

Application ref: 2020/0160/P
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Date: 18 September 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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WC1H 9JE

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Henry Planning Ltd
163 Church Hill Road
East Barnet
London
EN4 8PQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
12 Platt's Lane
London
NW3 7NR

Proposal:

Excavation for a single storey basement extension under whole property with sunken rear patio area and lightwells to the front, rear and side elevations, installation of glazed balustrades with handrails at rear ground floor level, new side elevation windows, replacement of windows throughout, and erection of brick pier with metal railing front boundary treatment

Drawing Nos: P100; P101; P102; P103; P104; P105; P106; P107; P108; P109; P110; 4387-SM02; 4387-SM03; 4387-SM04; Structural Methodology Report commission by Richard Tant Associates Consulting Civil & Structural Engineers; Covering email commissioned by Soils LTD dated 7th January 2020; Revised Arboricultural Report (WAS139/2020) dated January 2020, BIA commissioned by Soil LTD (15655/BIA/Rev1.06) dated December 2016; Construction Management Statement dated 11 August 2016; Basement Calculations from Soils LTD; Noise Constraint Assessment (AC102181R2) dated 19th December 2019; Drain Doctor Plumbing & Drainage Survey dated 11th August 2016; Design and Access Statement 03rd June 2016; Construction Management Plan Pro Forma dated 15th August 2016; Structural Methodology Statement; Planning Statement by Henry Consultancy & Development.

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: P100; P101; P102; P103; P104; P105; P106; P107; P108; P109; P110; 4387-SM02; 4387-SM03; 4387-SM04; Structural Methodology Report commission by Richard Tant Associates Consulting Civil & Structural Engineers; Covering email commissioned by Soils LTD dated 7th January 2020; Revised Arboricultural Report (WAS139/2020) dated January 2020, BIA commissioned by Soil LTD (15655/BIA/Rev1.06) dated December 2016; Construction Management Statement dated 11 August 2016; Basement Calculations from Soils LTD; Noise Constraint Assessment (AC102181R2) dated 19th December 2019; Drain Doctor Plumbing & Drainage Survey dated 11th August 2016; Design and Access Statement 03rd June 2016; Construction Management Plan Pro Forma dated 15th August 2016; Structural Methodology Statement; Planning Statement by Henry Consultancy & Development.

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 development shall be carried out in accordance with the methodologies, recommendations on monitoring and mitigation 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.

- 6 Prior to the commencement of any works on site, 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 protection details hereby approved and shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction".

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 Reason for granting permission:

This application is effectively a resubmission of a scheme previously considered acceptable subject to a S106 legal agreement (ref 2016/4899/P); this S106 agreement was never signed and so the application was later withdrawn on 14/03/2019. Since the assessment of this previous scheme, the Camden Local Plan has been adopted in 2017. However the context of site circumstances and planning policies relevant to this new application have not materially changed since 2016 to warrant a different recommendation.

The proposed basement would be under the whole footprint of the property and would measure about 3m in depth, 23m in length and 12m in width. The excavation would include at the rear a full width sunken patio area projecting a further 3 to 5.3m and would be accessed via a new stairway. There are also proposed 2 lightwells with metal grilles to the front elevation which would match the other front lightwells in the local vicinity, namely, at nos 45 (2006/4029/P) and 65 Platt's Lane (2015/1718/P). The hard to soft landscaping ratio would incorporate new planting beds in front of both lightwells to limit the visual impact. A lightwell is proposed to the flank elevation; this would not be visible, given the setback from the front boundary fence by approximately 10.8m. As such, the principle of the various lightwells would be acceptable in this instance.

The overall size and footprint of the proposed excavation for the single storey basement with associated patio and lightwells would comply with the requirements of Policy A5 on basements (parts f to m) in relation to dimensions, size, depth, setbacks and location of excavation, coverage of garden area and impact on trees.

The submitted Basement Impact Assessment (BIA) was independently audited

by the Council's engineers as part of the original approval (2016/4899/P) and a further audit is therefore not required. The BIA predicted that the damage category is Burland Category 1 ('very slight'). The audit accepts that the development will not impact on the wider hydrogeology of the area and is identified to be at a very low risk of surface water flooding. Suitable mitigation measures are proposed to reduce ground movements and damage impacts. The BIA recommends dewatering of the basement through the use of pumps in the temporary condition and the installation of suitable sumps and pumps in the permanent condition. It is concluded that the proposed basement works is sufficient to accord with policy A5 in respect of maintaining the stability of the proposed structure and the neighbouring properties and of not causing harm to local hydrology or hydrogeology. Conditions are imposed to ensure the basement excavation is carried out in accordance with the approved methodology.

The replacement of the windows and doors are considered acceptable as the materials would match the existing timber framed doors and windows. The new fenestration to the flank elevation and the balustrades to the glazed ground floor rear elevation would be sympathetic to the design and appearance of the host building. The proposed altered boundary treatment comprises the installation of metal railings and repaired existing timber fencing to the flank elevation; the boundary treatment would not detract from the character of front boundaries along the street. Overall, the proposed design and materials of the various alterations would complement the appearance of the existing building and would not harm the character of the streetscene and conservation area.

The proposal is considered to preserve the character and appearance of the conservation area. 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.

- 2 Given the scale of the proposal and excavation works, a Construction Management Plan (CMP) would be necessary and secured via a section 106 legal agreement to ensure the development can be implemented without having a detrimental impact to local amenity and transport conditions. A CMP monitoring fee would also be required. Furthermore, the footway and vehicular crossover directly adjacent to the site could be damaged as a direct result of the proposed works. Therefore, a financial contribution for highway repairs would also be secured via legal agreement. Finally an Approval in Principle plus associated monitoring fee would be required to ensure the adjoining footway is not damaged by the proposed excavation works.

The impact of the trees has been previously assessed. The Arboricultural report submitted confirms that the existing trees would be protected in accordance with measures identified in the approved arboricultural report. This is secured by condition.

The proposed basement and lightwells would not have an unacceptable impact on neighbouring amenity in terms of loss of daylight/sunlight and outlook. The windows proposed to the flank elevation would not have any adverse impact in terms of loss of privacy due to the height of the flank boundary fence.

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, A3, A5, D1, D2, T1 and T4 of the Camden Local Plan 2017 and policies SD1 and SD5 of the Redington Frognal Neighbourhood Plan 2019. 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