

Site photographs



1. Aerial view of the application site (above)



2. Front elevation of the house (above)



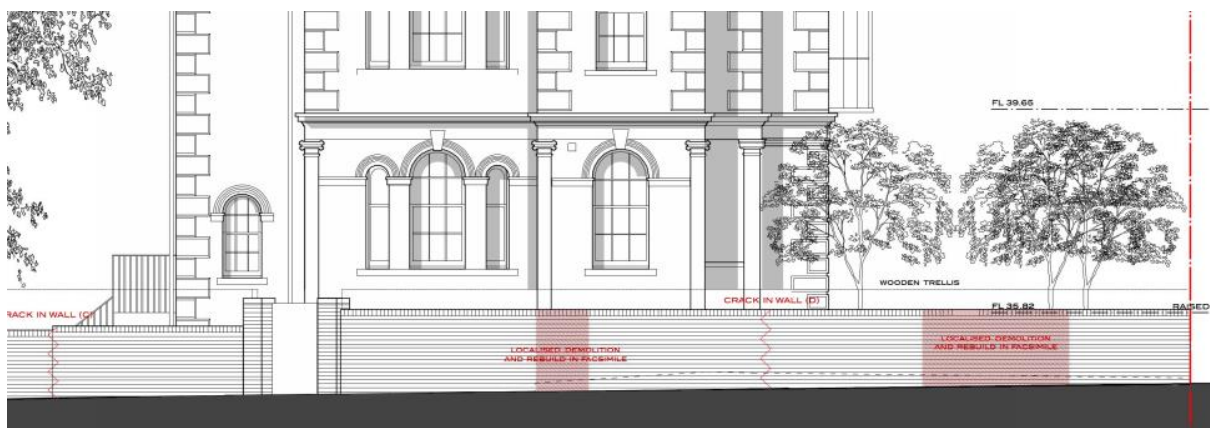
3. Northern side elevation of the house fronting onto the junction of Albert Terrace and Regent's Park Road (above). One magnolia tree and two cherry trees (Category C trees) behind the boundary wall to be removed as part of the proposal.



4. Rear elevation of the house (above)



5. View of the northern boundary wall from the junction of Regents Park Road and Albert Terrace Mews (above)



6. Proposed elevation of the northern boundary wall showing the western sections to the demolished and replaced in facsimilie.

Delegated Report		Analysis sheet	Expiry Date:	19/06/2018
(Members Briefing)		N/A / attached	Consultation Expiry Date:	02/12/2018
Officer			Application Number(s)	
Elaine Quigley			2018/2342/P	
Application Address			Drawing Numbers	
6 Albert Terrace London NW1 7SU			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Excavation to lower the lower ground floor of the existing house and excavation of a new lower ground floor level under the front and side gardens, demolition and rebuild a section of the boundary wall on the north west elevation fronting Regent's Park Road and installation of air handling units at lower ground floor level all in association with the existing single family dwelling (Class C3 use).				
Recommendation(s):		Grant conditional planning permission subject to s106 legal agreement		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	08	No. of objections	08
Summary of consultation responses:	<p>A site notice was displayed in the Ham and High on 28/06/2018 that expired on 22/07/2018. Having checked the details of the press notice it became apparent that the application had not been advertised correctly but was linked to application 2018/2225/P, which has a different description of development (see planning history below). It was therefore re-advertised in the Ham and High on 08/11/2018 that expired on 02/12/2018. A press notice was published on 22nd June and expired on 16th July 2018.</p> <p>Councillor Patricia Callaghan (Deputy Leader and Ward Councillor for Camden Town with Primrose Hill) objected to the application on the following grounds:</p> <p style="margin-left: 40px;">Deepening the existing basement</p> <ul style="list-style-type: none"> • Originally the basement area was for storage and worked well. Now the deepening of the existing basement by 40cm is unnecessary. Basement policy A5 states “<i>the siting, location, scale and design of the basement must have minimal impact on, and be subordinate to the host building and property</i>”. At present the basement is subordinate to the building so respects our plan. <p style="margin-left: 40px;"><u>Officer comment:</u> See paragraph 5.1 and paragraphs 6.1 to 6.15</p> <p style="margin-left: 40px;">Noise</p> <ul style="list-style-type: none"> • Acoustic tests were carried out at the front of the building and not the back, which is much quieter so plant proposed for this area (back) would impact more severely than the application shows therefore Clement Acoustics need to carry out a viable test at the back of the house in order to get a proper reading. <p style="margin-left: 40px;"><u>Officer comment:</u> See paragraph 9.4 to 9.6</p> <p style="margin-left: 40px;">Piling</p> <ul style="list-style-type: none"> • Question the construction method of piling as it creates the maximum disturbance to neighbours <p style="margin-left: 40px;"><u>Officer comment:</u> See paragraph 6.17</p> <p>Councillor Cotton (Ward Councillor for Camden Town with Primrose Hill) objected to the application on the following grounds:</p> <ul style="list-style-type: none"> • Air handing unit <p style="margin-left: 40px;"><u>Officer comment:</u> See paragraph 9.4 to 9.6</p> <ul style="list-style-type: none"> • Seek an assurance that a construction management plan would be agreed that protects the interests of neighbouring residents taking onto account the objections already made by the local residents <p style="margin-left: 40px;"><u>Officer comment:</u> See paragraph 10.3 to 10.6</p>					

8 letters of objection have been received from local residents at Flat 1 (Basement), 5 Albert Terrace (x 2), 5 Albert Terrace Mews, 10 Albert Terrace Mews; Ground and First floor Flat, 52 Regent's Park Road; 68 Regent's Park Road; Flat 6, 47 Regent's Park Road, Flat 3, 20 Prince Albert Road; raising the following concerns:

Loss of housing

- Digging out to change the floor level of 6 Albert Terrace Mews seems a complicated way of extending a basement and joining the 2 houses perhaps, thus removing residential space from 6 Albert Terrace Mews when Camden is desperately short of housing. 6 Albert Terrace was originally divided into several flats before it was made into 1 house which has hardly been occupied on a regular basis since that time. By removing residential space from 6 Albert Terrace Mews you are losing more housing.

Officer comment: See paragraph 4.1 to 4.3

Demolition of the wall

- A high subterranean and partly concrete wall around two sides of the property (secretive and 'defensive') would be out of character with the conservation area. Extensive pile driving would be intensely disruptive to neighbours and have implications for sustainability and possible flooding – at the base of Primrose Hill, at a low corner where there is often extensive puddling in the park in the winter. Besides, a handsome old brick wall should be preserved, not demolished.

Officer comment: See paragraph 5.3 to 5.5

Basement works

- Proposed deepening of the basement is not in line with the basement depth of existing houses in the area. No. 6 Albert Terrace already has a basement, which has been subject of a series of previous planning applications since 1939, most recently in 2017. Originally the basement area was for storage and worked well, now deepening of the existing basement by 40cm is unnecessary. The applications proffers the rationale to the increase in the basement depth as "to create 3m internal floor to ceiling height which would be appropriate for a significant house such as this." We do not accept this characterisation at all. Other houses in the same street have comfortable ten-foot ceilings. There is no need to go deeper with the corresponding risk of subsidence and flooding.

Officer comment: See paragraphs 6.16 to 6.20

Disturbance of the existing foundations. The makeup of ground conditions and surface water in the area is very volatile hence why Camden Council has a basement policy in the first place. The conservation area should not be put at risk for trivial unnecessary works.

Officer comment: See paragraphs 5.1 and 6.20

Structural and subsidence risks:

- Works to this depth and on this scale raised the risk of structural damage to no. 6 Albert Terrace, the attached no. 5 Albert Terrace and also to the properties in the Mews. 5 Albert Terrace has already

historically suffered cracks and subsidence due to shifts in the London clay soil under the building. These have been monitored over time as a required for a mortgage by the owner of no. 5 Albert Terrace. The application makes a series of assumptions about likely movement of the soil and the extent of underpinning needed to retain structural integrity and prevent heave and other issues. We question the validity of these assumptions, which draw on rules of thumb from other developments in other areas and which are not specific to this site and this proposal. The BIA states "For the unloading stage, the results indicated that the unloading will result in a maximum short term heave displacement up to 13mm in the area if the deep basement". In our view this kind of level of movement appears to be more risky than is acceptable for these 150 year old plus houses

Officer comment: See paragraph 6.20

Piling works

- Piling is unnecessary for a project of this nature. Question the construction method of piling as it creates the maximum disturbance to neighbours.

Officer comment: See Paragraph 6.17

Investigation report issues

- Lacks clarity, certainty and thoroughness

Officer comment: See Paragraph 6.16 to 6.24

Diesel storage

- We would ask that no diesel is stored in tanks on site as this could be very dangerous. This should be banned whatever work is done on this site. It could leak into the soil and cause pollution as has happened nearby

Officer comment: See paragraph 6.26

Flood risk

- The BIA produced by RSK Environment Limited (RSK) conceded in para 4.1.1 on P14 that "*the lowest excavations at the site are for the sub-basement structures...will possibly take the excavation below the base of the Regents Canal and nearby ponds in Regents Park*".
- Flooding risk at the very foot of Primrose Hill, where 5 and 5 Albert Terrace are situated is HIGH. Every year there are days and weeks where the foot of Primrose Hill becomes substantially flooded by accumulated rainwater that gathers in huge pools for days and sometimes weeks. Our steps down to the basement flat are often inundated with surface flood water which goes up to our door entrance, and on occasion has entered into the basement flat.

Officer comment: See paragraph 6.18 to 6.19

- The issue of flooding has been severe in the house opposite 7 Albert Terrace Mews, where a basement was built some 15 years ago, which has flooded and has a pump in operations 24 hours per day. The Government Flood Risk clearly shows 5 Albert terrace to be within a Medium to High flood risk area from surface water, and

surrounded by High Risk areas directly in front and behind. This is despite the applicants assertions that the area is located in a low flood risk zone 1. A critical drainage areas assessment should be undertaken specifically addressing the perennial flooding problem at the foot of Primrose Hill as part of a planning application with areas deemed to be at high risk of flooding from rainfall being clearly marked.

Officer comment: See paragraphs 6.18 to 6.19

Disturbance from works

- There are other works being carried out to neighbouring properties at no. 45 Regent's Park Road, permission recently granted at no. 20 Albert Terrace Mews, and other associated applications at 6 Albert Terrace Mews and 6 Albert Terrace. A condition should be attached preventing all these 5 building works taking place at the same time

Officer comment: Construction works are carried out for a temporary period of time. It is not possible to condition an application to prevent construction works taking place at the same time at different properties. An informative would be attached to any permission to control the hours during which construction work can be undertaken.

- The effect of the work and the disruption it will cause to the immediate neighbours should be considered and neighbours 'quiet enjoyment' should be protected.

Officer comment: See paragraphs 9.6 and 10.3 to 10.6

Impact on quality of life of occupiers and neighbours

- Object to the same engineering methodology being re-presented as when originally specified for constructing a whole new sub-basement plus swimming pool. That plan was thrown out first by Camden planners and subsequently on appeal. There is to be no sub-basement here, (unless it is done without consent), and that engineering method is now wholly inappropriate. Please, Camden must now pay close attention to the method by which planned schemes would be built and not just the forms represented by the plans - because Camden now has a Local Plan that aims to ensure that development protects the quality of life of occupiers and neighbours

Noise

- The noise from the air conditioning units is also something that we do not want in the area and would be very intrusive for all.

Officer comment: See paragraphs 9.4 to 9.5

- Object to recycling of the Clements Acoustics Report which uses a false premise to justify noise levels of machinery intended for the rear/garden side of the house (when all the base level acoustic tests were done on the road-side/ front side of the house).

Officer comment: See Paragraph 9.4 to 9.5

Impact on the conservation area

- The property lies 30 feet to the south of Primrose Hill Drinking

Fountain (Grade II Listed) which is a popular local tourist spot for photographs. The fact that the proposed plan for 6 Albert terrace includes knocking down the entire side extension of the house and will include boarding and hoarding extending over the pavement into the street, will result in a long term eyesore in this particular area.

Officer comment: See paragraphs 5.1 and 5.3

- Object to the deepening of the existing basement by 40cm. Far from being appropriate for a house of this importance, doing this would change the very deliberate hierarchy of floor levels, where the basement was clearly designed to be subservient to higher floors - the workplace and even home of kitchen and other "below stairs" staff. Changing the levels here and then going further by lowering the window thresholds to create a courtyard as proposed would be interesting in another context, but usurps the grand, early-Victorian form. ("The Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to...d) the architectural character of the building".)

Officer Comment: See paragraph 5.1

Transport

- Lorries and other heavy equipment, which would be needed for all the above proposals, would be enormously disruptive to traffic. The 274 bus already has some difficulty turning right from Albert Terrace into Regents Park Road and construction vehicles would make this even harder. The bus is shortly to become a double decker, which will make its manoeuvres even more problematic.

Officer comment: See paragraphs 10.3 to 10.6

Disruption to traffic

- The excavation period of the project will likely involve elevated excavation conveyor belt which will extend into the street which narrows at the junction on Regent's Park Road. The planning proposal has not dealt with traffic issues in any serious or detailed way and in any case the proposal is not able to mitigate for this impact.

Officer comment: See paragraphs 10.3 to 10.6

Parking in Albert Terrace

- Residents parking places are already always full on Albert terrace and Regent's Park Road. The proposal is that several bays outside no. 6 Albert terrace on both roads would be used by construction vehicles. This will increase the pressure on parking spaces. Disabled parking bays should not be occupied by any construction related vehicles for no. 6

Officer comment: See paragraph 10.3

Construction management plan:

- Multiple objections relating to factual errors, lack of clarity of plans including the fact that no. 5 Albert Terrace is a single family dwelling not flats as stated. This raises concern that other parts of the plan are similarly poorly researched and slipshod. No consultation and

discussion process initiated with the local community as of now. Planning permission should not be granted without a detailed design and construction plan,

Officer comment: See paragraphs 10.3 to 10.6

Risk to pedestrians

- Risk to pedestrians on the second busiest corner of Primrose Hill

Officer comment: See paragraphs 10.4

Trees

- The idea of demolishing and rebuilding the side wall will damage the lime trees which are protected by a preservation order. They will not survive.

Officer comment: See paragraph 8.2

Primrose Hill CAAC – objects

- **Basement**

Strongest objection to extension to the existing basement under the front, side and front gardens

- We note that Local Plan policy A5 h requires that the basement should 'not exceed 50% of each garden within the property'. It appears to us that the basement extension exceeds 50% of the front side garden, especially allowing for the boundary wall, and that it is not clear that it does not exceed 50% of the front garden, also allowing for the boundary wall.

Officer comment: See paragraphs 6.6 to 6.11

- Given the importance of these gardens in the context of the conservation area – as a group forming a transitional area between the open parkland of the Hill and the private houses and gardens of the conservation area, we would also expect to see Policy A5 u enforced: that is to demonstrate that the proposals 'do not prejudice the ability of the garden to support trees where they are part of the character of the area.' In this location, substantial trees – not potted ornamentals – would be part of the character of the area. We note that a number of existing trees would be lost.

Officer comment: See paragraphs 6.8 and 8.3

- We object to the increase in depth of the basement by 0.43m to create a floor to ceiling height of 3m. We note that this is an increase of over 15% in the existing floor-to-ceiling height. We note that Local Plan Policy A5 requires that a basement should be subordinate to the existing house. This requirement was endorsed by the Planning Inspector in his dismissal of the recent Appeal on this property (APP/X5210/W/18/3192767, decision letter para 7). He stated that the appeal proposal would be disproportionate, and not subservient, to the main house. We advise that an increase in volume of the basement as proposed, resulting from an increase in height of some 15% would be neither proportionate nor subservient, and so fail the test at A5 as endorsed by the Inspector.

Officer comment: See paragraphs 6.1 to 6.15

- We note the Inspector's further comment, at his para 8 that a BIA needs to be independently verified. It is not clear to us that this is the case. Without that verification the Inspector found that it was not possible to accept that the proposals accorded with Policy A5.

Officer comment: See paragraph 6.16

- We further note that a CMP needs to be agreed. It is not clear to us that a CMP has been agreed. In this case it is critical that it be acceptable to the neighbours. Again, the Inspector found on the Appeal that without an agreed CMP, and associated obligations, it was not possible to accept that the proposals accorded with Policy A5.

Officer comment: See paragraphs 10.3 to 10.5

CAAC/Local groups* comments:

*Please Specify

Site Description

The site is located on the eastern side of Albert Terrace on a prominent corner site at the junction of Albert Terrace to the east and Regent's Park Road to the north. The site is visible and is a focal point of view from the slopes of Primrose Hill. Albert Terrace Mews lies to the east. The site comprises a semi-detached five-storey Italianate villa property (including a basement floor level) that is occupied as a single family dwelling (Class C3 use). The building was previously sub-divided into 6 self-contained flats however planning permission was granted for the building to be reinstated back into a single family dwelling in 2003 (see planning history below). The application site and 6 Albert Terrace Mews to the rear are within the same ownership, however; They are not physically linked. The front of the building is primarily hard-surfaced and is formed of a private driveway and lightwell. The rear of the site is formed of a garden with soft landscaping.

The site is located in the Primrose Hill Conservation Area. The building is not listed but is identified as making a positive contribution to the character and appearance of the conservation area for its group value (nos. 1-6 Albert Terrace). The group of houses conforms to the prevailing character of the conservation area though with far less uniformity. The three pairs of houses forming the terrace are particularly varied, each being very individual in style though related by common architectural features.

This part of the Primrose Hill Conservation Area is very open and spacious in character with low-density development and abundant vegetation. It is dominated by the important open spaces of Primrose Hill and Regent's Park around which are set by impressive terraces and villa style properties arranged as pairs of semi-detached houses, often designed to appear as one large residence. The building is surrounded by listed structures and buildings which include the Grade II listed drinking fountain at the junction with Albert Terrace, Primrose Hill which is a Grade II listed park lies to the west of Albert Terrace, K2 telephone kiosk which is Grade II listed at the junction of Prince Albert Road at the southern end of Albert Terrace and no. 36 Regent's Park Road which is a Grade II listed building to the east of the site on the north side of Regent's Park Road.

Relevant History

Planning permission was **granted** on 06/11/2018 (ref 2018/2225/P) for reinstatement of the original window opening in the rear elevation; the addition of a rear balcony at raised ground floor level; demolition, rebuild and raising a section of the boundary wall; addition of a roof terrace at second floor level and other minor alterations to the existing single family dwelling (C3 use class).

Planning permission was **refused** on **13/10/2017 (ref 2017/2819/P)** for rebuilding of side extension and boundary wall, extension to existing lower ground level and creation of basement level with 2 no. sky lights to residential dwelling, including associated plant, landscaping and other alterations. The reasons for refusal related to the following:

1. The proposed basement extensions would consist of more than one storey under an existing basement and would not be subordinate to the host building
2. Lack of information to demonstrate that the proposed basement development would maintain the structural stability of the building and neighbouring properties, avoid adversely affecting drainage and run-off or avoid cumulative impacts upon structural stability or water environment in the local area

Reasons 3 and 4 relating to CMP and highways contributions to be secured through s106 legal.

The applicant appealed the decision (ref APP/X5210/W/18/3192767) and the Inspector **dismissed** the appeal on 11/07/2018. The Inspector's findings related mainly to the basement works (see assessment section below). On the other matters that included the demolition of the side extension and wall and rebuilding them like-for-like the Inspector concluded that this would result in very little change to the appearance of the site and would not result in harm to the settings of the heritage assets.

Planning permission was **refused** on 21/10/2011 (ref 2011/3948/P) for excavation and extension of an existing basement to encompass the front garden area of a single dwelling house (Class C3) with

associated plunge pool, lantern and domed ground lights. The application was refused for the following reasons:

1) Insufficient information submitted to demonstrate that the proposed basement would not have an adverse impact on the structural stability of the building and adjacent properties, flooding or the water environment;

The other two reasons for refusal related to the absence of s106 legal agreement to a construction management plan and necessary highway works.

Planning permission was **granted** on 03/06/2008 (ref 2008/1301/P) for amendments to planning permission granted 27/10/07 (Ref. 2007/1294/P), namely for excavation of a sub-basement with the provision of three rooflights in front garden adjacent to Albert Terrace.

Planning permission was **granted** on 29/10/2007 (ref 2007/1294/P) for extension and conversion of basement including works of excavation to create an indoor swimming pool and associated alterations to single family dwelling house. This permission was not implemented and a similar submission was made in 2011 (ref 2011/3948/P) but was refused as planning policy had changed.

Planning permission was **refused** on 18/08/2004 (ref 2004/2579/P) for erection of a side extension at second floor level. It was considered that the proposed extension by reason of its scale, form, bulk and design, would be detrimental to the character and appearance of the building and to the Primrose Hill Conservation Area. The decision was appealed and was dismissed on 13/06/2005.

Planning permission was **granted** on 22/08/2003 (ref PEX0300139) for change of use and works of conversion from six self-contained flats to a single-family dwelling house. This was implemented and the building is now occupied as a single-family dwelling. Council tax records show that the property has been a single family dwelling since 2005.

Relevant applications at adjoining properties

6 Albert Terrace Mews

A planning application has been submitted for lowering of the ground floor to provide level access; alterations to the existing elevations and roof to include the reinstatement of a painted brickwork finish; alterations to fenestration front, rear and side; lowering the existing roof terrace level; provision of a glass access structure, slate tiles, upstand parapet and planters to the roof; lowering and reducing the roof profile of the side extension to include a standing seam metallic roof; and conversion of the property to ancillary guest accommodation for 6 Albert Terrace (ref 2018/2445/P). It was resolved to grant planning permission subject to a s106 agreement being signed on 04/12/2018.

