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Dear Nora.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
42 ELSWORTHY ROAD, LONDON, NW3 3DL
PLANNING APPLICATION REF 2022/1537/P

Further to our ongoing discussions in relation to the above site, we are writing to formally amend the current proposals as agreed, to revert back to the approved (and implemented) basement under 2019/0149/P dated 14th September 2020.

This will not result in a change to the description of development as originally submitted for the current application **2022/1537/P**

To confirm, we are seeking the following amendments (shown in bold text below) to the current application:

| | | |
|---|---|--|
| 1 | Revised Basement Layout. It is proposed to increase the footprint of the basement to match the approved basement layout (Application ref: 2019/0149/P) | Basement layout as approved and implemented under the previous permission where officers and Members concluded it complied with Policy A5 and no changes proposed. |
| 2 | One new dormer window to the roof slope of the southwestern (side) elevation. | The materials, detailing and scale of the dormer would match the adjacent dormer windows and therefore be a positive addition. |
| 3 | Slight widening of the two existing window openings to the southwest (side) elevation at first and second floor levels | Very minor changes to the proposed window openings |
| 4 | Minor changes to the layouts of proposed rooflights | |
| 5 | Retention of the existing left-hand side gate pier | This was uncovered after some foliage was removed. |
| 6 | Temporary removal of the front entrance steps and replacement with steps to match the existing in detailing and materials to match the existing. | To aid the construction of the basement so only a temporary measure. |

Basement Excavation

The main amendment to the application relates to the basement excavation, which is reverting to the consented (and implemented) extent of basement footprint under permission 2019/0149/P. This is currently being built out under the previous permission with the expectation that the current permission will also be implemented in due course to take account of the design changes to the side extension.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

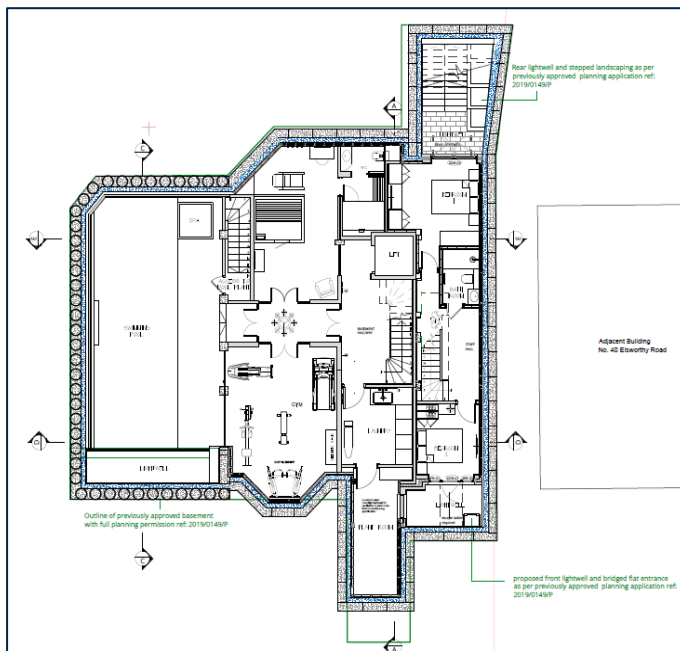
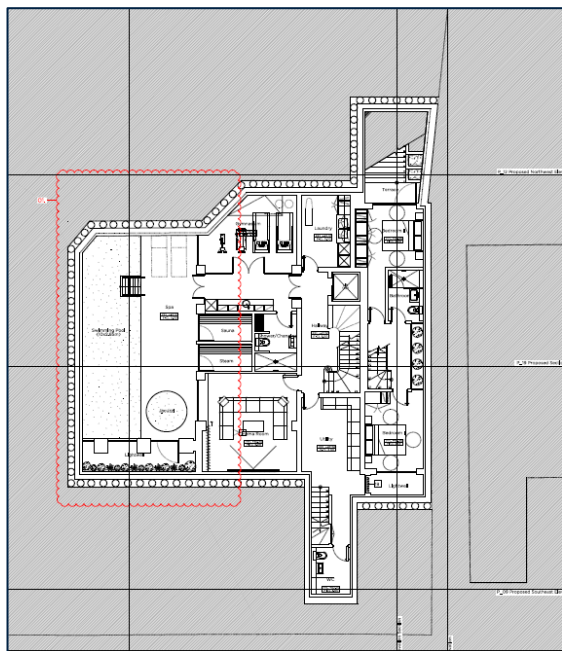
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As you will see there is a small area to the front where the wall of the basement steps out in a bay shape however this is very minimal and creates no area of additional useable basement floorspace, it is just the construction line of the basement to sit under the bay window that exists at lower ground floor above.

To counter this, there is also a reduction in the basement footprint to the front of the site where the proposed plant room will be compared to the consented scheme.



