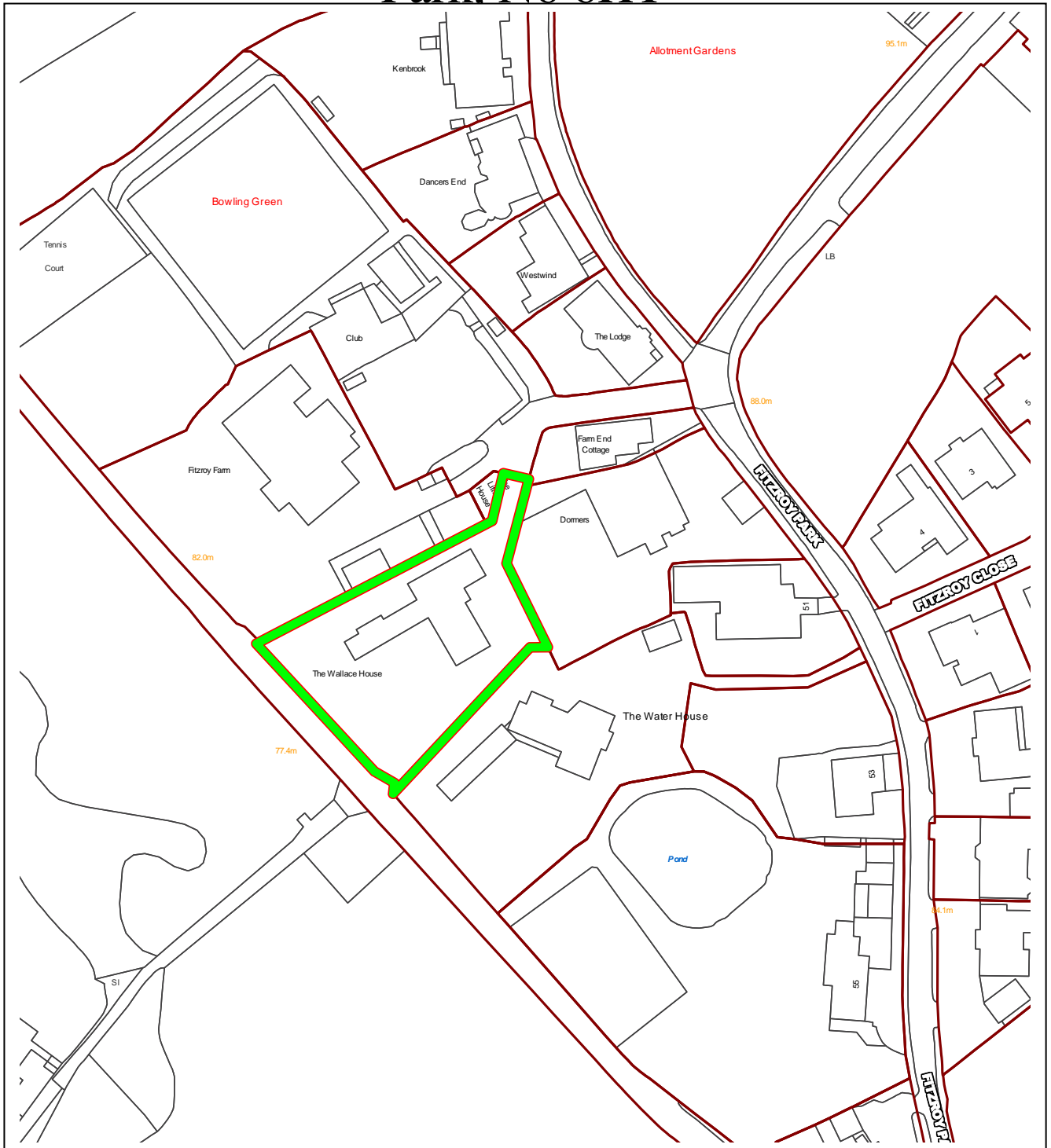


2017/4301/P – Wallace House, Fitzroy Park. N6 6HT



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1) Front elevation



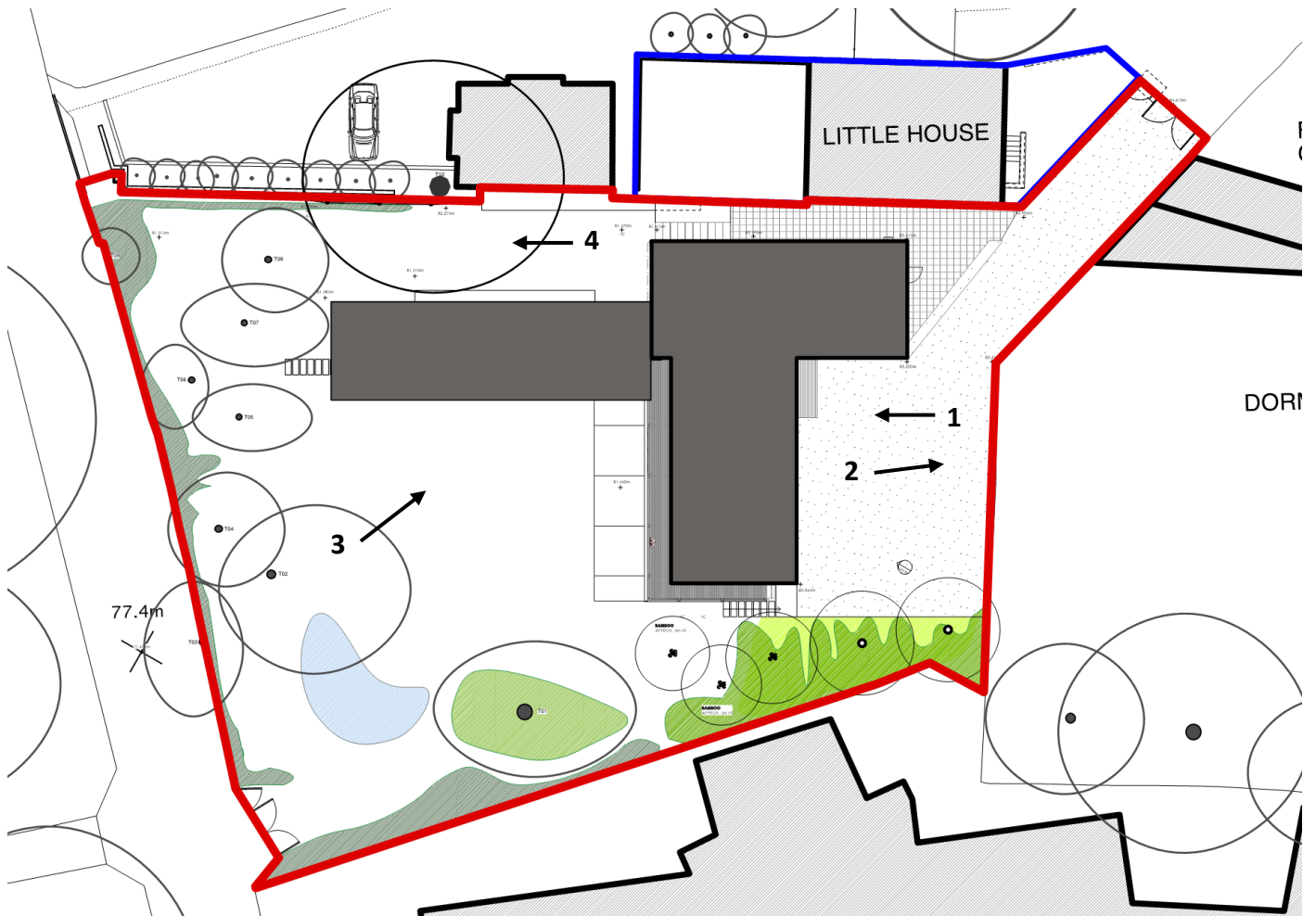
2) Front north-western boundary treatment



3) Rear elevation



4) Elm tree on north-eastern boundary



5) Location of photographs

Delegated Report (Members Briefing)	Analysis sheet	Expiry Date:	17/10/2017
	N/A	Consultation Expiry Date:	22/09/2017
Officer		Application Number(s)	
Ben Farrant		2017/4301/P	
Application Address		Drawing Numbers	
Wallace House Fitzroy Park London N6 6HT		Please refer to draft decision notice	
Proposal(s)			
Erection of additional storey at first floor level and rear/side extension at lower ground floor, creation of front basement level extension under garage, and various external alterations to dwellinghouse			
Recommendation(s):	Grant planning permission subject to S106 legal agreement		
Application Type:	Householder		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	0	No. of objections	4
Summary of consultation responses:	<p>A site notice was displayed on 01/09/2017 (consultation end date 22/09/2017), and a press notice was displayed on 31/08/2017 (consultation end date 21/09/2017).</p> <p>4 objections were received in response to the public consultation, the results of which are summarised below:</p> <p>49 Fitzroy Park & Farm End Cottage (joint reply)</p> <ul style="list-style-type: none"> • Their property is largely glazed to the south and so is vulnerable to overlooking from the proposal • Request one of the three side facing picture windows to be obscure glazed • Concerned with the use of Bowling Club Lane for HGVs and service vehicles during construction. Damage has previously been caused to water