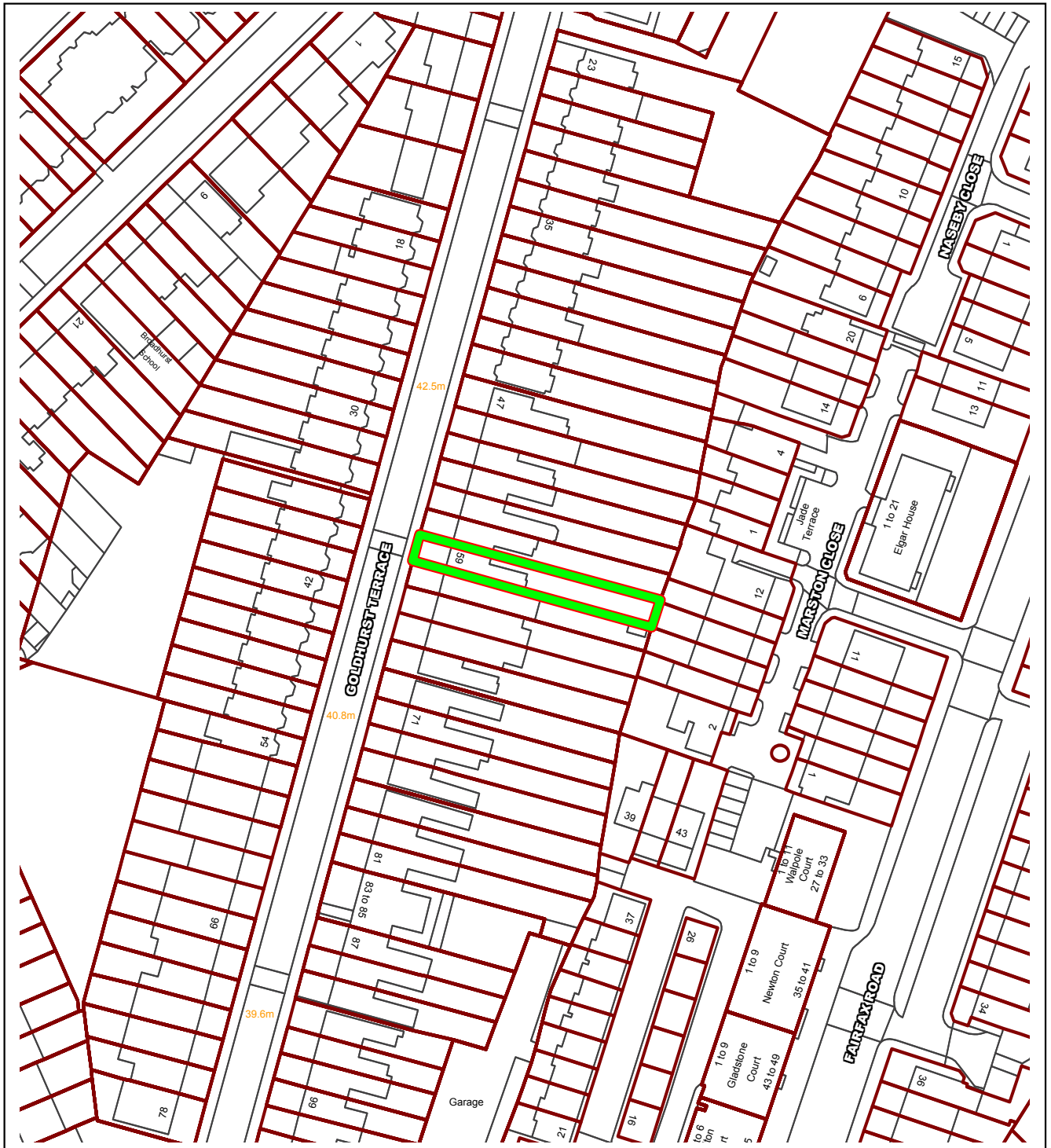


2018/0462/P
59 Goldhurst Terrace, London, NW6 3HB



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Site Photographs

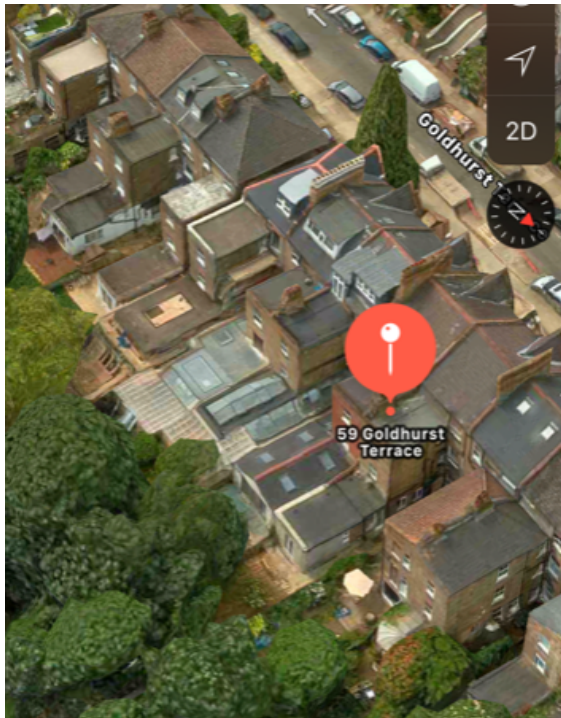


Photo 1 – Aerial view



Photo 2 – View of existing rear extension



Photo 3 - View of rear garden. (nb. Existing approval under section 211 application to remove tree shown)