A planning application has been submitted for excavation of a basement; the installation of air handling units at ground floor level; the blocking up of a side door; the lowering of a rear window cill to create a doorway; lowering the ground floor to provide level access; and conversion of the property to ancillary guest accommodation to 6 Albert Terrace (ref 2018/3222/P). It was resolved to grant planning permission subject to a s106 agreement being signed on 18/02/2019.

Relevant policies

National Planning Policy Framework 2018

London Plan 2016

Draft London Plan 2018

Camden Local Plan 2017

H3 Protecting existing homes

A1 Managing the impact of development

A4 Noise and vibration

A5 Basement
CC1 Climate change mitigation
CC2 Adapting to climate change
CC3 Water and flooding
D1 Design
D2 Heritage
T1 Prioritising walking, cycling and public transport
T4 Sustainable movement of goods and materials

Primrose Hill Conservation Area Statement (adopted 2000)

Camden Planning Guidance

CPG Amenity (March 2018)
CPG Basements (March 2018)
CPG1 Design (July 2015 updated March 2018)
CPG Housing (Interim) (March 2018)
CPG7 Transport (September 2011)
CPG8 Planning obligations (July 2015 updated March 2018)

Assessment

1.0 Proposal

1.1 The proposal is for excavation to create a basement, demolition and rebuild a section of the boundary wall on the north west elevation fronting Regent's Park Road and installation of air handling units at lower ground floor level all in association with the existing single family dwelling (Class C3 use).

- Demolition and rebuilding in facsimile of sections (0.95m width and 2.6m width) of the western section of the northern perimeter wall and localised repair works
- Lowering of the floor level of the existing lower ground floor by 430mm to create a 3m internal floor to ceiling height
- Extend the lower ground floor laterally under the front and side garden to provide additional amenity space
- Lower cills of 2 no windows onto the front lightwell at lower ground front elevation and install new doors
- Replacement of two air conditioning units in the lightwell to the rear of the property with two new air conditioning units and installation of an air handling unit and heat recovery unit grille door at the rear lower ground floor level for the new internal plant

Revisions

Lower ground floor doors on the front elevation

1.2 The full height glazed doors have been revised to include a solid panel at the bottom

2.0 Background

2.1 Planning permission was refused on 16th May 2017 (ref 2017/2819/P) for an extension to the existing lower ground floor level and a creation of a basement level that extended under the existing lower ground floor (see figure 1 below).

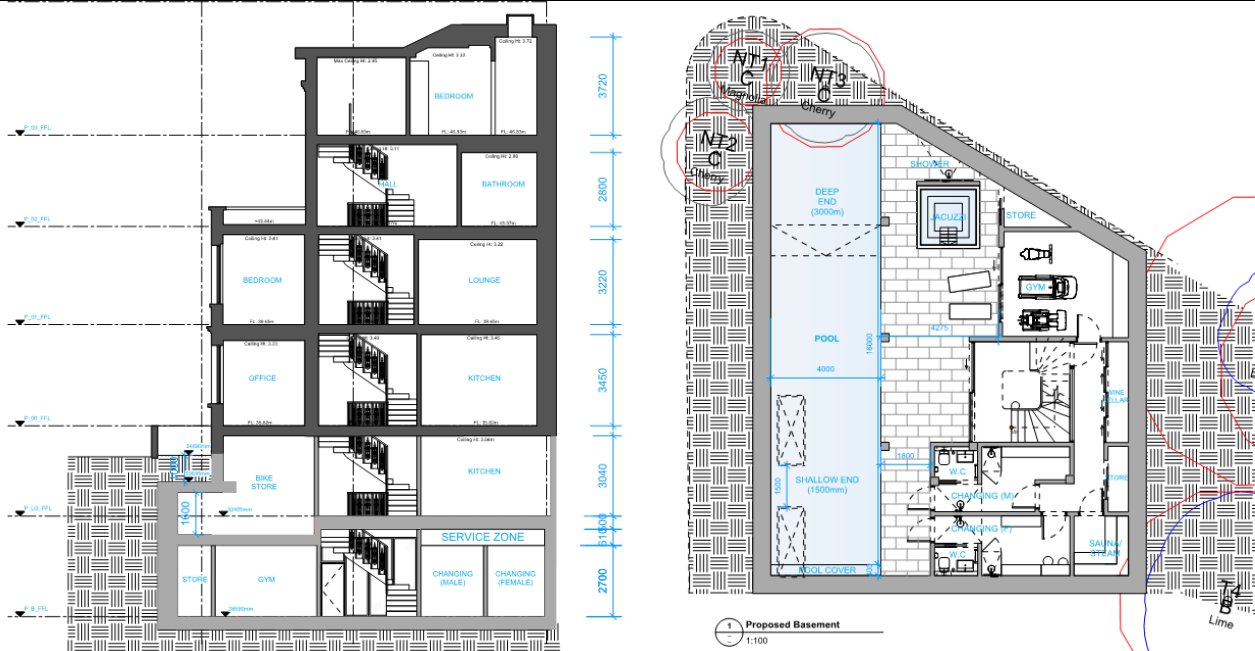


Figure 1 (above): Extract from planning application 2017/2819/P (refused) showing the basement floor level below the existing lower ground floor level

- 2.2 The Inspector in his appeal decision dated 11th July 2018 (APP/X5210/W/18/3192767) agreed that the existing lower ground floor was both quantitatively and qualitatively substantially below the surrounding ground level and would be considered a basement. Consequently the provision of another storey below this resulted in the property having a basement of two storeys.
- 2.3 The Inspector concluded that the extension would result in the property having a substantial two-storey basement, which would be disproportionate, and not subordinate, to the main house and was considered harmful to its character. He confirmed that the proposal failed to accord with Policy A5.
- 2.4 The BIA that had been submitted in support of the application was not independently assessed as the Council considered it unnecessary for the applicant to incur unnecessary expenditure for a scheme which was considered unacceptable in principle. The Inspector concluded that, without verification, he was not satisfied that the development would not harm the structural stability of the host building or neighbouring buildings, and would not adversely affect the flow of surface water and groundwater.
- 2.5 The Inspector found that the basement extensions would not harm the character and appearance of the conservation area as the property above ground would appear very similar to the existing dwelling.
- 3.0 **Assessment**
- 3.1 The main issues to be considered as part of the assessment of the proposal are:
4. Loss of housing
 5. Design
 6. Basement
 7. Land contamination
 8. Amenity
 9. Trees
 10. Transport
 11. Other matters
- 4.0 **Loss of housing**
- 4.1 The application site is bounded to the east by 6 Albert terrace Mews. Both sites are within the same ownership and are separated by a garden boundary fence, which is proposed to be removed. The applicant intends to use the mews house as ancillary accommodation for guests

including family members. No changes to the mews house are proposed under this application.