supplies/meters along Bowling Club Lane for similar development at Fitzroy Farm when they utilised the road • Harm to groundwater flows and potential contamination of the Heath as a result of the basement • A technical 'Review of Engineering aspects of the Proposed Extensions' commissioned by Alan Baxter dated September 2017 was submitted alongside the objection <p>The North London Bowling Club (NLBC), Fitzroy Park</p> <ul style="list-style-type: none"> • No comments regarding the design • Concerns raised regarding details of the Construction Management Plan (CMP); the only access is via Bowling Club Lane (a single track private road) • Questions whether width restrictions make access for construction vehicles possible • Agreement is required from the NLBC for use of Bowling Club Lane which should be dealt with via condition • A Construction Working Group should be formed • Obligation required for repairs to the road as a result of any damage from construction vehicles <p>City of London Corporation</p> <ul style="list-style-type: none"> • Objects to the proposed development on this site in view of the potential impacts on the adjoining Hampstead Heath, and particularly, to the Kenwood Ladies Bathing Pond • The proposals involve basement level works to a site in a sensitive location adjacent to Hampstead Heath and the Highgate Chain of Ponds. The submission sets out that groundwater and surface water flows will not be adversely affected by the proposals, however, the information included to support this is not fully comprehensive. Given the history of the site, where development has previously resulted in discharge of contaminated flows to the Highgate Chain of Ponds, the City requests that this element of the Application is forensically 					

