

2017/6307/P – 106 King Henry's Road, London, NW3 3SL



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Photo 1 (above): Front elevation of 106 King Henry's Road



Photo 2 (above): Front elevation of 106 King Henry's Road looking east



Photo 3 (above): Front elevation of 106 King Henry's Road looking west



Photo 4 (above): Rear and side elevations of 106 King Henry's Road (centre); and rear of No. 5 Lower Merton Rise (left) and No. 108 King Henry's Road (right) as viewed from communal rear garden, looking south-east



Photo 5 (above): Rear elevations of Nos. 5 and 7 Lower Merton Rise adjacent to 106 King Henry's Road as viewed from communal rear garden, looking east



Photo 6 (above): Rear elevations of Nos. 106 and 108 King Henry's Road as viewed from communal rear garden, looking south



Photo 7 (above): Rear and side elevations of No. 110 King Henry's Road (centre) as viewed from communal rear garden, looking south-west



Photo 8 (above): Rear elevations of Nos. 5 and 4 Lyttleton Close as viewed from communal rear garden, looking west



Photo 9 (above): Ground floor side elevation of 106 King Henry's Road



Photo 10 (above): Ground floor rear elevation of 106 King Henry's Road



Photo 11 (above): View looking west from rear courtyard of 106 King Henry's Road



Photo 12 (above): View looking north from rear courtyard of 106 King Henry's Road showing existing rear gate leading to communal rear garden

Delegated Report (Members' Briefing)		Analysis sheet		Expiry Date:		04/01/2018		
		N/A		Consultation Expiry Date:		02/02/2018		
Officer				Application Number(s)				
Charlotte Meynell				2017/6307/P				
Application Address				Drawing Numbers				
106 King Henry's Road London NW3 3SL				See draft decision notice				
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature		
Proposal(s)								
Erection of 2 storey plus basement 4 bed dwellinghouse following demolition of existing 2 storey dwellinghouse.								
Recommendation(s):		Grant conditional planning permission subject to a Section 106 Legal Agreement						
Application Type:		Full Planning Application						
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice						
Informatives:								
Consultations								
Adjoining Occupiers:		No. of responses		5		No. of objections		5
Summary of consultation responses:		<p>A site notice was displayed on 12/01/2018 and expired on 02/02/2018.</p> <p>In response to the proposal, objections were received from 104, 108 and Flat 5, 119 King Henry's Road, 5 Lower Merton Rise, and 74 Durdans House, Royal College Street.</p> <p>Objections were made on the following grounds:</p> <p><u>Noise, vibration and dust:</u></p> <ul style="list-style-type: none"> The proposals will undoubtedly cause extensive and prolonged pollution by way of dust, as well as noise and vibration. No amount of "considerate construction" can adequately ameliorate this. I work from home much of the time and the disturbance caused by the proposed works themselves, as well as the construction traffic which will be required, go beyond what is reasonable. My elderly mother lives next door and noise caused by demolition of the existing home, excavation and machinery to remove over two 						

floors of earth, and further noise from a regular flow of trucks removing earth and demolished material and bringing building materials to construct a four-storey house will have a severe impact on her health and wellbeing.

(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; see paragraphs 6.1 and 7.5 of the report for a discussion of how these impacts will also be managed by a CMP);

Construction and traffic concerns:

- The impact on the road and pathway (obstruction, congestion, loss of parking) during the works militate against permitting the project.
- Building works may impact those who use the road as the house is situated near a crossroad. Large construction vehicles and machinery required for such large scale demolition will be dangerous to adults and children who travel to local areas such as Primrose Hill park and University College London Academy and St. Paul's School. I am concerned for my children who travel to and from school every day past 106 King Henry's Road. The crossroad is also a high traffic area in the mornings with high amounts of school children and this should be taken into account when assessing the proposal.
- Vehicle and pedestrian access into and out of my elderly mother's property next door will be rendered more dangerous by trucks potentially obscuring visibility and obstructing the pavement.
- Construction will include at least 12 months of trucks on a regular and frequent basis causing impact on traffic and the local environment despite regulations to limit this.
- No other houses within our estate have demolished their houses to make way for a basement as they are situated within a communal garden. Building works may be dangerous to children who frequent the communal garden and will affect everyone attached to the garden.