- 4.2 Concerns have been raised by local residents regarding the loss of 6 flats at 6 Albert Terrace and now the 1 x four bedroom house as part of this application suggesting this would be a loss of 7 potential homes contrary to Local Plan Policy H3 designed to prevent such a loss. The main house at 6 Albert Terrace was converted from 6 flats to 1 single family dwelling in 2003 (see planning history above). Council Tax records show that the property has been a single family dwelling since 2005. There would be no loss of housing as a result of this proposal.

5.0 Design

Basement works

- 5.1 The proposal would include the excavation of a lower ground floor of the existing house by 0.43m and extension of the lower ground floor underneath part of the front and side garden. The basement would not manifest itself externally in terms of rooflights or lightwells. Consequently the impact of the basement structure would not be considered harmful to the character or appearance of the building or the conservation area.

Alterations to fenestration

- 5.2 The lower ground floor patio area fronting Albert Terrace is currently inaccessible as the lower ground floor fenestration includes two window openings. The proposal would include the dropping of the cills to install two new full height door openings. The plans have been revised during the course of the application to include a timber panel at the bottom of each of the doors rather than fully glazed door openings. The dropping of the cills of the lower ground floor windows to install door openings would not be considered harmful to the character or appearance of the building, given the design and the location of these amendments. The neighbouring properties also have door openings at the lower ground floor level. Consequently the works would not be considered harmful to the character or appearance of the conservation area.

Boundary wall

- 5.3 The existing brick wall on the northern boundary of the site is separated into two parts by an access gate into the rear garden. The eastern section of the wall slopes down from west to east and follows the topography of the site. It varies in height between 1.43m and 2.1m. There are 6 mature lime trees in the rear garden that are adjacent to the boundary wall. Following a site visit it is clear that there are signs of movement in the wall as there are 4 visible vertical structural cracks and some noticeable heave in the eastern section of northern boundary. This is due to the roots of the lime trees causing the footings of the wall to move and the wall to crack.
- 5.4 PH36 of the Primrose Hill CAS advises that *“Alterations to the front and side boundaries between the pavement and the house can dramatically affect and harm the character of the conservation area. Proposal to erect new boundary structures or replace or alter existing boundary structures should respect the original boundary style. Where original boundary structure have been lost these should be reinstated to match the original.”*
- 5.5 The plans show the areas of the western section of the wall to be demolished and rebuilt in facsimile. It is proposed to reuse existing London stock bricks that can be salvaged and new London stock bricks would be spread throughout the sections of the wall. A condition would be required to secure the submission of a method statement and a sample of the brick to be used to ensure it is a close match in terms of colour, texture and size and mortar mix as the existing wall.

Louvred vent panel

- 5.6 A louvred vent panel would be installed at lower ground floor level at the rear of the property to provide ventilation into the plant area that would serve the gym and spa at this floor level. This

panel would be modest in size (0.5m in width) and would not be visible from any public vantage point. It would not harm the character or appearance of the building or harm the character or appearance of the conservation area.

6.0 Basement development

6.1 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.

6.2 It is proposed to lower the floor of the existing lower ground floor of the house by 0.43m to increase the floor to ceiling height of the rooms from 2.57m to 3m. The lowering of the floor would extend across the footprint of the building. The lowering of the floor by 0.43 would not be considered to alter the proportions of the existing house and would be considered subordinate to this 5 storey semi-detached property.

6.3 The proposed lower ground floor would be extended to the side of the existing lower ground floor by between 1.33m and 5.76m. It would be 2.6m deeper than the floor level of the existing lower ground floor but would not be located directly underneath this floor level as it would extend to the side under the existing front and side garden. The basement would be 4m in height with 1m of topsoil on the top (5m below ground level). The proposed works would increase the existing lower ground floor footprint of 167 sq. m by 33 sq. m (GEA). This would represent an overall increase in the lower ground floor by approximately 19.7%. It would create an additional storage area, Japanese bathing pool and gym (see figure 2 below).

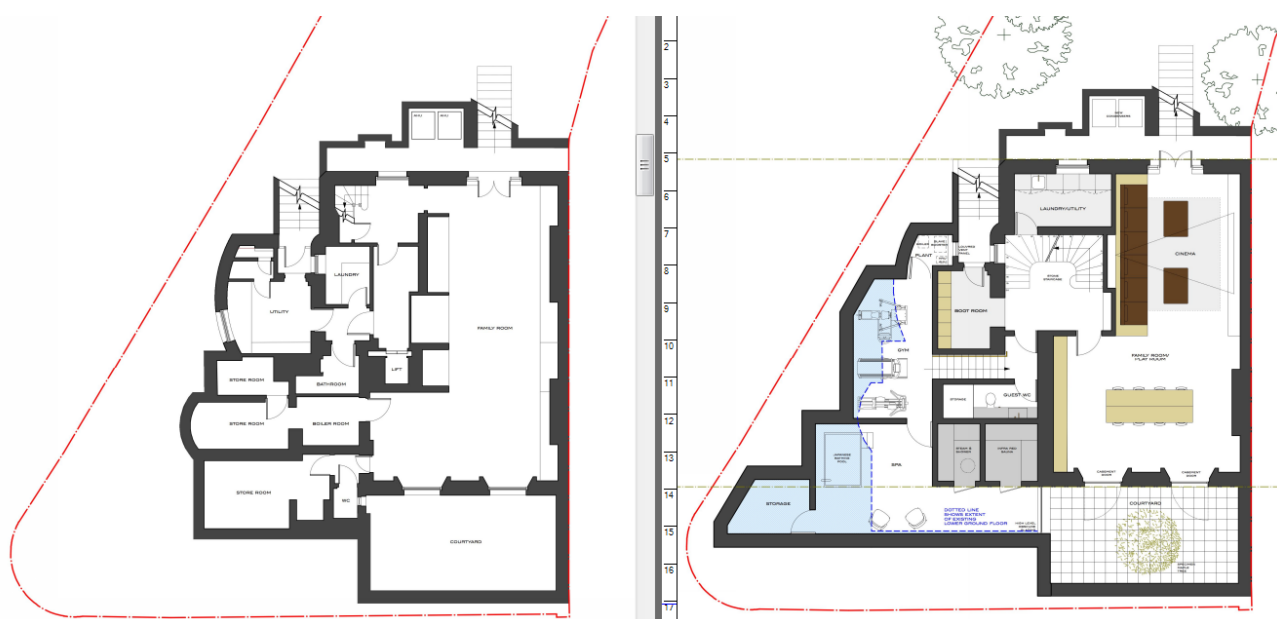


Figure 2 (above): Existing lower ground floor (left) and proposed lower ground floor (right)

6.4 Policy A5 Basements of the Camden Local Plan 2017 includes a number of criteria for proposed basement development within the Borough, including upper limits to the acceptable proportions of proposed basement extensions in comparison to the original dwelling. The following provides comments on compliance with policy A5, which states that the Council will only permit basement development where the proposal would not cause harm to:

- a) Neighbouring properties (**complies** – maximum of Burland Category 1 (Very Slight) and a Construction Management Plan would mitigate impacts during construction);
- b) the structural, ground, or water conditions of the area (**complies** – the revised BIA confirms there will be no impact on land stability or the wider hydrological environment);

- c) the character and amenity of the area (**complies** – the proposal would retain the hard landscaped courtyard to the rear of the dwelling, preserving the character and amenity of the area);
- d) the architectural character of the building (**complies** – the proposal would retain the soft landscaped garden to the front and side preserving the character of the building); and
- e) the significance of heritage assets (**complies** – the basement has no impact on heritage assets, including the conservation area, within which the host building is located).