examined and addressed appropriately.

Fitzroy Farm, Fitzroy Park

- Technical assessment of the impact of the proposed development on the Sycamore tree on the boundary of the site was submitted

Officer Responses to all:

- *The impact on neighbouring amenity, including overlooking, is assessed in section 5 of the report;*
- *The Construction Management Plan (CMP) is assessed in section 6 below; it has been considered as acceptable by the Council's Transport officers and a S106 is required for its implementation;*
- *The works to the basement, including impact on ground water flows and on the nearby bathing ponds, is assessed in section 3 below; the Basement Impact Assessment has been assessed as acceptable by Campbell Reith (independent auditors for BIAs);*
- *The impact on the Sycamore tree on the boundary of the site is assessed in section 7 below; it has been considered as acceptable by the Council's Tree officer.*

Fitzroy Park Residents' Association object on transport grounds as follows:

"Fitzroy Park is a private road, maintained by its residents, which serves some 70 households, about 100 allotments and the North London Bowling Club. This Association (FPRA) acts on behalf of the residents and users of the road, to maintain and preserve the fabric of the road and the services associated with it.

We believe that the Construction Management Plan forming part of the current Application referenced above is inadequate and fails to demonstrate that this work can be carried out without damage to the road and significant interference with its use. **We therefore request that the Application is refused, at least until these issues are satisfactorily addressed.**

The grounds for this request are outlined below. Further details are in the attached report by consultants WSP, commissioned by FPRA. The additional swept path analyses referred to in that report will be forwarded when received.

Access to the site

The site can only be accessed via Fitzroy Park and the Bowling Club lane. The 240m or so of Fitzroy Park used varies in width between 3.5m and 4.9m; the Bowling Club lane is approximately 4m wide. The lane also serves two other houses, and the Bowling Club which has over 100 members; the stretch of Fitzroy Park (from Merton Lane) is the main access for traffic to all of Fitzroy Park. The junction from Fitzroy Park into the lane (and vice versa) is sharp and cannot normally be turned in one move by a large vehicle.

The Application contains Swept Path Analyses which are deficient in the following respects, which should be remedied before the Application is considered for approval:

- Some assume use of the Bowling Club car park as a turning head, which is not feasible; others assume that HGVs will turn at the junction and be reversed for the length of the lane, which is difficult and hazardous
- They appear to assume the lane is about 5m wide, whereas it is just over 4m – this is critical to the feasibility of the manoeuvres proposed and a proper survey of the route must be carried out as a basis for a fresh analysis
- There are no diagrams showing how vehicles will exit the site and the lane
- There is no allowance for a safety 'buffer zone' around the vehicles in any of the diagrams (the norm is 0.5m each side)
- There is no diagram showing how the proposed 8.7m rigid vehicle (the largest proposed) will access or leave Fitzroy Park from/to Merton Lane.

Impact on road users

Significant works are planned at other sites in the road which will share the Fitzroy Park section of the access route – notably major works proposed at 53 Fitzroy Park and 4 The Hexagon. The cumulative impact of these with the current Application has not been assessed – potentially it could reach up to 30 HGV movements per day, which is well beyond the available capacity of the road. The plans must take this impact into account.

The impact should also take account of light good vehicles, which are not currently quantified in the plans.

Local groups/CAACs

Large deliveries to site should be limited to between 10am and 3pm to minimise impact on neighbours.

The CMP also suggests the need for some suspension of allotment holders' parking in Fitzroy Park. This is not acceptable to FPRA.

We welcome the commitment to the use of banksmen to coordinate all traffic to the site.