(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; see paragraphs 6.1 and 7.5 of the report for a discussion of how these impacts will also be managed by a CMP);

Basement excavation – Structural concerns:

- Use of heavy equipment may jeopardise the fabric of surrounding buildings as well as the public highway. It is not clear that these plans have considered such risks.
- I acknowledge that the applicant has submitted a Basement Impact Assessment but I am concerned that the suggested underpinning solution is generic and not specific to the proposed development itself.
- I wish to ensure that the Council have the Basement Impact Assessment independently verified by an appropriately qualified engineer and to question if this verification will be made available for interested parties to view?

(Officer response: the Basement Impact Assessment has been independently audited by Campbell Reith and revised following their comments and their audit reports are available to view on Camden's website as part of the application documents; see paragraphs 4.1-4.4 and 6.2 of the report);

Basement excavation – Flooding concerns:

- It is not clear that these plans have considered the risks of water displacement. (*Officer response: see paragraphs 4.1-4.4 of the report*);

Party wall concerns:

- The demolition will affect our party wall. I was not contacted about these potential building plans during the pre-application stage along with the other two houses adjacent to 106 King Henry's Road. As this is a requirement for the Basement Guidance, I am concerned that the impact assessment has not accurately estimated the full impact of the proposal due to this lack of consultation. They have failed to notify me of how they will safeguard my property; the demolition will take place along the length of my house and failure to ensure the safety of these plans will have a large impact on the foundations of my own home as well as the adjacent neighbours. (*Officer response: party walls are a civil matter and not a material planning consideration. Party wall matters are subject to control under the Party Wall etc Act 1996 and the permission will include an informative to ensure that the applicant is aware of this*);

Basement excavation – Design:

- We question why the owners are applying to demolish the existing house as well as excavate a two-storey basement. We wonder what could be gained by re-building the same size house above ground. (*Officer response: the proposed basement would be single storey only; see paragraphs 5.1-5.2 of the report*);
- The proposed development includes the loss of the entirety of the existing garden, which appears to be the only private amenity space serving the house. The proposed basement plan clearly illustrates that the entire existing garden is being removed to make way for a large sunken lightwell, subterranean garden and music room, to be, in part covered with a new terrace. This should be treated as basement development. Based on the proposed drawings, the proposed development fails parts H, J, K, L and M of policy A5. The principle of the loss of the existing garden and the extent of the basement is contrary to Camden's current planning policy and guidance on basement development. (*Officer response: see paragraphs 1.2 and 3.7-3.13 of the report*);

Overdevelopment:

- Such a development would be to the detriment of the general community on both sides of King Henry's Road because it will tend towards overdevelopment of the area. Increasing residential space will over time put additional pressures on communal services such as parking spaces and waste collection and disposal. (*Officer response: the proposal would erect a replacement single family dwellinghouse which is not considered to be overdevelopment, nor is it considered that this extended dwellinghouse would have a significant detrimental impact on local services in terms of parking and waste collection/disposal.*);

Delays to sale of neighbouring properties:

- There is a strong likelihood that the sale of neighbouring properties will be delayed. (*Officer response: whether or not a proposal will*

affect neighbouring property prices or sales is not a material planning consideration);

Affordable Housing:

- I'm hoping you are ensuring the guaranteed percentage of realistically affordable housing as per Sadiq Khan's instructions for this project and not just extortionate private accommodation? (*Officer response: the proposed development would not result in an uplift in residential housing units on the site and as such, in line with policy H4, a contribution towards affordable housing is not required*).

Site Description

106 King Henry's Road is a two storey mid-terrace dwellinghouse on the northern side of King Henry's Road. The property is part of the Chalcot Estate, a 1960s estate to the east of Swiss Cottage, and it benefits from private access to a communal garden to the rear shared with the residents of Nos.9 104-112 (even) King Henry's Road, Nos. 4 and 5 Lyttleton Close, and Nos. 5-9 (odd) Lower Merton Rise.

