

2019/5649/P – 1 Dunollie Road, NW5 2XN



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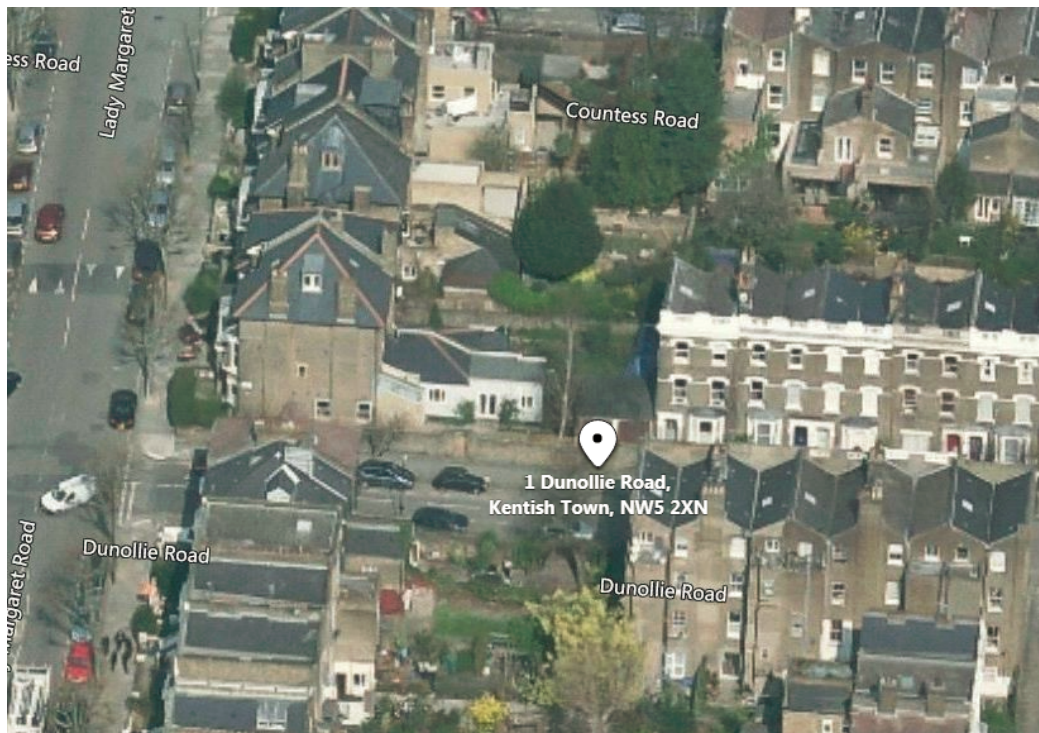


