

APPENDIX 5.3 - PRE-APPLICATION ADVICE

- 5.3.1. Pre-App Response from Planning Department - 08/03/2017
- 5.3.2. Email to Planning Department - 18/04/2017
- 5.3.3. Email Response from Planning Department - 27/04/2017
- 5.3.4. Email Response to Planning Department - 28/04/2017

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Date: 08/03/2017
 Our ref: 2016/6780/PRE
 Contact: John Diver
 Direct line: 020 7974 6368
 Email: john.diver@camden.gov.uk

Meredith Kaye
 Stanhope Gate Architecture
 105 Jermyn Street
 London
 SW1Y 6EE

By email

Dear Meredith,

Re: 36-37 Chester Terrace, London, NW1 4ND

Thank you for submitting a pre-planning application enquiry for the above property which was received on 08/12/2016 together with the required fee of £1,200. These notes have been informed by a visit to the site by planning and conservation officers on the 23 January 2017 as well as a pre-application meeting held on the 01 March 2017.

1. Drawings and documents

- 1.1. The following documentation was submitted in support of the pre-application request:
- PL-01 (Site Location Plan)
 - PL-02 – PL-10 (Existing & Proposed Plans)
 - PL-21 - PL-22 (Existing & Proposed Sections)
 - Pre-Application Heritage Statement dated Dec 2016
 - Structural Engineer's Pre-Planning Submission Report dated Dec 2016
 - Covering letter dated Dec 2016

2. Proposal

- 2.1. Advice is requested in relation to the following proposed developments:
Excavation of basement below G1 listed dwellings (C3); internal alterations including layout changes at all floors and the replacement on all floors of all existing trim, internal doors, window surrounds, wall and floor finishes

- 2.2. This developments would include the following proposed works:

Sub-basement:

- Excavation of a sub-basement below existing lower ground floor of site to provide a swimming pool, spa area and lounge

Lower ground floor levels:

- Removal of wall between the massage room and cinema
- Removal of supporting section of party wall in the cinema



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- Reordering partitions walls to the right of the stair hall, catering kitchen, WC and utility room

Ground floor level:

- Widening of opening between reception and entrance hall and insertion of columns
- Creation of additional gallery area in existing cloakroom
- Creation of an opening between reception and rear room
- Building out walls either side of chimney breast in reception
- Addition of nibs to entrance hall
- Reorganisation of cloakroom and WC area
- Alteration to door to kitchen
- Removal of desk area and WC and reorganise service entrance
- Creation of a new opening between kitchen and lounge (front and rear room to 36)
- Alteration to window reveals to front elevation

First floor level:

- Alteration to dining room and right wall
- Insertion of a new door between the library and dining room
- Alteration to window reveals to front elevation

Second floor level:

- Alteration of doors to master sitting room
- Alteration to 'Hers' dressing room
- Addition of partition wall to master bedroom to create additional dressing space

All floors:

- Removal and replacement like for like or replacement detailing:
 - Cornices, skirtings, dado, architraves, doors, window surrounds, floor finishes etc.

3. Site description

- 3.1. The application site sits within the Grade I listed terrace of 37 houses and 5 semi-detached houses designed in c1825 by John Nash and built by J Burton. The terrace is completely finished in stucco and has slated roofs; some with mansards and dormers. It is the longest unbroken façade in Regents Park at 280m and has an alternating system of bays. No's 36 & 37 sit to the northern end near to the triumphal pedestrian and vehicular arches. No.36 sits within the bay of 6 units and at three storeys with a mansard, continuous cast iron balcony at first floor and projected modillion cornice between the second and third floors. No.37 sits within the projected bay of two units and 8 free standing fluted Corinthian columns supporting an entablature with modillion cornice above and a recessed attic 4th storey. The two units were combined following consent in 2009.

- 3.2. The site is within the Regents Park Conservation Area, and its Appraisal states the following:
Chester Terrace is set back from the park with a strip of contained shared gardens with flowering plants, shrubbery and trees. Chester Terrace is the longest unbroken façade in the park (287m/840 ft) with a complex alternating system of bays (ABCBABCBA) totalling 99 bays, marked by giant Corinthian columns attached and detached in groups which rise from ground floor level. Balconies run continuously between and behind the columns. At either end are projecting wings, connected to the main façade by theatrically thin triumphal arches inset with the name 'Chester Terrace' across the full street width (Paragraph 4.9).

3.3. Chester Terrace suffered bomb damage during WWII and was substantially reconstructed in the 1960s. The shell of the building was repaired and strengthened however the interiors were largely renewed and as such very little internal historic fabric remains.

