

Application ref: 2017/6275/P  
Contact: Emily Whittredge  
Tel: 020 7974 2362  
Date: 25 January 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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BB Partnership  
Studios 33-34  
10 Hornsey Street  
London  
N7 8EL

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:  
**3 Eton Avenue**  
**London**  
**NW3 3EL**

Proposal:

Extensions to ground floor flat including basement excavation with rear extension and roof terrace, replacement conservatory at ground floor level, and associated landscaping including erection of replacement garden shed.

Drawing Nos: FRB\_01, FRB\_02, FRB\_03, FRB\_05, FRB\_06, FRB\_07, FRB\_08, FRB\_09, FRB\_10, FRB\_50 rev. c, FRB\_51 rev. c, FRB\_115 rev. A, FRB\_116 rev. A, FRB\_120, FRB\_121, FRB\_122, FRB\_123, FRB\_124 rev. A, FRB\_125, Basement Impact Assessment Rev A October 2017, Heritage Statement, Arboricultural Impact Assessment, Design and Access Statement.

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 The development hereby permitted shall be carried out in accordance with the following approved plans FRB\_01, FRB\_02, FRB\_03, FRB\_05, FRB\_06, FRB\_07, FRB\_08, FRB\_09, FRB\_10, FRB\_50 rev. c, FRB\_51 rev. c, FRB\_115 rev. A, FRB\_116 rev. A, FRB\_120, FRB\_121, FRB\_122, FRB\_123, FRB\_124 rev. A, FRB\_125, Basement Impact Assessment Rev A October 2017, Arboricultural Impact Assessment.

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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 No development shall take place until full details of hard and soft landscaping including 1 replacement Amelanchier spp. tree planted as an clear-stemmed extra-heavy standard with a girth of 16-18cm in the front garden, a privet hedge along the front boundary of sufficient density to provide screening of the lightwell and 1 replacement cherry tree in the rear garden planted as an heavy standard with a girth of 14-16cm and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1, D2 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development or prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. 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 local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of works on site, tree protection measures shall be

installed and working practices adopted in accordance with the arboricultural report dated 17th July 2017 by Dr Frank Hope ref. FH-BB-Partnership-62-Eton-Avenue-London-2016. 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 BS5837:2012 and with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan.

Informative(s):

- 1 The Basement Impact Assessment has been externally audited and it is accepted that the development would have minimal impact and that sufficient mitigation measures would be in place to prevent harm to the host property, surrounding properties or local area in line with policy requirements. The scale and scope of the development complies with the requirements of Local Plan Policy A5, including the proposed depth into the garden and the increase to the original building footprint.

The two rear light wells would be modest in scale and would not appear dominant to the property or its garden setting. Light wells within front gardens are common within this part of Eton Avenue, and the proposed front light wells and associated landscaping of the garden would be appropriate in scale and design and would not have an adverse impact on the streetscene, the host building or the character or appearance of the conservation area.

The replacement conservatory in contemporary style would be a clearly modern addition and is considered appropriate in terms of design, materials, and scale and its impact on the character of the conservation area. The basement extension would be 1m higher than natural ground level at the rear of the building, and would have an acceptable impact on the host building and the conservation area in terms of its scale, materials and detailed design.

The removal of an Amelanchier tree in the front garden and a Cherry tree in the rear garden are considered acceptable provided replacement trees are provided, which shall be required by condition. The arboricultural method statement and tree protection plan submitted have been reviewed by the Council's Trees officers who consider the documents to be sufficient to demonstrate that the retained trees will be adequately protected throughout the development.

The new terrace and access steps from the ground floor level would not introduce overlooking of adjoining properties by virtue of its height and location. The new party wall adjacent the conservatory would not have significant adverse effect on amenity due to the existing neighbouring extension. Due to the site's location and the nature of the development, a construction management plan is required to ensure that transport and residential amenity impacts of the construction phase can be mitigated against. A CMP and

support contribution of £3,136 will therefore be secured as section 106 planning obligations. The CMP shall be approved by the Council prior to construction commencing on site. Subject to the CMP, the proposed works are therefore not considered to result in undue loss of residential amenity in line with Policy A1.

The public highway directly adjacent to the site is also likely to sustain damage as a direct result of the development. A highways contribution of £5,000 will be secured as a section 106 planning obligation.

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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision. The CAAC's concerns will be addressed through landscaping conditions.

The proposed development is in general accordance with the Camden Local Plan 2017, with particular regard to policies A1, A2, A3, A5, D1 and D2. The proposed development also accords with the London Plan 2016, and the National Planning Policy Framework 2012.

- 2 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £7,60 (152 sqm x £50) for the Mayor's CIL and £76,000 (152 sqm x £500 using the relevant rate for uplift in that type of floorspace) for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can

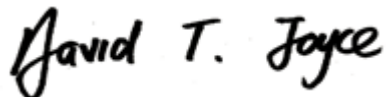
be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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