Photo 1 – Aerial view looking north

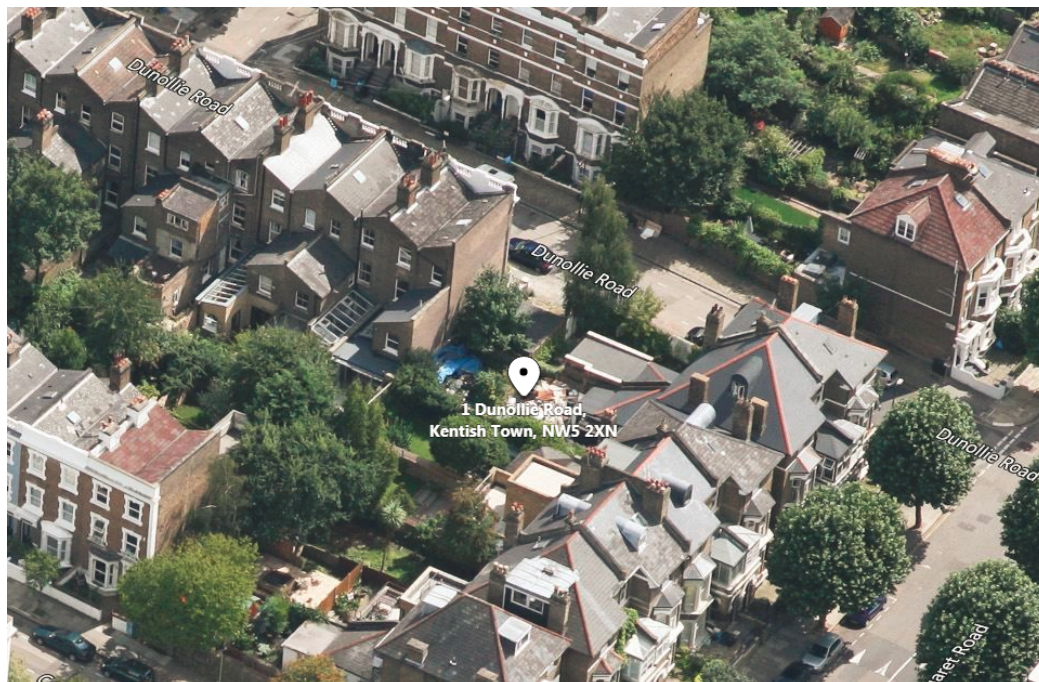


Photo 2 – Aerial view looking south



Photo 3 – Front elevation of application site / side elevation of 22 Lady Margaret Road



Photo 3 - Front elevation of application site / rear elevation of 22 Lady Margaret Road showing white garden gate to be retained