Photo 4 – front elevation

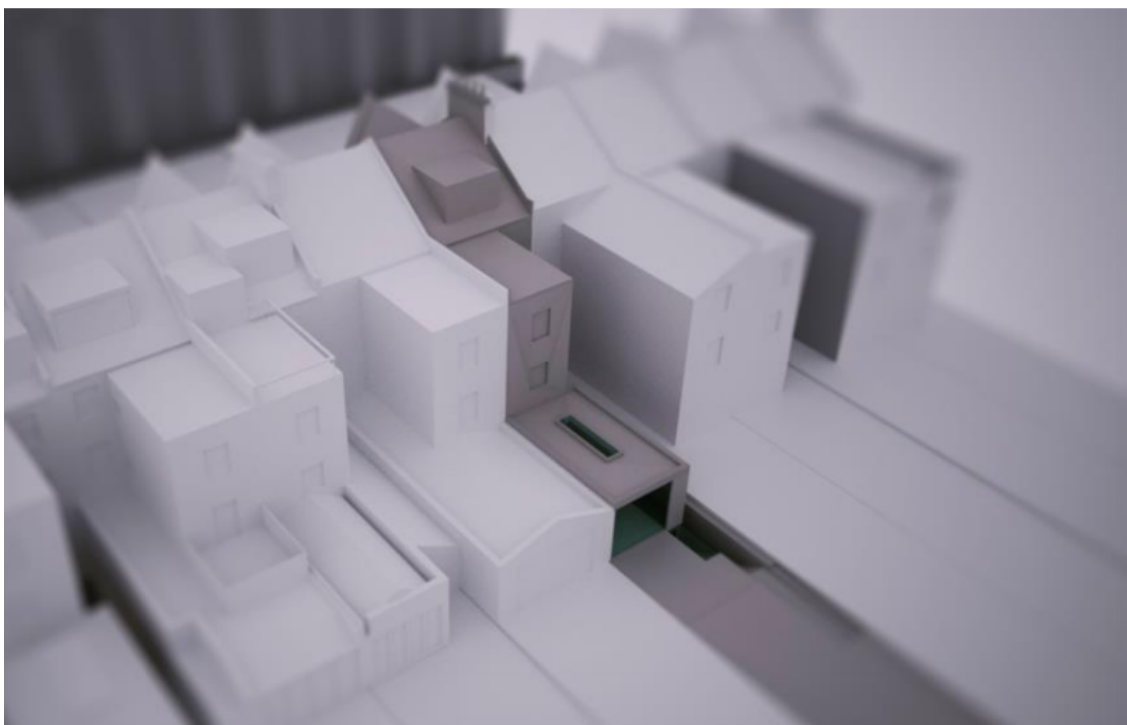


Photo 5 – proposed massing

Delegated Report (Members' Briefing)		Analysis sheet		Expiry Date:	23/04/2018
		N/A		Consultation Expiry Date:	30/03/2018
Officer			Application Number(s)		
Kristina Smith			2018/0462/P		
Application Address			Drawing Numbers		
59 Goldhurst Terrace LONDON NW6 3HB			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s) Excavation of basement level with front and rear lightwells; erection of rear extension and rear dormer in association with reconfiguration of existing 8-bed HMO (Sui Generis) and self-contained 1-bed (Class C3) to provide a 6-bed HMO (Sui Generis) and 1 x 2-bed; 1 x 3-bed self-contained units (Class C3); hard and soft landscaping works to front and rear					
Recommendation(s):		Grant conditional planning permission subject to a Section 106 Legal Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	04	No. of objections	04
Summary of consultation responses:	<u>Publicity</u> <ul style="list-style-type: none">2 no. site notices were displayed between 28/02/2018 and 21/03/2018A press advert was published between 01/03/2018 and 22/03/2018			
	Four objections from separate individuals were received on the following grounds:			
	<u>Construction related impact</u> <ul style="list-style-type: none">Excavation will lead to unbearable vibrations and noise as well as dust and dirtLorries arrive well before 8am and keep their engines running, make the road noisy and cause congestionAmount of noise disturbance is completely unacceptable.Cumulative impact from four adjoining recent excavations results in continuous disturbance and disruptionOver the past few years local residents have been subjected to a long series of basement excavations in close proximity to our property (61, 63, 65, 67, 58, 60 and 66 Goldhurst Terrace), each lasting for many months.There have been several instances where basement digging started well before planning permission was granted under the guise of “exploratory work”Lorries occupy parking spaces meant for residents, reserving them using bags of cement / palettes etc.			
	<i>Officer response: planning permission would be subject to a Construction Management Plan (see paragraphs 2.31 – 2.36 for more detail) and an informative will be placed on the decision notice reminding the applicant of the need to carry out work in accordance with Camden’s Minimum Requirements and the Control of Pollution Act 1974.</i>			
	<u>Consultation</u> <ul style="list-style-type: none">Hard to find out information – first heard was via notice on lamppost which was taken down after 1 day (subsequently reinstated)Applicant has carried out not consultation			
	<i>Officer response: consultation has been carried out in accordance with the Council’s Statement of Community Involvement. Whilst it is encouraged, the applicant has no obligation to carry out consultation with neighbours.</i>			
