

45 Flask Walk (2016/3900/P & 2016/3901/L)



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Photo 1: Aerial view of site



Photo 2: View from Flask Walk (no.45 to the right with black door)



Photo 3: Crumbling render to front elevation, taken on 11/10/2016.



Photo 4: Rear elevation (full-width rear extension to no.43 to the right)



Photo 5: Existing single storey conservatory



Photo 6: Existing 2 storey rear extension and rear elevation



Photo 7: View across roof of existing extension of 3 storey extension to rear of no.43



Photo 8: View from 2nd floor window of existing lightwell



Photo 9: External view of lower ground floor lightwell area



Photo 10: View towards no.47



Photo 11: Visualisation of proposed extension



Photo 12: Visualisation of proposed ground floor

Delegated Report		Analysis sheet		Expiry Date:		07/09/2016	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		16/11/2016	
Officer				Application Number(s)			
Laura Hazelton				i) 2016/3900/P ii) 2016/3901/L			
Application Address				Drawing Numbers			
45 Flask Walk London NW3 1HH				Please refer to draft decision notices			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
i) Demolition of an existing two storey rear extension, erection of a replacement three storey rear extension and basement excavation. ii) Demolition of an existing two storey rear extension, erection of a replacement three storey rear extension, single storey basement excavation and Internal alterations.							
Recommendation(s):		i) Grant conditional planning permission subject to S106 Legal Agreement. ii) Grant conditional listed building consent.					
Application Type:		i) Householder Application ii) Listed Building Consent					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	13	No. of responses	04	No. of objections	04
			No. Electronic	00		
Summary of consultation responses:	<p>Consultation letters were sent to 13 residents on 28/07/2016. A press notice was in place between 05/08/2016 and 26/08/2016 and site notices were erected on 03/08/2016.</p> <p>4 letters of objection were received from the residents of 43 Flask Walk, 51 Flask Walk (x2) and 1 New Court, Flask Walk.</p> <p>The main points raised in the objections are as follows:</p> <ul style="list-style-type: none"> • Noise, dust, disruption and traffic/parking problems from construction works and basement excavation, particularly given the constrained nature of Flask Walk (Please refer to section 6); • Loss of privacy and overlooking of neighbouring properties (Please refer to sections 5.3 & 5.4); • Impact on daylight/sunlight (Please refer to section 5.2); • The extension is too large and out of character with the host building and surrounding area (Please refer to section 3) ; • Basement concerns – subsidence, access, noise and general stability of host building and surrounding building (Please refer to section 4). 					
CAAC/Local groups comments:	<p>Objections were also received from the Heath & Hampstead Society and Flask Walk Neighbourhood Association.</p> <p><u>Heath & Hampstead Society on 07/08/2016</u></p> <p>No comments on the planning or architectural design but would like to see less glazing to the rear elevation. The structural implications of the design do not take enough account of the existing structural instability of this house. The works could impact the structural condition of the two adjoining houses. No construction management plan has been submitted, only a statement that one will be considered when a contractor is appointment. This is unacceptable. Access is difficult and a properly worked-out methodology is essential.</p> <p><u>Flask Walk Neighbourhood Association on 22/08/2016</u></p> <p>The proposal is overdevelopment in an already intensely developed area. It would cause overlooking of adjacent properties, particularly no.43. Construction works would cause disruption, noise and traffic during construction, both in itself and in conjunction with other developments recently approved because Flask Walk is a narrow street with a lot of morning/evening traffic. The development should not be permitted to proceed in the absence of specific responses in respect of the BIA consultant's recommendations.</p>					

Site Description

The application site is located on the North West side of Flask Walk and is currently occupied by a Grade II listed three storey terraced property with a modest basement floor (approximately 23sqm). The cottage is part of a group of 7 listed cottages (Nos. 35 to 47), built in the 19th Century as workers' cottages. The front elevation is joined with no.43 and features a white stucco façade, recessed arches and symmetrical chimney stacks.

The host building currently features an unsympathetic 60s built two storey half-width rear extension constructed of a dark brick with an adjoined single storey conservatory to the rear.

The property is located within the Hampstead Conservation Area (sub area 2: Christ Church/Well Walk) and the terrace is described in the Hampstead Conservation Area as being a terrace of workers' cottages set back behind small but luxuriant front gardens.