Photo 4 – Application site on right looking west down Dunollie Road

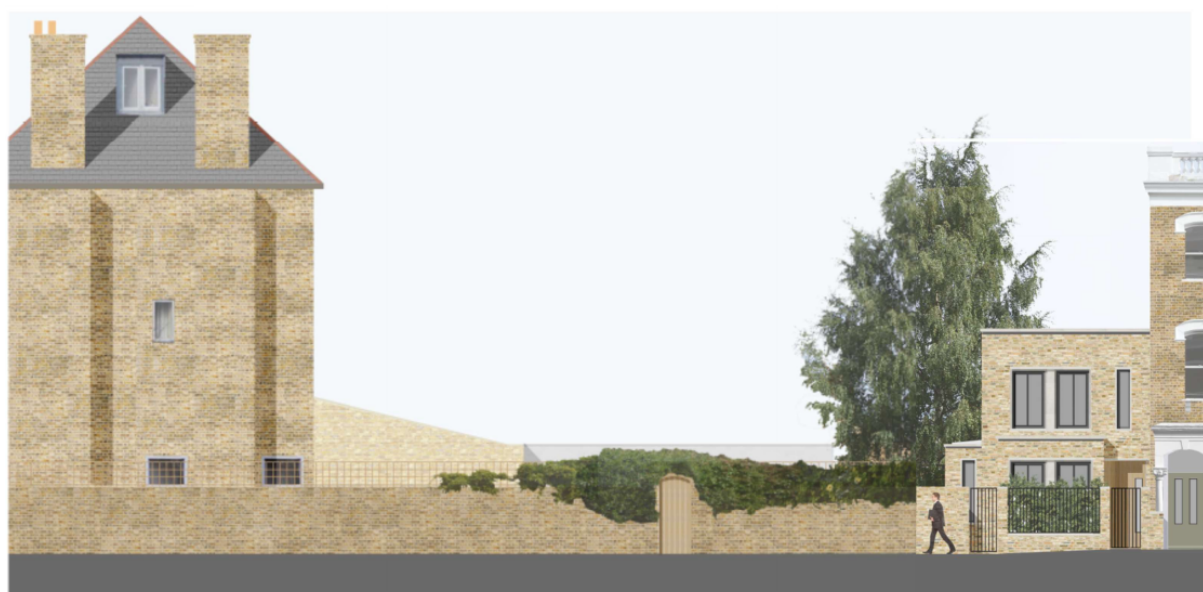


Photo 5 – Visualisation of new building showing wider context

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	02/01/2020
		N/A		Consultation Expiry Date:	12/01/2020
Officer			Application Number(s)		
Kristina Smith			2019/5649/P		
Application Address			Drawing Numbers		
1 Dunollie Road London NW5 2XN			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal Erection of two storey (plus basement) 2-bed dwelling house (Class C3) with hard and soft landscaping to front following demolition of existing garages					
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	6	No. of objections	6
Summary of consultation responses: <i>Officer Response in Italics</i>	<ul style="list-style-type: none">3 site notices were displayed from 13/12/2019 - 06/01/2019A press advert was displayed on 19/12/2019			
	Six objections were received from different addresses on the following grounds:			
	<u>Design and Conservation</u>			
	<ul style="list-style-type: none">The new development will have an adverse effect on the neighbourhood since it is out of character with the surrounding terraced properties and traditional characterNo properties have front balconies which are totally incongruousNot in line with general pattern of building heights and fills in a historic gap which has traditionally existing between buildingsProposed building does not respect local context and character, nor does it preserve or enhance the historic environment and heritage assetsDue to the proposed development's bulk and prominence it would cause an overdevelopment of the site – which is currently just a narrow area with only a one storey garage.Form of infill development is at odds with established grain of townscapeDesign is poorly conceived with inappropriate fenestration, front balcony, boundary walls and materials.			
	<u>Officer response</u> <i>Refer to 'Design considerations' section of report for full assessment. Note that the design has changed since consultation in response to consultation responses and officer concerns. See 'revisions' section.</i>			
	<u>Amenity</u>			
	<ul style="list-style-type: none">Neighbouring properties' houses and gardens will be overlooked causing lack of privacy and loss of amenity.The scale, massing and height of the proposed development would have a harmful effect on the amenity of my principal living space and garden – would confront two storeys of modern brickThe front balcony would overlook neighbouring properties leading to loss of privacyThe high level window would overlook nearby propertiesApplication proposes to block off existing entrance to neighbouring property which is out of the scope of application and unfairThe proposed development will be an extremely long building project which would cause much disruption, noise, vibration and dust – particularly as involves basementThe proposed bin/bike store would require an exiting access gate to be unilaterally blocked to the detriment of their amenity and lawful			

access

Officer response

Refer to 'Amenity' section of report.

Transport

- Traffic density in the locality will be further exacerbated by the expected addition of more ungaraged cars and pressure on additional street parking requirements.
- Proposed development will add a strain on parking provisions as it would remove garages
- During construction period, the works would disrupt traffic flow, impair disabled access on pavements, generate traffic and take up valuable on-street parking for the required vehicles, machinery and skips that would be needed for the digging out and building of a development of this scale.

Officer response: refer to 'Transport' section of the report

Basement

- There is concern that the disturbance of ground during the building process could lead to potential subsidence of nearby buildings in an area already at risk.
- The proposed excavation poses a risk to the foundations of neighbouring buildings.

Officer response: refer to 'Basement' section of the report

Trees and landscaping

- Loss of trees will have a detrimental effect on ecology of local area
- The proposed excavation would harm the root protections area of the Silver Birch tree located on neighbouring property. Tree has private and public amenity value and its preservation is important.

Other

- Planning application is invalid – Certificate B should have been signed rather than A and the red line should have included 22d Lady Margaret Road (and other freeholders)
- Unneighbourly conduct to take and include photographs of my private living areas and garden and to include these in a public document without asking permission
- Also concerned that the architect has acquired my personal email address/name/address and that this is stored without my permission or confirmation of their data handling and storage provisions.

Thames Water responded with comments on Waste Water and Surface Water. An informative shall be attached to any permission to reflect the comments made and advise the applicant.

**Councillor/ Local
groups comments:**

Kentish Town Neighbourhood Forum responded with 'No comment –
neither support or endorse'

Site Description

The application site relates to a three storey Victorian property on the northern side of Dunollie Road, close to the junction with Lady Margaret Road. Adjoined to the property are two single storey garages which appear to have been constructed in the rear garden of 22 Lady Margaret Road. Originally the garages were shared between 22 Lady Margaret Road and 1 Dunollie Road; however, they are now in the ownership of 1 Dunollie Road although an access gate to 22 Lady Margaret Road remains. To the immediate rear of the garages, the garden of no.24 Lady Margaret Road extends to meet the flank wall of 1 Dunollie Road. The garages are on the same front building line as 1 Dunollie Road. To the front of the garage site is an area of hard standing which is overgrown and detracts from the streetscape. There is no associated vehicle crossover and there is on-street parking.