	<u>Other</u> <ul style="list-style-type: none">Applicant is very hard to contact, does not live at the property. Gives rise to concerns over future accountability and credibility of other assurances			

	<p>provided to the council.</p> <p><i>Officer response: this is a civil matter and outside of the influence of the planning process.</i></p>
<p>Local Groups/ CAAC comments:</p>	<p><u>Combined Residents Associations of South Hampstead (CRASH) have objected on the following grounds:</u></p> <ul style="list-style-type: none"> • Object in the strongest possible terms to the proposed excavation for yet another basement in Goldhurst Terrace. • Residents of this street have had their lives blighted by continuous pollution, dust and noise during the non-stop such developments which have gone on here over the past four years • The cumulative effects of unlimited basement developments in any one street has already been seen to have the effect of redirecting existing water courses and underground springs with, frequently, disastrous effects for neighbouring properties. • This is already apparent in the garden of the property at No 57 Goldhurst which immediately neighbours the site • Planning must no longer go on ignoring the all-too-evident proofs of such occurrences and should ensure that the saturated state of the garden at No 57 is investigated thoroughly before any decision is made on this current application. <p><i>Officer response: the basement has gone through a satisfactory basement audit by Campbell Reith, which takes into account other basements. Please also refer to 'Amenity – construction nuisance' section of the report for information on how the Construction Management Plan can address cumulative impact.</i></p>

Site Description

The site is a three-storey mid-terrace house on the east side of Goldhurst Terrace, close to the junction with Finchley Road. The property belongs to a wider building group of eleven properties of the same character and appearance, including a decorative front gable feature. The property is in use as a 9-bed HMO (10 person capacity) with a self-contained 1-bed unit located on the rear part of the ground floor.

The property is not listed but it lies within the South Hampstead Conservation Area and is designated as a building that makes a positive contribution to the conservation area.

Relevant History

APPLICATION SITE

2013/6678/P - Rear ground floor extension to flat. **Granted 24/12/2013**

Relevant planning records in vicinity:

61 Goldhurst Terrace

2014/2046/P: Excavation of basement to residential flat including front and rear lightwells (Class C3). **Granted planning permission 28/04/2014.**

2019/2352/P - Installation of a dormer window and rooflight to rear roofslope and three rooflights to front roofslope **Granted 30/07/2019**

63 Goldhurst Terrace

2016/4083/P - Excavation of basement with front and rear lightwells. – **Granted planning permission 23/01/2017**

2019/2352/P - Installation of a dormer window and rooflight to rear roofslope and three rooflights to front roofslope. **Granted 30/07/2019**

