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Craig Beech
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Dear Craig Beech,

Re: 15 Lyndhurst Terrace, London, NW3 5QA – Excavation of basement; extensions and alterations to existing house (amendments to previous approvals)

Thank you for submitting the above pre-planning application enquiry on 12/07/2022. The required fee of £475 was received on 15/07/2022. Meetings were held on 4/10/2022 and 2/12/2022.

1. Proposal

- Excavation of basement;
- Enlarged stair enclosure;
- Single storey rear extension;
- First floor side extension;
- Alterations to fenestration;
- Alterations to façades.

2. Revisions

Revised plans were received on 03/11/2022 and 08/12/2022, in response to suggestions made in the abovementioned meetings.

3. Constraints

- Fitzjohns Netherhall Conservation Area (15 Lyndhurst Terrace is identified as a positive contributor)
- Hampstead Neighbourhood Plan Area
- Hampstead Town CMP Priority Area
- TPO (Birch mature)
- Article 4 direction - Basements
- Underground development constraint – hydrological constraints layer
- Underground development constraint – subterranean (groundwater) flow

- Underground development constraint – slope stability
- CIL Charging Zone C

4. Relevant planning history

2021/1304/P: Excavation of basement level with front and rear lightwells. **Granted Subject to a Section 106 Legal Agreement 08/09/2021.**

2020/0746/P: Erection of ground and first floor rear extension. **Granted 19/06/2020.**

2017/2471/P: Replacement two storey residential dwelling with basement, following demolition of existing dwelling; associated works. **Refused 11/10/2017.**

Reasons for refusal:

- 1. The proposed demolition, by reason of the loss of the existing building which makes a positive contribution to the Fitzjohns / Netherhall Conservation Area, would cause harm to the character and appearance of the conservation area, contrary to Policy D2 of the Camden Local Plan 2017.*
- 2. The proposed replacement dwelling, by virtue of its scale, massing, form and detailed design, would cause harm to the character and appearance of the street scene and the wider area and would fail to preserve or enhance the character and appearance of the Fitzjohns / Netherhall Conservation Area, contrary to Policies D1 and D2 of the Camden Local Plan 2017.*
- 3. The proposed basement, by virtue of its excessive size and external manifestation in relation to the size of the site and host dwelling, would represent poor design and be harmful to the character and appearance of the wider Fitzjohns / Netherhall Conservation Area, contrary to Policies D1, D2 and A5 of the Camden Local Plan 2017.*
- 4. The proposed basement, by virtue of its size and external manifestation would deprive the proposed dwelling of sufficient open amenity space and be detrimental to the visual attractiveness and environmental wellbeing of the area generally contrary to the open space and biodiversity objectives of policies A2, A3 and A5 of the Camden Local Plan 2017.*
- 5. The proposed development, in the absence of a legal agreement to prevent the prospective owners from applying for a resident's on-street parking permit would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to Policy T2 of the Camden Local Plan 2017.*
- 6. The proposed development, in the absence of a legal agreement securing a Construction Management Plan, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to Policy T4 of the Camden Local Plan 2017.*
- 7. The proposed development, in the absence of a legal agreement to secure highway contributions to undertake repair works outside the application site, would fail to*

restore the pedestrian environment to an acceptable condition, contrary to Policies T1 and T3 of the Camden Local Plan 2017.

2015/6278/P: Demolition of existing house to provide a new dwelling. **Refused 11/02/2016.**

5. Relevant policies and guidance

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development
 A2 Open Space
 A3 Biodiversity
 A4 Noise and vibration
 A5 Basements
 D1 Design
 D2 Heritage
 CC3 Water and flooding
 CC5 Waste
 T4 Sustainable movement of goods and materials

Hampstead Neighbourhood Plan 2018

DH1 Design
 DH2 Conservation areas and listed buildings
 NE2 Trees
 NE3 Biodiversity corridors
 NE4 Supporting biodiversity
 BA1 Basement Impact Assessments
 BA2 Basement Construction Plans
 BA3 Construction Management Plans
 TT4 Cycle and car ownership

Camden Planning Guidance

Amenity (2021)
 Basements (2021)
 Biodiversity (2018)
 Design (2021)
 Developer Contributions (2019)
 Transport (2021)
 Trees (2019)
 Water and flooding (2019)

Fitzjohns/ Netherhall Conservation area appraisal 2022

6. Assessment

The key planning considerations are as follows:

- Heritage and design
- Trees and landscaping
- Excavation impact
- Impact on neighbouring land uses
- Transport considerations

7. Heritage and design

The application site is located within the Fitzjohns / Netherhall Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Policy D1 of the Camden Local Plan seeks to secure high quality design which respects local context and character and which preserves or enhances the historic environment and heritage assets in accordance with Policy D2. Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.

