

Application ref: 2019/6141/P
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Date: 19 August 2020

Development Management
Regeneration and Planning
London Borough of Camden
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Studio 54 Architecture
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:
40 Ornan Road
London
NW3 4QB

Proposal:

Erection of a ground floor front extension; conversion of the existing garage into a habitable room; erection of a ground floor rear extension including a green roof; excavation of a single storey basement below the host dwelling; erection of a garden room with a green roof in the rear garden following demolition of the existing rear shed and bike store; alterations to the existing front fenestration; alterations to the existing rear boundary treatment; and alterations to the front and rear landscaping.

Drawing Nos: Design and Access Statement; Design and Access Landscape Appendix; All Tree Plans; Arboricultural Report & Impact Assessment; Tree Schedule; Construction Method Statement; BIA Part 1; BIA Part 2; Model Diagram of Rear Garden; 19100-001 P00; 19100-101 P00; 19100-102 P00; 19100-103 P00; 19100-104 P00; 19100-150 P00; 19100-151 P02; 19100-152 P01; 19100-153 P01; 19100-154 P00; 19100-200 P00; 19100-201 P00; 19100-202 P00; 19100-203 P00; 19100-250 P02; 19100-251 P02; 19100-252 P02; 19100-253 P00; 19100-255 P01; 19100-300 P00; 19100-350 P02; 623_PL_01; 623_PL_02; 623_PL_03; 623_PL_10; 623_PL_11; 623_PL_12; 10395 rev 3; MBP-7749-0110-P1.

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 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 [Design and Access Landscape Appendix; All Tree Plans; Arboricultural Report & Impact Assessment; Tree Schedule; 19100-001 P00; 19100-101 P00; 19100-102 P00; 19100-103 P00; 19100-104 P00; 19100-150 P00; 19100-151 P02; 19100-152 P01; 19100-153 P01; 19100-154 P00; 19100-200 P00; 19100-201 P00; 19100-202 P00; 19100-203 P00; 19100-250 P02; 19100-251 P02; 19100-252 P02; 19100-253 P00; 19100-255 P01; 19100-300 P00; 19100-350 P02; 623_PL_01; 623_PL_02; 623_PL_03; 623_PL_10; 623_PL_11; 623_PL_12; 10395 rev 3; MBP-7749-0110-P1].

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

- 4 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
 - 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, CC4, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details [by not later than the end of the planting season following completion of the development or any phase of the development] [, prior to the occupation for the permitted use of the development or any phase of the development], whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion

of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural report including tree protection plan by Crown Tree Consultancy ref. 10395 rev.3 dated 03/07/2020. 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 BS5837:2012 and with the approved details. The works shall be undertaken under the supervision of the project arboriculturalist and monitored in accordance with the approved arboricultural report.

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.

- 7 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.

- 8 The development shall be carried out in accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment documents and supporting information hereby approved.

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.

Informative(s):

1 Reason for granting permission-

Permission is sought for a single storey front extension which would measure 1.7m in depth from the existing front elevation and would extend across the width of the house. The existing front projection would also be extended in height at 3m, an increase of 0.7m. The front extension would bring unity to the treatment of the openings and simplify the appearance of the house. Although front extensions are not common along Ornan Road, the semi-detached pair are unique in their character and design, with the adjoining pair facing onto Belsize Road, rather than Ornan Road. The adjoining pairs rear elevation appears as the front elevation, and officers consider the proposal would not be harmful to the locally listed pair or surrounding area. The height of the extension would match the adjoining properties extension, providing a continuous building line and would not harm the uniformity of the front façade. The proposed fenestration is considered acceptable as it would match the existing in terms of design and material. The integral garage would be converted into a habitable room which is welcomed additional internal space and would feature black aluminium double sliding doors in place of the existing garage doors that would align with the windows above.

The existing rear pergola would be replaced by a single storey rear extension. Due to its modest height, depth and detailed design the extension would be considered a subordinate addition to the host dwelling. The extension would have a flat roof and a white mosaic tile finish to match the host dwelling and feature double sliding doors that would match the main house.

The proposed garden room would have a similar footprint as the existing garage to be demolished. It would be setback 2m from the closest point of the rear boundary and sit alongside the boundary wall shared with no. 38 Ornan Road. Its location, footprint and detailed design would be considered acceptable. The roof would include a flat green roof, and feature a 0.5m deep solar overhang to the front which would not significantly increase the bulk of the structure.

The existing rear garage door would be replaced with an inwards opening black timber double gate. The proposed alteration is considered acceptable as the material would remain sympathetic to the host building and surrounding area. The existing black timber single gate would be altered to inward opening in line with highway requirements.

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 Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

- 2 The proposed front extension, owing to its siting and design, and the alterations to the rear boundary owing to the minor nature of the works, are not considered to result in harm to the amenity of the adjoining occupants. The rear extension would sit behind the shared boundary wall shared with no. 17a Belsize Lane, and be sited 6.8m from the boundary shed with 38 Ornan Road,

and would therefore not cause harm to the amenity of the adjoining occupants. The garden room would have a solid brick side elevation facing no. 38 Ornan Road, and glazing to the front and side elevation facing no. 17a Belsize Lane, and partial glazing to the rear elevation. Owing to the sloping land, setbacks from the adjoining properties and heavy vegetation with the rear gardens, the proposed garden room is not considered to cause harm to the adjoining occupants in terms of loss of privacy, loss of light, sense of enclosure, noise and disturbance, or light pollution.

A green roof would be installed to the front extension, rear extension and garden room which is welcomed, and a condition would be secured for further green roof details. The applicant has provided detailed landscaping plans which include a sufficient proportion of soft landscaping in the front and rear garden. The removal of T4 (TPO) is acceptable due to low significance of the tree and the low contribution to the character and appearance of this part of the conservation area. Further trial pits are required to be undertaken prior to commencement of works to ensure T3 (located within no. 38 Ornan Road) is not impacted by the proposed garden room, which will be secured by way of a condition.

Two cycle spaces would be provided in the rear garden corner and within the garden room, which would be secured behind the locked gates. As this is a single family dwelling there is no policy requirement for additional cycle parking so this is welcomed. Given the rear garage would be demolished, a highways financial contribution will be sought from the Council and secured by a combined Section 106 and Section 278 agreement, where the Council's contractors will remove the redundant crossover and reinstate the pedestrian footway. The site is located within close proximity to a school and therefore a Construction Management Plan (CMP) and CMP implementation support contribution of £3,136 would be secured by way of a Section 106 agreement.

The proposed basement would sit under the existing footprint of the building, and would not be expressed externally. The overall size, footprint and location of the proposed excavation for the single storey basement would comply with the requirements of policy A5 Basements (parts a-m) in relation to dimensions, size, depth and location of excavation. A Basement Impact Assessment (BIA) was submitted in support of the application which has been audited by the Council's consultant engineers and after revisions and clarifications, has been found to be acceptable in terms of impact on hydrology, hydrogeology and land stability and is considered to meet the criteria of CPG Basements. A condition is attached to ensure a suitably qualified engineer is engaged on the basement design and construction for the duration of the construction and a further condition requires the basement to be designed and constructed in accordance with the approved BIA.

The planning history of the site has been taken into account when coming to this decision. Concerns have been raised by local residents and these have been addressed in the consultation summary.

As such, the proposed development is in general accordance with policies A1, A3, A4, A5, CC3, D1, D2, T1 and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the

National Planning Policy Framework 2019.

- 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 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).
- 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 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 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 'DP', is centered on the page.

Daniel Pope
Director of Economy, Regeneration and Investment