The site is located in the Kentish Town Conservation Area. The accompanying statement designates no.1 Dunollie Road as a positive contributor to the conservation area. The site is also covered by the Kentish Town Neighbourhood Plan.

Relevant History

PEX0000300 - Erection of a two-storey side extension to existing single family dwelling to provide additional accommodation. **Granted 18/12/2000**
N.b. the consent was never implemented

PEX0100207 - Erection of a three storey side extension to the existing single family dwelling house – **Refused 22/05/2001** on the grounds that:
The proposed three storey side extension by reason of its height, bulk and appearance represents an unduly prominent and obtrusive form of development, detrimental to the existing building and visual amenities of the locality

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016

London Plan – Intend to Publish version 2019

Camden Local Plan 2017

G1 Delivery and Location of Growth
A1 Managing the impact of development
A2 Open space
A3 Biodiversity
A5 Basements
D1 Design
D2 Heritage
H1 Maximising housing supply
H4 Maximising the supply of affordable housing
H6 Housing choice and mix
H7 Large and small homes
CC1 Climate change mitigation
CC3 Water and flooding
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T4 Sustainable movement of goods and materials
DM1 Delivery and Monitoring

Camden Planning Guidance 2018/2019

CPG (Design)

CPG (Amenity)
CPG (Basements)
CPG (Transport)
CPG (Planning Obligations)
CPG (Biodiversity)

Kentish Town Neighbourhood Plan (2017)

Policy D3: Innovative building design

Policy GO3: Biodiverse Habitats

Kentish Town Conservation Area Appraisal and Management Strategy (2011)

Assessment

1.0 Proposal

1.1 The applicant seeks permission for the following works:

- Erection of a new two storey 2-bed house (5.6m (w) x 5.7m (d) x 6.3m(h)) (plus basement with front lightwell) with green roof following demolition of existing garages (5.3m (w) x 5.3 (d) x 2.2 (h))
- Hard and soft landscaping including new front boundary wall and railings

1.2 During the course of the application the following revisions were made:

- Reduced proportions of front bay window;
- Omission of front balcony at first floor level;
- The proposed relocation of garden gate associated with 22d Lady Margaret Road no longer forms part of proposal; existing gate position retained.

2.0 Assessment

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

- Principle of development
- Housing
- Design and heritage
- Basement considerations
- Amenity of surrounding occupiers
- Transport considerations
- Sustainability
- Trees and Landscaping

PRINCIPLE OF DEVELOPMENT

2.2 Policy G1 (Delivery and location of growth) of the Camden Local Plan is concerned with creating the conditions for growth to meet Camden's identified needs in terms of homes, jobs and infrastructure. In order to do this, the Council will support development that makes best use of its site, taking into account such considerations as quality of design, context, sustainability, amenity, heritage and transport accessibility. Self-contained housing is regarded as the priority land-use of the Camden Local Plan and Policy H1 states that the Council will make housing its top priority when considering the future of unused and underused land and buildings.

2.3 The support at local policy level for developing housing on underused land reflects a key

objective of the NPPF 2019 which is to make effective use of land. Paragraph 117 states that *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'*. It is considered that the application achieves this goal and discussion of how the proposal serves to protect the local environment and provide a good standard of residential accommodation is covered throughout the report. NPPF paragraph 118 states that planning decisions should promote and support the development of under-utilised land and buildings if this would help to meet identified needs for housing.

- 2.4 Self-contained housing is regarded as the priority land-use of the Camden Local Plan and Policy H1 states that the Council will make housing its top priority when considering the future of unused and underused land and buildings. Furthermore, this part of the Borough is predominantly residential, making it an appropriate location for additional residential accommodation. The proposal would create a new 2-bed dwelling house. As such, the proposal is compliant with policy H1 in terms of land use.
- 2.5 The site comprises two timber garages associated with the host property (1 Dunollie Road) set behind an area of hard standing. The garages are of cheap timber / breezeblock construction with an asphalt roof and subsequently they have no design merit nor make a positive contribution to the streetscene. As such, their demolition and replacement with a single dwelling house (Class C3) is supported, subject to the considerations covered by the rest of report.