Policy DH1 of the Hampstead Neighbourhood Plan guides that development proposals should demonstrate how they respond and contribute positively to the distinctiveness and history of the character areas identified in Map 2 and Appendix 2 (the application site is within Character Area C: C19th Expansion) through their design and landscaping; and development proposals should demonstrate how they respect and enhance the character and local context of the relevant character area(s) by:

- a. Ensuring that design is sympathetic to established building lines and arrangements of front gardens, walls, railings or hedges.*
- b. Incorporating and enhancing permeability in and around new developments to secure safe and convenient access for pedestrians and cyclists, and avoiding lockable gates and fencing that restricts through access.*
- c. Responding positively and sympathetically to the existing rhythm, proportion, height, scale, massing, materials and storey heights of surrounding buildings.*
- d. Protecting the amenity and privacy of neighbouring properties.*
- e. Demonstrating how the proposal protects and enhances the views as shown on Map 4.*

Policy DH2 of the Hampstead Neighbourhood Plan notes that development proposals must have regard to the guidelines in the relevant Conservation Area Appraisal(s) and Management Strategies; new development should take advantage of opportunities to enhance the Conservation Areas by protecting and, where appropriate, restoring original architectural features, including walls, windows, doors, etc., that would make a positive contribution to the Conservation Areas; and development proposals must seek to protect and/or enhance buildings (or other elements) which make a positive contribution to the Conservation Area, as identified in the relevant Conservation Area Appraisals and Management Strategies.

No. 15 Lyndhurst Terrace is specifically identified within the Fitzjohns / Netherhall Conservation Area Statement (FNCAS) as making a positive contribution to the character and appearance of the conservation area. No. 15 is a low-rise, part single and part two-storey, brick residential dwelling characterised by curved walls and timber-framed glazing, dating from the 1960s. The house is of a modest and discreet character, having been built on the footprint of a former coach house. The property is set back from the established building line between two larger C19th detached properties, and benefits from a driveway to the front and a private garden to the rear, which is consistent with the urban grain of Sub Area Two of the Fitzjohn's / Netherhall Conservation Area. The L-shaped rear garden associated with No. 13 Lyndhurst Terrace (to the south) wraps around the rear (west) of the appeal site.

Basement

Planning permission for a basement was granted pursuant to planning permission reference 2021/1304/P in 2021 and the permission remains extant. As such, the proposed basement is considered to be acceptable, in principle. The proposed basement differs from the approved scheme insofar as the basement would have a different footprint (slightly larger in size) and would have 2 lightwells, 1 to the front and 1 to the rear. The position of the front lightwell is moved from below the main entrance to below the curved wall.

Policy A5 of the Local Plan requires that basement development respects the character and amenity of the local area and the architectural character of the building. As discussed, we have some concerns with the front lightwell in terms of its size, design and visibility in the streetscene along Lyndhurst Terrace. Ideally the basement should not manifest itself above ground, to avoid the so-called "iceberg effect" where the basement seems to be much larger than the host building. We also question how much light the lightwell would provide if it has decking over part of it at ground level. You are advised to reduce the size of the front lightwell prior to submitting a formal application.

At the rear, the lightwell has been reduced in size during the course of the pre-app, which is welcomed. As discussed, the retention of as much garden area as possible is welcomed (see Trees and Landscaping comments below).

Single storey rear extension / first floor side extension

Planning permission for a single storey rear extension and first floor side extension was granted pursuant to planning permission reference 2020/0746/P in 2021 and the permission remains extant. As such, these elements are considered to be acceptable, in principle.

The proposed first floor side extension differs from the approved scheme insofar as it would be wider, extending to the same width as the host building; however, it is still considered to be subservient to the original building given its set-back from the front building line. The brickwork pattern has been revised during the course of the pre-app to tone it down, which is also welcomed.

Enlargement of stair enclosure

The enlargement of the stair enclosure is considered to be acceptable (in order to improve the internal layout within the building, which officers recognise fails to meet modern standards). This is on the basis that the stair enclosure would still be similar in outward appearance to the original. As discussed, the use of timber is welcomed as this is the original building material that was used for the stair enclosure.