4. Relevant planning history

4.1. The following planning history is relevant to this assessment:

No. 21 Chester Terrace

2007/1521/L: Listed building consent was granted on 05/07/2007 for the 'lowering of floor to existing vaults and alterations to existing external doors to vaults to enable access from lower floor of single family dwelling house'

No. 31 Chester Terrace

2009/5065/P and 2009/5066/L: Listed building consent and planning permission was granted on 21/12/2009 for the 'internal works and works associated with the creation of a roof terrace within existing roof of mansard accessed via rooflight, installation of a glazed screen and door within the front open area to create a lobby at lower ground level and lowering of vault floors'

2010/4299/P and 2010/4303/L: Both the planning permission and listed building consent were refused on 13/12/2010 for the 'internal and external alterations to dwelling including basement excavation for an additional lower basement level (below front lightwell and vaults), installation of glazed panel with French Doors in front lightwell, new boiler under existing stairs to front lightwell, stone repairs, reconfiguration of lower ground floor level and alterations to vaults'

Reasons for refusal:

- 1) *The proposed additional basement level by reason of its size, location and detailing would harm the historic form of the listed building and thereby detract from its special interest...*
- 2) *In the absence of sufficient information regarding the means of constructing the basement, the proposed development is likely to harm the special interest of the building by compromising its structural integrity...*

2012/3237/P and 2012/3294/L: Planning permission and listed building consent were granted on 21/08/2012 for the 'alterations to the front basement vaults, including the formation of an enlarged opening between two vaults, and the lowering of the floor level within one vault'

No. 33 Chester Terrace

2014/6202/P and 2014/6782/L: Listed building consent and planning permission were granted on 31/03/2015 for the 'alterations to external vaults including lowering of floor level and internal refurbishment'.

No. 34 Chester Terrace

2011/4084/P and 2011/4085/L: Listed building consent and planning permission were granted on 05/12/2011 for the 'installation of staircase enclosure and creation of roof terrace within existing mansard roof, replacement of single-glazed windows with double glazed windows on rear elevation of existing dwelling and internal alterations to existing dwelling'.

2013/4369/P and 2013/1764/L: Listed building consent and planning permission were granted on 20/11/2013 for the 'external paving works to front light well of the building, installation of A/C condenser and associated works in the front vaults at basement level, external paving works to the front entrance steps and associated railing repairs at ground floor level'.

No. 35 Chester Terrace

2014/5799/P and 2014/6051/L: Listed building consent and planning permission were granted on 23/01/2015 for the 'Proposed basement enlargement, internal alterations, and creation of a roof terrace in connection with existing use as a dwelling house (Class C3)'.

No. 36 / 37 Chester Terrace (Application Site)

2004/4659/L: Listed building consent was granted on the 21/12/2004 for 'Internal alterations at second floor level'

2009/4544/P and 2009/4515/L: Listed building consent and planning permission were granted on the 10/12/2009 for the 'Unification of No. 36 and No. 37 to form a single family dwelling and formation of new roof terrace (Class C3)'

2010/5315/P and 2010/5319/L: Listed building consent and planning permission were granted on the 23/12/2010 for the 'Erection of single-storey acoustic enclosure at basement level for the installation of 3 X condensing units following the excavation of rear yard to existing single family dwelling house'

2011/0138/P and 2011/0140/L: Listed building consent and planning permission were granted on 08/03/2011 for the 'excavation/lowering of vaults at lower ground floor level with associated internal additions and alterations to existing single dwelling'.

2011/2954/P and 2011/2958/L: Listed building consent and planning permission were granted on the 21/11/2011 for the 'Amendments to planning permission granted 10/12/09 (Ref. 2009/4544/P) for unification of No. 36 and No. 37 to form a single family dwelling and formation of new roof terrace (Class C3), namely, the installation of a staircase from third floor level to access a new roof terrace, new condensing unit & associated plant at lower ground floor level (within the existing front pavement vaults) and addition of grille to new rear garage door'

No. 40 Chester Terrace

2012/2295/P and 2012/2439/L: Listed building consent and planning permission were granted on 10/07/2012 for the 'enlargement of basement to side and rear of building, skylight at ground floor level, re-landscaping, excavation to increase depth of front basement vaults, installation of new louvers and door to vaults, installation of new windows at first floor level on north side elevation, new balcony on ground floor at rear court yard and internal alterations'.

No. 41-42 Chester Terrace

2014/2872/P and 2014/2938/L: Listed building consent and planning permission were granted on 23/09/2014 for the 'Construction of a single storey basement extension adjacent to the existing property and within the grounds of the garden; construction of a subterranean link between the new basement and the existing basement, all in connection with the existing residential dwelling'.

