

Application ref: 2017/1006/P  
Contact: Robert Lester  
Tel: 020 7974 2188  
Date: 15 March 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[camden.gov.uk](http://camden.gov.uk)

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk](http://www.camden.gov.uk)

Savills  
33 Margaret St  
London  
W1G0 JD

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**15 Wedderburn Road**  
**London**  
**NW3 5QS**

Proposal:

Change of use from three residential flats to two residential flats (Class C3); extension of lower ground floor level with lightwells and excavation of new basement level; erection of a single storey rear extension at lower ground floor level with terrace and 2 single storey side extensions at lower and ground floors; minor alterations to the north, west and south elevations and front boundary treatment (following the demolition of the existing side conservatory and rear extension).

Drawing Nos: 001 P2, 002 P2, 003 P3, 004 P5, 009 P2, 010 P2, 011 P3, 012 P3, 013 P2, 021 P1, 031 P1, 032 P1, 033 P1, 098 P3, 099 P5, 100 P6, 101 P4, 102 P5, 103 P5, 201 P2, 301 P4, 302 P4, 303 P4, 610 P1, 611 P1, Area Schedule, BS5837 Tree Survey AIA & AMS ref: 17238/A2\_AIA\_Rev.A, Ground Movement Analysis J13235/HD/01, Construction Management Plan Rev O, Site Investigation and Basement Impact Assessment Report J13235, Construction Method Statement 23569 Rev B, Independent Assessment of Basement Impact Assessment LBH 4237.

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:  
001 P2, 002 P2, 003 P3, 004 P5, 009 P2, 010 P2, 011 P3, 012 P3, 013 P2, 021 P1, 031 P1, 032 P1, 033 P1, 098 P3, 099 P5, 100 P6, 101 P4, 102 P5, 103 P5, 201 P2, 301 P4, 302 P4, 303 P4, 610 P1, 611 P1, Area Schedule, BS5837 Tree Survey AIA & AMS ref: 17238/A2\_AIA\_Rev.A, Ground Movement Analysis J13235/HD/01, Construction Management Plan Rev O, Site Investigation and Basement Impact Assessment Report J13235, Construction Method Statement 23569 Rev B, Independent Assessment of Basement Impact Assessment LBH 4237.

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

- 3 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 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 local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. 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 landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with

the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the end of the next available planting season, the following trees shall be planted on the site along the Akenside Road frontage, unless otherwise agreed in writing by the local planning authority:

1x Malus "Evereste" 18-20cm girth  
1x Prunus sargentii 18-20cm girth  
1x Sorbus aucuparia 18-20cm girth  
1x Acer campestre 18-20cm girth

The trees shall be planted and maintained in accordance with BS:8545:2014.

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 A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the commencement of works on site, tree protection measures shall be installed in accordance with the Indigo Surveys arboricultural report ref. 17238/A2\_AIA\_Rev.A and tree protection plan ref 13891/TPP/01 Rev A. 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 these 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

#### Informative(s):

- 1 Reasons for granting permission

The application proposes the conversion of the property from three residential flats to two residential flats together with the construction of basement extensions with lightwells, a lower ground floor rear extension with terrace, single storey side extensions, minor external alterations and alterations to the boundary treatment.

It is noted that much of this scheme has already been approved under 2 previous permissions. For instance, the change of use from three residential dwelling units to two residential dwelling units was approved on 29/01/2016 ref 2015/6808/P. The extension of existing lower ground level and excavation of new basement level beneath; demolition of double garage and replacement with new single storey side extension; remodelling of front vehicular entrance with new front gate and vehicle access ramp to lower ground level; rebuilding of rear lower ground floor extension with terrace above; removal of side conservatory and minor alterations to the treatment of the north, west and south elevations, was all approved on 24/03/2015 ref 2013/7182/P.

The proposed flats would provide a good standard of residential accommodation in terms of overall sizes, layout, room sizes, sunlight, daylight, ventilation and outlook. The mix of a one bedroom flat and a three bedroom is satisfactory and their floorspaces exceed national standards. Whilst the proposal would result in the loss of one unit, the proposal is consistent with policy H3 that only resists the net loss of 2 or more dwellings.