The surrounding area is predominantly residential and characterised by a variety of building types, ages and styles with a number of listed buildings and positive contributors.

Relevant History

CTP/E6/11/7/2779 - Erection of a two-storey addition at the rear of 45 Flask Walk. Granted 30/01/1967.

8770025 & 8700111 - Erection of a single-storey conservatory at the rear. PP & LBC granted 10/06/1987.

2008/5326/P & 2008/5438/L - Removal of 2nd floor uPVC windows in the front elevation and replacement with a timber framed window to match the original. PP & LBC granted 16/02/2009.

Relevant policies

National Planning Policy Framework 2012
London Plan 2016

LDF Core Strategy and Development Policies 2010

LDF Core Strategy

CS5 – Managing the impact of growth and development

CS6 – Providing quality homes

CS14 – Promoting high quality places and conserving our heritage

CS19 – Delivery and monitoring

LDF Development Policies

DP24 – Securing high quality design

DP25 – Conserving Camden's heritage

DP26 – Managing the impact of development on occupiers and neighbours

DP27 – Basements and lightwells

DP28 – Noise and vibration

DP33 – Delivery and monitoring

Supplementary Planning Policies

Camden Planning Guidance (CPG)

CPG1 Design (2015)

CPG2 Housing (2016)

CPG4 Basements and Lightwells (2015)

CPG6 Amenity (2011)

CPG8 Planning Obligations (2015)

Assessment

1.0 Proposal

1.1 Planning permission and listed building consent are sought for the demolition of the existing two storey rear extension and single storey conservatory; the erection of a new three storey rear extension in the same position with a single storey infill extension to the side return; and a basement extension. The proposed development would include associated internal and external works to the listed building.

1.2 The proposed three storey extension would be stepped in at first floor level and would feature a slate pitched roof. It would measure a maximum height of 6.8m to the roof ridge, decreasing to 2.9m at ground floor level. The main bulk of the extension would measure 3.3m wide, with a single storey glazed infill extension to the side return which would be set back by 500mm from the rear building line of the main extension.

1.3 The proposed materials include pale brick masonry with lime plaster and stone details. The infill extension would be glazed, with an obscure-glazed roof. Existing timber framed sash windows would be repaired and non-original casement windows to the front and rear elevations would be replaced with double-glazed timber framed sash windows to match the originals, except for one to the front elevation which would be single glazed.

1.4 The existing basement (with a footprint of approximately 23sqm and depth of 1.7m) would be extended to create a new basement floor measuring 73sqm with a depth of 3m, which could cover the majority of the footprint of the building. The basement would feature a walk-on skylight to the rear measuring 0.8m x 3.3m, adjacent to the proposed rear extension.

1.5 The roof would be repaired, reusing the existing slate tiles and the existing sound components of the timber structure where possible. The structural elements condemned as inadequate would be replaced or overhauled. One conservation-style rooflight would be installed to the rear roofslope.

1.6 To the front elevation, the modern paintwork and concrete plasterwork would be removed and a more traditional lime base and paint finish would be applied. The front boundary retaining walls which have been affected by structural movement will be restored and repaired.

1.7 Internal works and repairs:

- Existing timber panelling and doors retained and repaired
- Original fireplaces reinstated
- Non original floorboards to be replaced with reclaimed boards
- Existing timber staircase repaired
- Replacement of existing non-original rear ground floor window with new timber framed sash window.

Revisions

1.8 Following an assessment from Officers, amendments to the drawings were submitted on

17/11/2016. The revised drawings included the relocation of the proposed basement staircase to the position of the existing external stair within the rear lightwell with associated railing balustrades.

1.9 York flagstones were continued from the garden through the side return and a slight setback was incorporated to the infill extension to differentiate between the main bulk of the extension and the glazed side return element.

1.10 A downstand and brick wall elements were introduced to the divide between the main extension and glazed side return, to give the main extension solidity and increase the sense of openness of the side return and make sure it read as an adaptation of the existing courtyard.

1.11 Additional information regarding the Basement Impact Assessment was submitted on 6 December 2016 following a request for additional information by Campbell Reith during the independent audit process.

