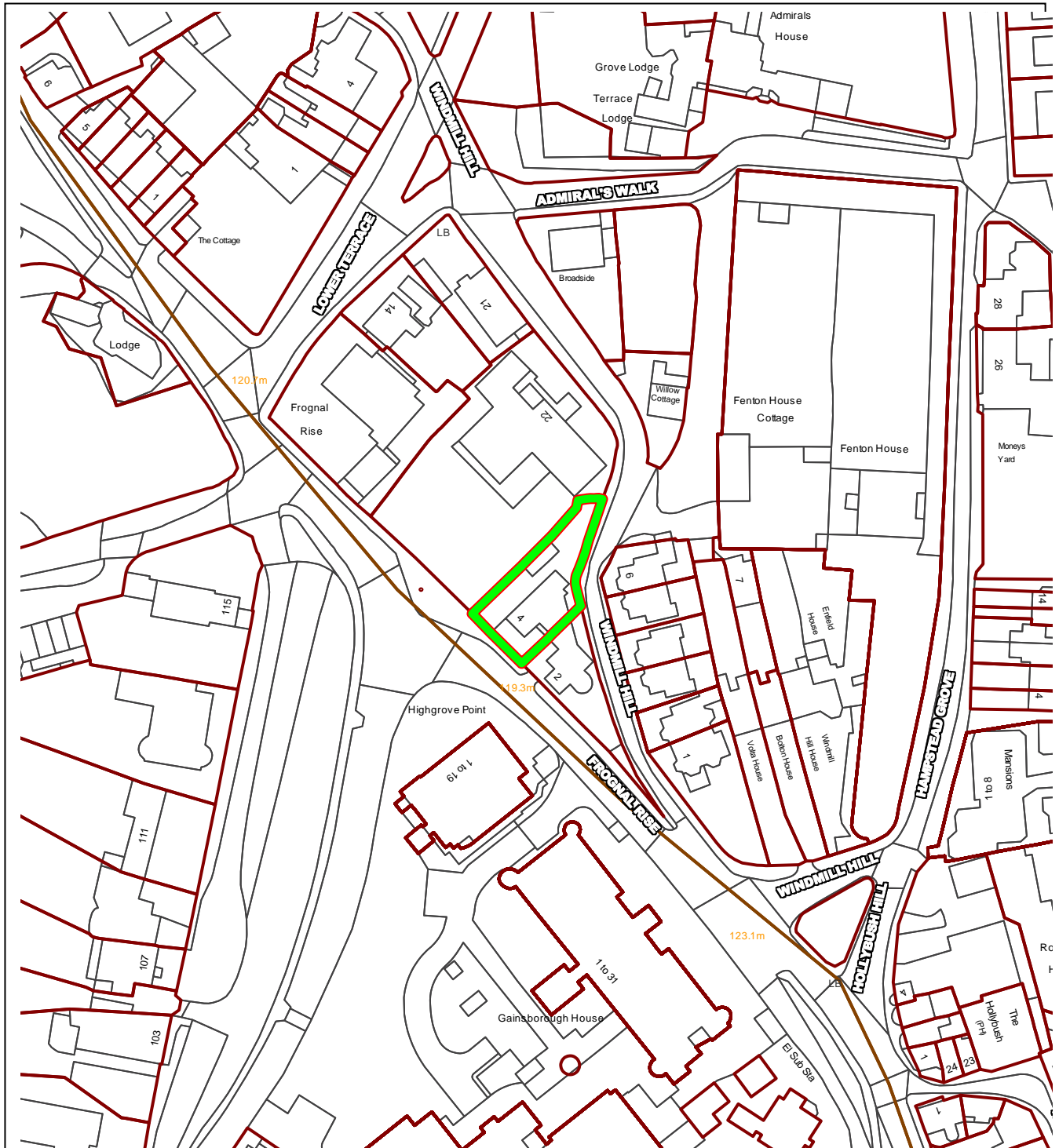


# 4 Frognal Rise, NW3 6RD (2015/3525/P)



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SITE PHOTOS - 4 FROGNAL RISE (2015/3525/P)



