

Application ref: 2021/6174/P
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Date: 17 August 2022

Development Management
Regeneration and Planning
London Borough of Camden
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HUB Architects and Designers Ltd.
Unit 25
Basepoint
Evesham
WR11 1GP
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**1 Wadham Gardens
London
NW3 3DN**

Proposal:

Excavation of single-storey basement level under footprint of existing building, sunken terrace to north-west of site, 4x front and side light-wells with grilles, internal alterations to flats on ground, first and second floors, new and altered window openings to rear ground floor and first floor level, demolition and rebuild of the north-west end of the building, new boundary treatment and landscaping works, in association with 6 existing dwellings
Drawing Nos: 1179-PL-01; 1179-00 Existing; 1179-01 Existing; 1179-02 Existing; 1179-03 Existing; 1179-00 Proposed; 1179-01 Proposed Rev B; 1179-02 Proposed Rev A; 1179-03 Proposed; 1179-04 Proposed; 1179-05 Proposed Rev B; 1179-06 Proposed Rev B; 1179-07 Proposed Rev A; 1179-08 Proposed; 1179-10 Proposed railings Rev A; 1179-10 Proposed soft and hard landscaping Rev C; 1550-01 Rev 2; 1550-02 Rev 3; 1550-03 Rev 2; 1550-04 Rev 1; Design & Access Statement (HUB Architects), dated 24/11/2021; Construction Management Plan, dated 24/11/2021; BREEAM Design Stage Pre-Assessment Rev 3, dated 15/12/2021; Internal Daylight Report (CHP Surveyors Ltd), dated 22/11/2021; Arboricultural Impact Assessment (Landmark Trees), dated 30/11/2021; Arboricultural Method Statement (Landmark Trees), dated 30/11/2021; Basement Impact Assessment (Quadrant Harmon Consulting Ltd) Rev 5, dated 15/12/2021; Ground Appraisal Report (Geo-Environmental) GE17691 - GARv4JT220517 v 4.0, dated May 2022; Structural Engineers appointment confirmation letter, dated 24/11/2021.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 1179-PL-01; 1179-00 Existing; 1179-01 Existing; 1179-02 Existing; 1179-03 Existing; 1179-00 Proposed; 1179-01 Proposed Rev B; 1179-02 Proposed Rev A; 1179-03 Proposed; 1179-04 Proposed; 1179-05 Proposed Rev B; 1179-06 Proposed Rev B; 1179-07 Proposed Rev A; 1179-08 Proposed; 1179-10 Proposed railings Rev A; 1179-10 Proposed soft and hard landscaping Rev C; 1550-01 Rev 2; 1550-02 Rev 3; 1550-03 Rev 2; 1550-04 Rev 1; Design & Access Statement (HUB Architects), dated 24/11/2021; Construction Management Plan, dated 24/11/2021; BREEAM Design Stage Pre-Assessment Rev 3, dated 15/12/2021; Internal Daylight Report (CHP Surveyors Ltd), dated 22/11/2021; Arboricultural Impact Assessment (Landmark Trees), dated 30/11/2021; Arboricultural Method Statement (Landmark Trees), dated 30/11/2021; Basement Impact Assessment (Quadrant Harmon Consulting Ltd) Rev 5, dated 15/12/2021; Ground Appraisal Report (Geo-Environmental) GE17691 - GARv4JT220517 v 4.0, dated May 2022; Structural Engineers appointment confirmation letter, dated 24/11/2021.

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.

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Details including sections at 1:20 of all new windows (including jambs, head and cill), ventilation grills and external doors;
- b) Details including a method statement and drawings, demonstrating how the existing Elsworthy Road and Wadham Gardens street signs would be salvaged and re-instated on the boundary wall.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 Camden Local Plan 2017.

- 5 The works hereby approved shall be carried out in accordance with the methods outlined in the submitted Arboricultural Method Statement (Landmark Trees), dated 30/11/2021, unless otherwise agreed in writing with the Local Planning Authority.

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.

- 6 All hard and soft landscaping works, including the replacement of the Hawthorn Tree as shown on the approved drawing "1179-10 Proposed soft and hard landscaping Rev C", shall be carried out in accordance with the approved landscape details, prior to the occupation 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, 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.

- 7 Quadrant Harmon Consulting Ltd. shall 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. Should there be a subsequent change or reappointment, the replacement shall be a suitably qualified chartered engineer with membership of the appropriate professional body and 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 continuation of basement construction works. Any subsequent change or reappointment shall also 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 basement works hereby approved shall be carried out in accordance with the Basement Impact Assessment (and supporting documents) as approved. Any change to the basement design or construction methodologies as

approved shall be submitted to the local planning authority for approval in writing prior to their implementation.

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 Reasons for granting

Planning permission is sought to excavate a single storey basement under the footprint of the existing building, including the creation of a sunken terrace at the north-west corner of the site and the creation of 4x front and side lightwells with metal grilles; internal alterations to the flats at ground, first and second floor levels; the creation of new window openings to the rear elevation at ground and first floor levels; demolition and rebuild of the north-west end of the building; new refuse and cycle storage; new boundary treatment and landscaping works.

The proposed development is exactly the same as application reference 2018/3320/P, approved on 18/03/2019, which itself was a duplicate of an earlier permission (application reference 2015/6104/P, dated 26/04/2016). The previous permissions at the site are a material consideration and there have been no changes in circumstances which would now warrant a different decision. A revision has been made during the course of this application to ensure the bin storage door does not open onto the public highway. Otherwise, no other changes have been made to the application.

The increase in floorspace (to serve existing flats within the building) exceeds 100 sqm (231 sqm); however, as no new dwellings would be created there is no requirement to make an affordable housing contribution.

The impact on the character and appearance of the host building and the wider area, including the Elsworthy Conservation Area, is considered to be acceptable. A condition will require the submission of details of all new windows, ventilation grills and external doors, as well as details of the reinstatement of the road signs on the boundary walls.

The basement accords with the Council's guidance and the Basement Impact Assessment (BIA) has been independently audited by Campbell Reith, who have concluded that the BIA complies with the requirements of CPG Basements. Conditions will ensure compliance with the BIA and the use of a qualified engineer to oversee the works.

It is not considered that the proposals would cause undue harm to the visual and residential amenities of nearby and neighbouring properties, or future occupiers of the host building. There have been no relevant changes in material considerations which would alter the previous amenity assessments.

A highways works contribution and Construction Management Plan were previously secured by legal agreement and will be again, along with a Construction Impact Bond and Approval in Principle, which are now also considered necessary, to mitigate the impact on the local highway network and local residents.

The Arboricultural Report notes that trees will be protected during construction works and a method statement has been provided, which will be secured by condition.

One comment has been raised in relation to the works, which has been duly considered. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposed development is in general accordance with Policies G1, H4, A1, A5, D1, D2, CC1, CC2 and CC3 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021; and the provisions of the National Planning Policy Framework 2021.

- 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, 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 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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.

- 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 2021.

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
Chief Planning Officer