2.0 Assessment

2.1 The principal considerations material to the determination of this application are summarised as follows:

- Design, impact on the Conservation Area and Listed Building;
- Basement Impact;
- Neighbouring Amenity;
- Transport;
- Trees and Landscaping;
- CIL

Statutory Duty and Assessment of Harm

2.2 In considering the proposals, special regard has been given to the desirability of preserving the listed building and its setting, and its features of special architectural or historic interest, under s.16 and s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

2.3 Special attention has also been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the aforementioned statute as amended.

2.4 Paragraph 132 of the NPPF advises that great weight should be given to a designated heritage asset's conservation when considering the impact of a proposed development on its significance, in this case being the listed building at 45 Flask Walk and the Hampstead Conservation Area. The NPPF also cites in Paragraph 134 that "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*"

3.0 Design, impact on the conservation area and Listed Building

Rear extension

3.1 The proposal would demolish the present c.1960s two-storey, half-width rear extension. The existing extension is constructed of a dark brick with white framed aluminium windows. It features a

flat roof with raised parapet of the same height as the neighbouring rear extension with pitched roof at no.43. The existing extension measures a maximum depth of 8.4m and height of 6m, with the conservatory measuring a maximum height of 3.1m.

3.2 The structure has limited architectural quality and stands in the traditional position of a closet wing; but its erection seems to have been connected to the damaging reconstruction of the rear elevation of the historic cottage in modern brick; and its foundation upon the banked earth behind the cottage is contributing to the pressure on the main house resulting from subsidence. It is considered in this instance, that the loss of the existing extension involves no harm to the cottage's special interest.

3.3 The neighbouring 43 Flask Walk has a full-width two-storey mid-twentieth century extension which has obscured the rear elevation of the original terrace cottage and permanently obscured the relationship of the historic house with its garden. The proposed replacement rear extension at the application site would reflect the volumes of the existing extension above ground level, rising to match the height of the extension at no. 43 in order to accommodate a small bathroom, and extending its accommodation to full-width at ground-floor level only. It would extend to a maximum depth of 8.31m, 170mm less than the existing extension. The first/second floor level would measure 3m wide, the same as the existing. Although the extension would be slightly higher overall due to the pitched roof, this would extend up from a rear parapet of the same height as existing.

3.4 The new extension would incorporate its own piled foundations as part of a basement which would be structurally integrated with the remedial works to the historic cottage. The proposed arrangement would not only relieve the historic cottage of the burden of the present extension, but form part of the new structural base to which the cottage can be tied back.

3.5 There would be no additional benefit to the listed building from matching the unsympathetic volume of the rear extension at no. 43; rather, the proposal at no. 45 is acceptable in scale in its own right, remaining subordinate to the main cottage. The proposal involves the removal and smaller replacement of the non-original window at the top of the stairwell in order to accommodate a roof to the new extension between 0.4 and 0.9m higher than the uppermost elements of the existing structure. This would allow connection into the stairwell through the non-historic fabric of the rear wall of the cottage. There is some harm associated with the loss of this arrangement at the top level of the staircase, but this is mitigated by careful and high quality design and the precedent for this arrangement has been set by the other part of the listed building, no. 43.

3.6 The design of the proposed rear extension at no. 45 takes care to conserve the relationship of the rear of the house with its garden. The proposal would replicate the existing entrance arrangement around the rear lightwell and maintain this void as a level change and separation between the cottage and extension kitchen. This would also help to preserve good visibility between the garden and the restored rear elevation of the original cottage. The proposed rear extension is a design of extremely high quality and thoughtfully responds to the materials and proportions of the main house, faced in a modern hand-made pale brick, with band detailing, a slate roof, and finely framed glazing taking modern but complementary proportions. All interior and exterior facing materials, including finishes around the rear lightwell, would be controlled by condition should permission be granted.

3.7 A nib, downstand and structural member set in the glazed rear facade will, along with York stone paving to the newly enclosed area of the rear return yard, lend solidity and separation to the main bulk of the closet-wing extension at ground floor level, and allow its glazed extension to create more kitchen space while retaining the sense and open quality of the historic yard and garden. By careful

and high quality design, potential harm to special interest from enclosure of presently open space at the rear is avoided.

Basement extension

3.8 The scale of the proposed basement retains sufficient depth of soil across most of the garden, and features a pavement light to the rear which falls just short of the line of the rear extension of no. 43.

