance of the South Hampstead Conservation Area.

This development, like the previous permission (as above) includes a car-lift, designed such that the basement parking space is the lift platform itself and an additional parking space within the basement area. In terms of off-street parking provision, this is considered to be appropriate as there is no net increase in the number of off-street spaces. This is owing to two existing spaces being removed from the plans and replaced with soft and hard landscaping to be secured by condition. There will therefore be no increase from the existing capacity of the site for the car parking of 6 vehicles. The turning circle is proposed to be removed. Whilst the development will have some impact in terms of disturbance during construction, this is proposed to be addressed via a Construction Management Plan to be secured via a legal agreement.

The excavation is proposed to be 3m deep at its deepest location below the front

yard and 2.3m deep below the footprint of the house. Abbey Road is listed as a street at risk of flooding with 1975 listed as a year when the most recent flooding occurred. The submitted BIA is considered acceptable and a supplementary Flooding Risk Assessment has also been submitted; both documents have been assessed independently and are considered to comply with CPG 4 and policy DP27. A standard condition to ensure the construction works are supervised by a qualified engineer is recommended.

An Arboricultural report has been submitted to illustrate the protection of trees during construction. All trees are considered to be safe in association with the proposed works and in particular tree T1 (Horse Chestnut to rear, north-west of site) is considered to have a root structure that grows outside of the foundations area and as such will not be affected. There is no proposed excavation work proposed outside the site for 'working room' and as such a standard tree protection measures condition is recommended. There are no other trees affected.

No objections have been received prior to making this decision. The sites planning history and relevant appeal decisions were taken into account when coming to this decision.

Considerable importance and weight has been attached to the harm and 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, CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP18, DP21, DP24, DP25, DP26 and DP27 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 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 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 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).

- 4 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced 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 the CIL charge.

The proposed charge in CIL will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). For further information on the Camden CIL or Mayoral CIL charge please follow the link provided: [http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset\\_id=3298006](http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset_id=3298006)

You are required to assume liability and notify the CIL team on commencement using the forms that can be downloaded from planning portal;  
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will issue an assumption of liability setting out the calculation and CIL demand notice setting out the method of payment accordingly. 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.

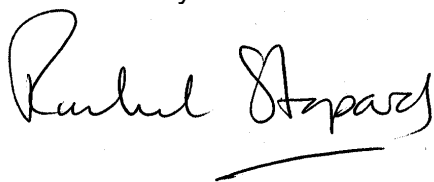
Please send CIL related documents or queries to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

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

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard  
Executive Director Supporting Communities