Photo 1: View of property from Frogmal Rise



Photo 2: Front boundary wall with existing vehicular access from Frognal Rise





Photo 3: Existing single storey garage

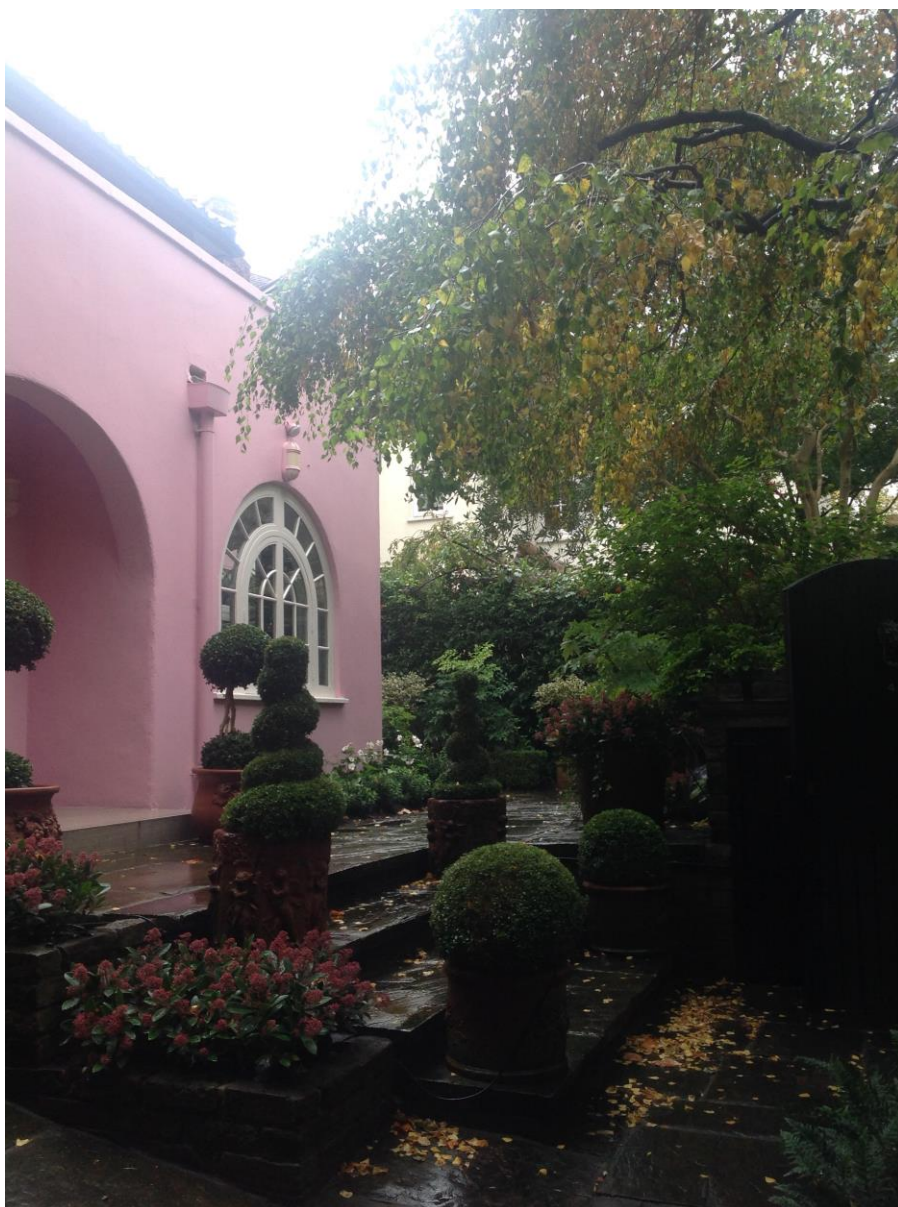


Photo 4: Front forecourt area



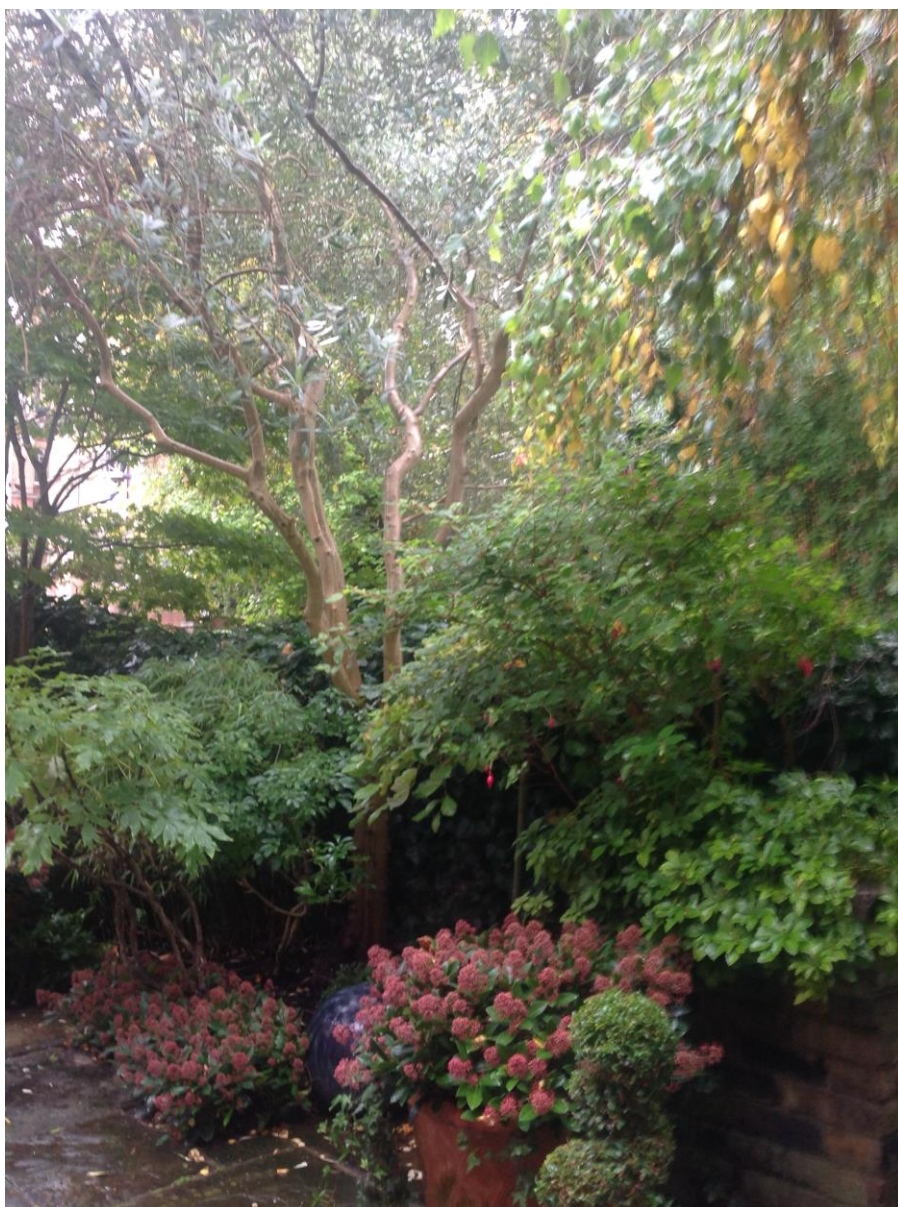


Photo 5: Tree in the front courtyard behind the existing boundary wall



Photo 6: Rear elevation of property





Photo 7: Rear boundary fronting onto Windmill Hill



|   |                            |   |                                     |                                  |                   |
|---|----------------------------|---|-------------------------------------|----------------------------------|-------------------|
| <b>Delegated Report</b>   |                            | <b>Analysis sheet</b>   |                                     | <b>Expiry Date:</b>              | <b>07/12/2015</b> |
| <b>(Members Briefing)</b>   |                            | N/A / attached  |                                     | <b>Consultation Expiry Date:</b> | 03/12/2015        |
| <b>Officer</b>  |                            |   | <b>Application Number(s)</b>        |                                  |                   |
| Elaine Quigley  |                            |   | 2015/3525/P                         |                                  |                   |
| <b>Application Address</b>  |                            |   | <b>Drawing Numbers</b>              |                                  |                   |
| 4 Frognal Rise<br>London<br>NW3 6RD   |                            |   | See draft decision notice           |                                  |                   |
| <b>PO 3/4</b>   | <b>Area Team Signature</b> | <b>C&amp;UD</b>   | <b>Authorised Officer Signature</b> |                                  |                   |
|   |                            |   |                                     |                                  |                   |
| <b>Proposal(s)</b>  |                            |   |                                     |                                  |                   |
| Erection of part two storey part first floor side and rear extension, excavation of a new basement level and front lightwell, alterations to front boundary wall and front forecourt area, including new bicycle and bin store all in connect with the existing single family dwellinghouse (Class C3 use). |                            |   |                                     |                                  |                   |
| <b>Recommendation(s):</b>   |                            | Grant conditional planning permission subject to s106 legal agreement |                                     |                                  |                   |
| <b>Application Type:</b>  |                            | Householder Application   |                                     |                                  |                   |