The building is not listed and is not situated within a conservation area.

Relevant History

106 King Henry's Road

2017/5122/P – Excavation of single storey basement under existing house and rear courtyard; erection of first floor extension to infill rear and side roof terrace; replacement of all rear and side windows and doors; insertion of 3 x new rooflights to flat roof. **Planning permission under consideration**

2006/4719/P – The erection of a rear extension at first floor level and erection of refuse store in front garden of the dwellinghouse. **Planning permission granted 01/12/2006.**

104 King Henry's Road (Neighbouring property)

2007/1475 – Erection of new 2 storey side extension and first floor rear extension over roof terrace. **Planning permission granted 08/06/2007.**

5 Lower Merton Rise (Neighbouring property)

2008/1762/P – Excavation of basement with front and rear lightwells, erection of new entrance porch and replacement of garage door with windows at front ground floor level and erection of rear first floor level extension with balcony all in connection with single-family dwellinghouse (Class C3). **Planning permission granted 16/09/2008.**

2010/3515/P – Erection of a single storey rear extension to single family dwelling house (Class C3). **Planning permission granted 02/09/2010.**

5 and 7 Lower Merton Rise (Neighbouring properties)

2008/4919/P – Erection of a second floor flat-roofed extension to each dwellinghouse. **Planning permission granted 10/12/2008.**

2012/2526/P – Non-material amendment to alter the cill height of two windows approved part of planning permission 2008/4919/P dated 10/12/2011 for the erection of a second floor flat-roofed extension to each dwelling house. **Planning permission granted 07/06/2012.**

4 Lyttleton Close

P9600360 – Erection of a single storey extension on top of the rear addition at first floor level as well as alterations to the front elevation at ground floor level in connection with the use of the garage as a habitable room, as shown on drawing JL 51195 1.1. **Planning permission granted 10/09/1996.**

5 Lyttleton Close

PEX0000258 – Erection of a first floor rear extension. As shown on drawing numbers: 99/24/E1, 99:24:E2, 99/24/P1C, /P2B, /P3, /P4 and /P5. **Planning permission granted 20/06/2000.**

Relevant policies

National Planning Policy Framework (2018)

London Plan (2016)

Draft London Plan (2017)

Camden Local Plan (2017)

G1 Delivery and location of growth

A1 Managing the impact of development

A4 Noise and vibration

A5 Basements

C6 Access for all

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

D1 Design

T4 Promoting the sustainable movement of goods and materials

Camden Planning Guidance

CPG Amenity (2018)

CPG Basements (2018)

CPG Housing (Interim) (2018)

CPG1 Design (2015; updated 2018)

CPG3 Sustainability (2015)

CPG6 Amenity (2011; updated 2018)

CPG7 Transport (2011)

CPG8 Planning Obligations (2015)

Assessment

1.0 Proposal

1.1 This application seeks planning permission for the following:

- Demolition of the existing dwellinghouse and erection of a replacement dwellinghouse with the same footprint at ground and first floor levels and like for like design to front elevation.
- Excavation of a single storey basement under the existing house and half of the rear courtyard, with the formation of a terrace at basement level beneath the other half of the existing rear courtyard. The proposed total basement excavation would have a footprint of 129sqm, with a maximum width of 10.4m, maximum length of 12.4m and excavated to a maximum depth of 3.1m, with a floor to ceiling height of 2.8m. The basement terrace would replace half of the existing courtyard at ground floor level, and would have an area of 12sqm and would measure 5.3m in width and 2.1m in length. The basement terrace would be secured by a glazed balustrade at ground floor level. The basement would provide a fifth bedroom, a playroom, media room, gym, two bathrooms, a W.C. and a laundry room.

- Replacement of existing first floor timber clad rear extension with brick extension of the same footprint.
- Installation of 1 x new first floor window to rear elevation and 1 x new window to first floor rear elevation fronting first floor roof terrace; replacement of all existing rear and side windows and doors at ground and first floor levels with double glazed metal framed full height glazing.
- Installation of 3 x new rooflights into the main flat roof to replace 2 x existing rooflights.

