

Application ref: 2020/4360/P
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Date: 6 August 2021

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

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planning@camden.gov.uk
www.camden.gov.uk/planning

Mr Alex Cheregi
25 Inwood Court,
Rochester Square
London
NW1 9HS

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
8 Inglewood Road
London
NW6 1QZ

Proposal:

Extension of basement to create a new 2 bedroom flat with enlarged front lightwell and associated alterations.

Drawing Nos: 046(P)021-D, 046(P)022, 046(P)031, 046(P)041, 046(P)042;
Arboricultural Impact Assessment Report Ref: IGS/8IWR_AIA_01 (LR)-1; Basement Construction Method Statement Rev. B dated April 2021; Basement Impact Assessment ref 18209/BIA-R38 rev. 1.02 dated March 2021; Flood Risk Assessment ref 18846/FRA dated November 2020; letter from Soils Limited ref 18209/CL/CG dated 26th April 2021.

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: 046(P)021-D, 046(P)022, 046(P)031, 046(P)041, 046(P)042; Arboricultural Impact Assessment Report Ref: IGS/8IWR_AIA_01 (LR)-1; Basement Construction Method Statement Rev. B dated April 2021; Basement Impact Assessment ref 18209/BIA-R38 rev. 1.02 dated March 2021; Flood Risk Assessment ref 18846/FRA dated November 2020; letter from Soils Limited ref 18209/CL/CG dated 26th April 2021.

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

- 4 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 and shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". Prior to the commencement of works on site, tree protection measures shall be installed in accordance with the approved protection details and shall remain in place for the duration of works on site.

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.

- 5 The critical elements of both permanent and temporary basement construction works shall be inspected, approved and monitored throughout their duration by the appointed Chartered Structural Engineer Mr Sarfraz Dhariwal, to ensure compliance with the design which has been checked and approved by a building control body. 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 London Borough of Camden Local Plan 2017.

- 6 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment and other relevant documents 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 policy A5 of the London Borough of Camden Local Plan 2017.

- 7 Before the development commences, a cycle storage area for 2 cycles shall be

provided in accordance with the plans hereby approved prior to the first occupation of the new unit and shall be permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The building has a single storey ground floor rear extension which adjoins no.6 Inglewood Road. There is an existing basement which covers half of the footprint of the building. There is a front lightwell and the rear garden is fully paved.

The basement level would be excavated to provide a greater headroom and be extended to the rear under the entire footprint of the house in order to create a new two bedroom flat. Policy H1 regards self-contained housing as the Borough's priority land use. The Local Plan Policy H7 incorporates a housing size priority table which identifies two and three bedroom units as of higher propriety than 1 bed and studio units. The creation of a self-contained two bed market unit would thus comply with policies H1 and H7. The overall uplift in residential floorspace would be below 100 sqm and therefore an affordable housing contribution would not be required.

The flat would have an internal floor area of 66 sqm. This would be compliant with the required 61 sqm which is the minimum gross internal floor area for a two bed, one storey, three person dwelling as per the Nationally Described Internal Space standards.

CPG advice on Basements states that where basement accommodation is to provide living space, it will be subject to the same standards as other housing in terms of space, amenity and sunlight. The flat would be dual aspect and be ventilated naturally. In relation to the internal levels of daylight and sunlight, a submitted Lighting Report confirms that the living / kitchen / diner room (LKD) at basement level would achieve an average daylight factor in excess of 2.8% ADF. This exceeds the recommended 2% for kitchens, with 1.5% recommended for living rooms as per BRE guidance. The master bedroom would be 1.2% and therefore meet the 1% ADF recommendation. The second bedroom would have an ADF of 0.8%. This 0.2% shortfall is considered acceptable on balance as this is a secondary bedroom and the proposal is a conversion of a single basement floor. The unit would have access to a shared communal garden which is welcomed.

The increase in depth of the front lightwell would be in keeping with the established character of front light wells in this part of Inglewood Road and would not appear incongruous within the streetscene. The rear lightwell would have little to no impact on the character and appearance of the conservation area as it would be subordinate to the host building and, given its location, would not be visible from public views. The new windows are considered

appropriate in size and design and would not harm the character and appearance of the host building and 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.

Policy A5 states that the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. The size, depth and location of the basement extension would comply with policy A5 criteria f. to m.

Paragraph 6.117 of the Local Plan states that "In order to provide the Council with greater certainty over the potential impacts of proposed basement development, we will generally expect an independent verification of Basement Impact Assessments to be funded by the applicant". The BIA is in accordance with the requirements of CPG Basements and has been fully audited by the Council's consultants Campbell Reith. The BIA audit confirms that the basement extension would not harm the structural, ground, or water conditions of the area.

- 2 The applicant has submitted details of a qualified engineer who will 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. The submitted details and appointment confirm that the chartered structural engineers have the relevant qualifications which comply with the requirements of Camden Planning Guidance, including CEng and MIStructE.

An objection was received relating to culverted river below the site and the potential of the development to cause flooding. The final BIA Audit states that adequate mitigation measures are in place to deal with the potential interception of alluvial deposits associated with the river during basement excavation. It confirms that overall there would be no impact to the hydrological environment. Also the site is confirmed to have a high risk from surface water flooding. The Flood Risk Assessment indicates various mitigation measures to deal with surface water flooding which the Audit says should be adopted during construction.

The location of the works at basement level would not give rise to amenity impacts to neighbouring occupiers in terms of loss of light, privacy or outlook.

The applicant has provided an arboricultural report which confirms that no trees would be removed to facilitate development. The excavation of the basement would not be located within the root protection zone of the tree T1 at the rear of the garden. Trial pits have also been conducted which show no significant tree roots. A compliance condition is attached to ensure the implementation of tree protection measures described in the report.

The proposed new unit would need to be car-free in accordance with Policy T2. This would be secured via a legal agreement. The two cycle stores within the

front basement lightwell are secured by condition in accordance with Policy T1.

Whilst the proposals involve further excavation and the extension of the existing basement, it is considered that a Construction Management Plan and associated contribution are unnecessary for this particular development. There is a requirement for an Approval in Principle (AIP) as the basement modification would be adjacent to the footway. This would be a Category 1 AIP with a charge of £538.56, which is secured via Planning Obligation.

One objection was received relating to underground water movement which is responded to above. 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, D1, A5, A1, H1, H7, T1, T2 and D2 of the London Borough of Camden Local Plan 2017. The proposal would be in accordance with Policies 1, 2, 3, 7 and 8 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the London Plan 2021 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 proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 5 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.
- 6 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+Re>

quirements+%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.

- 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



Daniel Pope
Chief Planning Officer