|                                    |  |    |                  |    |                   |    |
|------------------------------------|--|----|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice   |    |                  |    |                   |    |
| Informatives:                      |  |    |                  |    |                   |    |
| Consultations                      |  |    |                  |    |                   |    |
| Adjoining Occupiers:               | No. notified   | 14 | No. of responses | 08 | No. of objections | 08 |
| Summary of consultation responses: | A site notice was displayed on 11/11/2015 and expired on 02/12/2015 and a press notice was published on 12/11/2015 that expired on 03/12/2015.   |    |                  |    |                   |    |
|                                    | 8 letters of objection were received from local residents at 2 Frogna! Rise; Flat 23, Pavilion Court, Frogna! Rise; 22 Windmill Hill; 5 Windmill Hill; 6 Windmill Hill; Admiral's House, Admiral's Walk; 2 Lower Terrace; 16 Pavilion Court,<br><br><b>GENERAL</b> <ul style="list-style-type: none"><li>There are confusing references throughout the application documents as to the increase, or otherwise, in the footprint of the building. Inspection of the drawings shows that there is a very large increase in both the footprint and the overall floor area. It seems odd that this is not made clear, and proportionate increases stated, on the face of the application. It may well be that the Borough's overall planning philosophy does not favour such large increases to a property of this character and location.</li></ul> <p>Officer comment: See paragraph 2.3</p> <b>BASEMENT WORKS</b> <p><u>Stability:</u></p> <ul style="list-style-type: none"><li>Concerned about the stability of the houses that are already shaking from work being carried out in Admiral's Walk. The heavy piling and vibration will further damage not only no. 22 Windmill Hill but the Thames Water equipment in Windmill Hill which has burst a number of times. The latest was in fact in August of this year. Windmill Hill also has had problems including sinkage of the road itself.</li></ul> <p>Officer comment: See paragraph 3.49 to 3.53</p> <ul style="list-style-type: none"><li>Concerned about stability of no. 5 Windmill Hill during basement excavation works</li></ul> <p>Officer comment: See paragraph 3.49 to 3.53</p> <ul style="list-style-type: none"><li>Admirals House has no foundations and is already vibrating from the demolition of Fleets House. It is an area which contains shifting sands streams and aquifers. Holes appear in the roads unexpectedly</li></ul> <p>Officer comment: See paragraph 3.49 to 3.53</p> <ul style="list-style-type: none"><li>The most difficult part of the basement construction to carry out safely, and the part involving another party's property, is the proposed underpinning of my (no. 2 Frogna! Rise) house. It can only be by wilful mischief that this subject is so little covered in the BIA. For example, in 8.1.1, a north/south section is shown, illustrating the ground strata, but there is no east/west section making clear how these impact upon my property and the proposed underpinning.</li></ul> |    |                  |    |                   |    |

*Officer comment: See paragraph 3.50*

- The hazard of ground water flow in relation to an attempt to underpin no. 2 Frognal Rise. Paragraph 2 of 8.0 makes clear that because of the groundwater issue, careful consideration must be given to underpinning methods but no solutions are suggested or provided

*Officer comment: See paragraph 3.50*

Water and flooding:

- During flash storms, the water rushes down Windmill Hill from the Heath extension. The creation of further underground basements may well alter the table again, so that the garden at no. 22 Windmill Hill becomes more like a lake at times. Will the water be guaranteed to flow into the sewer or back into the garden of no. 22?

*Officer comment: See paragraph 3.53*

- Thames Water main in front of Windmill Hill has burst at least twice in 18 months resulting in caverns under the pavement due to soil wash out. Repairs have been targeted – it is likely the entire pipe is weak and works that cause vibration is likely to result in further breaks in the pipe.

*Officer comment: See paragraph 3.53*

- Admirals House has a well in the basement with water continuously pouring in. The house is within 100 metres of 4 Frognal Rise yet no one has been in touch with them to ask about it contrary to the guidelines issued by Arup for BIAs. These developments are being undertaken without proper data and investigations. Neighbours should not have the burden of shoring up their property in fear of being destabilised by excavations.

*Officer comment: See paragraph 3.53*

- Water ingress in the existing basements of the houses in the area is already causing problems for the residents due to the numerous underground springs and water courses that permeate the ground here. This problem will certainly be exacerbated by yet another basement development.

*Officer comment: See paragraph 3.53*

Trees:

- The work will put at risk many of the trees in the garden of no. 22 which are protected. Whilst the plan has been put forward, the residents are not convinced that they would not lose any trees. Apart from 2 trees the remainder are in the garden of no. 22. The report states that some of the trees are not particularly important, but all of them make Hampstead what it is and have been very carefully preserved by the owners.

*Officer comment: See paragraph 3.37 to 3.39*

- The accumulation of excavations will render the area unstable and



treacherous for tree life.

*Officer comment: See paragraph 3.49 to 3.52*

#### General

- Too many basement excavations in this historic part of Hampstead and many are at the least Grade II listed building.

*Officer comment: See paragraph 3.52*

- The applicants have advised that they have no intention of undertaking the building works. It would seem prudent to decline consent.

*Officer comment: See paragraph 3.51*

- Concerns raised about the details in the structural engineers report and its non-committal statements as well as the lack of any reference to the underpinning of no. 2.

*Officer comment: See paragraph 2.49 to 3.50*

#### **CONSTRUCTION WORKS**

- Concerned about the scope of the works and how it will affect the quality of life of local residents during construction including noise, dust and pollution especially the impact of this on the health of children who already suffer from a chronic cough.

*Officer comment: See paragraph 3.22 and 3.32*

- Permission should not be given without a definite Construction Management Plan. The one contained in the planning application is only tentative. No contractor has signed it and it is therefore invalid.

*Officer comment: See paragraph 3.32*

- Neighbours should not be forced to endure the noise of building works on Saturday mornings.

*Officer comment: See paragraph 3.32*

- The Construction Management Plan (CMP) states that Mary Herberg, the UCS Junior School and No. 2 Frognal Rise have been in consultation which is ongoing. No.2 Frognal Rise has been informed that Mary Herberg has never been consulted and that the school has had no meaningful consultation. Some five months ago the owners of no. 2 Frognal Rise was visited by the Applicants' architect to inform them of the proposed development – to which they objected and have heard nothing since.

*Officer comment: See paragraph 3.32*

#### **HIGHWAYS AND TRAFFIC**

- The road is already heavily used by cars and other transport and is used by the USC Junior School for parking coaches to transport children to and from games and would add huge extra congestion to the area. It is already difficult to exit from the flats to the road and this

development would add to the problem

*Officer comment: See paragraph 3.30 to 3.32*

- There are already problems in Admiral's Walk and the swept path analysis shows that there will be problems for the Nissan Cabstar concrete mixer and 8m tipper. This is an extremely busy corner and USC students will pass the site to board the waiting coaches. They will also be collected by private cars, which will cause a certain amount of chaos.