65 Goldhurst Terrace

2014/6247/P - Excavation to enlarge existing basement including enlarged front lightwell and relocated access stairs, and new rear lightwell. – **Granted planning permission subject to s106 legal agreement 02/10/2015**

67 Goldhurst Terrace

2013/6914/P - Excavation of single storey basement level extension including front and rear lightwells, erection of single storey ground floor rear extension, erection of rear dormer roof extension, alterations to fenestration of rear outrigger, erection of waste and cycle storage enclosure in front garden and installation of entrance door on side elevation. **Granted planning permission 28/07/2015**

71 Goldhurst Terrace

2018/1610/P - Excavation of basement with lightwells to the front and rear; erection of a single storey rear extension. **Pending decision 23/07/2019**

Relevant policies

National Planning Policy Framework (2019)

The London Plan (2016)

Draft London Plan – Consolidated suggested changes version (July 2019)

Camden Local Plan (2017)

G1 – Delivery and location of growth

H1 – Maximising housing supply

H6 – Housing choice and mix

H7 – Large and small homes

H10 – Housing with shared facilities

A1 - Managing the impact of development

A5 - Basements and lightwells

D1 - Design

D2 – Heritage

T1- Prioritising walking, cycling and public transport

T2 - Parking and car-free development

T4 - Promoting the sustainable movement of goods and materials

CC1 – Water and flooding

CC5 - Waste

DM1 - Delivery and Monitoring

Camden Planning Guidance 2018/ 2019

CPG Design
CPG Basements
CPG Altering and extending your home
CPG Amenity
CPG Transport

South Hampstead conservation area statement (2011)

Assessment

1. Background

- 1.1. It is noted that this application was previously reviewed at a Member's Briefing Panel meeting on 23rd December 2019, where it was agreed that officers' recommendation to grant permission subject to the completion of a section 106 legal agreement could proceed under delegated powers.
- 1.2. Since this time, the applicant decided to amend the layout of the HMO element of the scheme, reducing the number of units by one but providing en-suite accommodation instead of shared bathrooms. The capacity of the HMO would be reduced from 11 to 10 occupants which is considered to be outweighed by the improved quality of the units which now includes a larger shared kitchen and en-suite bedrooms. A draft agreement has been issued by the Council's solicitor for agreement, but it has not yet been signed and returned and the decision has not yet been finalised. Due to the minor change in the proposal it was therefore considered appropriate to return this recommendation to the Members Panel. All other elements of the proposal remain the same as was previously considered on 23rd December. For ease of reference the text of this report which has been changed to respond to the change in bedsit numbers since 23rd December 2019 have been highlighted in red.

2. Proposal

2.1. The applicant seeks planning permission for the following works:

- Conversion of a 7-bed HMO (Sui Generis) at ground, first and second floors and self-contained unit at ground floor into a 6-bed unit (Sui Generis) at first, second and third floors and 1 x 3-bed; 1 x 2-bed self-contained units (Class C3) at ground and lower ground floors;
- Excavation of single storey basement level with front and rear lightwells;
- Part replacement of single storey rear extension measuring 4.4m (w) x 3.2m (h) x 7.2m (d)
- Installation of rear dormer measuring 3m (w) x 1.9m (h) x 3.2m (d)
- Installation of cycle and bin store measuring approx. 4m wide x 1.9m deep x 1.2m high

2.2. During the course of the application, the following revisions were made:

- Change in the layout of the self-contained units at lower ground and ground floor to 'scissor section' duplexes to improve quality of residential accommodation.
- Reconfiguration of HMO including reduction in number of proposed HMO rooms from 7 units to 6 units and inclusion of en-suites in lieu of shared bathrooms. The capacity in terms of occupants has remained the same.

3. Assessment

3.1. The planning considerations material to the determination of this application are as follows:

- Housing considerations (including Affordable housing contribution)
- Design and heritage
- Basement considerations
- Amenity of neighbouring occupiers
- Transport considerations
- Trees

Housing considerations

Changes to HMO floorspace

3.2. Policy H10 resists development that would involve the net loss of housing with shared facilities or the self-containment of any part of such housing unless:

g.) it can be demonstrated that the accommodation is incapable of meeting the relevant standards for houses in multiple occupation, or otherwise genuinely incapable of use as housing with shared facilities; or

h.) adequate replacement housing with shared facilities will be provided

i.) the development provides self-contained social-affordable rented homes.

