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|---|--|---|----------|
| Address: | 20 Albert Terrace Mews London NW1 7TA | | 1 |
| Application Number: | 2017/0705/P | Officer: Charlotte Meynell | |
| Ward: | Camden Town with Primrose Hill | | |
| Date Received: | 21/02/2017 | | |
| Proposal: Additions and alterations to include excavation of single storey basement under existing house and part of front car port with rear lightwell and basement courtyard; erection of front entrance canopy and bin store; installation of 1 x front window, replacement of rear and side doors. | | | |
| Background Papers, Supporting Documents and Drawing Numbers | | | |
| 1403-SI-001 Rev. A; 15003_0100 Rev. A; 15003_0101 Rev. A; 15003_0102 Rev. A; 15003_0200 Rev. A; 15003_0201 Rev. A; 15003_0300 Rev. A; 15003_0301 Rev. A; 15003_1100 Rev. D; 15003_1101 Rev. C; 15003_1102 Rev. B; 15003_1103 Rev. C; 15003_1200 Rev. C; 15003_1201 Rev. A; 15003_1300 Rev. B; 15003_1301 Rev. B; 15003_2100 Rev. A; 15003_2101 Rev. A; 15003_2102 Rev. A; 15003_2200 Rev. A; 15003_2201 Rev. A; 15003_2300 Rev. A; 15003_2301 Rev. A. | | | |
| Assessment of Daylight and Sunlight Provision (prepared by Herrington Consulting Ltd, dated January 2017); Basement Impact Assessment - Revision 2 (prepared by Card Geotechnics Ltd [CGL]; dated October 2017); Construction Method Statement Ref. 16110 (prepared by Structural Engineer Paul Rogers, dated October 2016); Planning, Design and Access Statement (dated February 2017); Tree Survey (prepared by John Cromar's Arboricultural Company Limited; dated 24/01/2017); Tree Retention & Tree Protection Measures 1-38-4210/P2 Rev. v3. | | | |
| RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section 106 Legal Agreement | | | |
| Applicant: | | Agent: | |
| Mr Andrew Cowan 20 Albert Terrace Mews London NW1 7TA | | Mr Jonathan Morley Progressive Property Management 64 Pond Bank Blisworth Northamptonshire NN7 3EL | |

ANALYSIS INFORMATION

| Land Use Details: | | | |
|--------------------------|-------------------|-----------------|------------------|
| | Use Class | Use Description | Floorspace (sqm) |
| Existing | C3 Dwelling House | | 135 |
| Proposed | C3 Dwelling House | | 208 |

Residential Use Details:

| | Residential Type | No. of Bedrooms per Unit | | | | | | | | |
|----------|-----------------------|--------------------------|---|---|---|---|---|---|---|----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9+ |
| Existing | <i>Dwelling House</i> | | | 1 | | | | | | |
| Proposed | <i>Dwelling House</i> | | | | 1 | | | | | |

Parking Details:

| | Parking Spaces (General) | Parking Spaces (Disabled) |
|----------|--------------------------|---------------------------|
| Existing | 1 | <i>n/a</i> |
| Proposed | 1 | <i>n/a</i> |

OFFICERS' REPORT

Reason for Referral to Committee: The application has been referred by the Director of Regeneration and Planning for consideration after briefing members under [Clause 3(VII)].

1.0 SITE

- 1.1 The site comprises a two-storey mid-terrace dwellinghouse situated on the southern side of Albert Terrace Mews. The existing property has an L-shaped design with a small walled courtyard to the rear and parking space to the front. The property is adjacent to 19 Albert Terrace Mews to the east and 21 Albert Terrace Mews to the west, both contemporary two-storey dwellinghouses with a stepped built in a recessed pattern so that the front building line of No. 21 is set forward of the front building line of No. 19 but behind that of No. 21. The property also adjoins 20 Prince Albert Road, a Grade II listed semi-detached mid-19th century villa, to the south.
- 1.2 The property is within Primrose Hill Conservation Area, but it is not identified as making either a positive or negative contribution to its character and appearance in the Primrose Hill Conservation Area Statement. The property is not listed.

2.0 PROPOSAL

2.1 Planning permission is sought for:

- Excavation of a single storey basement under the existing house and part of the front car port, with the formation of a terrace at basement level beneath the existing rear courtyard. The proposed total basement excavation would have a footprint of 105sqm, with a maximum width of 9.1m, maximum length of 7.6m and excavated to a maximum depth of 3.8m, with a floor to ceiling height of 2.9m. The basement terrace replace the existing courtyard at ground floor level, and would have an area of 12sqm and would measure 4.2m in width and 2.8m in length. The basement would provide a forth bedroom, a media room, bathroom, utility room and store.
- Installation of a reinforced glazed balcony secured by a glazed balustrade at ground floor level, above the proposed basement terrace. The proposed balcony would measure 1.1m in depth and 4.2m in width.
- Installation of 1 x ground floor front window, removal of 1 x ground floor side window, replacement of front door and replacement of rear bi-folding doors and side French windows to sliding doors.
- Infill of existing front door recess with a width of 1.7m, depth of 0.5m and height of 1.3m and erection of a front entrance canopy with a width of 2.1m, depth of 1.1m in line with the existing front building line.
- Erection of front bin store adjacent to the flank wall of No. 21 Albert Terrace Mews, measuring between 1.6m and 1.8m in width, 0.6m in depth and 0.8m in height. The bin store would have capacity for the storage of two bins.

Other development

2.2 The proposed drawings also include the replacement of the ground floor front window with a door, the erection of a first floor front extension and replacement of the first floor rear window with an Oriel window, and the installation of 1 x rooflight to the east flat roof. The Design and Access Statement highlights that these elements were previously approved in application ref. 2015/0485/P (see relevant planning history section below), and so they do not form part of the assessment of this application.

Revisions

2.3 Revised plans have been received during the course of the application. The revisions are as follows:

- Removal of the proposed fire escape hatch to the basement which would have been located in front of the car port at ground floor level. This would ensure that there is no reduction in the size of the existing on-site car parking space. Building Control officers have also confirmed that the fire escape hatch would not have been considered to be an acceptable means of escape under Building Regulations, and other measures can be taken to ensure compliance.
- Reduction in depth of the proposed reinforced glazed balcony at ground floor level above the rear basement terrace from 2.2m to 1.1m.
- Alterations to proposed first floor rear Oriel window to show southern pane as fixed shut and obscure glazed from bottom up to a height of 1.65m, western pane fixed shut and fully obscure glazed, and eastern pane as openable inwards and fully obscure glazed.