*Officer comment: See paragraph 3.30 to 3.32*

- The owners are forced to use Frogna Rise as a route to Admirals House since the closure of Admirals Walk. There is not room for two average vehicles to pass at a certain point and cars have to wait for the vehicles coming up Holly Hill often for lengthy times at rush hour to proceed. This, together with the traffic from UCS Junior School will bring traffic to a standstill.

*Officer comment: See paragraph 3.30 to 3.32*

- Concerned about the traffic implications on Frogna Rise during construction

*Officer comment: See paragraph 3.30 to 3.32*

- The streets in this part of Hampstead are narrow and winding, and therefore entirely unsuitable for the passage of heavy construction vehicles. The historic green in Lower Terrace has already sustained substantial damage due to the passage of the numerous construction vehicles that are passing through the narrow stretch of the road in order to access the building site at Fleet House, Admiral's Walk, where the demolition and re-building of the house - including a substantial basement excavation - is currently in progress.

*Officer comment: See paragraph 3.30 to 3.32*

- The CMP does not cover the times when the school coaches return to outside the Site when the UCS children, having alighted, assemble waiting for collection by parents or for their accompanied return to school.

*Officer comment: See paragraph 3.30 to 3.32*

CAAC/ Local groups  
comments:

## Heath and Hampstead Society

### DESIGN

- No comments on planning and architectural design of the proposal. Its existing charming style will be preserved , and its important trees protected

### BASEMENT WORKS

- We have concerned, however, on the basement proposals on this small, steeply sloping site. The BIA, in its conclusion states that there would be significant structural risks to adjoining properties i.e. no. 2. It makes no assessment, however of the effect of these, by reference to the Burland Scale of damage or any other estimation. We believe that the BIA should be more open in this respect, so as to inform neighbours to frame any Party Wall Agreement so as to include insurance cover for what at worst could be serious structural damage. We would like this to be incorporated into any permission you may consider granting.

*Officer comment: See paragraph 3.49 to 3.50*

### GLAAS

- Raise no objections subject to condition to require further archaeological investigations.

*Officer comment: See paragraph 3.54*



## Site Description

The site is located on the east side of Frognal Rise in close proximity to the junction with Frognal to the southwest and Windmill Hill that lies to the south. It comprises a two storey semi-detached single family dwelling dating from c1900. The application property is one half of an asymmetrical pair, has a pink render finish and is embellished with architectural features loosely adhering to an Arts and Crafts style. It is set back from the road by approximately 5m behind a 2m high brick boundary wall and there is an abundance of foliage to the front and side of the property which partly screens the existing house and much of the site from the street. The property is also well concealed to the rear by high hedges. This property and the other part of the pair (no. 2) were converted in 1937 from the stable block of Frognal Rise house into two dwellings.

The site slopes steeply up from Frognal Rise to Windmill Hill with an overall change in level of approximately 4m. The house is set onto the slope so that the ground floor, being raised above the road level of Frognal Rise, is below ground at the rear and the first floor is at garden level at the rear. The front garden area is largely paved to provide off street parking with a detached single storey garage at the north west side of the property.

The property is not listed however it is located within the Hampstead Conservation Area (sub-area 4: Fenton House area). Both the application property and no. 2 are identified in the Hampstead Conservation Area Statement (CAS) as making a positive contribution to the character and appearance of the conservation area.

The conservation area statement describes the street and application property, "This is one of Hampstead's oldest roads connecting Holly Hill and Branch Hill. The northern side is prominent looking up Frognal and two houses are visible. Frognal Rise (the name of the house) is a detached early 19th century villa (listed) at the junction with Lower Terrace. The slated hipped roof with projecting eaves can be seen over the high brick boundary wall, as can the large greenhouse/conservatory that is in a very poor state of repair. To the east the high boundary brick wall continues with a large detached modern house (no. 22 Windmill Hill) set well back behind it. Nos. 2 and 4 are Arts and Crafts style houses."

The neighbouring property to the south east is no. 2 Frognal Rise that shares a party wall with the application property (the two houses were originally a single building). To the north, No. 22 Windmill Hill, lies approximately 21m to the north east of the application property.

The proposed development lies within the Hampstead Archaeological Priority Area which reflects its location within the medieval/post-medieval village.

## Relevant History

Planning permission was granted on 06/01/1959 (17124) for the erection of a private garage and the formation of new means of access to the highway.

## Relevant policies

### National Planning Policy Framework (2012)

### London Plan (2016)

### LDF Core Strategy and Development Policies (2010)

- CS1 (Distribution of growth)
- CS3 (Other highly accessible areas)
- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change through promoting higher environmental standards)  
CS14 (Promoting high quality places and conserving our heritage)  
CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)  
CS18 (Dealing with our waste and encouraging recycling)  
CS19 (Delivering and monitoring the Core Strategy)

DP2 Making full use of Camden's capacity for housing  
DP5 (Homes of different sizes)  
DP6 (Lifetime homes and wheelchair homes)  
DP16 (The transport implications of development)  
DP17 (Walking, cycling and public transport)  
DP18 (Parking standards and limiting the availability of car parking)  
DP19 (Managing the impact of parking)  
DP21 (Development connecting to the highway network)  
DP22 (Promoting sustainable design and construction)  
DP23 (Water)  
DP24 (Securing high quality design)  
DP25 (Conserving Camden's heritage)  
DP26 (Managing the impact of development on occupiers and neighbours)  
DP29 (Improving access)

### **Camden Planning Guidance**

CPG1 Design (2015)  
CPG2 Housing (2016)  
CPG3 Sustainability (2015)  
CPG4 Basements and lightwells (2015)  
CPG6 Amenity (2011)  
CPG7 Transport (2011)  
CPG8 Planning Obligations (2015)

Hampstead Conservation Area Statement (HCAS) October 2001

### **Draft Camden Plan 2016**

The emerging London Borough of Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

The following policies are considered to be relevant:

G1 Delivery and location of growth  
H1 Maximising housing supply  
H3 Protecting existing homes  
H6 Housing choice and mix  
H7 Large and small homes  
A1 Managing the impact of development  
A3 Protection, enhancement and management of biodiversity  
A4 Noise and vibration  
A5 Basements and lightwells  
D1 Design  
D2 Heritage  
CC1 Climate change mitigation  
CC2 Adapting to climate change  
CC3 Water and flooding

T1 Prioritising walking, cycling and public transport  
T2 Car-free development and limiting the availability of parking  
T4 Promoting the sustainable movement of goods and materials

## Assessment

### 1.0 Proposal

1.1 Erection of part two storey part first floor side and rear extension, excavation of a new basement level and front lightwell, alterations to front boundary wall and front forecourt area, including new bicycle and bin store all in connect with the existing single family dwellinghouse (Class C3 use).