Alterations to fenestration / façades

The plans have been revised during the course of the application to retain the curved wall and the clerestory window on the front elevation of the building, which is welcomed as these are key design features of the building which contribute to its character.

As discussed, the relationship between solid and void is also a key design feature of the building and there is a play of different materials. We still have some concern about the size of the new opening within the curved wall (to serve the kitchen), both in terms of impacting on the established solid-to-void relationship, and also in terms of whether the 3-panel door would fit successfully within the curve. You are advised to further reduce the size of the opening and as part of any formal application you should provide further plans and details relating to the insertion of the door within the curved wall.

At the main entrance, the use of dark timber adjacent to the window is welcomed, particularly as it ties in with the enlarged stair enclosure, rather than introducing a new material as originally proposed. The solidity in this area also provides a welcome contrast to the more open element to the right (the new opening within the curved wall).

The window design has been revised during the course of the pre-app. As discussed, retaining the existing glazing bar pattern and thin frames is welcomed. It is understood that triple glazing is proposed. As discussed, the thinnest available frames should be used as this is in keeping with the original character of the building.

You are also advised to retain and replicate existing detailing as much as possible, for example above the windows. At the rear, the plans illustrate a vertical brick lintel above the ground floor glazing on the southern section of the house, whereas the corresponding existing element has a timber fascia. It would be preferable if the proposed design could retain this feature if possible.

8. Trees and landscaping

Policy A3 of the Local Plan seeks to protect and secure additional trees and vegetation. The policy notes that the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation. The Council will also require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development.

Policy NE2 of the Hampstead Neighbourhood Plan also seeks to protect trees that are important to local character, streetscape, biodiversity and the environment. The policy notes that, where there are no existing trees on a site, unless it can be demonstrated as

unfeasible or non-viable, development should allow space for the future planting of trees well suited to local conditions.

The Council has a statutory duty to consider the conservation, protection and enhancement of biodiversity when determining a planning application. Policy A3 of the Local Plan aims to support the London Biodiversity Strategy and the Camden Biodiversity Action Plan (BAP) by ensuring that Camden's growth is accompanied by a significant enhancement in the borough's biodiversity. The policy expects developments to incorporate trees and vegetation wherever possible. The policy notes that the Council will assess developments against their ability to realise benefits for biodiversity through the layout, design and materials used in the built structure and landscaping elements of a proposed development, proportionate to the scale of development proposed.

At the time of the appeal it was noted that the front garden had been altered in previous years to allow for additional car parking at the site, which involved the loss of trees and vegetation. On this basis, the proposal to reintroduce trees and vegetation to the front garden is welcomed, as it would contribute positively to the character and appearance of the application site and the wider conservation area. However, we have some concern with the amount of decking and the size of the lightwell to serve the basement at the front of the property as these features take up a significant portion of the front garden and take away from the space that is available to provide planting.

As discussed, traditionally, the front garden should be more public and the rear garden should be more private. As discussed, any proposal to provide screening to the decking area for privacy is unlikely to be supported due to the harmful impact it would have on the character and appearance of the application site and the conservation area.

The garden store, bike store and bin store, which are all located along the front boundary of the site, should be lower in height than the front boundary wall, to retain views over the wall into the garden. Details of their proposed design and materials should be provided with any formal application.

At the rear, the reduction in size of the proposed lightwell is welcomed, as this allows for the retention of more ground level garden space. The concept plans illustrate lots of hardstanding with small pockets of greenery in planters. I appreciate that the existing garden is all hardstanding at the moment; however, the provision of more greenery would be welcomed if possible as it would contribute to biodiversity at the site.

Any formal application should be accompanied by an Arboricultural Impact Assessment. Details of protection for existing trees during demolition and construction works should also be provided. Further guidance is available in CPG Biodiversity and CPG Trees.

9. Basement / excavation impact

Policy A5 of the Local Plan notes that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- a. neighbouring properties;*
- b. the structural, ground, or water conditions of the area;*
- c. the character and amenity of the area;*

- d. the architectural character of the building; and*
- e. the significance of heritage assets.*

The policy goes on to note that, in determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment (BIA) and, where appropriate, a Basement Construction Plan (BCP).