Revisions

1.2 Following negotiation, the scheme has been revised to increase the depth of the ground floor terrace from 2.1m to 2.3m, to remove the proposed ground floor terrace above the basement courtyard, and to remove the external staircase leading from the basement courtyard to the ground floor terrace. During the course of the application, the proposed single storey extension to infill the existing first floor side and rear roof terrace was removed from the proposals at the applicant's request.

2.0 Assessment

2.1 The main planning considerations in the assessment of this application are:

- Design (the impact that the proposal has on the character of the host property);
- 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).

3.0 Design

Demolition and rebuild of dwellinghouse

- 3.1 The scheme proposes the demolition of the entire existing dwellinghouse and subsequent rebuild to the same footprint at ground and first floor levels. The host building is of a contemporary design and appearance with a flat roof and white painted brick walls with large windows. The front elevation of the terrace is very uniform in appearance with black painted cladding beneath all front windows. The proposed dwellinghouse would be rebuilt in the same style as the existing and the front elevation would be rebuilt like for like.
- 3.2 The new building seeks to match the existing materiality and architectural detailing like for like. To ensure this is the case, a condition would be attached to require the submission of detailed drawings of windows and door frames and a sample panel of facing brickwork and timber cladding to be provided before this part of the works is carried out.
- 3.3 The replacement dwelling would exceed national technical housing standards in terms of size and would provide a good standard of residential accommodation in terms of layout, space and room sizes.
- 3.4 The Council's Access Officer has reviewed the proposals and confirmed that the revised drawings demonstrate that the new dwellinghouse would have the ability to meet Building Standards as set out in Approved Document M: M4(2) (Accessible and adaptable dwellings). A condition would be attached to request the submission and approval of evidence demonstrating compliance with these standards before occupation of the new house, to ensure compliance with policy H6 of the Camden Local Plan.

Side and rear fenestrations

3.5 The proposed replacement of the existing rear and side windows and doors with full height metal framed glazing including new openings at first floor level would be in keeping with the existing openings of the host building and the surrounding properties. The proposed new glazing would be of a uniform appearance in size and scale and would align with the proposed rear and side glazing at basement level. The openings at first floor level would maintain the existing horizontal appearance through incorporating horizontal glazing bars, which is considered appropriate.

Proposed rooflights

3.6 The proposed replacement of 2 x existing rooflights with 3 x new rooflights to be installed on the flat roof would not be visible behind the parapet walls and are considered acceptable.

Basement development

3.7 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.

3.8 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.

3.9 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 would also include the excavation of the existing rear courtyard to form a music room/study and a terrace at basement level. The proposed basement excavation would have a total area of 129sqm which would increase the footprint of the building by 24% from approximately 104sqm, 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.

3.10 The excavation of the existing rear courtyard to form a room and terrace at basement level would not comply with parts h), j), k) and m) of Policy A5, as it would excavate the whole of the rear courtyard. Policy A5 is in place to ensure that basements are proportionate to the host building and to ensure that there is sufficient space to sustain the growth of vegetation and trees. However, the proposed basement terrace would not be subterranean and would ensure that the existing outdoor amenity space is re-provided at ground floor and basement levels. The existing rear courtyard is a small, entirely paved area, which is integrated into the existing building and consistent with the pattern of development. The area is set behind high boundary fences with very limited

opportunities for planting. As such, the proposed excavation of half of the 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 courtyard 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.

3.11 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 fence, it would have a limited impact on the character and appearance of the surrounding area and is considered acceptable in this instance.

3.12 Overall, the basement excavation is considered acceptable in scale in relation to the host dwelling. By virtue of the 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.

3.13 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.

4.0 Basement impact

4.1 The Basement Impact Assessment (BIA) submitted with the application has been independently assessed by a third party engineering firm (Campbell Reith), with subsequent information provided by the author of the BIA during the course of the application. The audit reviewed the BIA for potential impact on land stability and local ground and surface water conditions arising from basement development.