The existing lower ground floor rear extension would be replaced with a lower ground floor rear extension of similar dimensions and also with a flat roof and terrace above as before. This extension would be set in from the sides of the existing building and would be constructed from bricks and timber framed windows to match the existing building. The proposed lower ground floor rear extension would be subordinate to the subject property and would also respect and preserve the original design and layout of the building.

The existing ground floor level conservatory extension on the west side would be replaced with a single storey side extension of similar dimensions but lower height and also with a flat roof and terrace above as before. This side extension would therefore be smaller than the existing conservatory extension and would not be overly visible from the street given the high boundary wall and vegetation. It would be subordinate to the subject property and would be constructed using matching materials.

A small single storey side extension is also proposed at lower ground floor level on the east side of the property. This extension would be 1.6m x 3.8m and would be constructed using materials to match the existing building. This extension would contain new side elevation windows for the lower ground floor level flat. This small infill extension would be subordinate in size and would respect the design and layout of the original property.

The other external alterations include the following- installation of a replacement door at upper ground floor level on the side elevation, refurbishment of the existing side elevation windows behind the conservatory, extension of the existing terrace area above the garage onto the roof of the new side extension with railings, installation of replacement timber windows and door on the front elevation at ground floor level and replacement timber door/sliding doors in at lower ground floor level in the front elevation lightwell, installation of windows on the east elevation at lower ground floor level and installation of timber bi-folding doors at upper ground floor level on the rear elevation to provide access to the terrace. All these alterations would be constructed using materials to match the existing property and would harmonise with the original property.

## 2 Reasons continued-

The proposed boundary changes include the installation of white painted timber pedestrian and vehicle access gates with a height of 1.5 m. These gates would be sited on the inner edge of the boundary wall, would be lower than the existing piers and wall and would be constructed from horizontally slatted white painted timber. It is considered that these gates would not have a detrimental impact on the streetscene and conservation area.

The proposal is considered to preserve the character and appearance of the

conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The development proposes an extension of the existing lower ground floor level under the north western part of the building footprint with a new small front lightwell and the construction of a new basement level below the existing lower ground floor level. These basement works would not exceed the previously approved lower ground and basement development as granted permission ref: 2013/7182/P on 24/03/2015. Given the large size of the overall building and limited visual impact on the basement, it is not considered to harm the character, setting or appearance of the host building or wider conservation area in design terms.

Whilst the proposal would result in the provision of a basement below an existing lower ground floor, this basement already has permission, ref 2013/7182/P dated 24/03/2015. This permission is still capable of being implemented and thus an exception from policy A5 on basements is justified in this case. The basement works have been submitted with a Basement Impact Assessment, which was independently assessed for the previous application and which concluded that the works would not harm groundwater flow, surface water flow, structural stability and ground movement conditions. Nevertheless it was considered appropriate to control the excavation works by a Basement Construction Plan (BCP) to be secured by S106 legal agreement, as well as control of the associated traffic movements by means of a Construction Management Plan (CMP) and associated monitoring fee. These will continue to be required by a S106 for this new scheme.

The extensions and alterations would not result in any harmful impact on the amenity of neighbours with regard to loss of privacy, outlook, sunlight and daylight.

As the number of units will be reduced, there will be no increase in traffic generation and thus it is not considered necessary for this development to be car-free. On account of the significant basement and other construction works affecting the public highway, a S106 legal agreement will be required not only for a BCP and CMP as above but also highways contributions for any highway repairs needed and an Approval in Principle and associated assessment fee for the excavation works adjoining the highway.

The application has submitted an updated tree survey and details of tree protection measures which make recommendations for tree removal, tree replacement and tree protection. The level of tree removal would be commensurate with the former scheme and is supported by the Council's tree officer subject to planning conditions requiring replacement planting and tree protection.

The site's planning history and relevant appeal decisions were taken into account when coming to this decision. No objections were received to this application.

As such, the proposed development is in general accordance with policies H3, H6, H7, C6, C6, A1, A3, A4, A5, D1, D2, T1, T2, T3 and T4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

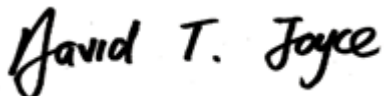
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 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 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.
- 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. 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



David Joyce  
Director of Regeneration and Planning