

Application ref: 2020/5502/P
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Date: 6 May 2021

Development Management
Regeneration and Planning
London Borough of Camden
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Walters Consultancy Ltd
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:
19 Well Road
London
NW3 1LH

Proposal:

Variation of conditions 2 (approved plans) and 8 (basement) of planning permission ref 2018/6349/P dated 22/09/2020 for 'Extension to existing basement under front garden, including 2x lightwells'. Namely to vary the Basement Impact assessment

Drawing Nos: Superseded: Basement Impact Assessment Report (dated 12th September 2019)

Proposed: Basement Impact Assessment Report Rev.3 by soiltechnics dated 18/11/20

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 the original planning permission ref 2018/6349/P dated 22/09/2020.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 For the purposes of this decision, condition no.2 planning permission 2018/6349/P dated 22/09/2020 shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans:

WR.000; WR.E001; WR.E001A; WR E002; WR E003; WR E004; WR E004A; WR E005; WR E005A; WR E006; WR E007; WR E008; WR E009; WR E010; WR E010A; WR E011; WR P001; WR P001A; WR P002; WR P002A; WR P003; WR P004; WR P004A; WR P005; WR P005A; WR P006; WR P007; WR P008; WR E009; WR P009A; WR P010; WR P010A; WR P011; WR P011A; WR P012; WR P012A; WR E002 with annotation relating to re-building of ceramic retaining wall; Design & Access Statement (dated December 2018); Heritage Statement (dated December 2018); Arboricultural Survey (BS5837:2012) & Impact Assessment (dated 5th December 2018); Basement Impact Assessment Report Rev.3 by soiltechnics dated 18/11/20; Ground Investigation Report (dated 30th November 2018); Structural Engineers Report (dated 12/09/2019); Construction Management Plan (dated November 2018); Letter from Chord Environmental Ltd (Hydrogeological report) (dated 16 May 2019); Morph Construction Ltd: New basement structural opening (undated); Movement monitors of retaining walls; Movement monitors on arch; Method Statement: Recording, and Protection of Historic Masonry including Portico and Steps (dated 16 May 2019); Method Statement: Recording, Cataloguing, Lifting and Subsequent Relaying of Encaustic and Geometric Floor Tiles (dated 16 May 2019); Email from Ted Walters (planning agent) (dated 15 February 2020).

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

- 3 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 and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

- 4 No demolition or development shall commence until a Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and until the measures of tree protection identified in the approved Tree Protection Plan have been fully implemented. The Tree Protection Plan shall thereafter be retained and maintained for the duration of the demolition and construction period.

Reason: Development must not commence before this condition is discharged to ensure the retention of, and avoid irrevocable damage to, the retained trees on the site that represent an important visual amenity for the locality and the wider surrounding area in accordance with Policy A3 of the Camden Local Plan 2017 and Policy BA1 of the Hampstead Neighbourhood Plan 2018.

- 5 No demolition or development shall commence until full details of hard and soft landscaping and means of enclosure (boundary treatments) of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In the interests of ecological value and visual amenity in accordance with Policies A3, A5, D1 and D2 of the Camden Local Plan 2017 and Policies NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved details by no later than the end of the planting season following completion of the development. Any trees or areas of planting 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.

Reason: In the interests of ecological value and visual amenity and to ensure that the landscaping is carried out within a reasonable period of time in accordance with Policies A3, A5, D1 and D2 of the Camden Local Plan 2017 and Policies NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

- 7 No demolition or development shall 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 Policy A5 of the Camden Local Plan 2017.

- 8 For the purposes of this decision, condition no.8 planning permission 2018/6349/P dated 22/09/2020 shall be replaced with the following condition:

REPLACEMENT CONDITION 8

The works hereby approved shall be carried out in accordance with the methods outlined in the Basement Impact Assessment Report Rev.3 by soiltechnics dated 18/11/20; Ground Investigation Report (dated 30th November 2018); Structural Engineers Report (dated 12/09/2019).

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 Prior to commencement of development details of the sustainable urban drainage system (SUDS) shall be submitted to and approved in writing by the local planning authority. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies A5, CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposal would not change the scale or detailed design of the basement, only the excavation method in the basement impact assessment. As such the proposed amendments are will not alter the design quality and overall result in minor changes to the approved scheme. They are not considered to cause harm to the grade II building's special interest or setting, or to the conservation area. The Council's Conservation Officer has assessed the revised proposal and does not object.

A Basement Impact Assessment (BIA) was submitted which assessed the potential impact on land stability and local ground and surface water conditions. The BIA predicts that it will not exceed Category 1 (Very slight) damage on the Burland Scale. An independent audit of this report was carried out by Campbell Reith who found it satisfactory. The basement is considered to comply with the requirements of policy A5 / CPG Basements.

Given the minor nature of revisions it is not considered to have a detrimental impact on the residential amenities of the neighbouring occupiers in terms of loss of daylight, sunlight, outlook or privacy to an extent that would warrant a reason for refusal.

The full impact of the scheme has already been assessed during the determination of the permitted scheme, and it is considered that the amendments would have a minor material effect in terms of appearance and neighbouring amenity considerations.

No objections were received during the consultation period. The planning history of the site has been taken into account when coming to this decision.

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.

Special regard has been attached to the desirability of preserving the listed

building or its setting or any features of special architectural or historic interest which it possesses under s.66 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, A2, A3, A4, A5, CC1, CC2, CC3, D1 and D2 of the Camden Local Plan 2017 and policies BA1, BA2, BA3, DH1, DH2, NE2, NE3 and NE4 of the Hampstead Neighbourhood Plan 2018. It also complies with the Publication London Plan (2020), and the National Planning Policy Framework 2019.

- 2 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.

- 3 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.


- 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 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 written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer