

Stuart Willsher  
Boyer Planning  
15 De Grey Square  
De Grey Road  
Colchester  
CO4 5YQ

Application Ref: **2016/3204/P**  
Please ask for: **Gideon Whittingham**  
Telephone: 020 7974 **5180**

28 December 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**44 Downshire Hill**  
**London**  
**NW3 1NU**

Proposal:  
Demolition and rebuilding of the front steps and lobby, underpinning main walls and foundations, reducing basement floor level by 300m and associated internal alterations

Drawing Nos: 53039-3 Skirting & Wood Trim Details; 53039-2 Hall Long Section B-B; 53021-10 Location & Site Plan; 53021-6 Existing & Proposed Elevations and Roof ; 53035-3 Existing & Proposed floor Plans; 53036-2 Diagonal section; 53036-3 Garden Floor Layout; Schedule of conditions, Prepared, further to inspection by Mr Grant Wright on 14/10/15; Heritage statement, prepared by Boyer dated June 2016; Basement screening assessment dated 20 April 2016, prepared by MLM Consulting Engineers Ltd; Basement screening assessment dated 15 August 2016, prepared by MLM Consulting Engineers Ltd; Basement impact assessment audit revision D1 November 2016, prepared by Campbell Reith; Basement impact assessment audit revision F1 December 2016, prepared by Campbell Reith.

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 [53039-3 Skirting & Wood Trim Details; 53039-2 Hall Long Section B-B; 53021-10 Location & Site Plan; 53021-6 Existing & Proposed Elevations and Roof ; 53035-3 Existing & Proposed floor Plans; 53036-2 Diagonal section; 53036-3 Garden Floor Layout; Schedule of conditions, Prepared, further to inspection by Mr Grant Wright on 14/10/15; Heritage statement, prepared by Boyer dated June 2016; Basement screening assessment dated 20 April 2016, prepared by MLM Consulting Engineers Ltd; Basement screening assessment dated 15 August 2016, prepared by MLM Consulting Engineers Ltd; Basement impact assessment audit revision D1 November 2016, prepared by Campbell Reith; Basement impact assessment audit revision F1 December 2016, prepared by Campbell Reith]

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

Informative(s):

- 1 Reasons for granting permission.

The property has suffered from structural problems caused by failed foundations and gradual subsidence over a long period, which has started to affect the structure and decorative features and finishes within the upper floors of the building. Similar problems have occurred to adjacent properties on Downshire Hill, including the grade I listed St John's Church. Underpinning works (LBC) were approved under reference: 2016/2195/L.

The current proposals involve the lowering of the basement floor and associated alterations to decorative finishes, alterations to the front steps, and internal repair works.

The principle of the lowering of the basement floor is acceptable, justified by the

reduction in ceiling height caused by historic subsidence and by the fact that the existing floor is modern concrete screed and the proposed sunken areas do not affect the original staircase. The original shutter door is proposed to be retained and re-hung 170mm lower, which is acceptable. The works to the front steps are justified by the need to address the issues with water penetration, which was in evidence upon site inspection. The details provided for the repair works are acceptable.

The Basement Impact Assessment (BIA) has identified appropriate parameters for the design and construction of the works which can be implemented safely, taking into account the stability of excavations and the adjacent properties. The basement construction and associated BIA therefore meets the relevant requirements of DP27, CS14 and CPG4.

The proposed works are justified by the long-term issues arising from subsidence issues, and are considered to preserve the building's special interest.

The proposal, by virtue of its size, scale, position, orientation and proximity to adjacent residential occupiers would not result in a detrimental impact with regards to access to natural light, outlook, privacy or noise.

No objections have been received prior to making this decision. The site's planning history has been taken into account when coming to this decision. Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest and preserving or enhancing the character or appearance of the conservation area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The proposed development is in general accordance with Policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and Policies DP24, DP25, DP26 and DP27 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with Policies of the London Plan 2016 and the National Planning Policy Framework 2012.

- 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->

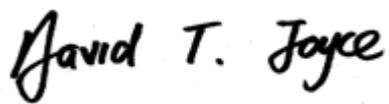
contacts/environment/contact-the-environmental-health-team.en or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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 that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Executive Director Supporting Communities