

Application ref: 2019/6220/P
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Date: 25 June 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
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Coupdeville Architects
12A Hart Street
Henley-on-Thames
London
RG9 2AU
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**20 A Ferncroft Avenue
London
NW3 7PH**

Proposal:

Demolition of existing rear extension and erection of new rear extension; excavation of new basement floor with front lightwell; and associated removal of 1 x Cherry Tree in rear garden.

Drawing Nos: PL01, PL02, PL03, PL04, PL05, PL06, PL07, PL08.

Documents: Draft Construction Management Plan; Design & Access Statement, Trace Architects, dated November 2019; Arboricultural Impact Assessment, Ashley Tree Surveys, dated November 2019; Tree Protection Plan, Ashley Tree Surveys, Dated November 2019; and Annual Sedum Maintenance Programme, Trace Architects; Basement Impact Assessment, reference P18-461 - 20a Ferncroft Av - BIA, Rev 0, dated 12 December 2019 and prepared by Simpson TWS, containing Construction sequencing drawings and calculations; Basement Impact Assessment Addendums dated 12 March 2020 and 9 April 2020; Site Investigation report by Risk management Ltd, dated September 2019; Ground movement assessment (GMA) by Geotechnical Consulting Group LLP (GCG), dated December 2019; Hydrogeological impact assessment by GCG, dated December 2019.

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 policies 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: PL01, PL02, PL03, PL04, PL05, PL06, PL07, PL08.

Documents: Draft Construction Management Plan; Design & Access Statement, Trace Architects, dated November 2019; Arboricultural Impact Assessment, Ashley Tree Surveys, dated November 2019; Tree Protection Plan, Ashley Tree Surveys, Dated November 2019; and Annual Sedum Maintenance Programme, Trace Architects; Basement Impact Assessment, reference P18-461 - 20a Ferncroft Av - BIA, Rev 0, dated 12 December 2019 and prepared by Simpson TWS, containing Construction sequencing drawings and calculations; Basement Impact Assessment Addendums dated 12 March 2020 and 9 April 2020; Site Investigation report by Risk management Ltd, dated September 2019; Ground movement assessment (GMA) by Geotechnical Consulting Group LLP (GCG), dated December 2019; Hydrogeological impact assessment by GCG, dated December 2019.

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 The basement development hereby approved shall be completed in accordance with the methodology and recommendations detailed in Basement Impact Assessment, reference P18-461 - 20a Ferncroft Av - BIA, Rev 0, dated 12 December 2019 and prepared by Simpson TWS, containing Construction sequencing drawings and calculations; Basement Impact Assessment Addendums dated 12 March 2020 and 9 April 2020; Site Investigation report by Risk management Ltd, dated September 2019; Ground movement assessment (GMA) by Geotechnical Consulting Group LLP (GCG), dated December 2019; Hydrogeological impact assessment by GCG, dated December 2019 and Campbell Reith BIA Audit dated 21 May 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 policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 6 The living roof shall be fully provided in accordance with the approved details prior to first use of the extension and thereafter retained and maintained in accordance with the Annual Sedum Maintenance Programme.

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.

- 7 Trees to be retained shall be protected during construction work in accordance with BS5837:2012 "Trees in Relation to Construction" and the methodology detailed in Arboricultural Impact Assessment, Ashley Tree Surveys, dated November 2019 and Tree Protection Plan, Ashley Tree Surveys, Dated November 2019.

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.

- 8 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 9 The roof of the rear extension hereby approved shall not be used as a terrace or for outside amenity purposes.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The proposals include the extension of the existing single storey rear extension and the excavation of a new basement floor. The depth of the proposed extension is not insignificant, however it would still be subordinate to the original building, it would maintain the majority of the rear garden and it would be screened from the neighbouring dwellings on both sides by the existing boundary treatment or by existing extensions. The scale of the extension is therefore acceptable. The height of the proposed rear extension has been reduced in size following previous pre-application advice to ensure it remains subordinate to the existing rear elevation. The revised proposal, although large, would provide a balanced rear composition and is considered acceptable.

The basement proposals involve a new glazed lightwell to the front of the property, with the remainder of the excavation wholly under the footprint of the dwelling, as enlarged by the single storey rear extension. The principle of a single storey basement on this site is acceptable. The scale of the basement would meet the criteria of policy A5 (a-m). Although the proposed basement is only inset marginally from the boundaries at the rear, it would be entirely under the extended property and therefore would not prejudice the ability of the site to maintain a planted margin.

The street is characterised by relatively deep front gardens which are often sloped and some of which have existing lightwells. The dwelling has a low wall with hedging separating the parking area from the front bay which has the appearance of a lightwell upstand. It is considered that there is sufficient precedent and variety in the neighbouring front gardens for a front lightwell to be in keeping with the context and the principle of the lightwell is therefore acceptable. The depth of the proposed lightwell means that it would not be overly visible from the street and is therefore acceptable. The glazed approach is also acceptable given the limited views of it from the street.

A Basement Impact Assessment was submitted which was independently audited by Campbell Reith consulting engineers. The Audit reviewed the Basement Impact Assessment for potential impact on land stability and local ground and surface water conditions arising from basement development in accordance with LBC's policies and technical procedures. Following requests for additional information, Campbell Reith issued their final audit report in May 2020 which confirmed that the BIA complies with the requirements of the Basements CPG and Policy A5, and that Building damage would be limited to Burland Category 1.

The existing rear extension features a roof terrace above which would be retained and not increased in size by the proposals. This would be secured by condition to prevent increased opportunities for overlooking. Given the height of the existing boundary walls, the proposed rear extension would not impact neighbouring amenity by way of a loss of outlook, daylight or privacy.

The proposals include the removal of 1 x Cherry Tree in the rear garden to facilitate the development. The Council's Trees and Landscaping Officers have reviewed the Tree Protection Plan and Arboricultural Impact Assessment and confirmed there is no objection to the removal of the cherry subject to a suitable replacement, details of which will be secured by condition. The tree protection details are adequate to protect the existing trees, and compliance with the Tree Protection Plan shall also be secured by condition. The proposed rear extension includes a green roof, and a suitable maintenance plan has been submitted.

To minimize the impact on the highway infrastructure and the neighbourhood, a Construction Management Plan (CMP) and a CMP implementation support contribution of £3,136 shall be secured as S106 planning obligations.

- 2 No objections were received prior to determination. The planning history of the site and surrounding area has been taken into account.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, A5, D1, D2 and T4 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 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 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.
- 5 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.

- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Director of Economy, Regeneration and Investment