3.0 RELEVANT HISTORY

APPLICATION SITE

- **8903326** – The erection of a two-storey dwelling house as shown on drawing nos. 202/PD/1 2 3 4 revised on 16.09.89 17.10.89 and 25.04.90. **Planning permission granted 05/07/1990**
- **2007/1628/P** – Erection of first floor extension at front of house (Use Class C3). **Planning permission granted 15/06/2007**
- **2015/0485/P** – Erection of first floor extension, installation of glazed doors at ground front elevation, 3x new rooflights and erection of rear box window at first floor rear. **Planning permission granted 28/04/2015 – expires 28/04/2018**
- **2015/3102/P** – Creation of terrace at roof level with associated privacy screens. **Withdrawn 04/09/2015**
- **2016/1129/P** – Creation of terrace at roof level with privacy screens, low level access and associated external alterations. **Planning permission refused 24/08/2016**

21 ALBERT TERRACE MEWS

- **2007/3213/P** – The blocking up of existing and insertion of new windows and doors to front and rear, the erection of a higher rear parapet wall, and the

enlargement of the existing basement area as a modification to the existing residential building (Class C3). **Planning permission granted 10/09/2007**

17 ALBERT TERRACE MEWS

- **2011/4042/P** – Alterations to residential dwelling (Class C3) including excavation of basement with lightwells to front and rear, erection of a ground and first floor side extension, first floor front extension, alterations to windows on side elevation and erection of summerhouse on roof. **Planning permission refused 19/10/2011**

11 ALBERT TERRACE MEWS

- **2014/7709/P** – Excavation of basement and the addition of 2 x windows at 1st floor level on the front elevation. **Planning permission granted subject to a Section 106 Legal Agreement 27/03/2015**

4.0 CONSULTATIONS

Statutory Consultees

4.1 None

Conservation Area Advisory Committee

4.2 Primrose Hill Conservation Area Advisory Committee.

Councillors

4.3 Ward Councillor Cllr Callaghan objected on the following grounds:

Basement development – Construction and traffic issues

- This is a small terrace of mews houses, which over the years have been added to both by basement excavation, extension and roof terraces. The narrow road between opposite terraces does not lend itself to housing stationary construction machinery and previously when building refurbishment occurred the Mews was completely jammed for sometimes whole days at a time. The entrance and exit to the Mews goes directly onto the main road, which is often blindsided with parked vans and cars. It can be extremely dangerous if large construction vehicles are constantly going in and out. To carry out this construction, would mean the disposal of waste products/materials therefore causing additional congestion and pollution.

Officer response: Please refer to 'Transport and planning obligations' section and 'Amenity' section (paragraph 6.31) of report

Basement development – Structural and flooding issues

- I understand that the road has subsidence. I believe that No. 21 floods in the lower floors and the resulting effluent has to be pumped out when this happens.

As a result I wonder if anyone has looked at the water table under these houses to see if it is sustainable for a basement excavation.

Officer response: Please refer to 'Basement impact' section of report

- I would ask you to consider this application as overdevelopment in what is a small terrace of mews houses in a conservation area.

Officer response: Please refer to 'Design' section of report

- There is already a problem with natural light obstruction meaning that houses opposite cannot avail of natural daylight and have to keep the lights on for most of the day.

Officer response: Please refer to 'Amenity' section (paragraph 6.29) of report

Local Groups

4.4 Primrose Hill CAAC objected on the following grounds:

Scale of development

- The proposed basement would add a substantial volume to the existing house, possibly by as much as 50% of the existing. Albert Terrace Mews is noted in the Primrose Hill Conservation Area Statement as characterised as 'narrow', 'small', with a function of 'servicing', with a subservient, modest character. In this context, we advise that the proposal to add a substantial volume to the existing house would constitute overdevelopment. We refer to the Planning Inspectorate's decision dated 12 October 2009 dismissing appeals at 34 Kingstown Street, London, NW1 8JP refs. APP/X5210/A/09/2104256 and APP/X5210/A/09/2104294 for a double [two storey] basement which the Inspector found constituted overdevelopment, in part founded in the small scale of the street, which was judged in the same category of mews as Albert Terrace Mews.

Officer response: Please refer to 'Design' section (paragraphs 6.9-6.15 of report)

Neighbours' amenities during construction

- With reference to the aforementioned appeal decision, the Planning Inspector argued that given the scale of the mews street, neighbours' amenities during construction were a material consideration.

Officer response: Construction works are subject to control under the Control of Pollution Act 1974 and the permission will include an informative to ensure that the applicant is aware of this. Please refer to 'Transport and planning obligations' section and 'Amenity' section (paragraph 6.31) of report

External amenity space

- 20 Albert Terrace Mews has only the garden amenity space which it is proposed to excavate and reconstruct as a largely-roofed basement terrace. We question

whether this basement amenity space meets the Council's standards for external amenity space for what would be a 4-bed/5-bed family house.

Officer response: Please refer to 'Design' section (paragraph 6.12) of report

Impact on conservation area

- The proposals would neither preserve nor enhance the character and appearance of the conservation area.

Officer response: Please refer to 'Design' section of report

4.5 16-22 Prince Albert Road Residents Association objected on the following grounds:

- The project will create noise, dust and vibrations for a year amongst a significant number of neighbouring properties.

Officer response: Construction works are subject to control under the Control of Pollution Act 1974 and the permission will include an informative to ensure that the applicant is aware of this. Please refer to 'Transport and planning obligations' section and 'Amenity' section (paragraph 6.31) of report

- There is a real risk of subsidence – in an area which has already suffered from such ground movement.

Officer response: Please refer to 'Basement impact' section of report

- There will risks of flooding and other damage due to loss of water table.

Officer response: Please refer 'Basement impact' section of report

- Additional light wells and windows will cause light pollution to nearby properties and loss of privacy.

Officer response: Please refer to 'Amenity' section (paragraphs 6.27-6.29) of report

- The additional vehicle movements in the area during the works will lead to a loss of three parking spaces and therefore additional aggravation for residents and the risk of additional pollution as cars will need to be driven for longer whilst a parking space is found.

Officer response: Please refer to 'Transport and planning obligations' section and 'Amenity' section (paragraph 6.31) of report

Adjoining Occupiers

| | |
|---|--------------------------|
| <i>Total number of responses received</i> | 19 (different addresses) |
| <i>Number in support</i> | 0 |
| <i>Number of objections</i> | 19 |

4.6 2 site notices were displayed in the vicinity of the site between 24/02/2017 and 17/03/2017 and a notice was displayed in the local press between 02/03/2017 and 29/03/2017.

4.7 19 objections were received to the application from the following addresses:

- 1 Albert Terrace Mews
- 2 Albert Terrace Mews
- 7 Albert Terrace Mews
- 9-10 Albert Terrace Mews
- 18 Albert Terrace Mews
- 19 Albert Terrace Mews
- 19 Prince Albert Road
- 20 Prince Albert Road
- 20 Prince Albert Road (different occupier)
- 20 (Flat 1) Prince Albert Road
- 21 Prince Albert Road
- 37 (Flat L) Regent's Park Road
- 39 (Flat 9) Regent's Park Road
- 41 Regent's Park Road
- 41 (2nd floor flat) Regent's Park Road
- 47 (Basement Flat) Regent's Park Road
- 47 (Flat 6) Regent's Park Road
- 2 St Mark's Square
- 3A St Mark's Square

4.8 The comments from nearby and neighbouring occupiers relevant to planning are summarised below, with officer response in italics:

Basement excavation – Noise, vibration and dust:

- The back of my property faces this mews. The mews has recently endured roughly 2 years (or more) of extremely noisy and disruptive excavation and construction on a very large house at the eastern corner of the mews. This project threatens much more noise and disruption.
- The noise, vibration and dust generated would unduly disturb the neighbours.
- It is an unnecessary project which will almost certainly have an adverse effect on neighbouring properties for a number of years. There will be pollution (noise and dust) during the works.
- In the shorter term, it will mean unnecessary noise and pollution.
- The disruption, dirt and toxic waste emitting from a similar project over the last year was unbearable and affected myself and my neighbours health and the constant noise nearly drove us crazy.

- The recent work in Albert Terrace Mews was noisy (particularly for those of us who work at home) and dirty (preventing the back windows of my flat being opened in summer).
- Article 8 of the HRA, which gives the right to respect for private and family life and home and Article 1 of the First Protocol (A1P1) (“peaceful enjoyment”) are important principles. My objection to the application falls under Article 8 or A1P1. If the Council were to give planning permission it would be breaching the right of surrounding residents who would be subject to extraordinary noise and disturbance. The Council must stand up to the greed of those who seek to add value to their homes at the cost of all their neighbour’s right to the peaceful enjoyment of their homes. There is a need to balance a planning system that favours developers with the legitimate desire of neighbouring residents to enjoy peaceful occupation of their homes and to avoid the endless noise, dust and disruption. Further, the Council must consider the loss of amenity to local residents during basement development, which is aggravated by the extended duration of these works and the frequency of one site following another in the same street. The disruption and disturbance goes well beyond that involved with classic renovation works – initial boring and other tests, noise and vibration from excavation and piling, delivery and installation of concrete construction, and all the associated traffic. The Council must protect residents from loss of amenity.
- The air will be terrible due to pollution. I have double glazed windows facing no. 20 but there will be constant unhealthy dust within my house – pollution which is already above what is lawful in this area.

Officer response: Construction works are subject to control under the Control of Pollution Act 1974 and the permission will include an informative to ensure that the applicant is aware of this. Please refer to ‘Transport and planning obligations’ and ‘Amenity’ sections of report for a discussion of how these impacts will also be managed by a CMP

Basement excavation – Construction and traffic concerns:

- The earth removal and parking and movement of delivery lorries and vans would frequently block this narrow mews.
- Access is critical. The proposed scheme will cause very considerable blockages in access to and from the Mews. In some cases this could be life threatening. We have seen the undertakings made by the applicant, and these are neither sufficient nor credible based on experience of major works undertaken.
- The surface of the Mews, much of which was cobblestone, has been damaged considerably by previous schemes. There are considerable dips in the road as a result of either heavy vehicles and or subsidence.
- Setting aside the utter misery caused by the basement build at No. 11 Albert Terrace Mews – endless drilling followed by dumper trucks removing spoil – for weeks on end. Despite prior promises that the Mews would not be blocked it was for hours on end, indeed sometimes the entrance and exit were closed off with barricades, surely not right. My garage [2 St Mark’s Square] was rendered unusable. The final straw was 4 cement mixers, engines running 10 feet from my windows. Surely not a repetition.

- Having already had a basement dug opposite our house recently (Number 11 Albert Terrace Mews) we know from first hand experience the noise and dust and disruption such a project causes the remaining residents in the mews for a lengthy period. We understand, in another planning dispute involving a similar plan in Kingstown Road, the scale of the mews street, the neighbours' amenities during construction were a material consideration in the planners decision making. Digging out the floor area of Number 20 to create so much basement space will also result in tons of spoil being removed from the house which is inconveniently placed in the mews – that is not close to either exit. Apparently the spoil is going to be removed by wheelbarrow to the exit onto Regents Park Road. In the last basement excavation the removal of the spoil resulted in countless times the exit and entrances to the mews were blocked and the soil from this excavation was deposited into lorries directly from a conveyor belt construction, as it could be kept in the big garden awaiting the next lorry. This cannot happen at Number 20 as it does not have the outside space for storing large amounts of soil.
- The road is very narrow here. When even transit van parks we have no space to exit the house. If he has a moving conveyor it will be directly opposite our house where we live and will be dangerous to exit from front door in the narrow gap. How could you prevent the soil being thrown against our house when it is removed from the ground. There is no space to store any materials without blocking our access and emergency vehicles will be unable to access too. We cannot as suggested approach this narrow Mews from west side and reverse out again into the busy main road and pavement as we are totally concealed and extremely dangerous and illegal? We feel that if you allow this work to be done it will make our home uninhabitable due to the impossibility of access/exit from the narrow street let alone vehicle access to/from our house during the whole construction time.
- We live in Number 39 Regents Park Road, just ten metres away from the junction of Albert Terrace Mews. We currently experience a high volume of traffic on the road, which is noisy, polluting and causes the house to vibrate. The increased volume of unsuitable large HGVs on the road would be both a serious hazard and would harm the environment. The construction plan states that earth will be handled to Regents Park Road where it will presumably be loaded on to a tipper truck. This will result in trucks being parked almost constantly on the road which will be a nuisance to the neighbourhood.
- The heavy lorries going down the side of 35 Regent's Park Road [during recent work in Albert Terrace Mews], which forms part of the freehold company with 37 Regent's Park Road, caused cracks in the walls of the house and contributed to the recent subsidence, which has caused us to pay house insurance of £20,000 a year. It is unconscionable that Mr Cowan should put his personal greed over the wellbeing of the neighbourhood.

Officer response: Please refer to 'Transport and planning obligations' and 'Amenity' sections of report for a discussion of how these impacts will also be managed by a CMP

Basement excavation – Flooding concerns:

- The house is positioned next to number 21, the basement excavation of which caused major planning headaches in recent years and indeed had to be

stopped by the planning office due to the impact it was having on the mews road. I understand that the basement at No. 21 is now pumped out 24 hours a day to deal with levels of water that enters the building.

- 21 has a basement which floods if they do not keep a pump working 24hrs a day. Please look at the road outside 21 where it is subsiding. This is proof that there is a problem with water under this area. When 19 was being built they discovered an old well on the site.
- We understand there is an old well in close proximity of Nos. 19 and 20 Albert Terrace Mews.
- We are concerned that further excavation in the local area will cause movement in the ground and settlement in our property in both the short term and further in time. We are almost at the lowest point in the area downhill from Primrose Hill and St Johns Wood and therefore one could expect serious drainage problems for the basement excavation to number 20. It is reasonable to expect that this could cause further issues with the ground condition for neighbouring properties. Indeed I understand that because Camden has experienced so many problems with basement developments, they carried out a survey which revealed that "Approximately one quarter of respondents suffered damage to their property. 25% windows and doors sticking; 19% internal fractures; 20% external cracking; etc". I would suggest that this is not sensible or appropriate development for this area.
- I believe it will increase the risk of flooding because of the effect on the water table.
- We live at No. 1 Albert Terrace Mews. The problems are enormous if the proposed basement is built. The house next door excavated under the garage and the floods started and were never ending. There is a river under those houses and No. 21 is still having to pump water out of their basement many years later. The roadway is sinking drastically in front of No. 20 and was completely flooded last Sunday 5th March 2017 due to rain.
- As you know, the property opposite number 7 Albert Terrace Mews has a full time pump at work to safeguard the property from flooding. As you may know, the property has been subject to heavy flooding. The risk to the water levels under the Mews is high and the proposed scheme would exacerbate this considerably.
- People living in the mews know that flooding of the existing basement of number 21 incurred during its construction and is indeed a constant issue. This raises concerns about the correctness of the reports that no flooding risks exist to which the developer refers in his application.
- I am writing as the owner of the basement flat in 47 Regents Park Road where I have lived since September 1974. 47 Regents Park Road was built in 1852 and is the end of a terrace adjoining Albert Terrace Mews. Some years ago (circa 2003) 47 Regents Park Road was underpinned. Since then there has been a great deal of building work in Albert Terrace Mews and my flat which never flooded with water from 1974 to 2003 has flooded in one room so regularly that I have given up trying to carpet or furnish it and it is simply a bare concrete area which acts as an entrance hall. I am therefore opposed to further building works in Albert Terrace Mews which I remember as containing gardens and garages on the side backing on to Prince Albert Road and with which the water table and mews road could cope.

- I do not think the applicant has accurate data on sewers in the vicinity. I believe the waste pipe from 20 Prince Albert Road passes north, about one metre below the ground surface, seemingly straight beneath 20 Albert Terrace Mews. If that's right, it runs directly through the middle of the proposed basement.
- On top of the horrendous disruption and noise issues. There are numerous structural and hydrological considerations that should preclude this application from being passed. We have prepared a report on the surrounding conditions:- Contained within this report is an amalgamation of compiled factors which need serious consideration when appraising the above basement application. We believe once you have read & considered the following document the only sensible decision for this application is refusal. We have been provided with information by surrounding neighbours. Given the amount of reported movement in the area, the disclosure that there was a well present next door at No 19 & the fact that in No 21 basement pumps have to be kept running otherwise it floods. To mention just a few, there is a compelling case for if not refusal at this stage at the very least further investigations be thoroughly carried out as the applicant hasn't taken any of these factors into consideration. They appear to have based their assessments without all the facts. To the question - 'Is there a history of shrink/swell subsidence in the local area and/or evidence of such at the site? They answered 'unknown' They also don't seem to have been aware of the ground water conditions that exist & the current continuing problems they are causing but have relied on historic bore holes. We therefore request that this report is passed on to Campbell Reith, who we are led to believe are carrying out an independent appraisal of the application on behalf of Camden Council.

Officer response: Please refer to 'Basement impact' section of report

Basement excavation – Structural concerns:

- The properties close by in Albert Terrace mews and those in Prince Albert Road may well suffer ground movements and clay heave both in the short and long term. We understand buildings in close proximity have already had to have remedial structural repairs: 10 Albert Terrace Mews has had to be underpinned and there are reports circulating that several properties on Prince Albert Road are already moving resulting in some cases mortgages being denied. We have heard that when No. 20 was originally built it suffered cracks from clay heave and the parking area has already had to be levelled off to try and make the ground stable.
- The mews has had around four of the houses underpinned due to settlement and this would exacerbate that situation. Many of the houses were built around c. 1840 and are fine specimens of that era. There is no assurance in the application with regard to the risk of structural damage to the neighbouring properties. We have learned that during the construction of Nos. 20, 19 and 21 the mews road suffered slippage and movement and has had to be re-levelled. This basement may destabilise the mews road surface further and as the residents do not have a 'sinking fund' for the maintenance of the road surface, one wonders how all the residents would get compensation to repair it.
- I am concerned about the real risk of subsidence that these works will cause. Our house is partially underpinned and the area has a history of ground movement.

- There will be the risk of subsidence and flooding due to the changes to the soil and water table. The area is already prone to subsidence and this additional change in the soil is likely to increase the risk of repetition. My own property [19 Prince Albert Road] is partially under-pinned and therefore particularly vulnerable to changes in the ground nearby.
- The road has subsidence – look at no. 19 by fence and no. 20 by parking area and you can see where it subsided and has been refilled a few months ago – different shade.
- My property [5 Albert Terrace Mews] has been underpinned as a result of subsidence. A number of other properties have also been underpinned, including number 5 Albert Terrace Mews. The proposed development is not factoring in the impact on our properties from this very extensive dig into the foundations of the Mews.
- The digging of the basement will obviously cause the road to subside further but Camden will deem itself not to be liable to rectify the consequences of its planning decisions.
- There is no assurance in the application with regard to the risk of structural damage to neighbouring properties. There have been many cases of this and Council will be failing in their duty to residents if it does not recognise that many developments have caused damage, the owners of properties being developed then disappear leaving surrounding residents with the liability of their failed projects. If the Council were to grant approval it must ensure that the development is executed in accordance with the terms of permission or it will fail in duty to residents. In several cases the foundations of surrounding buildings have subsided – requiring costly underpinning, and party wall agreements have been useless as redress mechanisms. I would expect the planning committee to take extremely seriously the need for independent assurance with regard to technical issues in the process for deciding whether or not to approve an application. The surrounding buildings are old in various states of repair and very close to the proposed development.

Officer response: Please refer to 'Basement impact' section of report

Basement excavation – Design, overdevelopment and impact on conservation area:

- The proposed additional floor area is disproportionate to the existing and must constitute overdevelopment.
- The applicant claims that “Basement development is a feature of all houses on Prince Albert Road, which the rear of No 20 Albert Terrace Mews adjoins”. This is a complete falsehood. The ground level of my flat [Flat 1, 20 Prince Albert Road] is the very same ground level as that of 20 Albert Terrace Mews. There is no basement beneath my flat, and I am not aware of ANY houses along this stretch of Prince Albert Road having basements. To pretend that this is a common or normal occurrence is totally wrong and misleading.
- Contrary to Camden Council’s preference for a basement development not to extend beyond the footprint of the original building, it appears that this proposal does in fact exceed that footprint by including within it the entire current ground-level rear garden patio. Surely it should be the footprint of the building, not the footprint of the building + garden that is taken into account?

- He wishes to extend outside the footprint of the house. Surely against Camden rules?
- It is astonishing that Camden would give this application serious consideration as the proposal is so out of keeping with the Council's vaunted commitment to protection of the "green" environment and the character of the conservation area. I am making this objection only for the record as I am confident that the committee will side with the developers, as it always does in the endless in-building of Primrose Hill.
- We would consider extra living space to be overdevelopment in the mews. The Advisory Committee noted that the proposed basement would add a substantial volume to the existing house, possibly as much as 50% of the existing. The Committee also noted that Albert Terrace Mews is recognised in the Primrose Conservation Area Statement, the current SPD, at p. 12, as contrasting with the wide roads in the area, and characterised as 'narrow mews roads originally providing servicing to the rear gardens of the villas... these small mews buildings are generally located directly abutting or close to the highway'. What is significant about the Mews is its character as 'narrow', 'small', with a function of 'servicing', with a subservient, modest character. If the mews becomes an enclave of the mega house surely this goes against its original distinguishing feature and is something Camden Council should be keen to preserve?
- In general I believe that a certain amount of development is to be expected when you live in an urban area, and that a certain discretion should be awarded to the developers. On that basis I have supported the two earlier applications from number 20. In the case of 20 Albert Terrace Mews we are dealing with a developer who applies on a continuous basis for reasons he is not willing to share with others, but one is led to suspect that financial gain is the major driver and limited concern is given to the general amenity of the area. The application refers to the Council signalling general support for basement development. This is indeed true but for the purpose of creating more living space, not as is the case here for steam rooms and media rooms.

Officer response: Please refer to 'Basement impact' section of report

Front extension and bin store:

- It threatens to further crowd the rather narrow mews with a 'front extension' (and bin store).
- There is no front garden only some paving.
- It seems that you have already allowed him to extend at first floor level opposite Nos. 9-10. We ask that those windows are in obscure glass to prevent him seeing into our house as the gap between the properties is so narrow. It is an invasion of our privacy and takes away light from the house. I have already told you that we [Nos. 9-10 Albert Terrace Mews] need lights on throughout the day and this will mean I need to have more lighting installed and use more electricity – pollution – increased energy consumption.

Officer response: Please refer to paragraph 2.2, 'Design' section (paragraphs 6.3-6.7) and 'Amenity' section (paragraphs 6.27 and 6.29) of report

Rear first floor window:

- The original mews house was designed to preserve the privacy of the residents of Prince Albert Road. This is especially important as the rear of the applicants property is only 10m from the rear of ours [No. 21 Prince Albert Road]. Windows were previously arranged specifically so that there was no overlooking, typically with high sills set above eye level. Over time there has been a gradual erosion of this privacy. In the application of 2015 (2015/0485/P) the proposed new first floor rear bay window was deemed by officers to unacceptably overlook our and neighbouring rear gardens. Amendments were made to obscure glaze the bay with fixed windows. Opening windows are now shown on the scheme, hinged at the sides which when open, will provide direct views into our garden and house. Clearly this is unacceptable and against planning policy. These windows must be obscure glazed and should not open. The terms of the previous planning application need to be reinstated therefore.

Officer response: Please refer to paragraphs 2.2-2.3 and 'Amenity' section (paragraph 6.30) of report

Parking:

- If he extends out into his parking space then the car will block the road.
- Parking and access in the mews is already tight, and with modern cars getting ever larger, parking spaces need to allow a car to fit. The current parking space is 4.8m long. The space proposed is only 3.6m, meaning it is no longer of adequate size to accommodate a car. This inevitably will mean that any car parked there will obstruct the mews and has a potential to threaten the safety of all residents in the event of a fire.

Officer response: Please refer to paragraph 2.3 of report

Trees:

- We are concerned regarding our three Hornbeam trees set alongside the boundary with No. 20. The current scheme proposes excavations right up to the boundary with a lightwell located immediately alongside these trees. Any such excavations, piling and poured concrete within a metre of their trunks will inevitably cause both immediate and long term harm. The tree report submitted dismisses the tree's importance and describes them as a hedge. We disagree and have sought independent advice to confirm the situation. The three trees are some 5m high and are currently thriving. We have consulted with an independent tree expert, and they confirm that the limited wall between the two properties is sufficiently shallow such that it will not have prevented root growth under 20 Albert Terrace Mews. Excavating to a depth of 4m+ immediately alongside their trunks will, we are told, inevitably damage the root structure. In addition to the three Hornbeam trees, we also have an Acer tree which is one metre from the same boundary which will also be negatively impacted in the opinion of our independent consultant. The acer tree has not been referred to in the tree report produced by no 20.
- The application downgrades trees in the garden of No. 21 Albert Terrace Mews to a hedge. Proper consideration should be given to whether it is suitable to build a basement under those circumstances.

Officer response: Please refer to 'Trees' section of report

5.0 POLICIES

National Planning Policy Framework 2012

London Plan 2016

Camden Local Plan 2017

The following policies are of relevance to the application:

G1 Delivery and location of growth
A1 Managing the impact of development
A4 Noise and vibration
A5 Basements
D1 Design
D2 Heritage
CC3 Water and flooding
T4 Promoting the sustainable movement of goods and materials

5.1 Supplementary Planning Policies

Camden Planning Guidance

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

Primrose Hill Conservation Area Statement (2000)

6.0 ASSESSMENT

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Design (the impact that the proposal has on the host property as well as that of the wider Primrose Hill Conservation Area)
- Basement impact (the impact on the natural and built environment)
- Transport and planning obligations (the impact of the proposal upon local transport and highways and planning obligations)
- Amenity (the impact of the proposal on the amenity of adjoining occupiers)
- Trees (the impact of the proposal on trees within and adjoining the application site)

6.2 The statutory provisions principally relevant to the determination of this application are:

- Section 38(6) of the Planning and Compulsory Purchase Act 2004
- Sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”)

Design

- 6.3** The application site is located within the Primrose Hill Conservation Area, wherein the Council has a statutory duty, under section 72 (Conservation Areas) of The Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 6.4** The host building is of a contemporary design and appearance with an irregular, stepped footprint, white rendered walls and grey powder coated aluminium framed doors and windows with no glazing bars. There is no consistent footprint pattern or size to the adjacent neighbouring properties along the southern side of Albert Terrace Mews, but the properties within this terrace all have a similar contemporary appearance.
- 6.5** The proposed alterations to the front fenestration include the infilling of the existing front door recess and the erection of a canopy above. It is considered that the infill extension and new entrance canopy would remain subordinate to the host building in terms of design, form and scale, and would not detract from the design and proportions of the host building. The proposal would not appear incongruent with the host building and the varied pattern of development along the street.
- 6.6** The proposed installation of a new front window to serve the ground floor kitchen would improve the appearance of the building through making the frontage more active, thereby enhancing the character and appearance of the Primrose Hill Conservation Area. The proposed rear and side doors to the ground floor rear courtyard would be full-width and would not exceed the height of the existing doors. The new window, replacement front door and replacement ground floor rear and side sliding doors to the rear courtyard would be constructed from grey powder coated aluminium, which is considered acceptable given the existing contemporary style of the host building.
- 6.7** The proposed front bin store would replace an existing single storey white rendered store with a maximum height of 0.9m to the top of the mono-pitched roof adjacent to the flank fenestration of No. 21 Albert Terrace Mews. In overall terms, the design of the front bin store is considered to preserve the character and appearance of the Primrose Hill Conservation Area. A pre-commencement condition would be attached to the consent which would require the submission and approval of detailed drawings for the front bin store before works begin, in order to ensure that the development would safeguard the appearance of the premises and the character of the immediate area.
- 6.8** Following referral of the proposal to the Members Briefing Panel, the design of the proposed first floor rear Oriel window, which was granted planning permission in application ref. 2015/0485/P (see relevant planning history section

above), has been altered to show the western and southern panes as fixed shut, and the eastern pane facing the side elevation of the dwellinghouse as openable inwards. Both the eastern and western panes would be fully obscure glazed, and the southern pane would be obscure glazed from the bottom up to a height of 1.65m, as per the requirements of the associated condition of the previous planning permission. The alterations are considered acceptable in design terms.

Basement development

6.9 Planning permission was granted for a basement excavation at the adjacent neighbouring property No. 21 Albert Terrace Mews in 2007 and at No. 11 Albert Terrace Mews in 2015 (see planning history section above). However, Camden's policies on basement development have since been updated with the adoption of the Camden Local Plan 2017 and Camden Planning Guidance CPG4 Basement and lightwells in 2015. Policy A5 Basements of the Camden Local Plan 2017 includes a number of stipulations for proposed basement development within the Borough, including upper limits to the acceptable proportions of proposed basement extensions in comparison to the original dwelling. Policy A5 states that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- a) neighbouring properties;
- b) the structural, ground, or water conditions of the area;
- c) the character and amenity of the area;
- d) the architectural character of the building; and
- e) the significance of heritage assets.

6.10 Policy A5 also states that the siting, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Basement development should:

- f) not comprise of more than one storey;
- g) not be built under an existing basement;
- h) not exceed 50% of each garden within the property;
- i) be less than 1.5 times the footprint of the host building in area;
- j) extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;
- k) not extend into or underneath the garden further than 50% of the depth of the garden;
- l) be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and
- m) avoid the loss of garden space or trees of townscape or amenity value.

6.11 The proposed basement would be single storey in depth and would not be constructed below an existing basement. It would be set away from all boundaries and would extend beneath the full footprint of the house and part of the front car port, and would also include the excavation of the existing rear courtyard to form a terrace at basement level. The proposed basement excavation would have a total area of 105sqm which would increase the footprint of the building by 21% from approximately 87sqm, and would be 1.2

times the footprint of the host building. The total area of the basement excavation includes the footprint of the proposed rear terrace at basement level, which would have an area of 12sqm.

6.12 As highlighted above, Policy A5 is in place to ensure that basements are proportionate to the host building and so that there is sufficient space to sustain the growth of vegetation and trees. Whilst the proposed basement beneath the front forecourt would comply with parts h), j), k) and m) of Policy A5, the excavation of the existing rear courtyard to form a basement level terrace would not comply with these criteria. However, the proposed basement terrace would not be subterranean and would re-provide the existing outdoor amenity space at basement level. The existing rear courtyard is a small, entirely paved area, which is integrated into the existing building and consistent with the expected pattern of development for mews buildings. The area is set behind high boundary walls with very limited opportunities for planting. The proposed excavation of the entire rear courtyard to provide a terrace at basement level would be in proportion with the host building, and following the reduction in the depth of the ground floor glazed balcony above, would ensure that the existing situation allowing for access to useable, outdoor amenity space is retained over two levels. The proposal would not result in the loss of any trees or vegetation. As such, the proposed extension of the basement outside of the footprint of the existing house is considered acceptable in this instance.

6.13 The terrace at basement level would facilitate ventilation and would ensure adequate daylight and sunlight levels to the habitable basement rooms. Although the proposed basement terrace would not be secured by a grille as is usually preferred for lightwells, due to its location to the rear of the property and given that it could be concealed by the existing boundary wall, it would have a limited impact on the character and appearance of the surrounding area and is considered acceptable in this instance.

6.14 Overall, the basement excavation is considered acceptable in scale in relation to the host dwelling. The proposed rear basement terrace with a ground floor glazed balcony above is considered acceptable in design terms given the contemporary design of the host building. Planning permission was also previously granted for a glazed rear rooflight to the basement below at the adjacent property No. 21 Albert Terrace Mews in 2007 (see planning history section above).

6.15 By virtue of its form, scale, detailing and proportions, the proposals would be sympathetic to the host building. The proposals would be subordinate to the host dwelling and would respect and preserve the property's character and existing architectural features, and the character and appearance of the Primrose Hill Conservation Area.