3.3. The re-provided 6-bed HMO would have one less unit than the existing with a capacity of 10 occupants in total across 4 double bedrooms and 2 single bedrooms. Although the existing number and size of rooms (6 doubles and 1 single bedroom) would typically result in a capacity of 13 occupants, the capacity is actually limited to 11 occupants by the HMO licence due to inadequate provision of shared facilities

3.4. The slight reduction in capacity by 1 occupant is considered to be outweighed by the significantly improved shared facilities including a large shared kitchen and en-suite washing / toilet facilities.

3.5.. The Council's Private Housing officer has reviewed the HMO provision and are supportive of the standards proposed, including bedroom sizes and bedroom to bathroom / kitchen ratios. It is considered that the submitted proposals have the potential to achieve a licensable standard.

Provision of self-contained units

3.6. Self-contained housing is the priority land use of the Local Plan and therefore the principle of its inclusion in the scheme is supported. The proposal would provide 1 x 3-bed and 1 x 2-bed units in place of an existing 1-bed unit.

3.7. The Council's priority dwelling size is 2 and 3-bed units which are noted as being high priority, whilst 1-bed and > 4-bed are of lower priority. The proposal is to replace a 1-bed unit with a 3-bed and a 2-bed and therefore the dwelling mix is supported.

3.8. The Council expects development to provide high quality housing that provides secure, well-lit accommodation with well-designed layouts and rooms. The London Plan 2016 sets out Nationally Described Space Standards which all new dwellings must meet. For 3b5p (over 2 floors) the standard is 93sqm and for a 2b3p (over 2 floors) the standard is 70 sqm. The size of the proposed units have been assessed against these standards and both comfortably comply measuring 98 sqm and 75 sqm respectively.

3.9. To allow both units to receive good outlook and daylight, the units would be 'scissor section' duplexes with each unit having habitable rooms at basement level and ground floor level. This

also prevents a unit solely at basement level being as susceptible to flood risk.

- 3.10. In terms of amenity space, one flat would have a private section of garden leading off from the living room at ground floor level whilst the other would have a small courtyard area at basement level plus exclusive use of the remaining rear garden.

Affordable housing contribution

- 3.11. The extensions to the building add up to approximately 106 sqm. In addition, there is an uplift of 1 self-contained unit. As such, there is a requirement for an Affordable Housing contribution under policy H4.
- 3.12. Policy H4 expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to the residential floorspace of 100sqm GIA or more. This is based on an assessment where 100sqm of floorspace is considered to be capacity for one home. In developments that provide less than 10 units, affordable housing contributions can take the form of a payment in lieu.
- 3.13. The affordable housing target as detailed in policy H4 and its supporting text is based on a sliding scale with the target starting at 2% for an additional home (at 100sqm) and is increased by 2% for each home added to the capacity. The uplift in residential floorspace provided is c.106sqm GIA; therefore rounded down to 100 sqm for this purpose resulting in the affordable housing target being 2% for this scheme.
- 3.14. Payments in lieu are taken from a figure based on the gross external area (GEA) of the application floorspace concerned. The GEA of the first floor level is calculated at 378.75sqm (using the standard multiplier of 1.25). The level of payment in lieu for a market residential scheme is £2,650 per sqm.
- 3.15. The affordable housing contribution for this proposal is £7,022.50. This is calculated by 2% (the affordable housing target) of 132.5 sqm (the GEA) which results in 2.65 sqm. The value for this is then multiplied by £2,650 to get the payment figure of £7,022.50. The affordable housing contribution would be achieved via a S106 legal agreement upon approval of the proposal. In the absence of a legal agreement to secure the affordable housing contribution, the proposal cannot be supported as this would not assist the Council meet housing needs for households in the borough that are unable to access market housing.

Design and heritage

- 3.16. The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 (Design) states that all development should consider the character, setting, context and the form and scale of neighbouring buildings whilst Policy D2 (Heritage) states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.
- 3.17. 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 2013. Officers are of the opinion that the proposal would preserve the appearance of the building and the character and appearance of this part of the South Hampstead Conservation Area. The following paragraphs shall go into more detail on why this is the case.

Part replacement rear extension

- 3.18. There is an existing rear extension that projects from the closet wing to a depth of approx. 6.9m. The replacement extension would slightly increase this depth by approx. 30cm. Although a large extension of this depth would not typically be supported, the surrounding context includes a number of comparably deep extensions including at adjoining property at no. 61 in addition to no's 63, 65 and 67. These extensions also include a side infill element whereas the proposed extension would not quite extend to full width, retaining a side access path.
- 3.19. The extension would be of matching brick construction to the main house, with simple and contemporary glazed sliding doors. The design is considered acceptable considering the range of styles evident nearby, and the non-prominent ground floor location on the building.

