

Application ref: 2019/5388/P
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Date: 7 April 2021

Development Management
Regeneration and Planning
London Borough of Camden
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Construct 360 Ltd
221 Kenton Road
Harrow
London
HA3 0HD
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:
9 Harley Road
London
NW3 3BX

Proposal:

Erection of single storey ground floor rear extension; excavation of basement level, relocation of summer house in the rear garden, installation of plant equipment at basement level, associated alterations, demolition of rear conservatory

Drawing Nos: Environmental Noise Assessment ref. 102977.ph.Issue2, Structural Engineers Design Statement for Planning, 102977.ph.Issue1 (Proposed Installation of Mechanical Plant), Renewable Energy Statement and Sustainability Report for the M&E Services JB.607 July 2015, Arboricultural Impact Assessment Report (SHH/9HRR/AIA/01 23rd November 2015), Arboricultural Impact Assessment and Method Statement by Trevor Heaps Arboricultural Consultancy Ltd dated 16th June 2019 ref. TH 2008, Design and Access Statement, Basement Impact Assessment 15/23973-2, (6801)001_PL01, (6801)002_PL01, (6801)010_PL01, (6801)200_PL01, (6801)202_PL01, (6801)203_PL01, (680)003_P01, (680)011_PL01, (680)012_PL01, (680)013_PL01, (680)014_PL01, (680)020_PL01, (680)021_PL01, (680)211_PL01, (680)022_PL01, (680)023_PL01, (680)024_PL01, (680)200_PL01, (680)201_PL01, (680)202_PL01, SK001, SK002, SK003, SK004, SK005, SK006, SK007, SK008, SK009 and SK010, 1 P2, 2 P2, 3 P2, 4 P2, 12 P2 and 13 P2

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 The development hereby permitted shall be carried out in accordance with the following approved plans: Environmental Noise Assessment ref. 102977.ph.Issue2, Structural Engineers Design Statement for Planning, 102977.ph.Issue1 (Proposed Installation of Mechanical Plant), Renewable Energy Statement and Sustainability Report for the M&E Services JB.607 July 2015, Arboricultural Impact Assessment Report (SHH/9HRR/AIA/01 23rd November 2015), Arboricultural Impact Assessment and Method Statement by Trevor Heaps Arboricultural Consultancy Ltd dated 16th June 2019 ref. TH 2008, Design and Access Statement, Basement Impact Assessment 15/23973-2, (6801)001_PL01, (6801)002_PL01, (6801)010_PL01, (6801)200_PL01, (6801)202_PL01, (6801)203_PL01, (680)003_P01, (680)011_PL01, (680)012_PL01, (680)013_PL01, (680)014_PL01, (680)020_PL01, (680)021_PL01, (680)211_PL01, (680)022_PL01, (680)023_PL01, (680)024_PL01, (680)200_PL01, (680)201_PL01, (680)202_PL01, SK001, SK002, SK003, SK004, SK005, SK006, SK007, SK008, SK009 and SK010, 1 P2, 2 P2, 3 P2, 4 P2, 12 P2 and 13 P2

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

- 3 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 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, D1, D2 and A3 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 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 approved protection details: Arboricultural Impact Assessment Report ref. SHH/9HRR/AIA/01 23rd November 2015 and Arboricultural Impact Assessment and Method Statement by Trevor Heaps Arboricultural Consultancy Ltd dated 16th June 2019 ref. TH 2008.

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 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.

- 8 The development hereby approved shall be carried out strictly in accordance with the Basement Impact Assessment compiled by, GK/EMB dated 13/04/2016) and the recommendation in the Campbell Reith Audit dated April 2016

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.

Informative(s):

- 1 This proposal is a resubmission of ref. 2015/7015/P granted subject to S106 legal agreement on 20/07/2016, although excluding the alterations to the front elevation and front boundary treatment.

The proposed rear extension would replace an existing rear extension to a similar size. The depth of the rear extension is considered acceptable. The proposed replacement summerhouse would be similar in size to the existing however it would be located further away from the site boundary and would be considered acceptable. The external basement manifestations are considered acceptable as they are at the rear of the site and would not impact on the character or appearance of the conservation area.

The proposed development is not considered to raise any amenity concerns. The replacement rear extension and summerhouse do not result in additional overlooking nor do they cause loss of light or sense of enclosure. An acoustic report has been submitted for the proposed plant room and a condition would be attached to ensure the plant room meets the Council's minimum noise standards.

The arboricultural report submitted with the application is considered sufficient to demonstrate the proposed scheme is acceptable from an arboricultural perspective. Tree protection details were submitted under ref. 2019/3416/P dated 16/07/2019 to discharge condition 5 of 2015/0715/P, 20/07/2015. The same details have been submitted for this application.

The Basement Impact Assessment (BIA) submitted for ref. ref. 2015/7015/P has been externally audited by the Council's preferred engineering consultant. It has previously been confirmed that the potential impacts from basement construction have been identified with sufficient mitigation proposed. There have been no changes on site since this audit dated April 2016 and therefore the basement is acceptable in relation to policy A5.

The construction works would be of a nature and scale that would require a highways contribution to ensure the highway is reinstated after the works are completed. A Construction Management Plan (CMP) would also be required to minimise any impact on the street and disturbance to neighbouring properties. The highways contribution and CMP will be secured as part of the section 106 agreement.

Two comments and one objection have been received in relation to this proposal and responded to in the consultation summary sheet. The site history has been taken into account in assessing the proposal. 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 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 policy G1, CC1, CC2, CC3, A1, D1, T4, A3, A5 and D2 of the Camden Local Plan. The

proposed development also accords with The London Plan March 2016, and the National Planning Policy Framework 2019.

- 2 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).
- 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 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.
- 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.

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 positioned above the printed name.

Daniel Pope
Chief Planning Officer