Basement impact

6.16 A Basement Impact Assessment (BIA) has been submitted as part of this application. This document has been independently reviewed by Campbell Reith with subsequent information provided by the author of the BIA during the course

of the application. Within their final audit report, Campbell Reith conclude that the revised has addressed initial concerns and that the development as proposed would remain in accordance with policy A5 / CPG4.

- 6.17** The site is within the Primrose Hill Local Flood Risk Zone and the Environment Agency indicates the site is at medium to high risk from surface water flooding. A site-specific flood risk assessment has been provided within the revised BIA and mitigation measures are proposed that include the construction of a 1.1m to 2.0m high southern boundary wall to divert surface water flows and the implementation of appropriate basement and site wide drainage.
- 6.18** The BIA identified that the Regents Canal passes some 85m to the south of the site, and no other ancient or current water courses pass within 150m of the site. Campbell Reith have concluded that given these distances and the findings of the two-stage Ground Investigation, superficial deposits with their associated hydrogeological or stability impacts are not anticipated to be encountered during the development.
- 6.19** The revised BIA has considered and addressed the potential issues raised in the consultation responses reporting settlement of adjacent properties, the presence of a historical well at the adjacent property, the presence of a historical sewer connection running beneath the site and reported flooding to the neighbouring basement and assessments have been updated accordingly. A two-stage investigation into ground and groundwater conditions encompassing investigation on site, nearby site investigations and historic bore records in the vicinity was undertaken and groundwater was not detected in trial pits or standpipes. The audit accepts that any water held in the London Clay is likely to be held in discrete units and not be laterally continuous, and accepts that there will be no impacts to the wider hydrogeological environment as a result of the basement construction.
- 6.20** The possible existence of a historical sewer connection from 20 Prince Albert Road passing beneath 20 Albert Terrace Mews was investigated by a desktop Thames Water search of sewers in the surrounding area included in the revised BIA. The search did not identify any such sewers known to Thames Water, and was accepted by Campbell Reith. However, the Council's Building Control Officer has advised that with all building works, it can be difficult to ascertain whether any waste pipes run beneath a site until works commence. The Council's Building Control Officer has confirmed that a pipe which serves one property is known as a 'drain', and is privately owned and maintained up to the property boundary by the home owner. However, when a 'drain' crosses the property boundary it is known as a 'public lateral drain', and becomes the responsibility of Thames Water. As such, if a 'public lateral drain' extending from 20 Prince Albert Road is discovered during building works, then this would be the responsibility of Thames Water, and the owner of 20 Albert Terrace Mews would be obliged to contact them. A 'public lateral drain' cannot be moved until an agreement has been reached between the owner and Thames Water, and Thames Water can refuse for a 'public lateral drain' to be moved if they do not believe this to be feasible. This is a civil issue and an informative noting this

requirement would be added to the decision notice if conditional planning permission subject to a Section 106 Legal Agreement is granted.

- 6.21** The revised Ground Movement Assessment has considered the combined effects of settlement and heave. The updated BIA assessment identifies maximum movements allowable to maintain damage impacts to neighbouring structures to Burland Scale Category 0 to Category 1 (Negligible to Very Slight), which the Audit considers would be achievable as long as temporary works are well controlled. A monitoring strategy based on the maximum allowable movements should be agreed under the Party Wall Act and implemented, with trigger levels linked to the predicted movement limits to control damage impacts to within Category 1.
- 6.22** The revised BIA confirms that there will be changes to the impermeable site area and proposes to mitigate off-site surface water flows by the use of Attenuation SUDS, which is accepted and should be implemented. A drainage assessment considering the implementation of attenuation SUDS, in accordance with LBC guidance, has been presented and should be implemented. There are no impacts on the wider hydrological environment.
- 6.23** The Audit confirms that the BIA has met the requirements of Policy A5 and CPG4 (Basements and lightwells) for the identification of the potential impacts of the proposed basement construction and the proposed mitigation.

Transport and planning obligations

- 6.24** The Council's Transport Planner has assessed the proposal and confirmed that whilst construction traffic flow to the site are likely to be fairly low, due to the amount of excavation required for the basement and the sensitive nature of the local streets, a Construction Management Plan (CMP) would be required for the proposed development. The Council's primary concern would be with public safety but the Council would also need to ensure that that construction traffic does not create (or add to existing) traffic congestion in the local area and that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highways network in the local area. The CMP would need to be approved by the Council prior to works commencing on site and would be secured through a Section 106 Legal Agreement. The Section 106 Legal Agreement would also secure a CMP Implementation Support Contribution of £3,136. The Council's Transport Planner has confirmed that an Approval in Principle Contribution would not be required to be secured by a Section 106 Legal Agreement, as the Council only needs to secure Approvals in Principle for basement developments directly adjacent to the public highway, and Albert Terrace Mews is a private road.
- 6.25** A draft CMP and Traffic Management Plan (TMP) have been submitted as part of the application and both documents have been reviewed by the Council's Transport Planner. The draft CMP and TMP demonstrate that building materials and excavated spoil would be stored within the site boundary and removed from the site by wheelbarrow to a waste skip parked on Regent's Park Road. Construction vehicles would have limited access to the mews from the eastern

entrance and all deliveries would be taken to the site by wheelbarrow. The draft CMP states that vehicles would take around 40 minutes to unload and that access to the mews would be maintained at all times via the western entrance. There would be approximately 2-3 vehicle movements per day and banksmen would be stationed at both junctions with Regent's Park Road to manage the interaction between construction traffic and other road users at these times. The draft CMP also states that the contractor would appoint a Neighbourhood Liaison Manager to act as the focal point of all communication with neighbours, and the site manager would distribute a weekly looking ahead newsletter to local residents. The contractors' office would be located within the first floor of the property and not on the public highway. Given that vehicle numbers would be low and movements would be scheduled outside of peak times, including school runs, and as access to the mews would be maintained at all times, the Council's Transport Officer has confirmed that the traffic impacts of the development could be successfully mitigated through the submission of a detailed CMP secured through a Section 106 Legal Agreement.

- 6.26** As Albert Terrace Mews is a private road, the Council's Transport Planner has confirmed that we cannot seek a contribution through Section 106 Legal Agreement towards its resurfacing if any damage is caused during construction works. This would therefore be a private matter between the owners/managers of the road. Notwithstanding this, the intention behind the controls afforded to the Council via the CMP would seek to ensure that no such damages would occur in the first instance via the detailing of a thorough and comprehensive construction plan. It should also be noted that a validation requirement for the CMP would be evidence of adequate consultation with the surrounding neighbours as this is seen to be an integral element of the success of the secured CMP.

