

Application ref: 2020/2330/P
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Development Management
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45
Welbeck Street
LONDON
W1G 8DZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:

**69 Avenue Road
London
NW8 6HP**

Proposal:

Demolition of existing side extension and erection of a single storey side and rear extension; erection of a two storey rear extension with roof extension and 3x replacement rear dormer windows; excavation of a basement and small lightwell and associated works. Drawing Nos: Cover Letter, Design and Access Statement, Arboricultural Impact Assessment by Landmark Trees dated 28/02/2020, Energy & Sustainability Statement by XCO2 dated March 2020, Heritage Significance and Impact Assessment by Heritage Information dated Jan 2020, Plant Noise Impact Assessment by NSL dated 28/02/2020, Planning Statement, 18030-X100, 18030-X110, 18030-X120, 18030-X130, 18030-X200, 18030-X300, 18030-X301, 18030-X302, 18030-X303, 18030-P001, 18030-P009, 18030-P090, 18030-P110, 18030-P120, 18030-P130, 18030-P200, 18030-P300, 18030-P301, 18030-P302, 18030-P303, 18030-P100 Rev A, 18030-P201 Rev A, 18030-P202 Rev A, 18030-P203 Rev A, Basement Impact and Ground Movement Assessment Report by GEA dated Nov 2020, Basement Impact Assessment - Structural Methodology by Croft Structural Engineers dated 27/11/2020, Surface Water Flow and Flood Risk Assessment by Water Environmental Ltd dated Dec 2020, Basement Impact Assessment Audit by Campbell Reith dated March 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 policy D1 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:

Drawing Nos: Cover Letter, Design and Access Statement, Arboricultural Impact Assessment by Landmark Trees dated 28/02/2020, Energy & Sustainability Statement by XCO2 dated March 2020, Heritage Significance and Impact Assessment by Heritage Information dated Jan 2020, Plant Noise Impact Assessment by NSL dated 28/02/2020, Planning Statement, 18030-X100, 18030-X110, 18030-X120, 18030-X130, 18030-X200, 18030-X300, 18030-X301, 18030-X302, 18030-X303, 18030-P001, 18030-P009, 18030-P090, 18030-P110, 18030-P120, 18030-P130, 18030-P200, 18030-P300, 18030-P301, 18030-P302, 18030-P303, 18030-P100 Rev A, 18030-P201 Rev A, 18030-P202 Rev A, 18030-P203 Rev A, Basement Impact and Ground Movement Assessment Report by GEA dated Nov 2020, Basement Impact Assessment - Structural Methodology by Croft Structural Engineers dated 27/11/2020, Surface Water Flow and Flood Risk Assessment by Water Environmental Ltd dated Dec 2020, Basement Impact Assessment Audit by Campbell Reith dated March 2021

Reason:

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

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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.

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 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with approved Tree Protection Plan. The protection shall then remain in place for the duration of works on site and works should be undertaken in line with the approved arboricultural method statement, unless otherwise agreed in writing by the local 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 No development shall take place until full details of hard and soft landscaping and means of enclosure 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: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5 and D1 of the London Borough of Camden Local Plan 2017.

- 7 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) 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 and D1 of the London Borough of Camden Local Plan 2017.

- 8 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 9 Prior to use, machinery, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 10 Prior to commencement of the relevant part of the 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 and A3 of the London Borough of Camden Local Plan 2017.

- 11 The construction of the basement and lightwell 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 and A5 of the London Borough of Camden Local Plan 2017.

- 12 The development hereby approved shall be carried out strictly in accordance with the Basement Impact and Ground Movement Assessment Report by GEA dated Nov 2020 and the recommendation in the Basement Impact Assessment Audit by Campbell Reith dated March 2021.

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 Reasons for granting permission:

The proposed two-storey rear extension and the associated roof extension and three replacement rear dormer windows combines well with the main body of the building. The rear of the host building currently features two large curved bay windows but the new rear and roof extension, given its high quality design and matching material and traditional detailing, is considered to be in keeping with the character and appearance of the host building. The size of the replacement dormer windows would be similar to existing and their sizes respect the hierarchy of windows. It is noted that the rear and roof extension and dormer windows would not be observable from the streetscene.

The existing side extension would be demolished and a new side and rear extension would take its place. The new extension would be single-storey and approx. 4m high x 6.8m wide and 12m deep. It would be same height as the front porch and would be subordinate to the host building. Whilst the new extension would extend further into the garden than the existing, given that the garden is unusually large and deep, it can accommodate the extension at this position comfortably and would not be overwhelmed. The new extension would be of modern lightweight design with a green roof and brickwork façade that matches the host building. A glazed link is introduced between the host building and the extension to improve the legibility of the host building. The new side and rear extension is considered to improve the character and appearance of the host building and would not harm the streetscene.

The Council's Tree Team have reviewed the submitted Arboricultural Impact Assessment and considers the impact on trees and hard/soft landscaping to be acceptable from an arboricultural point of view. Conditions have been attached to ensure that arboricultural method statement and tree protection plan are provided and implemented. Details of the green roof have also been conditioned.

The proposal does not involve the creation of any additional car parking spaces within the boundary of the site. The garage within the proposed side and rear extension would retain the two car parking spaces that are in the existing side extension and is considered acceptable in terms of transport.

A single-storey basement and associated small lightwell at the eastern elevation would be excavated beneath the host building and proposed side and rear extensions. Given the relatively small scale and the set back location of the lightwell, it is considered to be subordinate and would not adversely impact the character and appearance of host building. The proposed basement would have a swimming pool, a gym and other entertainment uses and plant/storage. A Basement Impact Assessment (BIA) was submitted with the scheme, this document was independently assessed by Campbell Reith, Camden Council's BIA Auditor, the revised details were policy compliant.

Flood mitigation measures have been incorporated into the proposal so that

the freeboard is at least 0.3m above the 1 in 1000 year flood water level (as set out in our Strategic Flood Risk Assessment) throughout the building to mitigate potential flood risk. The Council's Flood Risk team has reviewed the proposal and has raised no objection. [cont'd]

- 2 Due to the excavation works involved and in order to minimise disturbance to surrounding occupiers during the construction phase, a CMP with its associated monitoring fee and a Construction Impact Bond would be secured via a legal agreement. In order to repair any damage to the highway, a financial contribution would also be secured.

By virtue of existing boundary walls and trees along the walls and the size of the host building's rear garden, the additional depth of the new side and rear extension and the near rear dormers would not harm the amenity of neighbouring properties in terms of loss of light, overlooking, or a sense of enclosure. The proposal also includes the installation of 2x air source heat pumps at the basement plant room. A noise impact assessment was submitted and assessed by the Council's Environmental Health team who found it acceptable subject to conditions. Noise compliance and anti-vibration material have been secured by conditions to safeguard the amenities of the adjoining premises and the locality. Therefore, the proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

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 G1, CC1, CC2, CC3, A1, A2, A3, A4, A5, D1 and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2019.

- 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 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 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.

- 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.
- 7 At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
- 8 No waste materials should be burnt on site of the development hereby approved.

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



Daniel Pope
Chief Planning Officer