Potential for damage

A survey of the route (including the lane) should be undertaken by the Applicant in conjunction with FPRA (for the road) and the Bowling Club (for the lane), to form a baseline against which any damage caused by traffic can be assessed.

The Applicant should be required to repair any damage in a timely manner and to agree with FPRA and the Club the means by which such remedies can be secured.

Consultation with residents

When the above omissions have been addressed, this Association will be happy to participate in consultation, before and during the works, on how to mitigate the impact on the road and its users. We expect the Applicant to set up a formal consultation group, comprising FPRA and immediate neighbours, including the Bowling Club, for this purpose”

A technical review of the Construction Management Plan conducted by WSP (ref: 70014753-002 dated 22/09/2017) was attached to this response.

Officer Response:

- *See Section 6 (Transport) of the report*

Highgate CAAC - No response received

Site Description

The application site contains a large detached dwellinghouse of a contemporary design, part 1 part 2 storeys high built into the sloping landscape so that it appears single storey at the front and 2 storeys at rear; it is located within Highgate Neighbourhood Plan area, the Highgate Conservation Area, and is noted within the Conservation Area Appraisal and Management Strategy as a positive contributor, which states the following:

“Opposite, to the south, are the well-detailed modern timber entrance gates to The Wallace House, a low-lying and low-key modern residence set into the slope of the land, a lightweight and highly glazed pavilion within generously planted gardens”

Hampstead Heath lies close to the south-west of the site, and there are no nearby Listed Buildings which would be impacted as a result of the development.

Relevant Planning History

Wallace House (application site)

2008/2004/P - Erection of new first floor extension above existing garage, and new lower ground floor extension to single family dwellinghouse (Class C3) – **Granted subject to S106 02/06/2009**

2009/4345/P - Amendment to planning permission 2008/2004/P (dated 02/06/2009) comprising excavations to enlarge the lower ground level to the area beneath the existing garage, conversion of the garage at ground floor level into a habitable room and associated alterations to the dwelling house, in association with the original permission for 'Erection of new first floor extension above existing garage, and new lower ground floor'. extension to single family dwellinghouse (Class C3) – **Granted Subject to S106 24/05/2010**

(Neither permissions have been implemented)

Relevant policies

National Planning Policy Framework (2012)

London Plan (2016)

Camden Local Plan (2017)

A1 Managing the impact of development

A5 Basements

D1 Design

D2 Heritage

Camden Planning Guidance

CPG1 Design (2018)

CPG Amenity (2018)

CPG 6 Amenity (2018)

CPG Basements (2018)

Highgate Conservation Area Appraisal and Management Strategy (2007)

Highgate Neighbourhood Development Plan (2017)

DH2 Development Proposals in Highgate's Conservation Areas

DH3 Rear Extensions

DH5 Roof and Roofscape

DH7 Basements

1. The proposal

1.1. This application seeks planning permission for the following works:

- Creation of additional storey at first floor level; this would match the length and width of the northern side of the property (15.5m long by 7.1m wide). This element would be of a similar contemporary design and material finish to the host property, with large format glazing being a prominent feature. A recessed balcony is proposed to the rear of the addition, and three large rooflights are proposed.
- Front extension facing Fitzroy Park at basement level below the existing footprint of the upper ground floor garage. The basement would have a length of 6.6m and a width of 7m. The addition would be entirely subterranean with no external alterations proposed.
- Given the sloping topography of the site, whilst at the same level as the front-facing 'basement', a rear/side extension is proposed to the existing rear wing which is considered to be at 'lower ground floor level'. This would be entirely above ground with no excavation or below ground works are proposed, meaning it can be considered 'lower ground' rather than 'basement' level. The lower ground floor rear/side extension would run alongside the existing swimming pool extension. This would have a width of 3.9m and depth of 18.1m to match the depth of the existing addition. A lightwell would be incorporated against the existing rear wall of the property with a width of 3.2m and depth of 4.4m. The addition would have a height to match the existing rear projection. This would be finished with large format glazing and materials to match the host property; two large flush fitting rooflights are also proposed.
- Various minor external alterations are proposed including:
 - Upper ground floor alterations to rear facing windows to the Master Bedroom and Bedroom 2, removing central columns to form a larger element of glazing
 - Replacement of north side facing upper ground floor wall with glazing
 - Installation of north side facing window to Bedroom 2
 - Removal of external access door to garage

2. Revisions

- 2.1. Further details (and supplementary information) regarding the Basement Impact Assessment (BIA) and Construction Management Plan (CMP) were received during the course of the application. The following amendments were also made to the plans:
- Updated boundary fence information to include dimensions of boundary treatment to Fitzroy Farm Coach House
 - North-west window to the proposed first floor Bedroom 3 revised to a fixed unit with opaque glazing

3. Basements

- 3.1. Parts a & b of Policy A5 of Camden Council's Local Plan require basement applications to demonstrate to the satisfaction of the local planning authority that the proposal would not cause harm to neighbouring properties, or the structural, ground, or water conditions of the area. A BIA was submitted with the scheme assessing the proposed works and its impacts on hydrology and hydrogeology, drainage, ground movement, and structural impacts. This document was independently assessed by Campbell Reith, Camden Council's BIA Auditors. All subsequent information, comments and information from objectors and interested parties, and supplementary information from interested parties (such as from the City of London Corporation and Fitzroy Park Residents Association) were also assessed by Campbell Reith.