#### Basement

1.2 The proposed basement would measure 126.9 sq. m in floor area and would measure 3.2m in depth. It would have a larger footprint than that of the above-ground part of the resultant building as it would extend out to the front of the house by 1.5m. It would include an L-shaped basement lightwell at the side of the existing house adjacent to the boundary with no. 22 Windmill Hill that would measure approximately 56 sq. m. In total, the basement (including the basement lightwell to the front) would measure approximately 183 sq. m.

1.3 The basement would include a dining room, family room/cinema and kitchen as well as a utility and storage room. Five sets of double doors would open out onto the proposed lightwell providing light into the main area of the basement. A flush pavement light measuring 1.5 sq. m would be installed adjacent to the front elevation of the existing house to provide light into the proposed utility room at basement level.

#### Two storey side extension

1.4 The proposal would include a two storey side extension that would measure 5.2m in length by 5.5m in depth by 7m in height to the ridge (the top of the roof). Due to the sloping nature of the site the front part when viewed from Frognaal Rise would measure 5.1m in height to the eaves and the rear would measure 2.2m to the eaves. It would have a pitched roof and would be constructed from brick and painted pink to match the existing house. The proposal would also include a part first floor rear extension. It would measure 4.5m in length by 2.3m in depth and 2.4m in height. Due to the natural steep gradient of the site this part first floor rear extension would actually read as a single storey extension when viewed from Windmill Hill.

#### First floor rear extension

1.5 The first floor rear extension would measure 5.5m in length by 2.5m in depth by 4.1m to the ridge of the pitched roof and 2.2m to the eaves. It would match the existing house in terms of its design and materials

#### Other alterations

1.6 It is proposed to relocate the existing vehicular access gate in the front boundary wall that is on the western side of the site adjacent to the boundary with no. 22 Windmill Hill to the southern side of the site adjacent to the boundary with no. 2. The automatic sliding access gate would be set behind the existing brick piers and would be painted hardwood to match the existing gate (to be removed).

1.7 The front forecourt is currently covered in hardstanding. The proposal would include its replacement with porous paving slabs. A single off-street car parking space would be retained in the front forecourt of the property. A new single storey enclosure would be constructed behind the front boundary wall to be used as a bicycle and bin enclosure. It would be constructed of hardwood with a flat lead roof.

1.8 The proposal would include the removal of a birch tree (T12) and a new replacement tree would be planted approximately 1m behind the front boundary wall.

1.9 The proposal would also include the installation of a surface water recycling storage tank within the void of the existing garage structure below the garden. It would measure 7 sq. m and would not be visible from any public vantage point.



## **2.0 Revisions**

2.1 During the course of the application concerns were raised regarding the detailed design of the fenestration pattern and the balcony arrangement at ground and first floor levels. The design of the proposed windows, doors and balconies was considered to be too elaborate and fussy resulting in a side extension that over competed with the principal features of the existing house. Revised drawings were submitted simplifying the treatment of the front elevation.

2.2 A basement impact assessment was submitted in support of the application to address the basement excavation works. Following discussions with the Council's external auditor further information was requested including the submission of a ground movement assessment. Following the submission of the ground movement assessment further queries were raised in relation to the information contained in the ground movement/building damage assessment and the construction sequence/ methodology. The applicant submitted further information in order to address the outstanding issues.

2.3 Concern has been raised by a local resident regarding the confusing references as to the increase in the footprint of the building. This has been raised with the architect and it has been confirmed that the existing floor area is 187 sq. m and the proposed floor area is 374 sq. m. Although figures have not been provided on the drawings they are scaled and the existing and proposed drawings can be compared to help to understand the increase in size.

## **3.0 Assessment**

3.1 The main issues to be considered as part of the proposal are:

- Design (including impact on conservation area)
- Amenity
- Transport
- Trees and landscaping
- Sustainability and water
- Basement considerations
- Archaeology
- CIL
- S106 heads of terms

### **Impact on the character and appearance of the wider area (including the Hampstead Conservation Area)**

3.2 The application site is within the Hampstead Conservation Area, where the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The proposal would include the demolition of the existing garage and its replacement with a two storey side and part two storey part first floor rear extension. Alterations are proposed to the existing front brick boundary wall to relocate the vehicle access and replacement hard landscaping of the front forecourt.

#### Creation of basement

3.3 The proposed basement would manifest itself above ground by way of the side lightwell that is sloped leading down from the driveway. A pavement light would also be installed CPG4 (Basements and lightwells) recommends that any exposed areas of basement are subordinate to the host building; respect the original design and proportions of the building, including its architectural period and style; and retain a reasonable sized garden.

3.4 The lightwells are all relatively modest in size and it is considered that they would be subordinate to the host building. Furthermore, it is considered that the lightwells would be in keeping with the design of the host building and the proposal would retain a generous sized garden. The proposal is therefore considered to be acceptable in this respect.

3.5 Whilst it may be possible to discern the new front and side lightwells from the street, they are unlikely to be prominent in views of the house, because of the intervening change in ground levels. Furthermore, the lightwells would be secured with a grille, set flush with the ground level, which would minimise their visibility.

#### Part two storey side and rear and part first floor rear extension

3.6 The proposed extensions at the side and rear would replace the existing single garage at the side of the host building. There is no objection to the loss of the existing garage, because it is a later addition to the building and it does not make a positive contribution to the character and appearance of the host building or the conservation area.

3.7 The new extensions would sit forwards of the existing garage front building line; however, they would still be set back considerably from the front elevation of the host building and would therefore appear subordinate to the original building.

#### Front elevation

3.8 In terms of the positioning, footprint, height, bulk, mass, overall form and materials of the proposed extension these are considered acceptable. However during the course of the application the Council's conservation officer raised concerns regarding the design of the proposed front elevation, in particular the detailed design in terms of fenestration pattern and balcony arrangement at ground and first floor levels that aimed to pick up on the ornate design of the existing principal front facade. The design of the proposed windows, doors and balconies were considered to be too elaborate, bordering on fussy. The result was a side extension which over-competes with the principal features of the existing house, rather than being subservient.

3.9 The front elevation was therefore redesigned so that it would be more restrained and has a scale and level of detailed design which is subordinate as well as complementary to the host building. Balconies at the front of properties are not a predominant feature in this part of the Hampstead Conservation Area. The applicant has revised the scheme to remove the balcony on the front elevation at first floor level on the proposed two storey side extension and replace the double doors with full height window openings. A simpler design in terms of windows and doors has been incorporated into the revised drawings employing a square rather than round-arched opening. This gives an overall more restrained appearance and is considered acceptable.