3.9 Excavation of approximately 0.8m in the existing basement level at the rear of the historic cottage will incorporate appropriate damp-proofing, underfloor heating and reinstatement of a lime and screed floor in place of the existing insignificant screed. It will facilitate access through the main cottage to the basement level of the rear extension, via the retained double-height void of the rear lightwell, which will become a courtyard. Behind the main staircase, the volumes of new basement level will be separated from the historic house by plant and services, but will be structurally connected to the underpinning works which will extend under the historic cottage. This remedial structural design justifies the physical adjacency of the old and new structures at this end of the house which would otherwise not typically be preferred. The basement excavation works are justified by a Basement Impact Assessment described in section 4.0 of this report.

Front and rear elevation

3.10 The front elevation will remain unaltered in appearance, apart from some minor and appropriate modifications for storage around the already altered garden retaining wall, and the replacement of an unauthorised casement window at second-floor level with a more appropriate Georgian-style sash. The failing cementitious render will be replaced with traditional lime plaster which will allow the supporting structure to breathe as intended, according to plaster specialists' specifications, and this will be of lasting benefit to the listed building.

3.11 The rear elevation, which appears to have been entirely reconstructed in modern brick at the time of the construction of the mid-twentieth-century rear extension, will be better presented as a result of proposals. It would be treated with a lime slurry to conceal the poor quality of its materials, and appropriate, high-quality Georgian-style sash windows would be reinstated where they have been lost to modern fixed and casement windows under concrete lintels. The SVP and downpipe will be relocated internally. The result will be of great benefit to the special interest of the listed building.

Other works

3.12 The failing roof will be retained in its existing form, but structurally reengineered according to structural engineers' specifications. Details of these remedial works will be submitted for approval under condition should permission be granted.

3.13 Alterations to the layout and fabric within the historic house are minimal, and generally aim at restoration. Non-original floorboards are to be replaced with reclaimed timbers, fireplaces reinstated within retained chimneybreasts, panelling, joinery and plasterwork repaired, supported by submitted plaster and timber surveys. Repairs and replacements would be controlled by conditions requiring method statements identifying the extent and specification of proposed works, to be confirmed and approved following a return site visit by officers. The detailed design of fireplaces, new doors and windows would all be controlled by condition, as would any works or alterations arising from new service runs, pipework or wiring.

Conclusion3.14 Limited harm to the special interest of the listed building could derive from the altered proportions of the rear extension which will enclose some formerly open garden space, and result in the modification of a window opening at the top of the (non-original) rear elevation. However, these alterations are mitigated by high quality design which uses careful engineering and modern materials to retain the sense, and in some areas the form, of the existing and historically-appropriate layout.

3.15 The harm is limited and is balanced by the benefits of improvements to be made to the front and rear elevations, repairs and conservation undertaken in the historic interiors, the provision of a new architecturally interesting rear extension, and, above all, by the integration of the whole proposal with major and urgent remedial structural works to the whole cottage and garden which will reverse recent harm and preserve and protect the listed building for the foreseeable future. In sum, the proposals preserve and are of benefit to the special interest of the listed building, and will sustain its contribution to the conservation area.

4.0 Basement Impact

4.1 Policy DP27 states 'In determining applications for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate.' The Council will only permit basement development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. It states that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

4.2 Owing to the fact that the building is located in an area with a number of underground development constraints (hydrological constraints, subterranean groundwater flow and slope stability), the applicant's Basement Impact Assessment (BIA) has been subject to independent verification by Campbell Reith in accordance with DP27 and CPG4. The Basement Impact Assessment (BIA) has been carried out by a well-known firm of engineering consultants, Geotechnical & Environmental Associates (GEA) and the individuals concerned in its production have suitable qualifications.

4.3 The BIA documents were independently assessed by Campbell Reith in line with the requirements of CPG4. Campbell Reith released their initial report on 13 October 2016, and found that the BIA required further information including:

1. Further clarification on matters relating to the design of the underpins and the basement slab to ensure the solution shown can be justified as part of the final basement design.
2. Clarification of the underpinning solution in terms of design and buildability and identified site constraints.
3. Further longer term monitoring of the groundwater profile below the site, in particular the proposed basement.
4. Further details of the methods likely to be employed in the underpinning of the front façade and installation of piles as a retaining structure within the front garden.
5. Further assessment of the ground movement and damage assessment analysis.