Upon review of the information provided, Campbell Reith is satisfied that the proposed works are compliant with policy and current regulations.

- 3.2. Notably the independent BIA Audit summarises the following- the BIA identifies the site to be within an area of very low flood risk. The site is underlain by Made Ground overlying Head Deposits and London Clay. Ground Movement Assessment calculates damage to be limited to Category 0 (Negligible) to neighbours. The revised batter angle, in conjunction with the proposed propping and temporary works, is considered to mitigate stability issues and structural monitoring is proposed. The basement proposal does not increase impermeable site area or impact the wider hydrological or hydrogeological environment. Temporary surface water flows will be dealt with via mitigation measures. In conclusion, they state that the BIA meets the criteria of CPG4.
- 3.3. Parts c-e of Policy A5 of Camden Council's Local Plan require basements to have an acceptable impact on the character and amenity of the area, the architectural character of the building and significance of heritage assets. Being entirely subterranean, below the existing double garage, no external alterations to this element of the scheme are proposed. As such the proposal would have no impact in terms of the character and amenity of the area, architectural character of the building, nor the significance of heritage assets, in complete compliance with subsections c-e of Policy A5.
- 3.4. The remaining subsections f-u of Policy A5 of Camden Council's Local Plan provide more specific guidance for developing basements. The basement is considered to be compliant in this regard as it is entirely below and within the footprint of the ground floor garage. Subsection h requires basements not to exceed 50% of each garden within the property. Due to the unusual shape of the curtilage, it is difficult to assess the depth of the front 'garden area'. However officers consider that the addition, being entirely below the existing garage (with no external alterations), would be of an acceptable size and would not result in the loss of landscaping nor on the capacity of the garden to support the scale and type of planting which is characteristic of this part of the conservation area.
- 3.5. Given the above assessment, and BIA Audit Response from Campbell Reith, which has considered all the information from the applicant and third parties with regards to the hydrology and hydrogeology, drainage, ground movement, and structural impacts of the development, the proposal is considered to be in complete compliance with Policy A5 of the Local Plan and CPG Basements.

4. Conservation and design

- 4.1. The application site is located within the Highgate Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.
- 4.2. In determining this application, it is acknowledged a very similar scheme has been approved previously on site (Ref: 2008/2004/P dated 02/06/2009, as amended by 2009/4345/P dated 24/05/2010) which was never built out.
- 4.3. This proposed first floor extension is similar to that previously approved in terms of siting, scale and design and is considered to be acceptable. The addition would cover only part of the existing property, and with a further height of 2.9m above the existing 4.7m high building. It is considered to be modest and sympathetic to the existing building, and the adjacent 'Little House', and would form an acceptable subservient addition to the main dwellinghouse. The materials proposed similarly are considered to be acceptable, given the site, existing property and surrounding context.
- 4.4. Policy DH3 of Highgate Neighbourhood Plan (2015) requires rear extensions to be

subordinate to the host property, not to harm neighbouring amenity, and to retain a significant amount of garden space. The rear extension, despite being large, is considered to be compliant in this regard, and is considered to be of an appropriate siting, scale and design. Again a similar proposal was previously approved here (as referenced above), and circumstances have not changed since then. It is still considered that the addition would not cause harm to the character or appearance of the property. The addition would also not be immediately visible in public views and would not be visible from Hampstead Heath, given the dense vegetation and boundary treatment of the site and rear boundary area.

- 4.5. Given the subterranean nature of the basement addition, there are no design considerations with regards to this element of the scheme.
- 4.6. The proposed minor alterations including the installation/removal of fenestrations are similarly considered to be acceptable alterations to the property which would continue to match the character and appearance of the existing.
- 4.7. 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.
- 4.8. Given the above assessment, the proposal is considered to be acceptable in terms of design in accordance with Policies D1 and D2 of the London Borough of Camden Local Plan (2017).