No. 6-10 Cambridge Terrace and 1-2 Chester Gate

2009/3041/P and 2009/3051/L: Listed building consent and planning permission were granted on 07/09/2010 for the 'change of use from offices (Class B1) to 3 x dwellinghouses (Class C3), excavation of basement, alterations at roof level, including rebuilding part of roof and installation of glazed sliding roof, lift overrun and rooflight to 6-10 Cambridge Terrace, rooflights on 1-2 Chester Gate and associated landscaping works to forecourt'.

Note: The approved sub-basement located under the forecourt in front of nos. 6-10 and under the footprint of nos. 8-10.

5. Relevant policies and guidance

5.1. The relevant policies that would apply to this proposal are taken from the London Borough of Camden Local Development Framework (Core Strategy and Development Policy documents) as adopted on 8th November 2010, The London Plan 2016 and the NPPF (2012). The following policies will be taken into consideration:

- **National Planning Policy Framework (2012)**
- **London Plan (2016)**
- **Local Development Framework**
- **Core Strategy (2011)**
 - CS5 – Managing the impact of growth and development
 - CS6 – Providing quality homes
 - CS14 – Promoting high quality places and conserving our heritage
- **Development Policies (2011)**
 - DP16 – The transport implications of development
 - DP20 - Movement of goods and materials
 - DP22 - Promoting sustainable design and construction
 - 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
- **Supplementary Guidance**
 - CPG 1 – Design
 - CPG 3 – Sustainability
 - CPG 4 – Basements and lightwells
 - CPG 6 – Amenity
 - CPG 7 – Transport
 - CPG 8 – Planning Obligations

- **Regents Park Conservation Area Appraisal and Management Strategy (2011)**

- **Emerging policy:**

It should be noted that the Camden Local Plan will replace the Core Strategy and Development Policies in 2017 and is currently reaching its final stage of public examination. Consultation on the final modifications to the Submission Draft Local Plan formed in response to Inspector's comments during examination will take place from 30 January to 13 March 2017 and will seek to ensure that the Inspector can find the plan 'sound'.

The Local Plan is at this stage a material consideration for decision making which is granted limited weight. Following the publication of the Inspector's report into the examination which is expected in April, the Local Plan policies will be afforded substantial weight. Adoption of the Local Plan by the Council is anticipated in June or July (depending on Cabinet and Council meeting dates). At that point the Local Plan will become a formal part of Camden's development plan, fully superseding the Core Strategy and Development Policies, and having full weight in planning decisions.

At this stage the Plan has limited weight in decision making but is a statement of the Council's emerging thinking. Emerging policy is therefore a relevant consideration to this pre-app advice. A copy of the draft Local Plan can be found on our website [here](#). The policies likely to be of particular relevance include:

- Policy A1 Managing the impact of development
- Policy A4 Noise and vibration
- Policy A5 Basements and Lightwells
- Policy D1 Design
- Policy D2 Heritage

6. Assessment

6.1. The main issues to consider in this case are as follows:

- Design and Heritage;
- Impacts upon the amenities of adjoining occupiers;
- Subterranean development considerations;
- Transport matters and Planning Obligations.

Design and heritage

6.2. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used.

6.3. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance. In order to preserve or enhance the borough's listed buildings, DP25 additionally states that the Council will only grant consent for alterations or extensions to a listed building where it considers this would not cause harm to the special interest of the building; and will not permit development that it considers would cause harm to the setting or special character of a listed building.

6.4. The Council's design guidance (CPG1) states that when assessing proposals involving listed buildings, we will consider the impact of proposals on the historic significance of the building, including its features, such as:

- original and historic materials and architectural features;
- original layout of rooms;
- structural integrity; and
- character and appearance (para 3.22)

6.5. The CGP continues to state that the Council would expect original or historic features to be retained and repairs to be in matching materials; and that proposals should seek to respond to the special historic and architectural constraints of the listed building, rather than significantly change them (para 3.23).

6.6. As noted within the Site Description section of the report, it is acknowledged that after significant bomb damage the majority of the internal fabric of the building was replaced in the 1960's. Although it is noted that the existing interior is largely of recent insertion and fabric; the property's listing covers its entirety and therefore its plan and internal layout remains part of the buildings significance. As such the Council would always seek to preserve and enhance its significance and where possible reinstate plan form and decorative detailing.