HOUSING

Standard of residential accommodation

Size

- 2.6 Policy H7 seeks to provide a range of unit sizes to meet demand across the borough and regards 2 and 3-bed units as the highest priority. The proposal would result in a new 2-bed (3 person) unit and is therefore in accordance with the priority dwelling sizes of the Local Plan.
- 2.7 The London Plan introduced new Nationally Described Space Standards in March 2015, setting out minimum gross internal floor areas (GIA) and accommodation standards for new/converted residential units. The proposed dwelling, which comprises a double bedroom and a single bedroom, would provide 77 sqm of residential floorspace over three floors. The relevant GIA standards for a 2b3p dwelling over *three* storeys is not included in the standards; however, for two storeys the required space is 70 sqm. Given the compact nature of the staircase and the proposed floorspace is 7sqm above the minimum standard, the proposal is considered to comply.
- 2.8 The property would also benefit from a private sunken courtyard of c.9 sqm accessed from the bedrooms at lower ground floor level.

Daylight and outlook

- 2.9 CPG Housing requires development to provide high quality housing consisting of secure, well-lit accommodation with well-designed layouts and rooms.
- 2.10 The site is a challenging one by virtue of the rear gardens of neighbouring properties that surround it to the north, south and west. The house would be single aspect which is typically resisted. In this instance, the effect is mitigated by the dwelling being spread over three stories and the outlook from ground and first floor levels being very good. The outlook is across the street so this will be maintained in perpetuity. It is noted that the London Plan Housing SPG infers that single aspect is more problematic for dwellings of 3-bedrooms and more whereas in

this situation, the property has only 2 bedrooms.

- 2.11 The outlook from the basement bedrooms on to the lightwell would be poor and this would limit the amount of natural light these rooms receive. The bedrooms have been purposefully located at basement level – encouraged by pre-application advice – as these are the rooms where less time will be spent during daylight hours. The living areas, including kitchen / dining room and the living room, will receive good levels of daylight and sunlight, particularly due to the south facing aspect.
- 2.12 The first floor would include a fanlight window on the west elevation. To mitigate against perceived overlooking of neighbouring gardens this would be obscure glazed but would still allow some natural light in. In addition, a circular rooflight would be incorporated at roof level over the stairwell, bringing light down into the building.

Privacy

- 2.13 The relationship between the street and the windows on the front elevation would be commensurate with other properties along Dunollie Road and is typical of a traditional residential street. As such, the new dwelling is not considered to exacerbate current levels of overlooking at the site.

Accessibility

- 2.14 The dwelling has been designed to be compliant with M4(2) (adaptable dwellings), which would be secured by condition. Level access would be provided from the street and a WC provided at ground floor level.

Housing standards - conclusion

- 2.15 The property is considered to make the best of a challenging site to achieve a good standard of residential accommodation. Taken as a whole, the dwelling would receive a good level of daylight, outlook and privacy within a constrained footprint.

Affordable housing

- 2.16 Policy H4 expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition of residential floorspace of 100sqm GIA or more. In this case, there is an uplift of one residential unit but the floorspace is only 77 sqm and therefore no affordable housing contribution is required.

DESIGN AND CONSERVATION

- 2.17 The Council's design policies are aimed at achieving the highest standard of design in all developments and policy D1 requires developments to consider the character, setting, context and the form and scale of neighbouring buildings, as well as the quality of materials to be used. 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.
- 2.18 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. A conservation officer has been involved throughout the negotiation process
- 2.19 The building has been designed to read as a distinct and contemporary addition to the terrace

but one that is sensitive to the established architectural language and does not compete with or detract from its neighbours.

Scale and massing

- 2.20 It is noted that the principle of increasing the height on the site has been established under a previous now lapsed consent for a two-storey side extension. The proposed height, which would allow the extension to be read as secondary to the host property and allow for a building whose proportions respect those of the terrace, remains acceptable. The lower height would respect how the streets have developed historically whereby building groups belonging to different streets are separated via breaks in development and rear gardens.