#### Lightwell

3.10 From a design perspective there is no objection to the front lightwell or pavement light, which will not be prominent from the street, as it will be of a modest size and set back from the road behind the landscaped front forecourt and boundary wall.

#### Alterations to the front boundary

3.11 The existing brick boundary wall is between 1.6m and 1.7m high and follows the slope of the road as it slopes down towards the junction with Frognal. The boundary wall includes a timber vehicular entrance gate that is adjacent to the boundary with no. 22 Windmill Hill and a centralised pedestrian access gate providing access to the front door of the existing building. It is proposed to relocate the vehicular access gate to the other side of the boundary wall adjacent to the boundary with no. 2. Its size, height and detailed design would remain the same as the existing. The void created by the removal of the existing vehicular access way would be infilled by brick to match the existing boundary wall. These changes would not have an adverse impact on the character or appearance of the site when viewed from the street and would be considered acceptable. A condition requiring the materials to match the existing boundary materials would be attached to any permission.

#### Cycle and bin store

3.12 A new single storey hardwood enclosure would be located behind the front boundary wall to store bicycles and bin store. Due to its height it would be screened behind the boundary wall and would not be visible from the street. No elevation drawings or sections of the enclosure have been provided. A condition would be attached requiring the details to be submitted prior to the commencement of the relevant part of the works.

## Conclusion

3.13 Overall, it is considered that the proposal alterations and extension to the host building would be of a high standard of design and would preserve the character and appearance of the building and the Hampstead Conservation Area.

## **Amenity**

3.14 Policy DP26 notes that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The factors to consider include: visual privacy and overlooking; overshadowing and outlook; sunlight, daylight and artificial light levels; noise and vibration levels; odour, fumes and dust; microclimate; and the inclusion of appropriate attenuation measures.

3.15 The main properties that are likely to be affected by the proposal are nos. 22 Windmill Hill and 2 Frognal Rise (the neighbouring properties). All other nearby residential properties are considered to be sufficiently removed from the application site so as not to be adversely affected by the proposal in terms of their amenity.

## Overlooking

3.16 The two storey plus basement side extension would be located within 0.8m of the western side boundary with no. 22 Windmill Hill. The extension would be adjacent to the rear garden of this neighbouring property and would be approximately 11m from its rear elevation. There are no windows in the side elevation of the proposed two storey extension however there would be new windows on the rear elevation of the extension at first floor level. Oblique views into the first floor side/rear elevation of the neighbouring property may be possible through the existing mature tree belt on this boundary. However the separation distance between these windows is between 15m to 18m. Taking these factors into account it is considered that the proposal would not have an adverse impact on the amenity of this property in terms of overlooking.

3.17 The proposed first floor rear extension would be located with 1.6m of the boundary with the neighbouring property at no. 2. There are no windows in the side elevation of the extension so this element of the proposal would not have an adverse impact on the amenity of this property in terms of overlooking.

## Daylight

3.18 There is a separation distance of over 11m between the application property and the neighbouring property at no. 22 Windmill Hill. There is an existing row of mature trees along the western boundary that already cast shadow on the rear garden of no. 22 Windmill Hill during the morning. The proposal would not have an adverse impact on the amenity of no. 22 Windmill Street in terms of any loss of daylight.

3.19 The proposed first floor rear extension would be located 1.6m from the boundary with no 2 Frognal Rise. It would be constructed on the existing raised external patio area between the rear elevation of the house and the northern boundary facing towards Windmill Hill. It would measure 2.2m in height to the eaves and, due to the gradient of the land sloping upwards from Frognal Rise to Windmill Hill, it would appear single storey in height. The extension would be located to the north of the neighbouring property at no. 2 and would be approximately 2.6m from the nearest window. It would not be considered to have a harmful impact on the daylight and would be considered acceptable.

3.20 There is an existing lattice brick wall separating the application site boundary and no. 2 at the rear. Due to the orientation of the properties at no. 2 and no. 4 the views from the first floor windows in the rear of no. 2 are directed towards Windmill Hill rather than towards the application site. The proposed first floor extension would not appear overbearing from the windows of the neighbouring property at no. 2.

3.21 In conclusion, the proposed side and rear extensions have been designed to minimise any

impact on the neighbouring properties in terms of daylight and outlook or appear overbearing when viewed from the neighbouring properties. The fenestration has also been designed to prevent any undue overlooking into neighbouring gardens. Any views into the neighbouring gardens would be at an oblique angle rather than direct which is considered acceptable.

3.22 Policy DP28 states that the Council will seek to minimise the impact on local amenity from the demolition and construction phases of development. Given the extent of the proposed works (including the basement construction) and the nature of the application site, the Council will secure the submission of a Construction Management Plan (CMP) through a legal agreement.

3.23 Overall, subject to the recommended condition, the impact on nearby and neighbouring properties is considered acceptable.

## **Transport**

### Car Parking

3.24 Development Policy DP18 states that the Council seeks to ensure that developments provide the minimum necessary car parking provision. The Council expects development to be car free in the Central London Area, the town centres of Camden Town, Finchley Road/Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead, and other areas within Controlled Parking Zones that are easily accessible by public transport. The site is located in the Hampstead conservation area and the Hampstead controlled parking zone (CA-H) which operates between 0900 and 2000 hours on Monday to Saturday. In addition, the site has a PTAL rating of 3 which means it is moderately accessible by public transport.

3.25 The proposal would not create any additional residential dwellings therefore the car free policy is not applicable. However, the Council would resist any proposal to increase capacity for on-site car parking. The proposal would result in a reduction of on-site capacity for car parking due to the removal of the existing garage and the reduction in the area of the driveway that would reduce the number of car parking spaces which is welcomed. The proposal is therefore acceptable in this regard.

### Relocated access way

3.26 The proposal would involve relocating the vehicular access to the property. This would be acceptable as it would not involve any changes to on-street parking bays directly adjacent to the property.

3.27 The proposed plans suggest that a sliding gate would be provided adjacent to the vehicular access to the site. This would be acceptable as it would not impede or obstruct pedestrian movement on the adjacent footway. It is also assumed that the new pedestrian gate would open inwards. This has been clarified on revised plans and would ensure that it would not impede or obstruct pedestrian movement on the adjacent footway.

### Cycle Parking

3.28 The proposal would not create any additional residential dwellings. Therefore the cycle parking policy is not applicable here. However, the proposal would include cycle storage facilities in the front hardstanding area behind the existing vehicular access entrance that would be bricked up.

### Managing the impacts of construction on the surrounding highway network

3.29 Camden Development Policy DP20 states that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). Camden Development Policy DP21 relates to how a development is connected to the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).