Installation of rear dormer

- 3.20. A dormer would be installed in the middle of the rear roof slope. Its scale and position would fully accord with guidance in CPG Altering and extending your home. Several nearby properties have dormers of a similar or larger scale and so the proposed addition would be in-keeping with the surrounding context. It is noted there is a recent permission for a dormer at no.61 Goldhurst Terrace (ref. 2019/2352/P) which is of a similar scale to the proposed.
- 3.21. The dormer would have a slender appearance and would be finished with three timber sliding sash windows. The detailed design is considered sensitive to the character of the property.

Excavation of basement level and creation of front and rear lightwells

- 3.22. The design considerations of the new basement level are the open front lightwell to the front and a stepped lightwell in the rear garden. There have been several recent basement excavations on this side of Goldhurst Terrace (see planning history) and front lightwells have become part of the character across the terrace. The front lightwell has been scaled and designed to match neighbouring lightwells. The new front windows at lower ground floor level would be timber sash to match the rest of the building and the lightwell would be finished with black metal railings.
- 3.23. The rear lightwell would be part-width with steps enabling access from basement level up to the rear garden. Its limited scale and stepped form means that it would have little prominence from anywhere including private views and would avoid harming the character and appearance of the host building or South Hampstead conservation area.

Provision of cycle and bin store in front garden and boundary alterations

- 3.24. It is proposed to accommodate cycle and bin provision in a bin/cycle store that would measure approx. 4m wide x 1.9m deep x 1.2m high. Full design details have not been provided at this stage and so will be secured by condition to ensure the structure does not have an adverse impact on the character and appearance of the host building and conservation area.
- 3.25. The existing boundary treatment comprises a low cement wall which is slightly at odds

Basement considerations

- 3.26. The basement would be located underneath the footprint of the property including that of the proposed extension. It would only extend out further than the footprint to the side of the extension.
- 3.27. It would provide 100sqm of residential floorspace for two self-contained units. The site located in a Flood Risk Zone and therefore self-contained flats at entirely basement level are resisted. To avoid this, the units would have a scissor section layout over lower ground and ground floor

levels, which is an acceptable situation. It would also allow both units to have good access to daylight and outlook.

3.28. The table below assesses the proposed basement against policy A5 of the Camden Local Plan, the overall aim of which is to protect the enforcement and adjoining properties from harmful impacts.

Policy A5 Criteria	Response	Complies (Yes/No)
The Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:		
a) neighbouring properties;	The current assessment indicates a maximum of Burland Category 1 (very slight) to no.57 Goldhurst Terrace. A CMP will also be secured to help mitigate construction impacts.	Yes
b) the structural, ground, or water conditions of the area;	The BIA presents appropriate assessments of structural impacts and proposes mitigation measures. Limited site-specific ground investigation has been carried out with additional site investigation to be presented within a Basement Construction Plan. The BIA confirms there will be no impact to the wider hydrological environment.	Yes
c) the character and amenity of the area;	The basement would have a front and rear lightwell of a similar scale and appearance to nearby properties. As such, it would preserve the character and amenity of the area.	Yes
d) the architectural character of the building; and	As above.	Yes
e) the significance of heritage assets.	The basement would have no external manifestations and therefore would not impact on the significance of the Conservation Area.	Yes
Basement development should:		
f) not comprise of more than one storey;	The basement would comprise a single storey of 2.7m.	Yes
g) not be built under an existing basement;	The proposed basement would not be constructed under an existing basement.	Yes
h) not exceed 50% of each garden within the property;	The basement would be located underneath the footprint of the building (including extension) and a large garden would remain	Yes
i) be less than 1.5 times the footprint of the host building in area;	The original footprint of the building (not including later additions) is approx. 75sqm. The proposed basement would be 100sqm and therefore less than 1.5 times the building's footprint	Yes
j) extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;	The distance from the principal rear elevation to the end of the garden is approx. 34.6m whilst the basement extends approx. 12.3m from the principal rear elevation.	Yes

k)	not extend into or underneath the garden further than 50% of the depth of the garden;	The basement would not extend under any part of the garden.	Yes
l)	be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and	The basement would be set away from the boundaries with neighbouring properties by at least 0.3m.	Yes
m)	avoid the loss of garden space or trees of townscape or amenity value.	The rear stepped lightwell would bring about some loss of green garden space; however, this is a relatively small proportion (13sqm) of the wider garden (128 sqm)	Yes

3.29. As such, the basement is fully compliant with Local Plan policy A5 criteria in terms of its location, scale and size.