Detailed design

- 2.21 The new house would be of a plain and modest design allowing it to sit comfortably within its context without detracting from the more ornate Victorian properties nearby. The design would interpret architectural features seen on neighbouring Victorian buildings, including a flat roof form with stone parapet, front bay window and recessed porch, in a contemporary way so as to allow it to settle into its surroundings whilst avoiding a pastiche appearance.
- 2.22 The brickwork would be reclaimed London stock brick, again to avoid a jarring contrast between new and old. The cills and parapet would be made from Portland stone whilst the windows would be aluminium framed. The materials are considered to be of good quality and appropriate for the context. Further details and/or samples as required will be secured by condition to ensure a high quality finish.

Other works

- 2.23 The boundary treatment would be similar to the general style of the rest of street – low brick walls with black metal railings above – albeit higher. The additional height is to conceal the front lightwell from the street which is not an established feature of other properties. The height would correlate with the adjacent brick wall of 22 Lady Margaret Road which would have originally continued along to 1 Dunollie Road. The possibility of constructing the boundary wall in brick was considered; however, the chosen option allows for more permeability and more light to enter the basement bedrooms.
- 2.24 Two gates are to be provided in the front boundary – one leading to the house and the other leading to a bin / bike storage area and also the retained garden access gate of the neighbouring property at 22 Lady Margaret Road. Initially the application proposed relocating the garden gate associated to its former position (now bricked up) on Dunollie Road. Agreement with the neighbour could not be reached and so the existing position shall be retained with access provided for the neighbour across the site.

BASEMENT CONSIDERATIONS

- 2.25 A single storey basement would be fully located underneath the footprint of the property with a front lightwell that extends to the front boundary. The basement would accommodate the two bedrooms (the rooms with least daylight requirements) which would receive daylight via a lightwell / sunken courtyard.
- 2.26 The site is atypical and cannot easily be compared against the requirements of policy A5 given the context is not a traditional house with garden layout. Notwithstanding, it is considered that the objectives of policy A5 insofar that it resists large scale disproportionate basements that bring about harm to neighbouring buildings, and the garden setting, are satisfied.
- 2.27 A Basement Impact Assessment (BIA) has been submitted as part of this application, in

accordance with policy A5. This document has been independently reviewed by Campbell Reith with subsequent revisions provided during the course of the application. Campbell Reith has now confirmed that the BIA is in accordance with CPG Basements. The final audit report contains the following conclusions:

- The individuals who completed each part of the BIA are considered to hold suitable qualifications
- The BIA has confirmed that the proposed basement will be founded within London Clay.
- The BIA identifies no risk of flooding for the site. It is accepted that the proposed development will not increase the surface water discharge from the site or adversely impact the hydrology at the site.
- It is accepted that the development will not impact the hydrogeology at the site and that the surrounding slopes to the development site are stable.
- Revised BIA submissions present a consistent approach regarding soil parameters, construction method and sequence of works.
- The revised Maund BIA submission presents an updated GMA and corresponding damage category assessment, which indicates a maximum damage category 1 'very slight'.
- Based on the revised submissions it is confirmed that the proposal adheres to the requirements of CPG Basements.

- 2.28 A condition will require details of a suitably qualified engineer to be provided and approved by the Council, as well as a compliance condition requiring works to be carried out in accordance with the final Basement Impact Assessment.

AMENITY OF NEIGHBOURING OCCUPIERS

Privacy

- 2.29 A fanlight window is proposed at first floor level on the west elevation which would be on the boundary with 22d Lady Margaret Road. To mitigate against perceived overlooking of neighbouring gardens this would be obscure glazed, secured by condition. It is not considered reasonable to ensure it is fixed shut also given it would be located 1.7m above finished floor level.