3.30 Access to the site is restricted as it is located on a narrow street. In addition, it is located in the



Hampstead conservation area. The primary concern is public safety but the Council also needs to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. A CMP must therefore be secured as a Section 106 planning obligation.

3.31 In order to minimise traffic congestion and road safety issues during development works, construction vehicle movements would generally be acceptable between 9.30am and 4.30pm on Monday to Friday and between 8.00am and 1.00pm on Saturdays. However, as there is a school in the vicinity of the site or on the proposed access and/or egress routes, then construction vehicle movements would need to be further restricted to between 9.30am and 3.00pm on Monday to Friday during school term time.

3.32 It is noted a draft CMP has been submitted with the planning application. A more detailed CMP will need to be secured by a S106 agreement if planning permission is granted. Concern has been raised by local residents regarding the noise from construction works on a Saturday. The hours of demolition and construction works is controlled under the Control of Pollution Act 1974. It restricts the hours that building work can be heard at the boundary of the site 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. The CMP would need to be consulted upon locally by the applicant and the final document would need to show that it has taken on board any comments received. In that regard it is suggested that the residents may wish to raise the issue of restricting the types of construction works that are carried out on a Saturday morning to less noisy works. Officers can then ensure that this is reflected in the final CMP.

3.33 In addition, some highway licenses may be required to facilitate the proposed works. The applicant would need to obtain such highway licences from the Council prior to commencing work on site.

#### Highway and Public Realm Improvements directly adjacent to the site

3.34 The summary page of 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 footway directly adjacent to the site could be damaged significantly as a direct result of the proposed works. In addition, a new crossover would have to be created and the existing crossover would become redundant and need to be removed. We would therefore need to secure a financial contribution for highway works as a section 106 planning obligation.

#### **Trees and landscaping**

3.35 Policy DP24 requires new development to consider existing natural features, such as topography and trees. New development should respond to the natural assets of the site and its surroundings and development will not be permitted which fails to preserve or is likely to damage trees on a site which make a significant contribution to the character and amenity of an area.

3.36 Policy H45 of the HCAS notes that all trees which contribute to the character or appearance of the Conservation Area should be retained and protected; and developers will be expected to incorporate any new trees sensitively into the design of any development and demonstrate that no trees will be lost or damaged before, during or after development.

#### Trees

3.37 The proposal would include the removal of an existing birch tree (T12) that is located immediately behind the front boundary wall. The birch has been identified in the arboricultural report as a category C tree of low value that requires removal as it is damaging the front boundary wall. A replacement tree will be planted in a similar location but set further back from the boundary wall. The remainder of the trees would be retained and protected during any development. It is considered that a replacement tree, would also contribute positively to the character and appearance of the

application site and it would also be visible from Frognal Rise and so would maintain the leafy verdant character of this part of the conservation area. A planning condition can ensure that the replacement tree is planted by not later than the end of the planting season following completion of the works.

3.38 Concern has been raised by local residents about the lack of assessment and potential impact of the development on the neighbouring trees in the rear garden of no.22 Windmill Hill. The arboricultural report includes the survey of 12 trees (9 of which fall within the neighbouring garden of no. 22 Windmill Hill (T02 to T10). A 1.1m deep trench was dug next to the boundary wall that separates the application site from this neighbouring property. No roots were seen to be penetrating through the brickwork or rubble along this boundary.

3.39 The Council's Tree Officer has reviewed the information and advised that the report shows that the potential effects on trees have been considered and are likely to be minimal. This is due to the presence of the existing building's foundations (including the garage) and the garden retaining wall in the rear garden that have acted as a root barrier due to their depths. A condition would be attached to any permission requiring tree protection details to be submitted as well as a landscaping plan to illustrate the regrading of the front part of the site.

## **Energy, sustainability and water**

### Sustainability and Water

3.40 Policy DP22 and DP23 requires developments to reduce their water consumption, pressure on the combined sewer network and the risk of flooding. The front forecourt is currently covered in impervious paving hardstanding. The proposal would include its replacement with porous paving slabs. This would help to reduce surface water run-off in line with DP23 and would be considered acceptable.

3.41 The proposal would also include the installation of a surface water recycling storage tank within the void of the existing garage structure below the garden. This will capture rainwater runoff from the roofs of the newly extended house and will be used in garden watering which is welcomed.

3.42 A suitable planning condition can ensure that development will be capable of achieving a maximum internal water use of 110 litres a day (plus an additional 5 litres for external water use).

3.43 Overall, subject to the suggested conditions, the proposal is considered to be acceptable in this respect.

## **Basement considerations**

3.44 Policy DP27 notes that the Council will only permit basements and other underground development where the applicant can demonstrate it will not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability.

3.45 The Council's preferred approach is for basement development to not extend beyond the footprint of the original building and be no deeper than one full storey below ground level (approximately 3 metres in depth). The internal environment should be fit for the intended purpose, and there should be no impact on any trees on or adjoining the site, or to the water environment or land stability.

3.46 This application involves the demolition of the existing single storey garage on the site and its replacement with a two-storey side and first floor rear extension above a single storey basement. The basement would extend beyond the footprint of the newly extended dwelling; the basement would extend out to the front of the proposed two storey side extension by a further 1.6 metres. This is considered to be acceptable in this case on the basis that the front part of the application site is already entirely covered with hardstanding and so the proposal would not result in the loss of garden area or vegetation (other than tree T12, which will be replaced, as discussed above).

3.47 CPG4 recommends that sufficient margins should be left between the site boundaries and any

basement construction to enable natural processes to occur and for vegetation to grow naturally. It also recommends that basement development should provide an appropriate proportion of planted material to allow for rain water to be absorbed and/or to compensate for the loss of biodiversity caused by the development. In this case, the proposed basement would not cover the whole of the application site (although it would abut the eastern boundary of the application site, as the existing building does) and it would be at least 1 metre below ground level. The existing front impervious hardstanding area would be replaced by porous paving that would allow for rain water to be absorbed as well as the installation of a water storage tank which is considered to be acceptable.

3.48 The following underground development constraints apply at the application site: Bagshot Beds (hydrological constraint); slope stability and surface water flow. The application is accompanied by a Basement Impact Assessment (BIA), which has been independently audited by Campbell Reith, in line with the requirements of CPG4 (potential impact on land stability and local ground and surface water conditions).

3.49 The BIA screening exercise identified potential issues that were carried forward to scoping. Subsequent to the issue of the initial audit, additional information was provided by the applicant including ground movement assessment. This predicts a Category Burland Category 0 or 1 (very slight), with the exception of a small section of boundary wall along Windmill Hill where Category 2 damage is predicted. Campbell Reith now concludes that the BIA adequately identifies the potential impacts from the basement proposals and provides suitable mitigation. Campbell Reith has recommended that the final ground movement and building damage assessment is provided in a Basement Construction Plan (BCP). This would be secured by s106 legal agreement.