3.30. A basement impact assessment (BIA) was submitted with the application which has been through a satisfactory independent audit by Campbell Reith. The conclusions of the final audit report are as follows:

- The qualifications of the authors of the BIA report are in accordance with LBC guidance.
- A site investigation indicates ground conditions to comprise Made Ground underlain by the London Clay Formation. Ongoing monitoring of the groundwater levels is recommended in the BIA.
- Foundation inspection pits are recommended in the BIA. The revised submissions indicate these will be undertaken prior to construction.
- Updated geotechnical design parameters and structural information is provided, based upon the site specific ground investigation data.
- An outline construction programme has been provided.
- The original GMA has been revised and a maximum of Category 1 (Very Slight) damage is predicted. This is accepted, based on the structural calculations indicating minimal deflection of underpinned walls.
- A Flood Risk Assessment is presented which concludes the development is at low risk of flooding from all sources. Flood risk mitigation measures are proposed.
- The site is within a critical drainage area. SUDs should be adopted, with final scheme design approved by LBC and Thames Water. The proposed development will not impact the wider hydrological environment.

Amenity of neighbouring occupiers

Extensions

3.31. The rear extension would be built up against an extension of a very similar depth at no.61 to the south and would be set away from the boundary with no.57 to the north. The extension would also be of a similar footprint to the existing and so there would be no additional impact. As such, it would not bring about any harm to amenity.

3.32. The dormer extension would not lead to any new opportunities for overlooking neighbouring gardens due to the presence of windows below and also the distance from gardens given the dormer would be at third floor.

Construction nuisance

- 3.33. Neighbours have raised concerns in relation to the nuisance caused by the construction works as part of basement excavations, due to numerous such developments taking place along the street in the recent past. The excavation of the basement resulting in noise, dust and air pollution from construction works would be managed by a Construction Management Plan (CMP) secured via s106 legal agreement. Camden's Basement planning guidance notes that 'construction management plans should cover the following:
- provisions for phasing;
 - provisions for site management, safety, and supervision,
 - management of construction traffic and parking;
 - management of noise, vibration, dust, and waste;
 - provisions to ensure stability of buildings and land;
 - provisions for monitoring movement, and
 - provisions for a construction working group (for projects where there will be a need for ongoing consultation with the affected neighbours through the construction phase e.g. long, complex projects)'.
- 3.34. In this case, the development is unlikely to be unusually long or complex and therefore a construction working group is not considered to be a requirement of the CMP. However, as a legal live document, the agreement would ensure that the construction works would take into account any other construction near to the application site, and ensure smooth management of the Construction traffic and parking. As such, the CMP would ensure that the construction of the proposed scheme would minimise the harmful impacts of construction on the building and on local amenities.
- 3.35. It is evident from planning records (see 'site history') that the developments in the immediate area (2011-2017) which involved excavation of new basements were granted planning permission without securing a Construction Management Plan. However Basement CPG 2018 now makes it clear (para 5.3) that "the Council will generally require a construction management plan for basement developments to manage and mitigate the greater construction impacts of these schemes". CMPs are required to follow the Camden pro-forma which sets out details of the topics and issues to be covered and the minimum extent of consultation required. It is therefore expected that a more strategic approach to managing the construction practices will be in place for this and any future basement development in the immediate area.
- 3.36. CMPs are typically submitted post-planning stage as they rely heavily on contractor input. The key issue with the excavations in the local area is the management of cumulative impact which can only really be addressed once a contractor is on board and has discussed the construction programme and timing overlaps with other contractors on the street.
- 3.37. The CMP would be subject to a monitoring fee of £3,136 for the Council to review and monitor the CMP and the construction of the development.
- 3.38. It is considered that the impact of the proposed rear extension and basement (once completed) would result in no significant harm to the amenity of neighbours. The construction of the basement would be subject to monitoring and management by way of the Construction Management secured by s106 legal agreement. Overall, it is considered that the impact of the development and means of mitigating it are acceptable in terms of policy A1.

Transport considerations

Car free

- 3.39. Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments, including conversions, in the borough to be car-free. All units will be secured as car-free via a Section 106 planning obligation.

