

Application ref: 2016/6906/P
Contact: Laura Hazelton
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Date: 15 March 2019

Development Management
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Bashkal Associates
12 Albany Road
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

1 & 2 Falkland House Mews (r/o of 16-18 Fortress Road)
London
NW5 2PP

Proposal: Excavation of basement floor beneath both properties with lightwell to the front.

Drawing Nos: 161168-01, 161168-02, 161168-03, 161168-04, 161168-R5, 161168-R6, 161168-R7, 161168-R8, site location plan, Basement Impact Assessment (BIA) Revision 2 by Ashton Bennett dated January 2019; Flood Risk Assessment (FRA) including appendices A&B by UK Flood Risk Consultants dated 29 March 2018

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 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: 161168-01, 161168-02, 161168-03, 161168-04, 161168-R5, 161168-R6, 161168-R7, 161168-R8, site location plan, Basement Impact Assessment (BIA) Revision 2 by Ashton Bennett dated January 2019; Flood Risk Assessment (FRA) including appendices A&B by UK Flood Risk Consultants dated 29 March 2018.

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

- 4 The basement shall be constructed in accordance with the details, recommendations, methodologies and mitigation measures in the Basement Impact Assessment (BIA) Revision 2 by Ashton Bennett dated January 2019 hereby approved.

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

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

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

Informative(s):

- 1 Reasons for granting permission.

The proposed development involves the excavation of a new basement floor beneath two semi-detached residential properties. The basement floor would span the entire footprint of the existing buildings (measuring approximately 121sqm), with the only external manifestation being two lightwells measuring a combined 5.2sqm. The lightwells would be covered with a simple metal grill which would reduce their visibility and prominence.

The application buildings are the only two properties located on the narrow Falkland House Mews which is a private road. As such, there are no public views of the proposed development, and only limited private views from the rear windows of properties along Fortress Grove. Given the minor external changes and their limited visibility, the proposed development would preserve the character and appearance of the host buildings and the nearby Kentish Town Conservation Area which borders the site boundary to the east.

During the course of the application the proposals were amended to reduce the size of the proposed lightwells by half and to replace the previously proposed glazed balustrade with a metal grill. The amendments are considered to preserve the pleasing domestic scale of the two storey residential dwellings and are acceptable.

The proposed basement excavation would comprise a single storey, would not be built under an existing basement, would not exceed 50% of the garden, would be less than 1.5 times the footprint of the host building, would not extend into the garden more than 50% of the depth of the building, would be set back from the neighbouring boundaries where it extends beyond the footprint of the host building and would avoid the loss of garden space. As such, the basement development would comply with the design requirements of policy A5.

A basement impact assessment (BIA) has been submitted by a firm of engineers with suitable qualifications which meet Camden's requirements. The BIA has been audited by Campbell Reith, the Council's independent auditors who have reviewed the BIA for potential impact on land stability and local ground and surface water conditions, and confirmed that the BIA meets the requirements of Camden Planning Guidance: Basements and Policy A5.

Due to the location and nature of the proposals, they would not harm neighbouring amenity by way of a loss of daylight, outlook or privacy.

The application site is located within a TfL Underground zone of influence, and the London Underground Infrastructure Protection team have confirmed they have no comments on the planning application.

No objections have been received prior to the determination of this application. The Kentish Town Neighbourhood Forum have confirmed they have no objection.

The site's planning history and relevant appeal decisions were taken into account when coming to this decision. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies G1, A1, A5, D1, and D2 of the Camden Local Plan 2017 and Policy D3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also complies with the London Plan 2016 and National Planning Policy Framework 2019.

- 2 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).
- 3 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.
- 4 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.

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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer