

Application ref: 2017/2671/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Date: 4 July 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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The Design Works  
32 Grange Road  
Plympton  
Plymouth  
PL7 2HY

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:  
**28 Kylemore Road**  
**LONDON**  
**NW6 2PT**

Proposal:

Erection of a single storey infill extension at lower-ground floor level, new lightwell to the front elevation to form habitable rooms and new bin store in front garden all associated with the use as a maisonette (Class C3).

Drawing Nos: 170130/01 REVA, 170130/02, 170130/03 REVA, 70130/04 REVA, 170130/06, KEY Geological & Geotechnical Consultants Land Stability Assessment dated April 2017 and Campbell Reith Basement Impact Assessment Audit dated September 2017.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

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- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

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

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 170130/01 REVA, 170130/02, 170130/03 REVA, 70130/04 REVA, 170130/06, KEY Geological & Geotechnical Consultants Land Stability Assessment dated April 2017 and Campbell Reith Basement Impact Assessment Audit dated September 2017.

Reason:

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

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

#### Informative(s):

- 1 Reasons for granting permission.

Planning permission is sought for the erection of a side/rear infill extension and basement extension including excavation for a new lightwell with railings to the front elevation. The proposed basement extension would mainly be under the footprint of the host building and therefore not seen from public views. The proposal would however involve excavating a substantial lightwell within the front garden. The existing bay window would continue down to lower ground level and the existing window features would be replicated at lower-ground floor level. In this respect, it is considered that the proposal has been designed in sympathy with the character and appearance of the host building.

The front lightwell would be substantial, however, it is similar to those present at various other properties along Kylemore Road (i.e. No. 1, 3, 7, 16, 21 and 23). Moreover, no's 5, 15, 16, 21, 23 all consist of railing around the lightwells. As such, front lightwells would therefore not be out of keeping with the

character of the local area.

Policy A5 of the Local Plan 2017 states that the permissible size of a basement development will be guided by the characteristics of the site. A basement development that is modest in size such that it does not extend beyond the footprint of the original building and is no deeper than one full storey below ground level (approximately 3 metres in depth).

The proposal therefore complies with the guidance of policy DP27 of the LDF and CPG 4 (Basements and lightwells) in terms of its overall size. The Local Plan 2017 stipulates; where basements and visible lightwells are not part of the prevailing character of a street, new lightwells should be discreet and not harm the architectural character of the building. This would not be the case in this instance, the proposed lightwell towards the front would mean excavation of the front garden and the applicant submitted a Basement Impact Assessment associated with the construction of the proposed basement. The report concludes that no element of the proposal raises concerns that warrant further ground investigation. No structural issues, flooding or surface water issues are raised. Based on the existing site circumstances and findings of the reports, it is not considered that the proposal would result in development that would cause harm to the built or natural environment or local amenity and would therefore comply with the aims and objectives of Policy A4 of the Local Plan 2017. A condition is attached regarding a suitable qualified engineer, to ensure the basement works are done properly.

The proposed single storey infill extension is considered acceptable in terms of its form and proportions. The infill rear extension would respect the character of the host building and surrounding townscape. The height and depth of the single storey infill extension would match the neighbouring property. As such, it is considered a subordinate addition to the host building.

The proposed infill addition would be constructed with a mono-pitched roof that raises from 1.8m to 2.6m in height, 1.5m in width and 2.4m in depth and would include a small courtyard to the south elevation. Aluminium framed sliding door is proposed with Velux rooflight. The proposal would not have impact on the existing rear garden, given its size and setting.

The proposed extensions would not have a detrimental harm to the adjacent occupiers. The height of the infill extension would be marginally higher. The rooflights above the infill extension, by virtue of its position, would not result in detrimental overlooking to the upper level windows.

No comment has been received and the site constraints has been taken under consideration prior to making this decision.

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As such, the proposed development is in general accordance with policies A1 and D1 of the Camden Local Plan 2017 and policies in the London Plan March 2016, the relevant paragraphs of

- 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 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 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