4.4 In response to the above, GEA submitted supplementary information on 6 December 2016 which

sought to close out the above issues. Campbell Reith responded on 6 January 2017 with the following points:

1. Attenuation proposals considered reasonable.
2. Supplementary information relating to preliminary retaining wall design and commentary considered reasonable.
3. Supplementary information relating to basement stability considered reasonable.
4. Response to queries on underpin installation considered reasonable.
5. Movement monitoring supplementary information considered reasonable.
6. Slope stability supplementary information considered reasonable.
7. The ongoing groundwater monitoring at the site was acknowledged, but will need to be carried out as part of the build programme. The applicant should confirm any mitigation measures or changes that will be made to the current design to accommodate any variations in the ground water level (particularly a higher level than assumed) to ensure there will be no influence on the surroundings by the introduction of the basement. This information could be included within a Basement Construction Plan (BCP). Subject to planning permission being granted, the applicant should carry out the further monitoring work and submit via a BCP details of the results and what changes to the proposals (if any) will be adopted as a result of findings.
8. Calculations along with any proposed mitigation measures as a result of the calculations should be submitted for review.
9. Revised heave analysis required.

4.5 Further supplementary information was provided by GEA which Campbell Reith confirmed addressed their comments raised in points 8 and 9 via email dated 13/01/2016. The remaining issue which should be addressed relates to point 7 and the ground conditions and ground water regime below the site. Resolving this point will require further extended monitoring and investigation, and it is therefore recommended that this is addressed through a BCP. Campbell Reith confirmed that the scope of the BCP need relate only to matters in conjunction with the monitoring and ground water.

4.6 In summary, whilst Campbell Reith consider that the potential impacts arising from the basement proposals have been identified, further information is required to fully assess whether any further mitigation measures will be necessary to accommodate variations in the ground water level.

4.7 Subject to a BCP being secured via Section 106 legal agreement, the development would accord with the objectives of Policy DP27 and CPG4. A condition will also be imposed which will require the applicant to submit details of a qualified engineer to inspect, approve and monitor the critical elements of both the temporary and permanent construction works throughout their duration.

5.0 Neighbouring Amenity

5.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be 'designed to protect the privacy of both new and existing dwellings to a reasonable degree' and states that the Council will 'aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers'.

Daylight/sunlight

5.2 Although the extension would be increased to full width at ground floor level, the first/second floor element and the height of the single storey projection would be very similar in size to the existing arrangement. Likewise, although the extension would increase from two to three storeys, the pitched roof at second floor level is very shallow and set back behind a parapet which is the same height as the existing parapet at this level. The pitched roof would replace an existing water tank and would not exceed the height of the pitched roof over the rear extension at no.43. It is therefore not considered to cause any additional impact on daylight levels reaching this property than the current arrangement. The proposed extension would be within the shadow of the two storey extension at no.43 and therefore have limited impact on the levels of daylight reaching no.47.

Overlooking

5.3 Comments were received from the occupants of no.43 that the proposed extension would result in increased overlooking of their garden. However, the extension at first floor would be the same dimensions as the existing. Although the first floor rear elevation would feature a larger window that would be closer to the boundary with no.43 than the existing, it is unlikely to represent a material increase in the opportunity for overlooking between the two properties.

5.4 Two small windows are proposed to the side wall of the proposed extension, but these would be obscure glazed and therefore would not harm the privacy of neighbouring occupants at no.47. Similarly, the glazed roof of the infill extension sits slightly higher than this boundary wall, but it would be partly obscured to prevent views between the neighbouring property and the host building. The use of obscured glazing here would be secured by condition.

Outlook

5.5 The upper storeys of the proposed extension would be very similar in size and scale to the existing arrangement and would not project any higher than the rear extension at no.43. The proposed development is not considered to result in any additional impact on neighbouring outlook than the existing situation.

6.0 Transport

6.1 Development Policy DP21 states that 'the Council will expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces following development'. The proposed works could lead to damage to the footways and carriageway directly adjacent to the site. Camden would need to undertake highway remedial works following completion of the proposed development and therefore, a financial contribution of £2,128 will be secured as a Section 106 planning obligation.

6.2 A draft CMP has been submitted by the applicant to support the proposed works. However, due to the small carriageway widths and one-way systems within close proximity of the site it is likely that construction vehicles may hinder the traffic flow which may cause conflicts on the surrounding highway network. There are also concerns with a few notable sites within the surrounding area and how the proposed work at this site may have potential conflicts with existing work recently approved.

