

Application ref: 2016/2648/P  
Contact: Emily Whittredge  
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Date: 17 December 2018

**Development Management**  
Regeneration and Planning  
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[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Ms Claire Taggart  
Hayhurst and Co  
26 Fournier Street  
London E1 6QE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:

**23 Netherhall Gardens  
London  
NW3 5RL**

Proposal:

Lower ground floor rear extension and semi-submerged basement level.

Drawing Nos: 188 A001, 188 A002, 188 A003, 188 A004, 188 A005, 188 A100, 188 A101, 188 A102, 188 A200, 188 A201, 188 A300, 188 DAS 01, 188 DAS 02, 188 DAS 03, 188 DAS 04, 188 DAS 05, 188 DAS 06, 188 DAS 07, 188 DAS 08, Construction Method Statement (Price & Myers May 2016), Basement Impact Assessment & Site Investigation Report (Price & Myers May 2016), Draft Arb Report Rev B (09.08.17).

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 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 all windows (including jambs, head and cill), and external doors;

b) Details including sections at 1:10 of rooflights (including details of profile within the roof structure);

c) 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 policy D1 (and D2 if in CA) of the London Borough of Camden Local Plan 2017.

- 3 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.

- 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 policy A3 of the London Borough of Camden Local Plan 2017.

- 5 No works on the relevant parts of the development shall commence until full details of hard and soft landscaping and means of enclosure of all un-built, open areas, including level changes have been submitted to and approved by the local planning authority. The relevant works shall not be carried out otherwise than in accordance with the details thus approved. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.

Reason: To enable the Council to ensure a reasonable standard of amenity in the scheme in accordance with the requirements of policies A3 and CC3 of the London Borough of Camden Local Development Framework Development Policies.

- 6 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 CC2, CC3 and A3 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans: 188 A001, 188 A002, 188 A003, 188 A004, 188 A005, 188 A100, 188 A101, 188 A102, 188 A200, 188 A201, 188 A300, Construction Method Statement (Price & Myers May 2016), Basement Impact Assessment & Site Investigation Report (Price & Myers May 2016), Draft Arb Report Rev B (09.08.17).

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

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

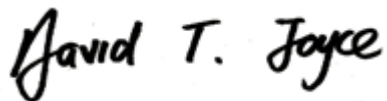
Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Director of Regeneration and Planning