6.5 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 (**complies** – single storey);
- g) not be built under an existing basement (**complies** – the lower ground floor would be lowered by 0.43m and the newly created lower ground floor would be extended laterally to the side and would not be constructed under the existing lower ground floor);
- h) not exceed 50% of each garden within the property (**complies** – lower ground floor extension under front garden = 25 sq. m (27.5%); lower ground floor extension under side garden = 27 sq. m (50%));
- i) be less than 1.5 times the footprint of the host building in area (**complies** – proposal would be 1.34 times the footprint of the host building);
- j) extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation (**complies** – the lower ground floor would extend 2.25m into the front garden which is 18% of the depth of the host building);
- k) not extend into or underneath the garden further than 50% of the depth of the garden (**complies** – the lower ground floor would not extend into the garden further than 50% of the depth of the front of side garden);
- l) be set back from neighbouring property boundaries where it extends beyond the footprint of the host building (**complies** – would be set back 0.5m from the front and side boundaries) and
- m) avoid the loss of garden space or trees of townscape or amenity value (**complies** – no loss of garden space, three trees would be removed however these are young trees and would be replaced – see tree section 9 below).

6.6 The proposed lower ground floor would be single storey in depth (4m) and would extend laterally beyond the footprint of the existing dwelling underneath the front and side gardens to the northwest. The existing and proposed lower ground floors would be connected by a staircase due to the change in levels and the requirement to provide 1m of topsoil on top of the extension to facilitate future planting. The proposal therefore complies with policy A5(f) and A5(g).

6.7 It would have a 0.5m setback from all boundaries and would extend underneath the existing front and side garden area. Although the setback in this case is small, the policy objective is to provide significant space free from basement development to enable water drainage and area for planting which the proposal would achieve. The CAAC has raised concerns about the extent of the basement into the front/side gardens. The definition of what is the front, side and rear garden is not clearly defined in CPG Basements. However, figure 3 below helps to identify what would be considered the front, the side and the rear garden of the property.

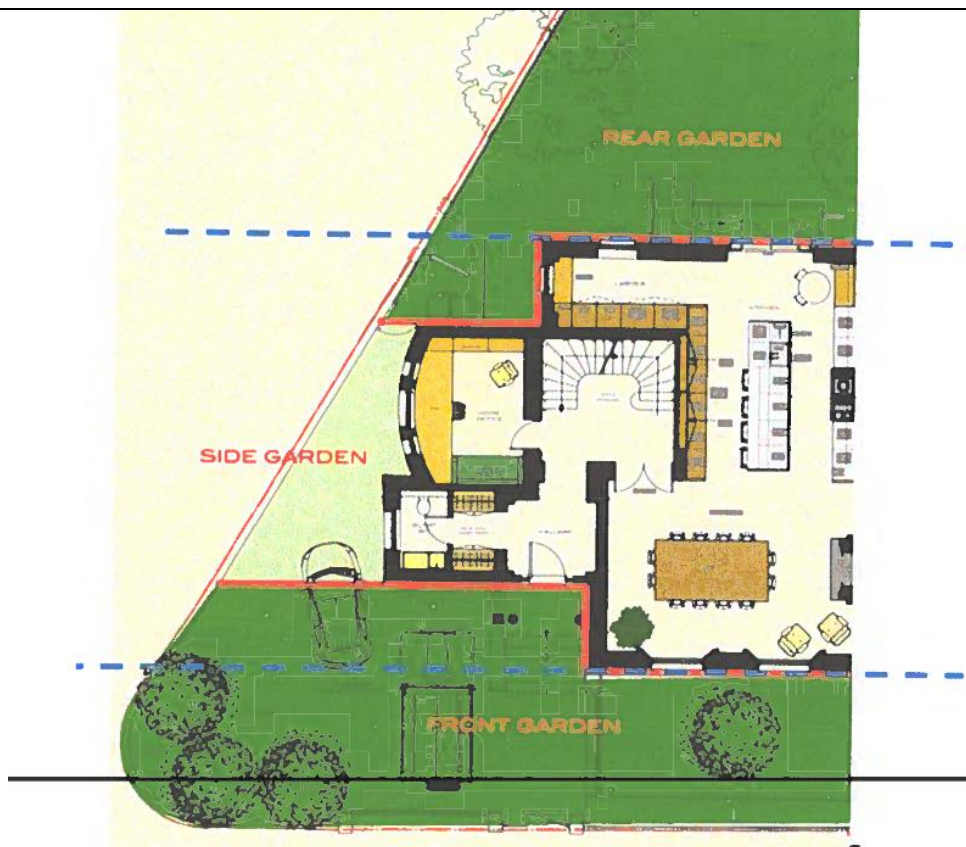


Figure 3 (above): Existing building lines of the property identifying what would be front and side and rear gardens (area between the blue lines considered the side garden).

- 6.8 The existing front, side and rear garden areas would measure 91 sq. m, 54 sq. m and 153 sq. m respectively. The proposed extension of the lower ground floor would measure 25 sq. m into the front garden (27.5%), and 27 sq. m into the side garden (50%). The rear garden would remain unaffected by the proposal. This would comply with the criteria A5(h).
- 6.9 In addition, the policy states that sufficient margins should be left between the site boundaries and the basement construction for landscaping. A 1m depth of topsoil would be provided on top of the new lower ground floor extension to ensure that planting area could sustain the growth of vegetation and trees in the future.
- 6.10 The existing footprint of the building is 149 sq. m (GEA). The proposal would enlarge the footprint by 51 sq. m to 200 sq. m (GEA). The lower ground floor would be 1.34 times the footprint of the host building which would be less than 1.5 times and would therefore comply with Policy A5(i).
- 6.11 The depth of the host building from the principal front elevation to the principal rear elevation would be 12.2m. The lower ground floor extension would extend under the front garden by 2.25m and would equate to 18.5% of the depth of the host building. This would be less than 50% of the front garden and would comply with policy A5(j).
- 6.12 The proposed lower ground floor would extend 2.25m from the principal front elevation of the existing building. This would be 50% distance from the front elevation to the front boundary of the site and would comply with Policy A5(k).
- 6.13 The application property is a semi-detached property that lies to the south of no. 5 Albert Terrace. The north and western boundaries of the site are bounded by Albert Terrace and Regent's Park Road. The proposed lower ground floor extension would extend to the north and would not be in close proximity to other neighbouring properties that front onto Regent's Park Road.

- 6.14 The area to the front of the property is currently used for off-street parking, a lightwell and terrace area. It is currently paved. The proposed development would not increase the extent of non-permeable surface on site. However, the proposal would include sustainable urban drainage measures (SuDS) to improve the current drainage including the introduction of permeable paving. Due to the lowering of levels between the existing lower ground floor and the new lower ground floor a staircase is required to link the two floors.
- 6.15 The excavation works to create a basement level would comply with indicators a) to m) of Policy A5, As such, the proposed extension of the basement within the footprint of the existing mews house is considered acceptable.
- 6.16 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.

Basement construction

- 6.17 The proposed deepening of the lower ground floor would be undertaken by underpinning and the excavation of the new lower ground floor would be formed using a piled wall with no. 5 Albert Terrace and internal walls with the lateral extension constructed using a contiguous piled wall with a reinforced concrete liner wall on the inside. 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.

