

Kilburn Nightingale Architects  
26 Harrison Street  
London  
WC1H 8JW

Application Ref: **2016/2429/P**  
Please ask for: **Laura Hazelton**  
Telephone: 020 7974 **1017**

30 January 2018

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**Kilburn Nightingale Architects Ltd**  
**26 Harrison Street**  
**London**  
**WC1H 8JW**

Proposal:

Excavation of lightwell measuring 4m x 2m to the side elevation fronting Seaford Street, erection of metal railings at pavement level, and installation of glazed screen and door at basement level.

Drawing Nos: 1124\_P01, 1124\_P02, 1124\_P03, 1124\_P04, 1124\_P05, 1124\_P06B, 1124\_P07, 1124\_P08, 1124\_P09, Design & Access Statement dated 29 March 2016 and Structural Engineer's Report and Basement Impact Assessment Screening.

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

Condition(s) and Reason(s):

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



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

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 1124\_P01, 1124\_P02, 1124\_P03, 1124\_P04, 1124\_P05, 1124\_P06B, 1124\_P07, 1124\_P08, 1124\_P09, Design & Access Statement dated 29 March 2016 and Structural Engineer's Report and Basement Impact Assessment Screening.

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

- 4 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 local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The development shall be carried out in strict accordance with the methodologies, recommendations and requirements of the Structural Engineer's Report and Basement Impact Assessment Screening (prepared by Price & Myers dated September 2016) hereby approved and shall ensure a maximum damage category to adjoining properties of no more than Burland Category 1.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, A1 and A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposed lightwell would be located immediately adjacent to the North West

corner of the building on the Seaford Street elevation. It would measure 3.7m x 1.7m and would extend to a depth of 2.5m which is considered to be subservient to the scale of the host building.

A new timber-framed window and door would be created at basement level to provide light and a secondary entrance to the existing basement office space. The new painted metal railings surrounding the lightwell would be the same style as the existing railings along this elevation and as such, the proposal is considered to maintain the appearance of the building and the character of the area.

The applicant has submitted a basement impact assessment screening report by Price and Myers which is considered to adequately demonstrate that the proposal would not have an unacceptable impact on ground/surface water flows or the structural stability of the building and adjoining properties. Given the limited scale of the excavation works, the presence of a basement the same depth as the lightwell underneath the building footprint, and the distance of the works from adjoining buildings, site investigations or an independent review were not considered to be necessary.

A small section of the proposed excavations would be within the root protection area of a nearby tree. The Council's Tree Officer has confirmed that the development would be unlikely to cause harm to this tree, and it is recommended that details of necessary tree protection measures are secured by condition.

The proposed lightwell would be within the curtilage of the application site, which is often used as car parking by the existing office use. The public pavement in this location is fairly wide, and the proposals are therefore not considered to harm pedestrian movement.

Due to the size of the lightwell and its location below ground, it is not considered to harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook, or privacy.

No objections were received prior to making this decision. The planning history of the site has been taken into account when coming to this decision. The subject property is not a listed building, nor is it within the setting of a listed building or a conservation area.

As such, the proposed development is in general accordance with A1, A5, T1 and D2 of the Camden Local Plan 2017. The proposed development also accords with The London Plan March 2016, and the National Planning Policy Framework 2012.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts 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).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be

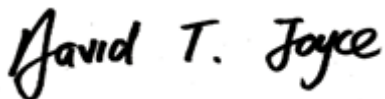
heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. 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.

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