

Application ref: 2017/4498/P
Contact: Laura Hazelton
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Date: 11 June 2018

Development Management
Regeneration and Planning
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Design West Planning Ltd
34 Blake Apartments
Hornsey
N8 7QF

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:
Boncara
35 Templewood Avenue
London
NW3 7UY

Proposal: Excavation of new basement level; erection of 2 storey extension to south east corner of the site to join the south and east wings; erection of new lift/stairwell to the eastern elevation of the south wing up to third floor level, extension of south wing 3rd floor level; installation of car lift to east elevation; refurbishment of listed swimming pool and associated landscaping.

Drawing Nos:

Plans
L01, EX01, EX02, EX03, EX04, EX05, EX06, EX07, EX08, EX09, EX10, EX11, EX12, EX13, EX14, EX15, E01, E02, E03, E04, E05 (dated July 2017), E05 (dated October 2017), E06 (dated July 2017), E06 (dated October 2017), P00, P01 Revision 1, P02, P03, P04, P05, P06, S01, S02.

Documents

Design and Access Statement received by LPA 10/08/2017; Arboricultural and Planning Integration Report, Ref: GHA/DS/13360:16 dated 12/12/2016; Tree Constraints Plan dated Nov 2016; Desk Study, Ground Investigation & Basement Impact Assessment Report (BIA) including appendices prepared by Jomas Associates 10 August 2017, and V1.1 dated

November 2017; Structural Methodology Statement for Basement Development (SMS) prepared by Barrett Mahony Rev P2 11 September 2017; Ground Movement Assessment V2 prepared by Jomas Associates dated November 2017; Letter from Barrett Mahony dated 6 October 2017; Heritage Statement ref: A100862 dated August 2017.

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

Condition(s) and Reason(s):

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

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

- 2 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

L01, EX01, EX02, EX03, EX04, EX05, EX06, EX07, EX08, EX09, EX10, EX11, EX12, EX13, EX14, EX15, E01, E02, E03, E04, E05 (dated July 2017), E05 (dated October 2017), E06 (dated July 2017), E06 (dated October 2017), P00, P01 Revision 1, P02, P03, P04, P05, P06, S01, S02, Arboricultural and Planning Integration Report, Ref: GHA/DS/13360:16 dated 12/12/2016; Desk Study, Ground Investigation & Basement Impact Assessment Report (BIA) including appendices prepared by Jomas Associates 10 August 2017, and V1.1 dated November 2017; Structural Methodology Statement for Basement Development (SMS) prepared by Barrett Mahony Rev P2 11 September 2017; Ground Movement Assessment V2 prepared by Jomas Associates dated November 2017; Letter from Barrett Mahony dated 6 October 2017.

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 Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in relation to design, demolition and construction" and should include details of appropriate working processes in the vicinity of trees, and details of an auditable system of site monitoring. 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.

- 5 No development shall take place until full details of hard and soft landscaping including at least 3 no. replacement trees and means of enclosure of all un-built, open areas have been submitted to and approved by the Council. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. Any trees removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees of a similar size and species to those originally required to be planted. 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 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.

- 6 The proposed third floor south facing windows shall be obscure glazed and fixed shut up to 1.7m above floor level and shall be permanently retained as such thereafter.

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

- 7 Cycle parking for 2 bicycles shall be installed as shown on approved drawing numbered P01 revision 1 and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 8 Before the relevant part of the work is begun, 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:

a) Details including sections at 1:10 of typical windows (including jambs, head and cill), and external doors.

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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.

- 9 The Southern and Western areas of the flat roof at third floor level labelled as 'flower bed' on drawing numbered P 05 hereby approved shall not be used as an amenity roof terrace and shall be accessed for maintenance purposes only and for no other purpose

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

- 10 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.

Informative(s):

- 1 Reasons for granting permission.