Hydrology and flooding

- 6.18 The local residents indicate concerns relating to the water table, flooding and subsidence issues. The site is underlain by an unproductive stratum and whilst groundwater was encountered within the depth of the basement, measures to control this during the works are proposed (pumping from open sumps) and wider hydrogeological impacts are not anticipated. The Audit accepts that the effects on the hydrology are also accepted to be minimal.
- 6.19 Concerns have been raised regarding potential increased flooding to the surrounding area as a result of the proposed works and refers to localised flooding from rainfall and run-off from Primrose Hill. The BIA audit confirms that the Camden SFRA map and Figure 15 of the Arup GSD indicates areas of medium to high surface water flood risk on Primrose Hill to the west. A low risk of flooding is indicated for areas to the south of the site, however, no risk of flooding is indicated for the property itself. Whilst Primrose Hill is indicated to be at risk from surface water flooding, the site itself is approximately 50m away and a risk of flooding is not indicated for the property itself. Additionally, any risk of flooding is mitigated by the fact that there is no change to the hardstanding areas hence volume of surface water will remain as existing. Therefore the Audit accepts that there is no risk of flooding.

Structural stability and slope stability

- 6.20 Concerns have been raised regarding structural movement and damage to neighbouring properties as a result of the basement works. Given the top down construction is proposed and taking into consideration the distance from the excavation of the lateral extension to the neighbouring properties the Audit accepts that the predicted movements would be in line with a maximum of Burland Category 1 (Very Slight) or less (Category 0 negligible) damage for neighbouring properties. It also accepts that there are no potential impacts on slope stability and wider hydrogeological impacts regarding the proposed development.

Cumulative impact

- 6.21 The cumulative impact of basement works on neighbouring properties including no. 6 Albert Terrace Mews and other properties on Regent's Road and Albert Terrace Mews has been raised by local residents. Due to the location of the proposed works, No 6 Albert Terrace Mews along with its immediate neighbours (Nos 1 to 5 Albert Terrace Mews) are outside the zone of influence of the works at 6 Albert Terrace with respect to ground movements. No 5 Albert Terrace however is within the zone of influence of the works at No 6 Albert Terrace Mews and its party wall with No 6 Albert Terrace is to be underpinned under that proposal, albeit to less than 1m. The remaining properties on Albert Terrace and Regents Park Road are indicated to be greater than 15m away. Wider hydrogeological impacts are not anticipated due to the unproductive stratum (London Clay). On this basis, the conclusion in the BIA that cumulative impacts on hydrogeology, hydrology and stability relating to these works are anticipated to be minimal was accepted, with the exception of the No 5 Albert Terrace and it was requested that this be assessed.
- 6.22 In response to the above query, it is stated that 'due to the distance between the two proposed developments, the cumulative impacts will not be significantly different from the ones calculated by each separate assessment'. This statement is considered to be reasonable and accepted.
- 6.23 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.
- 6.24 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.
- 6.25 Concerns have been raised by local residents regarding the length of time that the construction works may take. An indicative works programme has been included in the construction management plan. This is considered acceptable at this stage of the proposal. A more detailed programme would be provided as part of a construction management plan that would be secured by s106 legal agreement.
- 6.26 Concerns have also been raised about the storing of materials on the site during construction including diesel. The safe storage of materials would be covered under other legislative controls including environmental health legislation.

7.0 Contaminated land

- 7.1 The site does not fall within a designated area of contaminated site potential. However interpretation of the historical review and environmental assessment detailed in the Geotechnical Assessment document that has been submitted as part of the BIA indicates a low risk of land contamination is likely at the site due to the site's historical land use, and surrounding land use activities. The Council's Environmental Health officer has reviewed the information and is satisfied with its findings. The site model and desktop study did not identify a significant pollution linkage therefore no further investigation for land contamination would be required.

8.0 Trees

- 8.1 The proposal would include the removal of 3 small young trees (1 x magnolia and 2 x cherry trees) from the front garden of the property on the corner of Albert Terrace and Regent's Park Road in order to facilitate the development. Whilst the trees are highly visible from the public

realm, due to the age and size of the trees the loss of canopy cover and visual amenity can easily be mitigated against through replacement planting. The Council's Tree Officer has reviewed the information contained in the arboricultural report. The report includes details of the proposed replacements, which would not be above the proposed basement but in soil of an unrestricted depth. The proposed replacement trees are "like for like" and are therefore considered acceptable in planning terms. A tree replacement condition would be attached to any permission to ensure that replacement trees would be planted.

- 8.2 No excavation is proposed within the root protection areas of trees to be retained along Regents Park Road. The tree protection measures would be considered sufficient to demonstrate that the trees to be retained would be adequately protected throughout development. A condition would be attached to ensure that the tree protection measure would be installed in accordance with the arboricultural report prepared by Martin Dobson Associates.
- 8.3 The CAAC have raised concern about the impact of the proposal on the gardens and feel that it is necessary to demonstrate that the proposals '*do not prejudice the ability of the garden to support trees where they are part of the character of the area.*' In this location, substantial trees form part of the character of the area. The Tree Officer has requested details of the hard and soft landscaping including replacement trees to be submitted to ensure that the development achieves a high quality landscaping to preserve this part of the conservation area. This would be secured by condition.

9.0 Amenity

- 9.1 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.

Overlooking/privacy/daylight and sunlight/sense of enclosure

- 9.2 The proposed lower ground floor extension would not manifest itself externally and would not have an adverse impact in terms of loss of privacy, overlooking, loss of daylight or sunlight or sense of enclosure.
- 9.3 The external works including the dropping of the window cills on the front elevation to create new door openings would not have an adverse impact on the amenity of the adjoining occupiers.

Noise

- 9.4 The proposal would include the replacement of two existing air conditioning units with two new air conditioning units in the rear lightwell at lower ground floor level. An area of plant (to incorporate 1 no. air handling unit (AHU) and 1 no. heat recovery unit (HRU) would be installed within the lower ground floor of the existing house. The closest residential dwelling is no. 5 Albert Terrace that adjoins the site to the south.
- 9.5 A noise impact assessment has been submitted in support of the application. It recommended that the air conditioning units should be enclosed within an acoustic enclosure to ensure that the plant would operate 10dB below background noise. No details of the acoustic enclosure have been provided. Consequently, a condition would be attached to any permission to ensure the submission of these details. The Environmental Health officer has reviewed the document and is satisfied that the plant would operate within the Council's minimum noise standards subject to the condition to ensure this. A condition would be attached to ensure that this is achieved and that the mitigation measures as recommended in the noise impact assessment are implemented. The proposal is considered acceptable in terms of environmental noise.

- 9.6 Subject to the securing of a CMP as outlined in the section 10 below, the proposed

development is not considered to lead to a significant impact upon the amenities of any neighbouring occupiers. The development is therefore considered to be in accordance with planning policies A1 and A4.

10.0 Transport

Cycle parking

- 10.1 The proposal would require 2 cycle parking spaces to be accommodated that would be secure and enclosed. No cycle parking has been shown on the proposed plans however there would be space around the side and rear garden to accommodate two cycle parking spaces. A condition would be attached to ensure that these details are submitted.