4.2 The revised BIA assessments predict movements in line with a maximum of Burland Category 1 (Very Slight) damage for neighbouring properties, which the Audit accepts. The basement would be formed using underpinning techniques to construct the perimeter retaining walls, and the Audit confirms that suitable permanent and temporary propping arrangements have been provided, as well as outline calculations for retaining walls, slabs and foundations, with the assumptions clearly stated. The Audit previously did not accept the geotechnical interpretation of ground movement and the building damage assessment contained within the Ground Investigation Report (GIR); however, following negotiation, these assessments were revised in Rev. 07 of the BIA, and the Audit now considers them to be reasonable. It also accepts that there are no potential impacts on subterranean flows or on and from surface water, and that surrounding slopes are stable.

4.3 The Audit confirms that the BIA has met the requirements of policy A5 and CPG Basements for the identification of the potential impacts of the proposed basement construction and the proposed mitigation.

4.4 The appointment of a suitably qualified chartered engineer to oversee the permanent and temporary basement construction works will be secured by a pre-commencement condition to ensure that the basement works are undertaken in compliance with the approved design so that the appearance and structural stability of the neighbouring buildings and the character of the immediate area is safeguarded.

5.0 Sustainability

5.1 Policy CC1 requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building and requires all new developments to optimise resource efficiency. Whilst the existing building remains fit for purpose, its demolition would allow

for a more straightforward and quicker excavation of the new basement level. Subsequently, this will result in less construction time and therefore less disturbance for neighbouring occupiers.

5.2 In addition, the proposal would enable the building to be remodelled internally and for the thermal efficiency and performance of the building to be improved to significantly reduce heat loss. Whilst retrofitting of the existing building could be undertaken instead of demolishing the building, this would take longer and would be less efficient than carrying out the works as part of a rebuild of the building. As such, the impact of the proposed demolition is considered to be outweighed by the improved efficiencies which will continue to accrue over the long term.

5.3 Policy CC3 requires developments to be designed to be water efficient. To ensure that this development achieves this, a condition would be attached to ensure that internal water use is limited to 110 litres/person/day within the dwellinghouse.

6.0 Transport and planning obligations

Construction Management Plan

6.1 The Council's Transport Planner has assessed the proposal and confirmed that due to the amount of excavation required for the basement and the construction of the new dwellinghouse, 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.

Highways Contribution

6.2 A financial contribution of £3,510.82 for highways works directly adjacent to the site will be secured as a Section 106 planning obligation, to allow for any damage to the footway and crossover caused during construction to be repaired following development.

Car-free and cycle parking

6.3 As the existing occupiers have confirmed that they would return to occupy the new dwellinghouse following the redevelopment, the Council's Transport Planner has confirmed that the retention of the existing parking provision would be considered acceptable in this instance, in line with the guidance for policy T2. Furthermore, as the proposal is a redevelopment scheme which would not result in an uplift in the number of residential units provided, the Council's Transport Planner has confirmed that the requirement for the provision of storage for 2 x cycle spaces does not apply.

7.0 Amenity

7.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by stating that the Council will only grant permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight.

7.2 The proposed new dwellinghouse would not extend beyond the footprint of the existing dwellinghouse, and as such would not harm the amenity of neighbouring occupiers in terms of loss of daylight, sunlight or outlook.

7.3 Although the proposed new windows and doors to the rear and side elevations at basement, ground and first floor levels would be larger than the existing openings, given their locations set away from the boundaries and behind high boundary fences, it is not considered that they would enable overlooking into neighbouring habitable rooms, nor have an adverse impact on neighbouring occupiers in terms of light pollution.

7.5 Subject to the securing of a CMP as outlined in the previous section, the proposed 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.

8.0 Conclusion

8.1 The proposed development is considered acceptable in terms of both design and impact in terms of amenity. The development is deemed consistent with the objectives and policies identified above.

8.2 Grant Conditional Planning Permission subject to a Section 106 Legal Agreement.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 19th November 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'.

Johanna Molineus Architects
22 Great Chapel Street
London
W1F 8FR

Application Ref: **2017/6307/P**

14 November 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:
106 King Henry's Road
London
NW3 3SL

Proposal: Erection of 2 storey plus basement 4 bed dwellinghouse following demolition of existing 2 storey dwellinghouse.