The application proposes the addition of a 2-storey extension in between the two existing wings and the erection of a roof extension above the southern block. The existing house varies between 2 to 4 storeys and was constructed in the 1990's, wrapping around the Grade II Listed swimming pool which was originally built for the use of the Schreiber House (also Grade II Listed) before the garden was subdivided. The existing building is not considered to contribute positively to the character and appearance of the wider conservation area nor to the setting of the listed swimming pool. The southern wing already features a lift overrun and glazed extension at roof level which would be demolished and a new roof extension erected. It would not be taller than the existing structure but would have a larger footprint, measuring 14.4m long x 5.6m wide, set in from each elevation by approximately 0.9m. The proposed extension would be largely glazed with grey metal framed windows which would be sympathetic to the existing building. The roof extension would sit lower than the large roof extension at no. 33 Templewood Avenue to the south of the site, and would not seem excessively large or out of place in this context.

The proposal includes the demolition of the existing curved canopy to the south east corner of the site and the erection of a two storey infill extension in its place of the same height and similar footprint. Although the development would increase

the bulk of the property in this prominent location, given the fact that it would extend no higher and only 0.3m wider than the east wing, the extension is considered a subordinate addition that would be in keeping with the existing building and scale of development of the surrounding area. Above this extension, the proposed 2 storey lift and stair core would be a relatively modest extension constructed of matching materials and design to the existing building. It would be curved, projecting a maximum of 2m from the east elevation of the southern block.

The proposed extensions are set back and away from the swimming pool and are not considered to cause any additional harm to its setting or special character given the existing arrangement. Overall, the proposals are considered acceptable and would not cause harm to the character and appearance of the host building or wider Redington Frogna Conservation Area.

The proposed basement floor would measure approximately 320sqm and 3.7m deep and would cover the footprint of the existing building, extending beyond the footprint adjacent to the swimming pool and to the front entrance on Templewood Avenue. The site is located in an area with a number of underground development constraints; however, no habitable rooms would be located at basement level in accordance with policy A5. The applicant has submitted a basement impact assessment which was audited by Campbell Reith to assess the potential impact on land stability and local ground and surface water conditions. Following revisions and the submission of additional information, Campbell Reith confirmed that the BIA accords with Policy A4 and CPG4.

The proposal would not result in any additional car parking spaces, and would provide 2 new policy-compliant cycle parking spaces. A construction management plan will be secured via S106 legal agreement to ensure the development is constructed without causing harm to the amenity of neighbouring residents or local transport infrastructure.

- 2 The proposals include the removal of 4 trees and a group of 2 trees to facilitate development. The trees proposed to be removed are low quality, are poor examples of their species or are growing in inappropriate locations. It is considered that any loss of visual provided by the trees would be mitigated against through replacement planting. As such the proposed tree removals are considered acceptable in planning terms. No development is proposed within the root protection areas of the most significant trees.

Neighbouring property no.33 Templewood Avenue is likely to be most affected by the development, located approximately 5m away. Due to its position due south of the application site, it is not considered that the proposed roof extension would result in a loss of daylight/sunlight to no.33. The existing 3rd floor roof terrace measuring 56.2sqm would be reduced in size to a small balcony running along the north side of the southern block measuring 14.6sqm. Views would be predominantly northwards towards Hampstead Heath, meaning that the previous potential overlooking of no.33 Templewood would no longer be possible, and overlooking of 9 West Heath Road (Schrieber House) would be reduced. All south-facing windows of the new roof extension would be obscured (as secured by condition) to prevent overlooking of no.33. A condition would also be imposed to prevent the area of roof at 3rd floor level facing no.33 from being used as an external terrace.

Two objections were received and duly considered prior to the determination of this application. The planning history of the site and surrounding area were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013. 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 [ERR] 2013.

As such, the proposed development is in general accordance with policies A1, A4, A5, D1, D2, T1, T2, and T4 of the Camden Local Plan. The proposed development also accords with The London Plan March 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 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.
- 5 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.

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 T. Joyce

David Joyce
Director of Regeneration and Planning