Proposed excavation of sub-basement

6.7. The proposal includes the excavation of a sub-basement below the existing lower ground floor level to provide additional ancillary space including a swimming pool, spa area and lounge. The sub-basement would extend to the full footprint of the pair of dwellings (approx. 214sqm) and would have a depth of 5.8m including the pool and concealed under floor plant (measured from existing lower ground floor level).

6.8. In accordance with policy DP24, Camden Planning Guidance 4 sets out the Council's preferred approach for basement development which 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) (para.2.6). Where larger basements are proposed, including those consisting of more than one storey in depth; para.2.6 of the CPG continues to state that the provision of evidence to demonstrate that the development does not harm the built and natural environment or local amenity will be required. Basement development underneath a listed building can harm the fabric, structural integrity, layout, inter-relationships and hierarchy of spaces and architectural features of the building. The addition of a floor level beneath the original lowest floor level of a listed building (basement, cellar, or vault) may affect the hierarchy and historic integrity of the floor levels within the building. The development of a basement beneath a listed building can also necessitate the removal of significant parts of the original structure and fabric of the building.

6.9. As was discussed during the pre-app meeting, officers are of the view that the creation of an additional storey below the dwellings would act to alter their spatial hierarchy and, without further evidence, officers are not persuaded that this construction would not lead to a loss of historic fabric. Although an initial structural report has been submitted, the report does not detail or highlight the potential loss of historic fabric in terms of the existing floors and walls; following the underpinning, strengthening and insertion of new structural elements. For those reasons it is considered that the additional basement floor would cause harm to the listed buildings in terms of the removal of historic fabric (existing floors and substructure) and as well as to the hierarchy of floor levels.

6.10. Subject to the evidencing of the retention of historic fabric, the harm caused to the listed dwellings by the proposed sub-basement would however be considered less than substantial.

In accordance with paragraph 134 of the NPPF, the planning assessment must therefore weigh this harm against the public benefits of the proposal. This assessment is take place within the conclusion of this section.

6.11. During the local history search (see above), it was noted that the only property within the terrace to have gained consent for a sub-basement extension under the current policy framework was at no.41-42, where the sub-basement section of the extension was fully outside of the buildings footprint and instead below the area of side garden. A partial sub-basement was also approved at no. 6-10 Cambridge Terrace however considering that this decision was formed prior to the publication of the NPPF, only limited weight would be given to this determination in any future assessment.

6.12. As outlined in section 5, having passed through the first round of consultation the Council's emerging Local Plan currently forms a material consideration in decision making. Following the publication of the Inspector's report into the examination (expected in April), these Local Plan policies will be given substantial weight and are anticipated to be formally adopted in June or July of this year (depending on Cabinet and Council meeting dates). Of particular relevance in the assessment of this proposed element is emerging policy A5 which discusses basements to listed buildings:

"Policy A5 Basements and Lightwells

Basement development should not:

- ...d. exceed a maximum of 50% of each garden;*
- e. comprise more than one storey;*
- f. be built under an existing basement, or*
- (g). involve excavation underneath a listed building (including pavement vaults) or any garden of a listed building..."*

6.13. Although this policy is currently afforded only limited weight, it is worth noting that this reflects the preference and future stance of the Council and is likely to mean that after formal adoption any proposed basement is unlikely to be supported by the Local Council.

Lower ground – second floor internal alterations

6.14. As was discussed during the pre-application meeting, in order to gain a better understanding of the historic, existing and proposed plan forms at all levels and how they relate to the original design of the dwellings, further evidence would be needed in terms of historic plans for any formal submission. If it is demonstrated that historic plans do not exist for the application property, then it would be expected that greater historic analysis would still be required by looking at other properties within the terrace(s) and possibly the speculation of original plan form by a trained conservation advisor. This would also include an analysis and scheme of remaining historic fabric throughout the property.

6.15. Without this information only limited comment can be made at this stage in terms of the full list of proposed works, however after the site visit the following comments can be made at this stage:

6.16. Throughout the dwelling it is noted that a large number of alterations have been made, primarily formed during refurbishment of the terrace in the 1960's but also following more recent renovations. In parts these works have involved insensitive alterations and, in particular, insensitive detailing. As aforementioned, the replacement of more sympathetic detailing (cornices, skirtings, dados, architraves, doors, window surrounds, floor finishes etc)

as well as plan form would be strongly supported by the Council and would be considered a resulting benefit from development in terms of the enhancement of the historic significance of the property. The desire to reinstate sensitive detailing is thus welcomed and it is recommended that full details are submitted upfront with any formal submission. Due to the lack of historic fabric or plan form at second floor level, officers would not object to the proposed reconfiguration at this level.

- 6.17. As was discussed during the meeting, officers are however particularly concerned with regard to the following proposed elements, which are both individually as well as cumulative considered to be harmful to the listed building:
- removal of a large section of party wall at lower ground floor;
 - erosion of the historic plan form at ground floor; and
 - the removal of additional section of party wall at first floor.

- 6.18. As well as further historic analysis, it is recommended that internal elevations should be submitted alongside any further submission in order to better appreciate the impact of any new internal opening.

Design and Heritage Conclusion

- 6.19. At present the overall proposed scheme is cumulatively considered to lead to less than substantial harm to both listed dwellings and at this stage and with the current evidence presented, it is not seen that any the benefits offered in terms of replacement detailing would outweigh this harm to the listed building. As such the scheme would fail the test outlined in the NPPF and it is unlikely that the proposed scheme would be supported by the Council.

- 6.20. In order to increase the likelihood of a scheme being supported, the current proposals would need to be reduced in scale to lessen the harm upon the listed building; and/or further justification provided by way of benefits being brought forward which are seen to outweigh the harm. It is likely that this would require the removal of the proposed sub-basement. These benefits could include upgrading, enhancement or reinstatement of correct detailing and/or historic plan form.

- 6.21. It is advised that follow-up pre-app is sought prior to submitting full applications and additional information submitted as below:
- Phasing plans highlighting areas of proposed removal of historic fabric – and reinstatement of historic plan form
 - Document highlighting what are the benefits being brought forward
 - Structural appraisal which highlights on plan and sections what historic fabric will be removed to create the basement
 - A full Construction Management Plan

Residential amenities;

- 6.22. Policy DP26 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Factors to consider, and which is particularly relevant to this case, include sunlight, daylight, artificial light levels, outlook and visual privacy and overlooking.

Proposed excavation of sub-basement

- 6.23. As there would be no external physical manifestation of the proposed sub-basement once constructed, this element would not cause any harm in terms of outlook, light or privacy once

constructed. Significant concern is however raised in relation to the potential noise and disturbance created during any period of excavation and construction of such a structure.

- 6.24. As the construction of any approved basement would likely give rise to significant disruption to neighbouring residents unless carefully planned. There would be a resulting requirement to submit a Construction Management Plan (to be secured through Section 106 legal agreement). Full details of this requirement will be outlined in the final section of the report.

- 6.25. Once constructed it is considered that the predominant concerns relating to the basement extension and its impact upon to residential amenities would be with regard to the plant equipment necessary for the proposed facilities. This equipment could potentially generate significant levels of noise and due to the proximity to the adjacent residential units, a Noise Report would be required to demonstrate that these impacts were not significant.

Lower ground – second floor internal alterations

- 6.26. Due to the siting of the proposed internal alterations, it is not considered that the residential amenities of any neighbouring occupier would be detrimentally impacted upon in terms of light, privacy, outlook or disturbances.

Subterranean development considerations

- 6.27. Notwithstanding the issues outlined in previous sections, Development Policy DP27 states that the Council will only permit basement and other underground development that does not cause harm to the built and natural environment or local residential amenity and does not result in flooding or ground instability. It states that “*in determining proposals for basement 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*”. Guidance regarding the processes and recommendations for this Basement Impact Assessment (BIA) is set out within CPG4 (Basements and Lightwells) and the associated Camden geological, hydrogeological and hydrological study 2010 (referred to below as the ‘Arup report’).

- 6.28. As such, any planning application for a basement development on this site would need to include a Basement Impact Assessment (BIA) which has been prepared in accordance with the processes and procedures as set out within CPG4.

- 6.29. As the application site includes a Grade I listed property, the submitted BIA would be independently assessed by a third party, at the applicant’s expense, to satisfy the Council that the development would not lead to any unacceptable impacts on the land stability, groundwater flows and surface flows of the area should the development be granted. For completeness please ensure that the report details the author’s own professional qualifications, noting the varying qualification requirements within CPG4 for the different elements of a BIA study.

- 6.30. As the BIA will require a third party audit, it will be expected that your report is in line with the Council’s Pro Forma. A Basement Impact Assessment AUDIT: Instruction form will be sent across with these notes, please see Section B for a full list of items to be included in your Basement Impact Assessment (BIA). You will need to fill out this section of the form and return to us alongside any formal submission.

6.31. Please also note that the Council's preferred provider for the audit service is Campbell Reith. When an audit is required, Campbell Reith charges a fixed fee dependant on the category of basement audit. These categories and the relevant fixed fees are set out below:

Category A - £997.50

Residential or commercial development with single storey basement where the Screening Stage of the Basement Impact Assessment indicates no matters of concern which need further investigation.

