

Mr Nick Timson
TGN Architects Ltd.
21 Coldfall Avenue
London
N10 1HS

Application Ref: **2014/5915/P**
Please ask for: **Kate Henry**
Telephone: 020 7974 **2521**

12 December 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:
40 Frognal Lane
London
NW3 6PP

Proposal:

Excavation to create basement level swimming pool under garden area in connection with existing residential dwelling (Class C3).

Drawing Nos: Site Location Plan at 1:1250; 0820-D-22; 0820-S-22; 0820-S-23; 0820-S-23.1; 0820-S-24; 0820-S-25; 0820-P-21C; 0820-P-22C; 0820-P-23D; 0820-P-24D; 0820-P-25D; 0820-P-26D; Basement Impact Assessment (as amended); Structural Stability Report (dated 23/02/2011); Geotechnical Investigation (dated 30/09/2011); Hydrological Assessment (dated 21/09/2011); Environmental Noise Survey and Noise Assessment (dated 28/05/2010); Design & Access Statement (dated 11/09); Arboricultural Report (dated 01/07/2017)

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.



Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan at 1:1250; 0820-D-22; 0820-S-22; 0820-S-23; 0820-S-23.1; 0820-S-24; 0820-S-25; 0820-P-21C; 0820-P-22C; 0820-P-23D; 0820-P-24D; 0820-P-25D; 0820-P-26D; Basement Impact Assessment (as amended); Structural Stability Report (dated 23/02/2011); Geotechnical Investigation (dated 30/09/2011); Hydrological Assessment (dated 21/09/2011); Environmental Noise Survey and Noise Assessment (dated 28/05/2010); Design & Access Statement (dated 11/09); Arboricultural Report (dated 01/07/2017).

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

- 3 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with approved report by Simon Pryce Arboriculture ref: 17/033 dated 1st July 2017. The protection shall then remain in place for the duration of works on site.

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.

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 Policies D1 and A3 of the Camden Local Plan 2017.

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policy A4 of the Camden Local Plan 2017.

- 5 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 A5 of the Camden Local Plan 2017.

- 6 The works hereby approved shall be carried out in accordance with the methods outlined in the Basement Impact Assessment (as amended), including the recommendation for additional groundwater monitoring as set out in section 4.6 of the BIA.

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 A5 of the Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 applicant is advised to note the comments of Thames Water, namely the need to contact them to discuss the need for metering (please see letter dated 15/12/2015 available on the Council's website).
- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional

floorspace exceeds 100sqm GIA or one unit of residential accommodation.

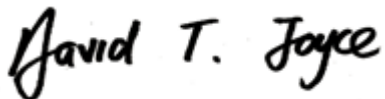
The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

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

Yours faithfully

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

David Joyce
Director of Regeneration and Planning