Amenity

- 6.27** The proposed infill extension would not extend beyond the existing footprint of the building and the new bin store would replace an existing structure, therefore these elements would not harm the amenity of neighbouring occupiers in terms of loss of daylight, sunlight, outlook or privacy.
- 6.28** By virtue of the location of the proposed rear terrace at basement level and the glazed rear ground floor balcony set behind high boundary walls, it is not considered that the proposal would have an adverse impact on the amenities of adjoining residential occupiers of No. 21 Albert Terrace Mews, and Nos. 20 and 21 Prince Albert Road in terms of light pollution.
- 6.29** The proposed first floor front extension and front windows were assessed and approved under the previous application 2015/0485/P. It was considered that the proposed front windows at first floor level would have no impact on the amenity of neighbouring properties, as there are existing windows at the front elevation and already some degree of mutual overlooking between neighbours. As such, the proposed first floor front windows would not need to be obscure glazed. It is not considered that the proposed first floor front extension would

have an adverse impact on the residential amenities of neighbouring occupiers in terms of loss of daylight, sunlight, outlook or privacy.

6.30 The proposed rear Oriel window at first floor level which was previously approved in application ref. 2015/0485/P was originally shown on the proposed plans as having outwards opening eastern and western side windows. Following referral of the application to the Members Briefing Panel, the proposed plans have been amended to show the western side window as fixed shut and the eastern side window facing the side elevation and overlooking the rear courtyard of No. 20 as openable inwards only. Both the eastern and western side windows would be fully obscure glazed and the rear pane facing south would be obscure glazed below the area of the existing high-level window. This is considered to be sufficient to prevent loss of privacy through overlooking to neighbouring occupiers, and a condition would be attached to the decision notice to ensure that these panes remain fixed shut and obscure glazed in perpetuity.

6.31 Subject to the securing of a CMP as outlined in the previous section, the proposed basement development is not considered to lead to a significant impact upon the amenities of any neighbouring occupiers. The development is thus considered to be in accordance with planning policies A1 and A4.

Trees

6.32 No trees are proposed to be removed as part of the scheme. A group of pleached trees (H1) on a neighbouring property is proposed to be pruned back to the boundary in order to facilitate development. The Council's Tree Officer has assessed the submitted Arboricultural Report and has confirmed that the trees that make up H1 are of a young age and the boundary wall is likely to have prohibited root encroachment into the application site. As such, provided the arboricultural method statement submitted with application is adhered to, the proposed development should not adversely affect H1. The arboricultural statement and tree protection plan are considered sufficient to demonstrate that the trees on neighbouring site that make up H1 would be adequately protected throughout the proposed development. The proposals are supported from an arboricultural perspective and no further tree protection details are required to be submitted.

7.0 CONCLUSION

7.1 The proposed development, including the excavation of a basement beneath the entire footprint of the dwellinghouse, is considered acceptable in scale in relation to the host dwelling, and it is considered that the overall design of the proposal would respect and preserve the character and appearance of the host building and the Primrose Hill Conservation Area. Whilst the excavation of the existing rear courtyard to provide a sunken terrace at basement level would not comply with Policy A5, this is considered acceptable in this instance as the revised proposal would retain the existing proportion of outdoor amenity space and would neither be subterranean nor would it result in the loss of any trees or vegetation. Although it is recognised that there will be difficulties in undertaking

any development at the site given the site constraints, the submitted BIA has been independently reviewed and the auditors have confirmed that it has sufficiently addressed the potential basement impacts and the proposed mitigation measures are considered appropriate. Furthermore, a tightly controlled CMP secured through a Section 106 Legal Agreement would ensure that the proposed development would be sensitive to the amenity of neighbouring residents and would not detrimentally impact upon public safety or the highway network. As such, the proposal is considered to comply with the relevant Local Plan policies.

7.2 Conditional planning permission is recommended subject to a Section 106 Legal Agreement covering the following Heads of Terms:-

- Construction Management Plan
- Construction Management Plan Implementation Support Contribution of £3,136

8.0 LEGAL COMMENTS

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Conditions

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 and D2 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: 1403-SI-001 Rev. A; 15003_0100 Rev. A; 15003_0101 Rev. A; 15003_0102 Rev. A; 15003_0200 Rev. A; 15003_0201 Rev. A; 15003_0300 Rev. A; 15003_0301 Rev. A; 15003_1100 Rev. D; 15003_1101 Rev. C; 15003_1102 Rev. B; 15003_1103 Rev. C; 15003_1200 Rev. C; 15003_1201 Rev. A; 15003_1300 Rev. B; 15003_1301 Rev. B; 15003_2100 Rev. A; 15003_2101 Rev. A; 15003_2102 Rev. A; 15003_2200 Rev. A; 15003_2201 Rev. A; 15003_2300 Rev. A; 15003_2301 Rev. A.

Assessment of Daylight and Sunlight Provision (prepared by Herrington Consulting Ltd, dated January 2017); Basement Impact Assessment - Revision 2 (prepared by

Card Geotechnics Ltd [CGL]; dated October 2017); Construction Method Statement Ref. 16110 (prepared by Structural Engineer Paul Rogers, dated October 2016); Planning, Design and Access Statement (dated February 2017); Tree Survey (prepared by John Cromar's Arboricultural Company Limited; dated 24/01/2017); Tree Retention & Tree Protection Measures 1-38-4210/P2 Rev. v3.

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

4. 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 policies D1, D2 and A5 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 Basement Impact Assessment - Rev 2 (prepared by Card Geotechnics Ltd dated October 2017) hereby approved and shall ensure a maximum damage category to adjoining properties of no more than Burland Category 1 as described in approved documents.

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, D2, A1 and A5 of the London Borough of Camden Local Plan 2017.

6. Prior to the commencement of works on site, tree protection measures shall be followed in accordance with the arboricultural report ref. 1-38-4210 dated 24/01/2017 by John Cromar's Arboricultural Company Limited. 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 Development Framework Core Strategy.

7. Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including plan, elevation and section drawings (at 1:50) of the front bin store hereby approved;

b) Details including plan, elevation and section drawings (at 1:50) of the front entrance canopy hereby approved; entrance canopy.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

8. Prior to occupation of the first floor, the southern and western panes of the proposed Oriel window at first floor level shall be obscure glazed and fixed shut and shall be permanently retained as such thereafter.

Reason: In order to prevent any overlooking of the neighbouring occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informatives:

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/councilcontacts/environment/cont-act-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. 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.

4. The applicant is advised that there may be a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information. This is a private civil matter that needs to be agreed separately between interested parties.