Policy BA1 of the Hampstead Neighbourhood Plan notes that proposals for basement development must aim for no higher than Burland Scale 1 ("very slight") and construction will not be allowed to proceed where there is evidence that damage to neighbouring properties would exceed Burland Scale 1; and basement developments under gardens should leave a minimum distance of 15m from any veteran tree or from a boundary that is an historic tree line (see Map 5 for details of both), unless it can be demonstrated that any harm to the trees would not be significant or could be mitigated.

The following underground development constraints apply at the application site: hydrological constraints layer; subterranean (groundwater) flow; slope stability.

A Basement Impact Assessment would be required for the proposed basement, in order for the Council to fully understand the impacts on drainage, flooding, groundwater conditions and structural stability etc. The BIA would be independently reviewed by Campbell Reith. CPG Basements provides further advice, and there is also advice available on our website: [Basement development](#).

Policy A5 then sets out specific criteria for basement development, as follows:

- f. not comprise of more than one storey;*
- g. not be built under an existing basement;*
- h. not exceed 50% of each garden within the property;*
- i. be less than 1.5 times the footprint of the host building in area;*
- j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;*
- k. not extend into or underneath the garden further than 50% of the depth of the garden;*
- l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and*
- m. avoid the loss of garden space or trees of townscape or amenity value.*

In this case, the proposed basement extension complies with the Policy A5 criteria insofar as: (f) it would be one storey tall; (g) it would not be built under an existing basement; (h) it would not exceed 50% of each garden within the property; (i) it would be less than 1.5 times the footprint of the host building in area; (j) it would not extend further than 50% of the depth of the host building; and, (l) it would be set away from neighbouring property boundaries.

It does not satisfy clauses (k) and (m) insofar as the associated rear lightwell would extend further than 50% of the depth of the rear garden and both lightwells would

necessitate the loss of garden space. As noted above, you are advised to reduce the size of the front lightwell. The lightwell to the rear is likely to be considered acceptable as it is not visible in the public realm and its size has been reduced during the course of the pre-app to allow for the retention of more ground level garden space.

10. Impact on neighbouring land uses

Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; noise and vibration; odour, fumes and dust; and impacts of the construction phase, including the use of Construction Management Plans. Policy A4 seeks to ensure that noise and vibration is controlled and managed.

It is not considered that the proposed basement extension would impact harmfully on neighbouring properties, due to its subterranean location, the scale of the works in relation to the size of the main building, and the separation distance between the neighbouring properties.

Planning permission for a single storey rear extension and first floor side extension was granted pursuant to planning permission reference 2020/0746/P in 2021 and the impact on neighbours was judged to be acceptable. Whilst the first floor side extension would be wider than the previously approved side extension, it is not considered that it would impact harmfully on No. 17 because it would not extend in close proximity to any residential windows.

The enlargement of the stair enclosure and the other proposed alterations are not considered to impact on neighbouring properties either.

There is likely to be some disruption during the construction period due to the nature of the proposed works. Measures to reduce the impact of construction works should be outlined in a draft Construction Management Plan (CMP) to be submitted with a formal application (see Transport section). It is likely that the CMP and support contribution and Construction Impact Bond would be secured by section 106 legal agreement if permission is granted.

If the proposals include any plant, the formal planning application should be accompanied by a Noise Impact Assessment.

11. Transport considerations

Construction Management Plan

Policy T4 of the Local Plan promotes the sustainable movement of goods and materials and seeks to minimise the movement of goods and materials by road. As noted above, a draft CMP should be submitted with any formal application which addresses the removal of demolition debris from the site (as a result of excavation) and the delivery of construction equipment and materials. CPG Transport includes a link to the Council's CMP Pro Forma.

12. Conclusion

The proposed basement is considered to be acceptable, in principle; however, you are advised to reduce the size of the front lightwell due to its harmful impact on the character and appearance of the application site and the conservation area. You are also advised to omit or reduce the size of the decking above the front lightwell, as it takes away from space available for planting at the front of the property and may also lead to future requests to provide screening for privacy reasons.

The single storey rear extension, first floor side extension and enlarged stair enclosure are considered to be acceptable. To the front, you are advised to reduce the size of the new opening in the curved wall. You are also advised to retain existing detailing wherever possible (e.g. lintels, fascias etc.)

The proposals to reintroduce trees and vegetation to the site are welcomed in terms of the impact on the conservation area and biodiversity; however, officers feel that more could be done in this respect (e.g. provision of more greenery to front and rear).

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document please do not hesitate to contact Kate Henry on 020 7974 3794.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Kate Henry

**Principal Planning Officer
Planning Solutions Team**