3.50 Based on the expert advice from Campbell Reith, they have accepted that the BIA and supplementary documents adequately identify the potential impact of the proposed basement and subject to an agreement of the Party Wall and BCP describe suitable mitigation. It is therefore considered that the BIA accords with the requirements of Policy DP27 and CPG4. The application is therefore considered to be acceptable in this respect.

#### Other matters

3.51 One local objector has advised that the owners of the property will not undertake the building works and therefore it seems prudent to refuse consent. It is the Council's responsibility to assess and determine an application that has been submitted for consideration. The future aspirations of the applicant cannot be taken into consideration when determining a planning application.

3.52 Concerns have also been raised about the number of basement excavations that are happening in Hampstead and many to listed buildings. There is no objection to the principle of a basement extension to this property and it has been assessed in terms of its impacts on the character and appearance of the conservation area as well as impact on land stability and local ground and surface water conditions.

3.53 Concerns have been raised by local residents about water ingress into existing basements and the potential for this development to exacerbate the problem. Campbell Reith has confirmed that the site is not located within the Hampstead Heath pond chain catchment area and the basement has no anticipated risk of groundwater or fluvial flooding and has no past history of flooding.

#### Archaeology

3.54 The proposed development lies within the Hampstead Archaeological Priority Area which reflects its location within the medieval/post-medieval village. The applicant has commissioned an Archaeological Desk-Based Assessment (Britannia Archaeology Ltd, January 2015) which has been submitted with the above application. The assessment highlights that the site has a moderate to high potential for mid-18th to early 20th century remains associated with the former Frognal Rise Villa. Medieval settlement features have also been recorded 30m to the south and although the submitted document suggests that the potential for archaeological remains which pre-date the 18th century is low, the potential for medieval remains to lie within the application site should not be ruled out. Greater London Archaeological Advisory Service (GLAAS) has been consulted on the application.

They have confirmed that a condition should be attached to any permission to require a two stage archaeological investigation to be carried out prior to demolition or any development commencing on site. This has been secured by condition.

#### **CIL**

3.54 The proposal will be liable for the Mayor of London and Camden Community Infrastructure Levy (CIL) as the floor space exceeds 100sqm. The Mayoral CIL rate in Camden is £50/sq. m and the Camden CIL rate for residential development (below 10 dwellings) in Zone C is £500.

3.55 Based on the information provided (net increase in internal floor space of 187 sq. m), the CIL is likely to be £9,350 (£50 x 163) and £93,500 (£500 x 187). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

**Recommendation: Grant conditional permission subject to section 106 legal agreement**

*The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 20<sup>th</sup> March 2017, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.*

Stephen Brandes Architects  
5 Spedan Close  
London  
NW3 7XF  
United Kingdom

Application Ref: **2015/3525/P**

16 March 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:  
**4 Frognal Rise**  
**London**  
**NW3 6RD**

**DECISION**  
Proposal:  
Erection of part two storey part first floor side and rear extension, excavation of a new basement level and front lightwell, alterations to front boundary wall and front forecourt area, including new bicycle and bin store all in connect with the existing single family dwellinghouse (Class C3 use).

Drawing Nos: LOC (Site location and viewpoints); P 001; P 002; P 003 A; P 011; P 012 A; P 013 A; P 014; P 015 A; Structural Engineering Report and Subterranean Construction Method Statement produced by Elliott Wood Partnership dated June 2015; Ground Investigation Report produced by K F Geotechnical dated 12 March 2015; Site Investigation and Basement Impact Assessment produced by GEA Ltd dated June 2015; Ground Movement Assessment Report dated May 2016; Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan produced by Martin Dobson dated 5th June 2015; Construction Management Plan produced by Motion; Archaeological Assessment produced by Britannia dated January 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 policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and D1 and D2 of the Camden Local Plan Submission Draft 2016

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: LOC (Site location and viewpoints); P 001; P 002; P 003 A; P 011; P 012 A; P 013 A; P 014; P 015 A; Structural Engineering Report and Subterranean Construction Method Statement produced by Elliott Wood Partnership dated June 2015; Ground Investigation Report produced by K F Geotechnical dated 12 March 2015; Site Investigation and Basement Impact Assessment produced by GEA Ltd dated June 2015; Ground Movement Assessment Report dated May 2016; Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan produced by Martin Dobson dated 5th June 2015; Construction Management Plan produced by Motion; Archaeological Assessment produced by Britannia dated January 2015

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

- 4 The new sections of the front brick boundary wall hereby approved shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing front boundary wall, 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 and policies D1 and D2 of the Camden Local Plan Submission

- 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. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

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 and policy A3 of the Camden Local Plan Submission Draft 2016.

- 6 No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which has archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In order to minimise damage to the important archaeological remains which exist on this site, 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

- 7 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 and policy A5 of the Camden Local Plan Submission Draft 2016.

- 8 The development shall not be carried out other than in accordance with the methodologies, recommendations and requirements of the Structural Engineering Report and Subterranean Construction Method Statement produced by Elliott Wood Partnership dated June 2015; Ground Investigation Report produced by K F Geotechnical dated 12 March 2015; Site Investigation and Basement Impact Assessment produced by GEA Ltd dated June 2015; Ground Movement Assessment Report dated May 2016 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 Core Strategy and policy DP27 of the London Borough of Camden Local Development Framework Development Policies and policy A5 of the Camden Local Plan Submission Draft 2016.

- 9 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 10 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies and CC3 of the Camden Local Plan Submission Draft 2016.

- 11 Full details in respect of the bicycle and bin store structure in the area indicated on the approved ground floor plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The structure shall be permanently retained and maintained thereafter.

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 and policy D1 and D2 of the Camden Local Plan Submission Draft 2016.

- 12 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

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 policies 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 and policy A3 of the Camden Local Plan Submission Draft 2016.

- 13 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the Council. Such details shall include:

1. scaled plans showing all existing and proposed vegetation and landscape features
2. a schedule detailing species, sizes, and planting densities
3. location, type and materials to be used for hard landscaping and boundary treatments
4. specifications for replacement trees (and tree pits where applicable), taking into account the standards set out in BS8545:2014.
5. Details of any proposed earthworks including grading, mounding and other changes in ground levels.
6. a management plan including an initial scheme of maintenance

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policy CS14 and 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 and A3 of the Camden Local Plan Submission Draft 2016.

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 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](mailto:CIL@Camden.gov.uk)

- 4 The emerging London Borough of Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.
- 5 Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

**DECISION**