Cycle parking

- 3.40. To be policy compliant, the scheme should provide 4 cycle spaces as a minimum for the two new self-contained units in an accessible, secure and covered location. The proposal includes 6 cycle spaces, the additional 2 of which could be used by the HMO. Given the existing HMO has a very similar number of bedspaces and the limited space in which to contain cycle parking, it was not considered necessary to provide further cycle parking. Full details of the cycle storage facility will be secured by condition.

Highways contribution

- 3.41. The proposed works could lead to damage to the footway directly adjacent to the site on the public highway. Camden would need to undertake highway remedial works following completion of the proposed development. A financial contribution for highway works would therefore need to be secured as a Section 106 planning obligation if planning permission is granted.

Trees and Landscaping

- 3.42. No trees would be removed to facilitate the development. It is noted that the existing large tree in the rear garden (shown on photos) has approval to be removed under a section 211 application. Given the excavation works, a condition will be attached requiring tree protection measures to ensure all trees on-site and off-site are protected.
- 3.43. A condition will also be attached requiring landscaping details to both the front and rear, including details about means of enclosure and the soft landscaping of lightwells and rear garden areas.

4. Recommendation

3.1 Grant Conditional Planning Permission subject to a section 106 legal agreement for:

- Construction Management Plan (and £3,136 monitoring fee)
- Car-free housing for all units
- Highways contribution
- Affordable housing contribution

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 3rd February 2020, 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'.

etch design
62 Mount View Road
London
N4 4JR

Application Ref: **2018/0462/P**

30 January 2020

Dear Sir/Madam

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:

**59 Goldhurst Terrace
LONDON
NW6 3HB**

Proposal:

Excavation of basement level with front and rear lightwells; erection of rear extension and rear dormer in association with reconfiguration of existing 7-bed HMO (Sui Generis) and self-contained 1-bed (Class C3) to provide a 6-bed HMO (Sui Generis) and two 3-bed self-contained units (Class C3); hard and soft landscaping works to front and rear

Drawing Nos: (Prefix: ed/59gt/) 101; 301; 302 (Rev A); 303 (Rev A); 304; 305; 4001; 4002 (Rev A); 4003; 4004 (Rev A); Design & Access Statement; Internal Daylight Assessment (dated 21st November 2017); Basement Impact Assessment Screening and Scoping (ref RA 3324) dated January 2018 by Ashton Bennett Ltd; Engineering Design and Impact Statement (ref 6447-DS01 Rev A) dated November 2018 by Pole Structural Engineers Ltd; Level 2 Flood Risk Assessment (ref 2018-148) dated December 2018 by Flood Risk Consultancy Ltd; Basement Impact Assessment (ref RA 3352Rev) dated May 2019 by Ashton Bennett Ltd; Desktop Utility Search (ref 23150JS) dated 8 January 2019 by Groundwise Searches Ltd; Letter dated 9th July 2019 from Ashton Bennett Ltd; Email dated 13th September 2019 from Ashton Bennett Ltd; Updated Elevations and Section Drawings dated 4th September 2019; Addendum Engineering Design and Impact Statement (ref 6447-DS01 Rev B) dated November 2019 by Pole Structural Engineers Ltd.

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: (Prefix: ed/59gt/) 101; 301; 302 (Rev A); 303 (Rev A); 304; 305; 4001; 4002 (Rev A); 4003; 4004 (Rev A); Design & Access Statement; Internal Daylight Assessment (dated 21st November 2017); Basement Impact Assessment Screening and Scoping (ref RA 3324) dated January 2018 by Ashton Bennett Ltd; Engineering Design and Impact Statement (ref 6447-DS01 Rev A) dated November 2018 by Pole Structural Engineers Ltd; Level 2 Flood Risk Assessment (ref 2018-148) dated December 2018 by Flood Risk Consultancy Ltd; Basement Impact Assessment (ref RA 3352Rev) dated May 2019 by Ashton Bennett Ltd; Desktop Utility Search (ref 23150JS) dated 8 January 2019 by Groundwise Searches Ltd; Letter dated 9th July 2019 from Ashton Bennett Ltd; Email dated 13th September 2019 from Ashton Bennett Ltd; Updated Elevations and Section Drawings dated 4th September 2019; Addendum Engineering Design and Impact Statement (ref 6447-DS01 Rev B) dated November 2019 by Pole Structural Engineers Ltd.

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, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 5 Before the development commences, details of secure and covered cycle storage area for 6 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.

- 6 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. 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.

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 8 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a [1:100 year event with 30% provision for climate change] [demonstrating 50% attenuation of all runoff] [demonstrating greenfield levels of runoff]. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 9 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 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 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.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 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