5. Impact on Neighbour Amenity

- 5.1. Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.
- 5.2. The increased roof height over the existing building and garage, at 2.8m above the existing, would not be visible from the south-west, Hampstead Heath side of the property, due to the screening of existing large trees, fencing and the slope of the subject site. Whilst the extension would be partially visible from the residential properties at the north east, and south east, the extension will only be partially visible and will not constitute a dominant feature of the application site. The application site is largely screened from surrounding neighbours by existing large fencing and large trees surrounding the property. It is considered that the modest height of the addition ensures that it would not have an adverse impact on the adjoining properties' access to sunlight, daylight or visual bulk. The proposed windows of the extension over the garage block will be glazed with a louvre screening. Whilst some partial overlooking to neighbouring properties may be afforded as a result of the works, any potential overlooking would be limited due to the distance of the windows from the neighbouring property and the existing large fencing, trees and foliage. It is therefore not considered necessary to require the windows to be obscure glazed.
- 5.3. Given the above assessment, the proposal is considered to be acceptable in terms of its impact on privacy, outlook, sunlight, daylight, overshadowing, artificial light levels, noise and vibration.

6. Transport

- 6.1. During construction, the proposed works would involve temporary traffic generation issues with increased construction vehicles travelling to and from the subject site. Access by them would be solely along Fitzroy Park's metalled roads. The applicant has submitted information in the

form of a Construction Management Plan (CMP) with the application. This document, which will not form part of the approved plans if this planning application is approved, outlines an indicative timeframe for the proposed works, description of works, information regarding nearest receptors, highway network, vehicle routing plan, and proposed hours of construction. The cumulative impacts of the scheme and other nearby developments have also been considered, and a consultation process undertaken.

6.2. A swept path analysis has also been conducted, and details of the access and egress arrangement for construction vehicles have been considered. These details have been assessed by the Council's Transport Planner. This included a site meeting with a member of the applicants' design team to discuss a requirement that all construction vehicles must be able to access/egress the site in a safe and efficient manner.

6.3. Concerns have been raised during public consultation with regards to the CMP, which are bullet pointed in italics below followed by the officers' response:

Use of North London Bowling Club (NLBC) entrance

- *The NLBC car park has been identified as a turning head for vehicles reversing into the site; this is a privately owned gated car park so cannot be facilitated when the gates are closed*
- *The entrance to the NLBC is also an unsealed pavement and its use for heavy goods vehicles could result in degradation*
- *It is unclear whether reversing into Bowling Club Lane is the sole method of access to the site; and the swept path analysis does not show construction vehicles traversing Bowling Club Lane from Fitzroy Park, and exiting the site safely*

6.4 Permission from the NLBC would be required to use the NLBC car park as a turning head for vehicles reversing into the site. Construction vehicles would need to reverse down Bowling Club Lane to access the site at times when the NLBC gate is closed. Any damage to the NLBC car park surface would need to be repaired at the applicant's expense. The information provided to date suggests that most construction vehicles will enter the site in a reverse gear. This would involve using the entrance to the NLBC car park as a turning head or reversing vehicles down Bowling Club Lane. Small vehicles such as vans should be able to enter and exit the site in a forward gear.

Swept path analysis

- *The swept path analysis does not appear to work with the pedestrian and vehicular gates at the property boundary*
- *The analysis shows the vehicle chassis over-sailing the garden and wheels in close proximity to a timber kerb, leading to likely damage*
- *The swept path analysis does not allow for a buffer (circa 0.5m) from physical constraints, as is good practice*
- *The largest vehicle shown is a 6m lorry, however an 8.7m concrete mixer would be employed (as demonstrated in the CMP). Light goods vehicles are currently not quantified on the plans*
- *The analysis illustrates the access road as 5m wide when it is in fact just over 4m; this is critical to the feasibility of the proposal*

6.5 The existing gates would be removed temporarily during construction. Temporary hoarding gates would be provided which would provide more room for construction vehicles to enter and exit the site in a safe and efficient manner. Swept path diagrams have been provided for various types of construction vehicle including a small tipper truck, a concrete mixer and an 8.7 metre long rigid vehicle. The swept path analysis has been deemed to be acceptable. However, it is acknowledged that the bodies of some larger vehicles may over-sail the verge adjacent to the road. It may therefore be necessary for some minor verge trimming works to be undertaken to prevent any long term damage and to facilitate construction vehicle movements. Any such works would need to be agreed the appropriate landowner or maintaining authority and undertaken at the applicant's expense. It is acknowledged that road

widths may be less than 5 metres in places. However, this will not prevent construction vehicles of the proposed sizes from accessing and exiting the site in a safe and efficient manner.

Potential damage

- *No mitigation has been made for water meter/supplies on Bowling Club Lane – these have previously been damaged by works at Fitzroy Farm which similarly used this access*
- *The CMP has not assessed the necessity for mitigation measures for pavement damage through construction period*
- *A survey of the route should be undertaken by the developer in conjunction with the FPRA and NLBC to establish a baseline against which any damage can be assessed*
- *An obligation would be required for timely repair as a result of any damage from the proposed development*

6.6 The proposed works could potentially lead to the public highway being damaged by construction vehicles and construction related activity, particularly in respect to the junction/traffic island at Fitzroy Park and Millfield Lane. The Council would need to repair any such damage to the public highway. A financial contribution of £5,000 for highway remedial works shall be secured by Section 106 planning obligation.