Submitted BIA anticipates no significant impact relating to:

- land stability or impacts, buildings or infrastructure;
- groundwater flow or surface water flooding and underground tunnels

Category B - £3045

Residential single basement or commercial development with single or double basement where the Screening Stage of the Basement Impact Assessment identifies matters of concern which need further investigation

Submitted BIA anticipates potential impact:

- on land stability;
- on groundwater flow;
- on potential for surface water flooding ;
- on underground tunnels or infrastructure; and
- cumulative impact on ground stability and the water environment

Category C – (fee agreed on site-by-site basis depending on complexity)

Exceptional development (in terms of geometry, area, depth or complexity) which may be a single or double basement with potential complications. This category would be charged at an agreed rate on a case by case basis taking consideration of the complexity.

Submitted BIA anticipates potential for significant impact:

- to a listed building;
- on other buildings and or with land stability issues;
- to groundwater flow and potential for surface water flooding ;
- underground tunnels or infrastructure; cumulative basement impacts;
- relating to significant technical issues raised by third parties

6.32. It should be additionally noted that due to the scale of excavations proposed, the proximity to and number of nearby residential units and in order to ensure that the amenities of these surrounding residents as well as the local transport network are not unduly affected by the implementation of the proposed development; comprehensive assessment/reporting will be necessary in order to satisfy the Council. These requirements will be expanded upon in the next section of the assessment.

Transport matters and Planning Obligations

6.33. As previously outlined, as result of the extent of the proposed works significant evidence will be necessary in order to demonstrate that adequate mitigation measures have been put in place to prevent undue harm while the proposed development is implemented.

6.34. Consequently a Construction Management Plan will be required as part of a s106 Legal Agreement in order to ensure that the works do not cause undue harm to nearby residents or

impact upon local traffic conditions. Given the scale of development proposed and likely level of heavy vehicular movement in and from the site, this plan should be accompanied by a full and comprehensive transport assessment.

6.35. In order to ensure that the adjacent footpath and highway is not undermined by the excavation and is protected during construction, a highways and streetworks contribution and 'approval in principle' report would also likely be required as part of a Section 106 Legal Agreement. The highways contribution can be refunded provided that, as a result of the works, the adjacent highway is left in a good state of repair.

6.36. It may also be the case that a highways contribution would additionally be required to the Crown Estate. It is suggested that early consultation with the Crown Estate Paving Commission with regard to this matter is held. Contact details will be given in the following section.

6.37. It should also be noted that in February 2016 Camden's Cabinet agreed to the introduction of a £60/hour formal charge to support the review and approval of submitted draft Construction Management Plans (CMPs) and verification of the operation of approved CMPs, to be secured as part of Section 106 agreements. The £60 hourly rate will allow the Council to set charges that address the specific impacts and issues of each development scheme. The CMP Implementation Support Contribution will be used to fund the specific technical inputs and sign off that are required to ensure that the obligation is complied with and ensure that the planning objectives we are seeking to secure are actually achieved.

6.38. For further detail on Construction Management Plans (CMPs), please refer to Camden Planning Guidance 6 (Amenity), Section 8 (pages 39 – 44). Further details of the requirements for Transport Assessments can be found on our website [here](#).

7. Consultation

7.1. You are strongly encouraged to engage with neighbouring occupiers and the Regent's Park Conservation Area Advisory Committee at an early stage in the process, given the likely concerns residents will have with the comings and goings of construction / delivery vehicles particularly if a demolition and excavation of basements construction proposed. Although adjoining occupiers will be notified of any application by us, initial consultation is strongly encouraged before any application is submitted. The CAAC's contact details are as follows:

Mr Richard Simpson (Chair)
Regents Park CAAC
111 Albert Street
London NW1 7NB

richardsimpsonnw1@gmail.com

7.2. You are strongly advised to contact the Crown Estates at an early stage to discuss the proposals. During the pre-application meeting it was confirmed that this process has begun and was on-going at the time of writing. The Crown Estate Paving Commission should also be contacted at an early stage. It is recommended that you approach the following contact for advice:

Max Jack (Director)
Crown Estate Paving Commission
12 Park Square East
Regent's Park

13

London NW1 4LH

Max.Jack@cepc.org.uk
020 7935 8049

8. Conclusion

- 8.1. Due to the impact to floor hierarchy, loss of plan form (particularly party walls) as well as potential loss of historic fabric, the proposed development is cumulatively considered to cause harm to the special character and historical significance of the Grade I listed property. At present it is not considered that the benefits derived from the development would outweigh this harm and as such the scheme is unlikely to be supported by the Council.
- 8.2. Should further historical analysis be presented, the scheme reduced in scale (with possible removal of the proposed sub-basement) and greater evidence provided in terms of the benefits derived submitted, it is considered that this position may be altered. Further pre-application advice is recommended in order to better appreciate this.
- 8.3. Should you wish to pursue the excavation of a sub-basement, please ensure that a full Basement Impact Assessment completed in line with CGP4 as well as a draft Construction Management Plan is submitted alongside any formal application.

