



Application ref: 2018/5547/P  
Contact: Kristina Smith  
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Date: 6 February 2020

**Development Management**  
Regeneration and Planning  
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Tony O'Connor and Safina Haleema  
56A King Henry Road  
London  
NW3 3RP

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:  
**56 A King Henry's Road**  
**London**  
**NW3 3RP**

**Proposal:**

Excavation of basement level with covered front lightwell; erection of single storey rear extension with terrace above and alterations to rear elevation  
Drawing Nos: Existing and proposed ground floor plans 01; Proposed Basement plan 02; Existing and proposed first floor plans 03; Existing and proposed section A-A 04; Existing and proposed rear elevation 05; Existing and proposed rear elevation 06; Location plan 07; Block plan 08; Design and Access statement (prepared by Eros Maclean); Basement Impact Assessment by Ecos Maclean Ltd (ref: 18024), dated January 2019; Basement Impact Assessment review by H Fraser Consulting Ltd (ref: 30356TN1, dated April 2019); Basement Impact Assessment review by Ground and Project Consultants Ltd (ref: 50364, dated April 2019); Basement Impact Assessment review by Betts Hydro Consulting Engineers Ltd (dated April 2019); Addendum Basement Impact Assessment by Gabriel GeoConsulting (ref: GGC19779/R1), dated October 2019; Structural Information to Support Basement Impact Assessment by Inertia Structures Ltd (ref: 19079/SMS/01), dated October 2019; Attenuation Tank Design by Inertia Structures Ltd (ref: 19079, rev 1), dated 1911/2019; Topographical Survey by Cadmap (ref: CM19514), dated August 2019; Outline Construction Programme

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 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: Existing and proposed ground floor plans 01; Proposed Basement plan 02; Existing and proposed first floor plans 03; Existing and proposed section A-A 04; Existing and proposed rear elevation 05; Existing and proposed rear elevation 06; Location plan 07; Block plan 08; Design and Access statement (prepared by Eros Maclean); Basement Impact Assessment by Ecos Maclean Ltd (ref: 18024), dated January 2019; Basement Impact Assessment review by H Fraser Consulting Ltd (ref: 30356TN1, dated April 2019); Basement Impact Assessment review by Ground and Project Consultants Ltd (ref: 50364, dated April 2019); Basement Impact Assessment review by Betts Hydro Consulting Engineers Ltd (dated April 2019); Addendum Basement Impact Assessment by Gabriel GeoConsulting (ref: GGC19779/R1), dated October 2019; Structural Information to Support Basement Impact Assessment by Inertia Structures Ltd (ref: 19079/SMS/01), dated October 2019; Attenuation Tank Design by Inertia Structures Ltd (ref: 19079, rev 1), dated 1911/2019; Topographical Survey by Cadmap (ref: CM19514), dated August 2019; Outline Construction Programme

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.

- 5 Notwithstanding the details shown on the plans hereby approved, details of the terrace balustrade, to include 1.8 metre high privacy screens, shall be submitted to and approved in writing by the local planning authority prior to commencement of use of the roof terrace and shall be permanently retained thereafter.

Reason: To safeguard the appearance of the premises and the character of the immediate area and prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies D1 and A1 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reason for granting permission-

The proposal comprises a single storey rear extension with terrace above, a basement with front covered lightwell and alterations to the front and rear elevations.

The rear elevations of the wider building group have undergone various alterations and the proposed extension with terrace and associated alterations to fenestration would be in-keeping with the pattern of rear development.

To the front, it is proposed to convert the integrated garage into habitable living accommodation as most other properties in the building group have already done. This would involve the garage door being replaced with three casement windows which is acceptable particularly given there is no typical treatment to the fenestration in this location on neighbouring properties. The timber cladding would be replaced with white render to match the adjoining property and several others on the terrace.

Several of the neighbouring properties have carried out basement excavations of a comparative scale. The excavation has been assessed against the criteria of policy A5 and is fully compliant. The basement would allow a good sized rear garden to remain, would be of an appropriate depth and footprint relative to the main house, and be set in from the boundaries with neighbouring properties. A Basement Impact Assessment was submitted with the application and has undergone a satisfactory audit by Campbell Reith, the Council's independent engineer.

The basement would comprise a covered lightwell to the front of the property, a feature that many of the properties across the terrace share. Its inclusion is therefore acceptable.

The rear extension will not result in a material loss of light or outlook to neighbours on account of its size and height. A condition requiring details and

the subsequent installation of a 1.8m privacy screen is attached to prevent overlooking to first floor windows of the neighbour at 56 King Henry's Road. It is noted that there is an existing rear extension with terrace above at no.56b (granted under ref. 2015/6857/P) which has a privacy screen conditioned.

Given the excavation works, which have the potential to have an adverse impact on the amenity of surrounding occupiers as well as the local road network, a Construction Management Plan (CMP) plus monitoring contribution will be secured by a section 106 legal agreement.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A5, D1 and T4 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

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

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a faint rectangular stamp.

Daniel Pope  
Chief Planning Officer