6.7 A further planning obligation is required to ensure that any damage to Fitzroy Park and Bowling Club Lane is repaired to the satisfaction of the Fitzroy Park Residents Association and the North London Bowling Club Limited respectively at the expense of the applicant (or the appointed contractor). This will require the applicant to provide evidence of a legal agreement between the appropriate parties prior to any works commencing on site.

Parking suspension

- *The CMP requires the suspension of the allotment parking, but does not appear to assess its impact*
- *No consultation with the FPRA for the potential parking suspension has taken place*

6.8 The temporary suspension of 1 or 2 parking spaces on Fitzroy Park may indeed be useful. However, it is unlikely to be an essential requirement and on-site observations suggest that it should not be necessary. The temporary suspension of any parking spaces on Fitzroy Park would need to be agreed with the Fitzroy Park Residents Association.

Cumulative construction impact

- *No appraisal of the cumulative construction traffic impacts has been provided within the CMP; there are at least 4no. other committed developments on site or due to be in a similar timeline to the development proposed here. On the basis of 8 construction vehicles daily per site (general maximum limit) this could result in 32 vehicles per day in the area*
- *Vehicles would have to be carefully coordinated to avoid impeding residents*

6.9 It is difficult to assess the cumulative impacts of construction at this point in time. For example, the owners of 53 Fitzroy Park have planning permission subject to various planning obligations including the need to agree a CMP with the Council. A CMP has not yet been agreed. Indeed, the owners of 53 Fitzroy Park have now submitted a new planning application. The owners of 55 Fitzroy Park have also now submitted a planning application for redevelopment of their site. Both planning applications are currently being considered on their merits. Any subsequent planning permissions will be subject to various planning obligations including the need to agree construction management plans with the Council. Officers believe that the cumulative impacts of constructing various developments concurrently can be mitigated through the use of construction management plans. This would require contractors to liaise closely with each other, local residents and representatives of others who use Fitzroy Park and Bowling Club Lane.

Further consultation

- *As Fitzroy Park and Bowling Club Lane are private roads, a Contractor Liaison & Working Group (CLWG) should be initiated*
- *Agreement needs to be made by the NLBC car park that it can be used prior to approval*

6.10 A planning obligation requiring the formation of a Construction Working Group would be secured within the S106 legal agreement. This group would include representation by the Fitzroy Park Residents Association, the North London Bowling Club Limited and any other local groups with an interest in seeing the amenity and transport impacts of any development being mitigated. The group would need to be formed prior to any submission of a more detailed CMP prior to works commencing on site.

6.11 As such, whilst some of the third party comments received raise valid concerns, these can be addressed post-approval through the construction working group (secured via S106) and the further development of the CMP prior to the commencement of development.

6.12 Having assessed the information submitted, as well as the information received from third parties on the scheme, the Transport Strategy Service is satisfied (subject to a S106 agreement with the heads of terms listed below) that the proposed works are acceptable and would not result in undue harm to neighbouring amenities or local highways.

6.13 A S106 legal agreement is required for the following heads of terms with regard to transport issues – these have been agreed with the applicant:

- CMP and a CMP implementation support contribution of £3,136
- A financial contribution of £5,000 for highway remedial works (repairs following any possible damage)
- Any damage to Fitzroy Park and Bowling Club Lane shall be repaired to the satisfaction of the FPRA and NLBC at the expense of the applicant (or the appointed contractor). This will require the applicant to provide evidence of a legal agreement between the appropriate parties prior to any works commencing on site.
- Formation of a Construction Working Group including representation by the FPRA, NLBC, and any other local groups with an interest in seeing the amenity and transport impacts of any development being mitigated. The group would need to be formed prior to any submission of a more detailed CMP prior to works commencing on site.

7. Trees

7.1 A Tree Report was initially submitted alongside the application demonstrating no harm to nearby trees, most notably an Elm on the boundary of the site (indicated by photo no. 4 of this Member's Briefing Pack) which would adjoin the proposed rear/side extension. A tree report was also submitted by a third party as part of their objection to the scheme. Having reviewed both reports, the Council's Trees officer requested an air-spade report to demonstrate no harm to the tree in question. Having reviewed the requested supplementary information from the agent, the Trees officer considers that the proposed works are acceptable, subject to a condition requiring protection of existing trees.

7.2 A green roof is proposed as part of the development, however no details of it are provided. To ensure that the roof is acceptable in both design and sustainability terms, details of this shall be required by condition.