6.3 The application would therefore be required to submit a final CMP which will need to be approved by the Council prior to works commencing on site. The CMP shall be secured through s106

agreement to ensure that construction traffic does not create (or add to existing) traffic congestion and that amenity issues for local people (e.g. noise, vibration, air quality) are managed. A financial contribution of £1,140 to cover the costs of reviewing the Construction Management Plan will also be secured via s106 legal agreement.

6.4 The Council's Transport Officer has requested that a condition is secured to ensure that all construction vehicles to access the site must be 12T or less. However, these details are included within the draft CMP and a full CMP will be secured via S106 Legal Agreement, and it is therefore not considered necessary to condition this.

7.0 Trees and Landscaping

7.1 The applicant has submitted an Arboricultural Survey & Impact Assessment Report as well as an Arboricultural Method Statement & Tree Protection Plan.

7.2 The proposals include the removal of one ornamental Magnolia tree in the rear garden. The tree is rated as category C (tree of low quality with an estimated remaining life expectancy of at least 10 years) and is generally structurally sound. However, it is considered to offer limited amenity value and its loss would result in an improved rear garden layout being incorporated within the design proposal. The Council's Arboricultural Officer has confirmed the removal of the tree is acceptable in planning terms provided a suitable replacement tree is planted to mitigate against the loss of canopy cover. The arboricultural report suggests a number of replacement trees which are acceptable and will be secured by condition.

7.3 Two trees will be retained within the front and rear gardens and suitable tree protection measures have been outlined within the tree report. Should approval be granted, a condition will be imposed to ensure that tree protection measures are adhered to in accordance with the recommendations made in the arboricultural method statement and tree protection plan.

8.0 CIL

8.1 The proposed development would not be liable for the Mayor of London's Community Infrastructure Levy (CIL) or the Camden CIL as the additional floorspace does not exceed 100sq.m GIA and no residential units are proposed.

9.0 Conclusion

9.1 The proposals will preserve and are of benefit to the special interest of the listed building, and will sustain its contribution to the conservation area. Any limited harm caused to the special interest of the host building is balanced by the benefits of improvements to be made to the front and rear elevations, repairs and conservation undertaken in the historic interiors, the provision of a new architecturally interesting rear extension, and, above all, by the integration of the whole proposal with major and urgent remedial structural works to the whole cottage and garden which will reverse recent harm and preserve and protect the listed building for the foreseeable future. Subject to securing a BCP through a legal agreement, Officers are confident that the proposal would maintain the structural stability of the building and neighbouring properties and avoid cumulative impact upon structural stability and the water environment in the local area.

10.0 Recommendation

10.1 Conditional planning permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Construction Management Plan.
- Fee for CMP monitoring of £1,140.
- Financial contribution for highways works (£2,128).
- Basement Construction Plan.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 23rd January 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Planning Sense Ltd.
55 St John Street
London
EC1M 4AN

Application Ref: **2016/3901/L**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

16 January 2017

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
45 Flask Walk
London
NW3 1HH

DECISION

Proposal:

Demolition of an existing two storey rear extension, erection of a replacement three storey rear extension, single storey basement excavation and Internal alterations.

Drawing Nos: 1050 APL 001 Rev. D, 1050 APL 002 Rev. D, 1050 APL 003 Rev. E, 1050 APL 004 Rev. C, 1050 APL 005 Rev. D, 1050 APL 006 Rev. D, 1050 APL 007 Rev. E, 1050 APL 008 Rev. B, 1050 ASU 001 Rev.A, 1050 ASU 002 Rev.A, 1050 ASU 003 Rev.A, 1050 ASU 004 Rev.A, 1050 ASU 005 Rev.A, 1050 ASU 006 Rev.A, 1050 ASU 007 Rev.A, Basement structural drawings numbered 01 Rev P6, 02 Rev P1, 03, 04 Rev P5, 05 Rev P5, 06 Rev P3; Planning, Heritage, Design and Access Statement dated June 2016; Basement Impact Assessment ref: J16035 dated May 2016 and Supplementary BIA information received 07/12/2016; Arboricultural Survey (BS5837:2012) & Impact Assessment Report dated 14th July 2015 and Addendum Arboricultural Note dated 4th August 2015.