DECISION
Drawing Nos: 232.87-89-160 Rev. B; 232.87-89-260 Rev. C; 240.106-001 Rev. B; 240.106-002 Rev. B; 240.106-111 Rev. B; 240.106-112 Rev. B; 240.106-113 Rev. B; 240.106-150 Rev. B; 240.106-151 Rev. B; 240.106-210 Rev. D; 240.106-211 Rev. E; 240.106-212 Rev. D; 240.106-213 Rev. D; 240.106-250 Rev. E; 240.106-251 Rev. C; Design and Access Statement (prepared by Johanna Molineus Architects, received 09/11/2017); Lifetime Homes Assessment (prepared by Johanna Molineus Architects, received 09/11/2017); Planning Statement Rev. A (prepared by Johanna Molineus Architects, received 28/09/2018); Basement Impact Assessment Report Revision 07 (prepared by Soiltechnics Limited, dated 15/08/2018); Draft Programme for Basement Construction (received 21/03/2018); Email from David Nash of Solid Geometry with screening assessment for surface water (dated 26/02/2018); Email from David Nash of Solid Geometry with a summary of how concerns regarding movement and damage assessment have been addressed (dated 15/08/2018); Envirocheck Report (prepared by Soiltechnics Limited, dated 15/05/2017); Envirocheck Report Further Plans 1/4, 2/4, 3/4, 4/4 (prepared by Soiltechnics Limited, dated 15/05/2017); Preliminary Calculations for Basement Slab and Walls ref. 00286 Rev. A (prepared by Solid Geometry, dated 26/02/2018); Preliminary Calculations for Bearing Pressures ref. 00286 (prepared by Solid Geometry, dated 19/06/2018).

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

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

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 232.87-89-160 Rev. B; 232.87-89-260 Rev. C; 240.106-001 Rev. B; 240.106-002 Rev. B; 240.106-111 Rev. B; 240.106-112 Rev. B; 240.106-113 Rev. B; 240.106-150 Rev. B; 240.106-151 Rev. B; 240.106-210 Rev. D; 240.106-211 Rev. E; 240.106-212 Rev. D; 240.106-213 Rev. D; 240.106-250 Rev. E; 240.106-251 Rev. C; Design and Access Statement (prepared by Johanna Molineus Architects, received 09/11/2017); Lifetime Homes Assessment (prepared by Johanna Molineus Architects, received 09/11/2017); Planning Statement Rev. A (prepared by Johanna Molineus Architects, received 28/09/2018); Basement Impact Assessment Report Revision 07 (prepared by Soiltechnics Limited, dated 15/08/2018); Draft Programme for Basement Construction (received 21/03/2018); Email from David Nash of Solid Geometry with screening assessment for surface water (dated 26/02/2018); Email from David Nash of Solid Geometry with a summary of how concerns regarding movement and damage assessment have been addressed (dated 15/08/2018); Envirocheck Report (prepared by Soiltechnics Limited, dated 15/05/2017); Envirocheck Report Further Plans 1/4, 2/4, 3/4, 4/4 (prepared by Soiltechnics Limited, dated 15/05/2017); Preliminary Calculations for Basement Slab and Walls ref. 00286 Rev. A (prepared by Solid Geometry, dated 26/02/2018); Preliminary Calculations for Bearing Pressures ref. 00286 (prepared by Solid Geometry, dated 19/06/2018).

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

- 4 The basement 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 and A5 of the London Borough of Camden Local Plan 2017.

- 5 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) Typical plan, elevation and section drawings, including jambs, head and cill, of all new external windows and doors at a scale of 1:10 with typical glazing bar details at 1:1.
- b) Samples and manufacturer's details of typical window and door frames, glazing, balustrades and roofing materials.
- c) A panel of facing brickwork, measuring no less than 1.5m x 1.5m, demonstrating the proposed colour, texture, face-bond and pointing.
- d) A panel of facing timber cladding, measuring no less than 1.5m x 1.5m, demonstrating the proposed colour, texture and width of timbers.

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 policy D1 of the London Borough of Camden Local Plan 2017.

- 6 The dwellinghouse, as indicated on plan hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 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.
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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

DRAFT

DECISION