8. Recommendation:

8.1 Grant conditional planning permission subject to S106 legal agreement covering the heads of terms in para 6.13 above.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 10th September 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Soup Architects Ltd
198 Blackstock Road
London
N5 1EN

Application Ref: **2017/4301/P**

06 September 2018

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
Wallace House
Fitzroy Park
London
N6 6HT

Proposal:
Erection of additional storey at first floor level and rear/side extension at lower ground floor, creation of front basement level extension under garage, and various external alterations to dwellinghouse

DECISION

Drawing Nos: 299_001_DS00, 299_002_DS00, 299_003_DS00, 299_004_DS00, 299_005_DS00, 299_006_DS00, 299_007_DS00, 299_008_DS00, 299_009_DS00, 299_050_EX_00, 299_050_PL_00, 299_100_EX_00, 299_100_PL_00, 299_101_EX_00, 299_101_PL_01, 299_110_EX_00, 299_110_PL_00, 299_111_EX_00, 299_111_PL_00, 299_120_EX_00, 299_120_PL_01, 299_130_PL_00, 299_200_EX_00, 299_200_PL_00, 299_210_EX_00, 299_210_PL_00, 299_220_EX_00, 299_220_PL_01, 299_300_EX_00, 299_300_PL_01, 299_310_EX_00, 299_310_PL_01, 299_315_EX_00, 299_315_PL_01, 299_320_EX_00, 299_320_PL_01, 299_325_PL_01, 299_330_PL_00, Basement Impact Assessment Audit 12727-02_Rev.F1 dated April 2018, BIA Appendix 1 - Residents' Consultation Comments, BIA Appendix 2 - Audit Query Tracker, BIA Appendix 3 - Supplementary Supporting Documents, Structural and Civil Engineering Planning Report 2170310_Rev.P2 dated February 2018, S and CE Appendix 1 - Assumed Sequence of Construction, S and CE Appendix 2 - Structural Drawings, S and CE Appendix 3 - Site investigation, S and CE Appendix 4 - Arboriculture Report, Construction Management Plan v2.2 Rev.B dated 05/09/2017, Figure 01, Figure 02, Figure 03, Figure 05, Figure 10, Figure 11, Figure 12, Figure 13, Figure 14 - Rev01, Figure 15 - Rev01 & Figure 16 - Rev01

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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: 299_001_DS00, 299_002_DS00, 299_003_DS00, 299_004_DS00, 299_005_DS00, 299_006_DS00, 299_007_DS00, 299_008_DS00, 299_009_DS00, 299_050_EX_00, 299_050_PL_00, 299_100_EX_00, 299_100_PL_00, 299_101_EX_00, 299_101_PL_01, 299_110_EX_00, 299_110_PL_00, 299_111_EX_00, 299_111_PL_00, 299_120_EX_00, 299_120_PL_01, 299_130_PL_00, 299_200_EX_00, 299_200_PL_00, 299_210_EX_00, 299_210_PL_00, 299_220_EX_00, 299_220_PL_01, 299_300_EX_00, 299_300_PL_01, 299_310_EX_00, 299_310_PL_01, 299_315_EX_00, 299_315_PL_01, 299_320_EX_00, 299_320_PL_01, 299_325_PL_01, 299_330_PL_00, Basement Impact Assessment Audit 12727-02_Rev.F1 dated April 2018, BIA Appendix 1 - Residents' Consultation Comments, BIA Appendix 2 - Audit Query Tracker, BIA Appendix 3 - Supplementary Supporting Documents, Structural and Civil Engineering Planning Report 2170310_Rev.P2 dated February 2018, S and CE Appendix 1 - Assumed Sequence of Construction, S and CE Appendix 2 - Structural Drawings, S and CE Appendix 3 - Site investigation, S and CE Appendix 4 - Arboriculture Report, Construction Management Plan v2.2 Rev.B dated 05/09/2017, Figure 01, Figure 02, Figure 03, Figure 05, Figure 10, Figure 11, Figure 12, Figure 13, Figure 14 - Rev01, Figure 15 - Rev01 & Figure 16 - Rev01.

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 Before the relevant part of the work is begun, details and samples of the external facing materials of the proposed extensions shall be submitted to and approved in writing by the local planning authority.

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.

- 5 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

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

- 6 The basement shall be constructed in accordance with the details, recommendations, methodologies and mitigation measures in the Basement Impact Assessment and its supporting documents hereby approved.

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

- 7 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance;
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used;
 - iii. full details of planting species and density.

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CC1, CC2, CC3 and A3 of the London Borough of Camden Local Plan 2017.

- 8 Prior to the commencement of construction on site, tree protection measures shall be installed in accordance with the S and CE Appendix 4 - Arboriculture Report hereby approved. The protection shall then remain in place for the duration of works on site, unless otherwise agreed in writing by the local authority.

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 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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.

Yours faithfully

Supporting Communities Directorate