Daylight / sunlight and outlook

- 2.30 The nearest neighbouring window to the new house would be the rear elevation window of a ground floor extension at 22 Lady Margaret Road. Plans on the Council's record demonstrate that this serves a bathroom which also has a second window on the side elevation. Given the room is not habitable and has dual aspect, any impact is considered to be acceptable.
- 2.31 It is noted that a daylight assessment was provided with the application which demonstrated some increased overshadowing to the rearmost part of the garden of 24 Lady Margaret. The assessment did not provide any data as recommended by BRE site planning for daylight and sunlight so it is not possible to corroborate the visuals provided. Nevertheless, it is considered the proposal would not bring about adverse impact in terms of loss of light.
- 2.32 The existing outlook from the rear windows of 22 and 24 Lady Margaret Road is onto the brick flank elevation of 1 Dunollie Road. The proposal would bring this closer by approx. 4.5m. As mentioned above, the impact on the closest window belonging to the rear extension is acceptable given it serves a bathroom with dual aspect. The remaining distance between the new building and the ground floor (12m) and first floor (15m) windows would be sufficient to not have a negative impact on outlook.

TRANSPORT CONSIDERATIONS

Cycle parking

- 2.33 Policy T1 requires all new development to provide cycle parking facilities in accordance with the minimum requirements of Camden's cycle parking standards and the London Plan. The proposal comprises two cycle spaces at ground floor level although these are not shown as being covered or secured. As such, further details of the cycle storage would be secured by condition.

Car Parking

- 2.34 The existing garages are not used to house vehicles as evidenced by the absence of vehicle crossover and the presence of on-street car parking in front of the garages. As such, the removal of the garages would not exacerbate local parking pressures.
- 2.35 Furthermore, the new dwelling would be secured as car-free via a section 106 legal agreement in accordance with policy T2 of the Local Plan.

Construction Management Plan

- 2.36 Given the extent of construction and excavation in a sensitive, residential location, a Construction Management Plan (CMP) will be secured by Section 106 legal agreement to ensure the proposed development does not create traffic congestion or lead to a loss of amenity for surrounding occupiers in accordance with policies A1 and T4 of the Camden Local Plan. A CMP Implementation Support Contribution of £3,136 would also need to be secured as a Section 106 planning obligation if planning permission is granted

Highway Works

- 2.37 A financial contribution would be sought for highway works directly adjacent to the site to repair any damage to the pavement caused during construction of the proposed development. The precise contribution has been requested from the Council's engineering team and would be secured as a section 106 planning obligation.

Approval in Principle

- 2.38 The proposal would involve basement excavations directly adjacent to the public highway on Dunollie Road. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations.
- 2.39 The applicant will be required to submit an 'Approval in Principle' (AIP) report to the Council's Highways Structures & Bridges Team within Engineering Services (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 public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP report and an associated assessment fee of £1,800 would need to be secured via a legal agreement if planning permission were to be granted.

SUSTAINABILITY

- 2.40 Owing to the floorspace uplift, there is no policy requirement for the new dwelling to achieve particular targets; however policies CC1 and CC2 encourages all new development to incorporate energy efficient design and sustainable principles.
- 2.41 The new house has been designed with Passivhaus principles in mind. The orientation of the building is within 15 degrees of due south allowing it to benefit from solar gains. It has a

compact form minimising surface area and as such heat loss. The windows will be triple glazed and the main roof U value will be supplemented by a sedum roof which will also provide sustainable drainage. The building will also be construction from recycled London stock brickwork accounting for 10% of building materials.

- 2.42 The new house will be required to comply with a condition that limits total water use to 110 litres/person/day.

TREES, LANDSCAPING AND BIODIVERSITY

- 2.43 No trees are to be removed to facilitate the development and there are no Tree Preservation Orders (TPO) affecting any nearby trees, although by virtue of the site being in a conservation area, all the trees are afforded some level of protection.
- 2.44 There is a silver birch tree in the garden of 22d Lady Margaret's Road. An Arboricultural report has been submitted detailing how the tree would be protected to the satisfaction of the Council's tree officer. A condition would ensure that works were carried out in accordance with the tree protection plan.
- 2.45 Given the excavation would be in close proximity to the tree, the tree officer recommended trial pits to be undertaken along the boundary wall. Following this, it was confirmed there was only one lateral root from the Silver Birch which can be pruned without detriment to the tree's health.
- 2.46 The proposal will introduce more biodiversity to the site than at present through front boundary hedging and a sedum green roof at main roof level. Details of the green roof to ensure longevity and visual amenity would be secured by condition.