9. Planning application information

- 9.1. If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following additional documents alongside those usually required for a valid planning application:
- Basement Impact Assessment
 - Draft CMP including full Transport Assessment
 - Noise Impact Assessment
 - Phasing historic plans highlighting areas of proposed removal of historic fabric and (where relevant) reinstatement of historic plan form
 - A full Heritage Statement highlighting what are the benefits being brought forward by the proposal
 - Structural appraisal which highlights on plan and sections what historic fabric will be removed to create the basement
 - Please see [supporting information for planning applications](#) for more information.
- 9.2. We are legally required to consult on applications with individuals who may be affected by the proposals. We would notify neighbours by putting up notices on or near the site and, advertising in a local newspaper as well as sending e-alerts to all local residents signed up to the service. The Council must allow 21 days from the consultation start date for responses to be received.
- 9.3. It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers. For more details click [here](#).

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

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If you have any queries about the above letter or the attached document please do not hesitate to contact me direct.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

John Diver
Planning Officer
Regeneration and Planning
Supporting Communities
London Borough of Camden
Telephone: 02079746368
Web: camden.gov.uk

APPENDIX 5.3 - PRE-APPLICATION ADVICE

From: Meredith Kaye
Sent: 18 April 2017 19:15
To: Parry, Rachael; John Diver
Cc: Zuber Débar
Subject: 36-37 Chester Terrace - Amendments for Full Application

Dear John and Rachel,

Re: 36-37 Chester Terrace, NW1 4ND – Amendments for Full Application (Pre-App Reference: 2016/6780/PRE)

I hope this email finds you both well. Following a quick chat with Rachel last week, and as she recommended, I am summarising the main revisions that will comprise our upcoming full planning application for your information. If you have any comment on the below or responses to my questions below that could make the application and validation process run more smoothly, please could you advise? We hope to lodge the application within approximately a week of possible.

Summary of amendments:

1. No proposed basement
2. Party wall openings
 - a. No Lower Ground (Basement) opening between Cinema and Massage room
 - b. Proposed First Floor opening between Drawing Room and Library retained
3. Other openings
 - a. Proposed opening between Reception and Gallery behind widened on No. 37 side
 - b. No. 36 "entrance hall" form retained--Family Lounge does not become full width and the proposed opening to Family Kitchen is therefore reduced considerably, the addition of columns reduces the reading of the opening further
4. Lowering of Lower Ground floor (Basement) level by 300mm, associated lowering of small rear light wells and part of front light well by same amount
 - a. Lowering of slab will not undermine existing brick corbelled foundations or require their removal
 - b. Non-original partition walls to be removed and replaced following work
 - c. Garage area of No. 37 will also be lowered, and the garage doors brought forward in their reveals slightly to allow for insulated studwork behind, condition to match garage doors of No. 36

Is there any issue from a policy point of view with eliminating vehicular access to the garage?
Will the lowering of the rear light wells by 300mm require a dialogue with Highways? Is Chester Close North a public road or is it privately owned/managed by the Crown?

Please do not hesitate to call me on the number below if it is more convenient.

Many thanks,

Meredith Kaye, BArch (Hons), LEED AP
Architectural Designer

for and on behalf of



105 Jermyn Street
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Appendix 5.3.2 - Email to Planning Department - 18/04/2017



36-37 CHESTER TERRACE | Design & Access Statement

From: Parry, Rachael <Rachael.Parry@camden.gov.uk>
Sent: 27 April 2017 11:41
To: Meredith Kaye; Diver, John
Cc: Zuber Debar
Subject: RE: 36-37 Chester Terrace - Amendments for Full Application

Dear Meredith,

I apologise for the delay in responding to your email. Myself and John have met this morning and provide comments below in red.

If you could let us know when you have submitted the application so we can pick it up.