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

Executive Director Supporting Communities



Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

- a) Detailed drawings including plans, sections and elevations at 1:10 and 1:2 as appropriate of all structural and other replacements of fabric in the roof structure.
- b) Detailed drawings including plans, sections and elevations and typical moulding details at 1:10 and 1:1 as appropriate of all new skirting, fireplaces, doors, windows, rooflights and pavement lights.
- c) Detailed drawings including plans at 1:10 of all new service runs proposed within the volume of the historic house, including detailed plan and section drawings at 1:2 or 1:10 as appropriate, showing any alterations arising from the provision of new wiring or pipework.

The relevant part of the works shall then be carried in accordance with the approved details

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework

Development Policies.

- 5 All repair and replacement of historic timber and joinery, plasterwork, brickwork, lathe and plaster or stucco render are to be detailed in extent, method and specification by submission of specialist reports to the Council and confirmed and approved following a return site visit by officers.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Samples and product specifications shall be provided of all interior and exterior facing materials of the rebuilt rear extension, excluding plaster finishes, but including paving, tiling, brickwork, stone and metalwork, including finishes around the rear lightwell and staircase.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

You can find advice about your rights of appeal at:

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

Yours faithfully

Executive Director Supporting Communities

Planning Sense Ltd.
55 St John Street
London
EC1M 4AN

Application Ref: **2016/3900/P**

18 January 2017

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**45 Flask Walk
London
NW3 1HH**

Proposal:

DECISION
Demolition of an existing two storey rear extension, erection of a replacement three storey rear extension and basement excavation.

Drawing Nos: 1050 APL 001 Rev. D, 1050 APL 002 Rev. D, 1050 APL 003 Rev. E, 1050 APL 004 Rev. C, 1050 APL 005 Rev. D, 1050 APL 006 Rev. D, 1050 APL 007 Rev. E, 1050 APL 008 Rev. B, 1050 ASU 001 Rev.A, 1050 ASU 002 Rev.A, 1050 ASU 003 Rev.A, 1050 ASU 004 Rev.A, 1050 ASU 005 Rev.A, 1050 ASU 006 Rev.A, 1050 ASU 007 Rev.A, Basement structural drawings numbered 01 Rev P6, 02 Rev P1, 03, 04 Rev P5, 05 Rev P5, 06 Rev P3; Planning, Heritage, Design and Access Statement dated June 2016; Basement Impact Assessment ref: J16035 dated May 2016 and Supplementary BIA information received 07/12/2016; Arboricultural Survey (BS5837:2012) & Impact Assessment Report dated 14th July 2015 and Addendum Arboricultural Note dated 4th August 2015.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 policies 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: 1050 APL 001 Rev. D, 1050 APL 002 Rev. D, 1050 APL 003 Rev. E, 1050 APL 004 Rev. C, 1050 APL 005 Rev. D, 1050 APL 006 Rev. D, 1050 APL 007 Rev. E, 1050 APL 008 Rev. B, 1050 ASU 001 Rev.A, 1050 ASU 002 Rev.A, 1050 ASU 003 Rev.A, 1050 ASU 004 Rev.A, 1050 ASU 005 Rev.A, 1050 ASU 006 Rev.A, 1050 ASU 007 Rev.A, Basement structural drawings numbered 01 Rev P6, 02 Rev P1, 03, 04 Rev P5, 05 Rev P5, 06 Rev P3; Planning, Heritage, Design and Access Statement dated June 2016; Basement Impact Assessment ref: J16035 dated May 2016 and Supplementary BIA information received 07/12/2016; Arboricultural Survey (BS5837:2012) & Impact Assessment Report dated 14th July 2015 and Addendum Arboricultural Note dated 4th August 2015.

Reason:

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

- 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 Core Strategy and policy DP27 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained 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 Prior to occupation, full details of hard and soft landscaping including specifications of one replacement tree (and tree pits where applicable, taking into account the standards set out in BS8545:2014) have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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 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.

- 7 The ground floor obscure glazed roof shown on plan number 1050 APL 003 Rev.E, shall be fitted with obscure glazing and permanently maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 8 The ground floor extension hereby approved shall not be used as a roof terrace.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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).
- 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 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.

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.

Yours faithfully

Supporting Communities Directorate