Car free development

- 10.2 Although the current owners do not live at the property they would be returning once the works are completed to both properties. Therefore, the proposal would not result in any increased pressure to on-street parking, and in accordance with Policy T2 it is considered that a car-free obligation would not be applicable in this instance.

Construction Management Plan (CMP)

- 10.3 The Council's Transport officer has assessed the proposal and confirmed that due to the sensitive nature of the site and amount of excavation required for the basement, 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 minimise the impact of construction traffic on traffic congestion in the local area. The CMP would also be used to mitigate any detrimental impacts to amenity or the safe and efficient operation of the highways network in the local area. Regent's Park Road is not restricted in width and there is some on-site capacity in the rear garden between the application site and no. 6 Albert Terrace Mews, which is also within the ownership of the applicant that can help to accommodate the build. Therefore, officers are confident that a CMP can reasonably mitigate these impacts.
- 10.4 Local residents have raised considerable concerns about the basement and construction works and how this would be carried out. The applicant has agreed to a clause within the CMP to establish a construction working group with the local residents who are particularly affected by the proposal as well as local ward councillors in order to address local concerns about the construction works prior to commencement on-site. This would be secured by s106 agreement.
- 10.5 Furthermore, there are also other legislative controls, such as environmental protection, that would also help to mitigate impacts such as noise, vibration and pollution. 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.
- 10.6 In line with Policy A1 of the adopted Local Plan, as the proposed development involves excavation adjacent to the public highway at Regent's Park Road, a highways structural Approval in Principle (AIP) report would be required to be submitted to the Council's bridges and structures team. This is a requirement of British Standard BD2/12. The AIP report would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the footways adjacent to the site throughout excavation, construction and post-construction. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP reports and associated assessment fee of £3,600 would be required to be secured by Section 106 agreement.

Highways works

- 10.7 Due to the demolition and repair of sections of the boundary wall fronting onto Regents Park Road a highways contribution would be required for any damage to the highway. This would

be secured by s106 legal agreement. A quote would be provided by the Council's Highways Engineers.

11.0 Planning obligations

11.1 The following contributions are required to mitigate the impact of the development upon the local area, including on local services. These heads of terms will mitigate any impact of the proposal on the infrastructure of the area.

Heads of terms	Amount
Construction management plan and associated monitoring fee	£3,136
Construction management plan working group with local residents	
Approval in principle and associated monitoring fee	£3,600
Highways contribution	Figure to be agreed

12.0 Other matters

12.1 The local ward councillor and local residents are concerned that the proposal would result in the linking of the main house, 6 Albert Terrace, and the mews house at 6 Albert Terrace Mews. Although both properties are in the same ownership the application does not include any works to link the houses at basement or ground floor level. Any works to link the properties would require planning permission and would be assessed accordingly.

13.0 Recommendations

13.1 Grant conditional planning permission subject to s106 legal agreement.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 25th February 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'.

Humphrey Kelsey Architecture
4 Primrose Hill Studios
Fitzroy Road
NW1 8TR

Application Ref: **2018/2342/P**

20 February 2019

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:

**6 Albert Terrace
London
NW1 7SU**

Proposal:

DECISION
Excavation to lower the lower ground floor of the existing house and excavation of a new lower ground floor level under the front and side gardens, demolition and rebuild a section of the boundary wall on the north west elevation fronting Regent's Park Road and installation of air handling units at lower ground floor level all in association with the existing single family dwelling (Class C3 use).

Drawing Nos: 181(B).1250.L; 181(T).100.E1 rev A; 181(T).100.E2 rev A; 181(T).100.E3; 181(T).100.E4; 181(T).100.E5; 181(T).100.E6; 181(T).100.E7; 181(T).100.E8; 181(T).100.E9; 181(T).100.E10 rev A; 181(T).100.E12; 181(T).100.E14 rev A.

181(B).100.P1 rev A; 181(B).100.P2 rev A; 181(B).100.P3 rev A; 181(B).100.P4 rev A; 181(B).100.P5 rev A; 181(B).100.P6 rev A; 181(B).100.P7 rev A; 181(B).100.P8 rev A; 181(B).100.P9 rev A; 181(B).100.P10 rev A; 181(B).100.P11 rev A; 181(B).100.P12 rev A.

Structural Engineering Proposal and Basement Impact Assessment prepared by Alan Baxter dated May 2018; Planning and Heritage Statement and design and Access Statement prepared by Humphrey Kelsey Architects dated May 2018; Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan prepared by Dr Martin Dobson dated May 2018; Construction management plan prepared by Blue Sky Building dated May 2018; Noise Impact Assessment prepared by Clement Acoustics dated March 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 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 181(B).1250.L; 181(T).100.E1 rev A; 181(T).100.E2 rev A; 181(T).100.E3; 181(T).100.E4; 181(T).100.E5; 181(T).100.E6; 181(T).100.E7; 181(T).100.E8; 181(T).100.E9; 181(T).100.E10 rev A; 181(T).100.E12; 181(T).100.E14 rev A.
181(B).100.P1 rev A; 181(B).100.P2 rev A; 181(B).100.P3 rev A; 181(B).100.P4 rev A; 181(B).100.P5 rev A; 181(B).100.P6 rev A; 181(B).100.P7 rev A; 181(B).100.P8 rev A; 181(B).100.P9 rev A; 181(B).100.P10 rev A; 181(B).100.P11 rev A; 181(B).100.P12 rev A.

Structural Engineering Proposal and Basement Impact Assessment prepared by Alan Baxter dated May 2018; Planning and Heritage Statement and design and Access Statement prepared by Humphrey Kelsey Architects dated May 2018; Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan prepared by Dr Martin Dobson dated May 2018; Construction management plan prepared by Blue Sky Building dated May 2018; Noise Impact Assessment prepared by Clement Acoustics dated March 2018.

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

4 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) A method statement and plan showing the distribution of the new bricks across the rebuilt sections of the wall;

b) A sample of the new bricks to be used in the rebuilt wall including details of colour, texture, size, face-bond and pointing

c) Details including sections at 1:10 of all windows and doors (including jambs, head and cill), and ventilation grills.

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 of the London Borough of Camden Local Plan 2017.

5 Any tree which, within a period of 5 years from the completion of the development, dies, is removed or becomes seriously damaged or diseased shall be replaced not later than the end of the next planting season with another of similar size and species, unless the Council gives written consent to any variation.

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 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 tree protection plan dated 15th May 2018 ref. J21 by Martin Dobsin Associates. 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. The works shall be undertaken under the supervision of the project arboriculturalist.

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.

7 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 Prior to the commencement of the relevant part of the works details of the air-conditioning plant and associated acoustic isolation and anti-vibration measures shall be submitted to and approved in writing to the local planning authority. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1, A4, and D1 of the London Borough of Camden Local Plan 2017.

- 9 Before the development commences, details of secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

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

- 10 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The details shall include details of at least three replacement trees in the front garden of the property. 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 and D2 of the London Borough of Camden Local Plan 2017.

- 11 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.

- 12 The development hereby approved shall be carried out strictly in accordance with the BIA (and other supporting documents) compiled by Alan Baxter Ltd, as well as recommendations in the Basement Impact Assessment Audit report Rev F1 prepared by Campbell Reith, dated January 2019.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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 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.

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate

DRAFT

DECISION