Kind regards,

Rachael Parry
Conservation Officer

Telephone: 020 7974 1443



From: Meredith Kaye [mailto:MKaye@stanhopegate.co.uk]
Sent: 18 April 2017 19:15
To: Parry, Rachael; Diver, John
Cc: Zuber Debar
Subject: 36-37 Chester Terrace - Amendments for Full Application

Dear John and Rachel,

Re: 36-37 Chester Terrace, NW1 4ND – Amendments for Full Application (Pre-App Reference: 2016/6780/PRE)

I hope this email finds you both well. Following a quick chat with Rachel last week, and as she recommended, I am summarising the main revisions that will comprise our upcoming full planning application for your information. If you have any comment on the below or responses to my questions below that could make the application and validation process run more smoothly, please could you advise? We hope to lodge the application within approximately a week of possible.

Summary of amendments:

1. No proposed basement – see no.4. below – technically we may class lowering the floor as a basement extension; and therefore would require a BIA, CMP, Approval in Principal Report (highways requirement) and potentially there maybe need for a highways contribution. John provided you with the contact details for the Crown Estate Paving Commission in the pre-app response, you will need to speak to them. This would have to be reviewed internally by colleagues in the Highways Dept. via a further pre-app or during the formal submission.
2. Party wall openings
 - a. No Lower Ground (Basement) opening between Cinema and Massage room
 - b. Proposed First Floor opening between Drawing Room and Library retained – we will have to assess this against the other proposals in terms of the harm to the signficance.
3. Other openings
 - a. Proposed opening between Reception and Gallery behind widened on No. 37 side – with the retention of a downstand etc. should be ok
 - b. No. 36 "entrance hall" form retained--Family Lounge does not become full width and the proposed opening to Family Kitchen is therefore reduced considerably, the addition of columns reduces the reading of the opening further we will need to see a drawing to understand and appreciate the changes

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Appendix 5.3.3 - Email Response from Planning Department – 27/04/2017

4. Lowering of Lower Ground floor (Basement) level by 300mm, associated lowering of small rear light wells and part of front light well by same amount – as noted above. We would also need to understand if the existing floor is original? Is there any evidence that it is later – following the reconstruction? What is the justification for lowering? Have you found any other examples of this work in the terrace? There are concerns that the lowering would impact the hierarchy and the buildings spatial qualities .
- Lowering of slab will not undermine existing brick corbelled foundations or require their removal – we would need to see structural drawings confirming this (if we were to assess the works)
 - Non-original partition walls to be removed and replaced following work – what about the party wall? Would this be affected?
 - Garage area of No. 37 will also be lowered, and the garage doors brought forward in their reveals slightly to allow for insulated studwork behind, condition to match garage doors of No. 36 – no issues with the principle of conversion; however the external appearance would need to be considered; all others on the terrace seem to be set back to the same depth. Have you found any other examples where this has been approved/undertaken on the terrace?

Is there any issue from a policy point of view with eliminating vehicular access to the garage? No
Will the lowering of the rear light wells by 300mm require a dialogue with Highways? Yes – this development is likely to require reports as outlined above (point1) Is Chester Close North a public road or is it privately owned/managed by the Crown? It would appear it is private; however it would be best to contact the Crown to confirm.

Please do not hesitate to call me on the number below if it is more convenient.

Many thanks,

Meredith Kaye, BArch (Hons), LEED AP
Architectural Designer

for and on behalf of



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From: Meredith Kaye
Sent: 28 April 2017 10:19
To: Parry, Rachael
Cc: Zuber Debar; John Diver
Subject: RE: 36-37 Chester Terrace - Amendments for Full Application
Attachments: DSCN0693.jpg; DSCN0694.jpg; Trialhole 36 CT photo 1.jpg; Q0569 Extract_pg 5_No. 24 Section.pdf; 6 CHT SECTION F-F.PDF

Dear Rachel,

Just as a note on some of the concerns you raised:

No party wall structure (to the sides or between 36/37) or front / rear wall structure would be affected by the lowering of the lower ground floor. This will be addressed in a structural report with drawings.

There are photos from previous trial pits, attached, showing the existing lower ground slab which would date from the 1960s, other than the areas of new slab that were affected by the 2009/2011 applications and works.

Drawings we've found and scaled of some other properties in the terrace (attached) show lower ground ceiling heights of 2.725 (1960's drawing of No. 24) to 2.500 and 3.040 (2005 drawing of No. 6), taller than No. 36/37's maximum height of 2.33m. Therefore it seems this property currently has shorter lower ground heights than typical in the terrace and lowering the floor would not adversely impact hierarchy.

We will continue preparing the application to provide justification for these and the other points you raised.

Kind regards,

Meredith Kaye, BArch (Hons), LEED AP
Architectural Designer

for and on behalf of



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