Above: Consented scheme (left)

Above: Now proposed (right)

The revisions proposed in reverting to the implemented footprint has again been assessed by our Basement Impact Consultant, Create Consulting Engineers. The BIA concludes that there will not be risks or stability impacts to the development or adjacent sites and will comply with Policy A5.

This was confirmed in the Member's Briefing report associated with the previous consented scheme as follows:

5. Basement excavation

5.1 Policy A5 stipulates that basement excavations should not cause harm to the neighbouring properties, the structural, ground or water conditions and the architectural character and amenity of the area. In order to demonstrate compliance with the requirements of policy A5 and CPG Basements, a Basement Impact assessment (BIA) has been submitted and assessed by third party auditors Campbell Reith. The auditors have questioned the impact of the basement on the

structural condition of the adjoining property at no. 40 Elsworthy Road, ground movement assessment and piling methodology and duration, impact of removing trees in vicinity of the garage of no. 2 Merton Rise. It was also noted that consultation and asset protection agreements are to be entered into with the utility/infrastructure asset owners.

5.2 Additional information was provided in response to all queries. During consultation it was highlighted by the occupiers at no. 40 indicated that they are currently undergoing structural repairs for cracking. Following which the applicant provided a revised, Ground Movement Assessment (GMA) indicating that the damage to be sustained by no. 40 would not exceed Category 1 (Very Slight) which is in line with policy A5. As part of the outline methodology and guidance for monitoring structural movements during construction, it notes that prior to works commencing a conditions survey would be undertaken on all adjacent neighbouring walls, property facades, trigger values and contingency actions set for use during monitoring as the construction progresses. This is accepted by auditors and officers and would be covered by the duties of the engineers overseeing the temporary and permanent basement works secured by a pre-commencement condition.

5.3 The application site is not located within a Local Flood Risk zone and the site is at 'low' risk of flooding from surface water run-off. However, Elsworthy Road is within a Critical Drainage Area, and the road did flood in 1975 and 2002. Standard flood risk mitigation measures are to be adopted, such as non-return valves.

5.4 The proposed scheme will not increase the proportion of impermeable area and there is no risk to the wider hydrological environment. It is expected that surface water and foul will be drained by utilising the existing gravity fed system where possible, and the minimal amount of water entering the basement level via the cavity drain system will fall to a sump below the new basement slab level. From the sump it will then be positively pumped to the outfall. A non-return valve will be installed at the main outfall to ensure the lower slab areas are not flooded by the combined sewer system in times of sustained heavy rainfall.

5.5 In light of the above it is considered that based on the documentation provided and audited the proposed development would not have a harmful impact on the stability of the host building and neighbouring ones, ground and water conditions and wider hydrogeological environment, which is in line with CPG Basements and Policy A5.

Basement

9.2 In relation to basement excavation, as detailed above, the BIA has considered elements of land stability, ground and water conditions and confirmed that no harmful impact would be caused to the neighbouring amenity. It is noted that neighbouring occupiers raised concerns in relation to the nuisance caused by construction works as part of the basement excavations. The resulting noise, dust, air pollution and disturbance would be managed by a Construction Management Plan (CMP) secured via section 106 legal agreement. As part of the CMP, the applicant would have to engage with the neighbouring parties to ensure that any harm from dust, noise and air pollution would be mitigated.

As you can see all the previous matters raised by the third party review by Campbell Reith were closed out through additional information provided in terms of the structural stability of the property and surrounding properties. This information again has been provided within the updated BIA report which draws the same conclusions that the development will have a category 1 impact for ground movement being "very slight" and remains within the acceptable limits of Policy A5 (paragraph 8.26 of the BIA report).

As there has been no changes in the adopted planning policy A5 since this decision was made, the same conclusions can be drawn for the current amendment proposals which are broadly identical to the consented and implemented scheme.

Other very minor revisions to the application

All other very slight revisions to the current application are considered to be extremely minor design changes that have been highlighted on the proposed set of drawings.

There are no further design changes proposed to the two storey side extension compared to the current proposals we are having ongoing discussions over.

Supporting Revised Documents

In support of the revisions to the application and to reflect the revised drawings, we have therefore had to update the following documents which are enclosed with this covering letter:

- Existing Front elevation (showing retention of gate pier), prepared by Wolff Architects.
- Demolition drawings, prepared by Wolff Architects.
- Proposed drawings, prepared by Wolff Architects.
- Design and Access Statement, prepared by Wolff Architects.
- Basement Impact Assessment, prepared by Create Consulting Engineering.
- Construction / Demolition Management Pro Forma.
- Daylight and Sunlight Assessment, prepared by Hollis.
- Tree Report, prepared by John Cromar.

I trust that the above is sufficient to process this formal amendment to the application and commence the re-consultation process.

The re-consultation process must now commence please, and we look forward to receiving your written confirmation shortly of the application having been formally amended and the consultation starting.

Yours sincerely,



Mary Fortune
Associate