3.0 RECOMMENDATION AND PLANNING OBLIGATIONS

3.1 Grant conditional planning permission subject to a section 106 Legal Agreement to include the following Heads of Terms:

- Car-free
- Construction Management Plan (plus monitoring support fee of £3,136))
- Highways Contribution (tbc)
- Approval in Principal (£1,800)

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 15th June 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'.

Application ref: 2019/5649/P
Contact:
Tel: 020 7974
Date: 10 June 2020

Development Management
Regeneration and Planning
London Borough of Camden
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Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Francis Birch Architect
11 North Hill Avenue
Highgate
London
N6 4RJ

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:
1 Dunollie Road
London
NW5 2XN

Proposal:
Erection of two storey (plus basement) 2-bed dwelling house (Class C3) with hard and soft landscaping to front following demolition of existing garages

Drawing Nos: Site Plan; SK01 revP3, SK12 revP5, SK13 revP6, SK14 revP4, SK15 rev P6, SK16 rev P6, SK17 rev P7, Design & Access Statement rev 06, Planning Statement rev 06, Sunpath & Daylight analysis rev 01, Sustainability Statement rev 01, Basement Impact Assessment Report - Croft Structural Engineers ref 190611 - Aug 2019; Construction Management Plan - Croft Structural Engineers ref 190611 - Aug 2019; Arboricultural Tree Survey Report - Wessell Ltd - Oct 2019; Root investigation report (dated 21st May 2020); Basement Impact Assessment: Hydrogeology, Land Stability and Ground Movement Assessment, Maund Geo-Consulting, ref. MGC-BIA-19-21-V5, dated 21 May 2020; Basement and Ground Plan and Sections drawing by Croft Structural Engineers, drawing no. PL-10, rev 3, dated 21 May 2020; Lightwell Retaining Wall - Worst Case structural calculations by Form Structural Engineers, dated 31/03/2020

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 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; SK01 revP3, SK12 revP5, SK13 revP6, SK14 revP4, SK15 rev P6, SK16 rev P6, SK17 rev P7, Design & Access Statement rev 06, Planning Statement rev 06, Sunpath & Daylight analysis rev 01, Sustainability Statement rev 01; Construction Management Plan - Croft Structural Engineers ref 190611 - Aug 2019; Arboricultural Tree Survey Report - Wessell Ltd - Oct 2019; Root investigation report (dated 21st May 2020); Basement Impact Assessment: Hydrogeology, Land Stability and Ground Movement Assessment, Maund Geo-Consulting, ref. MGC-BIA-19-21-V5, dated 21 May 2020; Basement and Ground Plan and Sections drawing by Croft Structural Engineers, drawing no. PL-10, rev 3, dated 21 May 2020; Lightwell Retaining Wall - Worst Case structural calculations by Form Structural Engineers, dated 31/03/2020.

Reason:

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

- 3 Before the brickwork is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2017.

- 4 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.

- 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.

- 6 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used [for large areas of green roof add in : and showing a variation of substrate depth with peaks and troughs]
 - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017 and policy GO3 Biodiverse Habitats of the Kentish Town Neighbourhood Plan 2017.

- 7 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies G1, D1, D2 and A1 of London Borough of Camden Local Plan 2017.

- 8 The development hereby approved shall be carried out strictly in accordance with the BIA and associated documents compiled by Croft Structural Engineers and Maund Geo-consulting (dated 21 May 2020) and the recommendation in the Campbell Reith Audit dated June 2020.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the Camden Local Plan 2017.

- 9 The window at first floor level on the side elevation (as shown on drawing no. SK15 (Rev P6)) shall be obscure glazed and retained as such in perpetuity.

Reason: to prevent perceived overlooking of the property at no.22 Lady Margaret Road in accordance with policy A1 of the Camden Local Plan 2017.

- 10 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s 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.

- 11 Prior to the commencement of works on site, tree protection measures shall be installed in accordance with the approved arboricultural report and tree protection plan (prepared by Wassells dated 10th October 2019). The protection measures shall remain in place for the duration of works on site.

Reason: To ensure that the development will not have an adverse impact 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 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 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.

- 4 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 6 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.
- 7 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 paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate