

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>01/10/2020</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>05/09/2020</b>
<b>Officer</b>			<b>Application Number(s)</b>	
David Peres Da Costa			2020/2936/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
23 Ravenshaw Street London NW6 1NP			Refer to draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of a three storey plus basement building comprising 7 Class C3 flats (4 x 3-bed units and 3 x 2-bed units) with balconies at rear following the demolition of the existing house.				
<b>Recommendation(s):</b>		Refuse planning permission		
<b>Application Type:</b>		Full planning permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	17	No. of objections	16
Summary of consultation responses:	A site notice was displayed from 12/08/20 to 05/09/20 and 16 objections were received from the occupiers of 7, 13, 25, 25A, 32, 34, 36, 39, 41, 45, 47, 63, 69, 91 Ravenshaw Road, 33a Mill Lane and 2 Gastonbury Street.					
	<p>One letter of support was received from the occupier of 17 Ravenshaw Street and they made the following comment: “we have no objections to the plans &amp; feel that they are well considered. The space which is not utilised now is ideal for a development of this size &amp; design. We feel that this project will not detract from the look of the street but will enhance it as well as providing much needed housing in Camden”.</p> <p>The objectors raised the following issues:</p> <p><b>Design</b></p> <ul style="list-style-type: none"><li>• The entire building would be out of character in the street</li><li>• There does not seem to be any material change to the façade at the front – it still has light wells and is a poor pastiche of the architecture of the surrounding houses.</li><li>• The rear façade is not as blocky as it was before but it is still enormous and, in my view, far too overbearing. It is still too tall for the street and this is demonstrated clearly by the roof extension of Flat G which is higher than any other roof in the street.</li><li>• The development does not fit into the character of the street and is not sympathetic in terms of style or mass to the low rise, low density aesthetic of its surrounding area.</li><li>• Its size and bulk, appears to be out of scale with surrounding buildings.</li><li>• The rear facade has been modified in response the appeal decision but remains overbearing and excessive. In particular, the roof extension for flat G (top floor) extends towards the rear at near ridge level much higher and further than any other in Ravenshaw Street.</li><li>• The front facade remains largely as it was in the previous application with the light wells in the front gardens, and an unconvincing attempt to emulate the architectural details of the street, such as bay windows.</li><li>• The proposed demolition of the existing modern family house and conversion into a block of seven flats is inappropriate and unnecessary and is not in-keeping with rest of the street.</li><li>• The overall scale and depth of the rear in particular is completely at odds with surrounding patterns of development which is mostly comprised of smaller rear extensions and terraces.</li><li>• The lightwells in the front garden are not in keeping with the rest of the street and will become covered with dustbins anyway.</li><li>• Ravenshaw Street is a row of Victorian terrace houses so how can it even be considered to build a three story building where the whole street is two story. It would be totally out of character and stand out like a sore thumb.</li><li>• The proposed front elevation makes some attempt to acknowledge the context of the materials and massing. However the existing rhythm of the</li></ul>					

canted window bays of the terrace have been ignored by presenting a uniform flat elevation to the street. The window fenestration ignores the local context by proposing grouped casement windows. The proposed deep front basement lightwells are unprecedented in the street and would appear visually out of keeping with adjoining properties, all of which have modest well-kept front gardens. The architectural design of the rear elevation relates very poorly to the context of the terrace rear with a mish-mash of conflicting facing materials and haphazard massing of the building elements.

### **Amenity**

- Harm to living conditions.
- The new development will restrict the light, probably cause damp issues as it'll not just block the sunlight but also block the ventilation bricks on our exterior wall.
- Harm to the amenity and quality of life for neighbouring residents.
- As owner of a neighbouring property we are concerned that the proposed development probably will cause a loss of light or overshadowing on our garden and the new extension, as well as loss of privacy and overlooking by the balconies and units on the higher floors.
- I am concerned about the impact this building will have on the light that I receive in my garden.
- Possible right of light issues for our upper floor windows of No.25 due to the large mansard roof structure proposed in the development,

### **Basement**

- There would be considerable disruption from the insertion of a basement. This street, on a hill and known for its poor soil quality, is vulnerable to subsidence. No other houses have basements. There could well be considerable damage to surrounding properties should this wholly unsuitable basement-procedure be followed.
- This is something I am definitively opposed to as the road is on a slope, the subsoil is London clay and many of the surrounding houses have cracks due to the movement of the soil and the incidence of the railway track just behind with trains full of aggregate and other heavy goods using the tracks on a regular basis.
- There are no other basements in Ravenshaw Street – the houses are built to support each other and each has very shallow foundations. If this development is allowed to proceed with a basement it sets a clear precedent for other occupiers in the future to the detriment of the neighbourhood as a whole.
- I note that some of the underpinning for the basement encroaches under a neighbour's property and wonder if this has been discussed and agreed with the neighbour.
- Several houses in upper half of Ravenshaw Street have already suffered cracks and fissures in walls, both interior and exterior, as a result of recent dry summers, and this trend would only be exacerbated by excavations as substantial as expressed in this proposal.
- The proposal for not one but two basements is intensely alarming.
- The construction of the basement (in particular) may cause issues to the stability of our building (no.25) which is currently suffering from subsidence.
- All the properties either side of the sloping site are built on shallow brick foundations and thus the properties are highly vulnerable to ground vibrations and even modest changes in the underlying soil conditions. Thus the displacement of such a substantial amount of clay soil earth for

a basement extension is very likely to cause permanent structural issues with the adjoining properties at numbers 25 and 21. This situation has been exacerbated in recent years with extreme cycles of expansion and shrinkage of the clay soil caused by heavy rain events following prolonged dry weather spells. A large basement built at this sloping site will also force ground water up into the porous brick walls of the adjoining terraced properties, causing real harm to the neighbour's amenity over the long term.

### **Transport**

- Building procedure would incur appalling disruption in a narrow street adjacent to a school.
- Where will (at least) 7 extra vehicles be parked?
- If this development is approved I am concerned at the number of HGVs coming and going in the street in respect of the school and the safety of the children and parents. In addition, the weight of numerous heavy trucks will have a detrimental effect on the fragile housing structures many of whom (see above) are prone to cracks and movement.
- The proposed site is very near Beckford School in nearby Glastonbury St, and the amount of traffic and pollution that will be generated over a substantial period - both during demolition of the existing house and the erection of this much more substantial dwelling - must be considered carefully. Ravenshaw St is a busy thoroughfare which sees a constant stream of children walking back and forth on their way to and from school.
- The works themselves will cause a significant detrimental impact on residents - for example, the suspension of residents' parking bays will lead to increased traffic congestion.
- The development will also adversely impact traffic flow and parking at drop off and pick up times at the school which is extremely congested and challenging for parents already.
- The prolonged demolition and build period will cause great disruption (noise, pollution, mess, dust) for neighbours and residents; the scale of the development, which includes demolition, accentuate this impact.
- Parking is an ongoing issue and is very limited and this will significantly exacerbate this by creating an additional 5 multiple occupancy properties.
- The presence of the construction vehicles will cause chaos and could potentially be dangerous. Traffic is already very busy in this area. The narrowing of Ravenshaw at Dornfell also leads to bottlenecks and traffic issues at all times of the day, right next to the proposed development site.
- I am concerned that the addition of 29 beds spaces in the street could lead to substantially increased road traffic in Ravenshaw, Broomsleigh, Dornfell and Glastonbury Street and excessive demand on parking space.
- Can the council stipulate a 'no car ownership' requirement for prospective residents and/or ask the developer to subsidise the provision of electric vehicle charging points for the benefit of the whole community in the street?

### **Density**

- The insertion of 7 dwelling units on a small piece of ground is out of balance and out of character to this street. We would welcome a family house as existed before.
- Although the number of apartments has been reduced by 1 to 7, the

density does not seem to have changed as there are still 18 bedrooms in total. This density is significantly more than the bedrooms in houses on the same footprint as the development.

- The creation of 7 new flats of 3 and 2 bedrooms to replace 2 current flats is excessive and is over-intensive use of the land.

### **Sustainability**

- The proposal to demolish 23 Ravenshaw Street cannot be justified in terms of Camden's policies on sustainable development. When viewed from the street, the existing property presents no evidence of structural problems and its external envelope is in good condition. It can therefore be easily converted to provide good quality residential accommodation for many more decades to come. The embedded CO2 that has been created when the property was first built should be acknowledged. Any proposal for its demolition and replacement with another building will generate thousands of more tons of CO2 by virtue of its new energy intensive building materials, eg. metal and concrete, construction process, road journeys and disposal of the original building materials. This proposal, therefore, does not accord with Camden Policy DP22.

### **Other**

- With each flat having a refuse bin, recycling bin and food composting bin, there will be 14-21 bins put out on the street every week, remaining there until residents replace them later in the day.
- Security to neighbouring properties during the works is an additional concern. The ground floor flat at 25 Ravenshaw Street was broken into when the party wall was taken down by the owner of 23 Ravenshaw Street (the applicant) for building works.
- The claimed ownership of the site is not substantiated by Council records
- The proposed actions are totally contradictory to the principles agreed by the Labour Party

### **Councillor Lorna Russell – object**

I had originally objected to application 2017/0911/P, and unfortunately this application is similar to the last proposal and has not addressed the concerns I raised then.

I am therefore very concerned that this new proposal, by virtue of its height, mass and scale, would be an over-dominant development that would have a negative impact on residents in neighbouring properties. I have set out the nature of this impact below.

### **Density and impact on neighbouring residents**

The proposed development will effectively turn a single dwelling and a driveway into seven flats. This is absolutely disproportional, and would be far too dense for the space there. Little consideration seems to have been given to the parking and waste storage requirements of the extra residents that would live there.

I am also concerned that the development would cause significant harm to the amenity and quality of life for neighbouring residents – particularly as this development seeks to completely demolish, rather than just modify, the existing house. Such a demolition, and its associated construction work, would cause undue distress to residents currently living on the street, and is therefore inappropriate.

This proposal is simply too dense for the site and would have a detrimental impact on those that live there and those neighbouring households, and so I believe the planning application should be rejected.

**Basement**

Further, I am extremely concerned that the excavation of a basement will have detrimental impact on other residents' homes and gardens. The threat of subsidence is very real; some properties in Ravenshaw Street already have cracks in their walls without being next door to a basement. Excavating a basement on the site would add extra undue pressure onto the walls of the properties next door, and I don't believe this can be justified. I am not aware of any existing basements in Ravenshaw Street, and there is certainly no precedent for basements in this area.

**Design**

Most of the houses Ravenshaw Street are attractive Victorian architecture. However, the proposed development is still 'clunky' and out of step with the character of the local area, particularly the proposed rear which does not seem to mirror any of the features of the current houses on Ravenshaw Street. No other house in the street is designed in this way. I therefore believe that the proposed development would cause harm to the street scene and negatively impact on residents' views. To conclude, I urge the Council to reject planning application 2020/2936/P as I believe the development would be inappropriate for the area.

**CAAC/Local groups\*  
comments:**  
\*Please Specify

### **Fortune Green and West Hampstead Neighbourhood Forum - object**

This application is very similar to the previous application 2017/0911/P, dated 10 February 2017, which the NDF objected to and which on appeal was refused by the examiner. The summary of the rejection of the appeal of the previous scheme was:

“While the principle of redeveloping and infilling the site of No 23 would be acceptable, the harm arising from the proposed method of doing so, in terms of character and appearance and living conditions, would outweigh the housing benefits arising from the scheme and the appeal should be dismissed”.

This application is remarkably similar to the previous one, the frontage is almost identical:

- The basement and its lightwells are still there, setting a dangerous precedent for basement development on a street subject to flooding, on a significant slope and housing with shallow foundations.
- The number of flats is reduced from 8 to 7, although the number of bedrooms appears the same, so there is no effective reduction in the density on the development. With a total of 18 bedrooms the density of occupation is more than double that of other houses in the street with a similar footprint and 3 or 4 bedrooms.
- The rear facade has been modified in response the appeal decision but remains overbearing and excessive. In particular, the roof extension for flat G (top floor) extends towards the rear at near ridge level much higher and further than any other in Ravenshaw Street. This is nicely demonstrated on the CGI pictures 03 and 04.
- The front facade remains largely as it was in the previous application with the light wells in the front gardens, and an unconvincing attempt to emulate the architectural details of the street, such as bay windows.

This application remains an incongruous overdevelopment for Ravenshaw Street and is not compliant with the Neighbourhood Plan Policy 2. In the unlikely event that the scheme be given approval, we have noted the comments by the examiner on Section 106, and expect these to be enforced on this application, in particular to no parking permits and a contribution for affordable housing.

## Site Description

The application site is currently a two-storey house that has been extended and converted into 2 self-contained flats. The flats are adjacent to a large car park within the site, which was formally a builder's yard. The site is located on the southwestern side of Ravenshaw Street, where the road bends and the site backs onto a railway line.

The area between the railway line and the site is a green private open space designated a borough Site of Nature Conservation Importance (West Hampstead Railsides & Westbere Copse). Ravenshaw Street, and the surrounding area, is predominantly residential, comprising mainly two storey dwellings. The site is not located within a conservation area, and it is not listed. The site is located within the Fortune Green and West Hampstead Neighbourhood Area.

## Relevant History

### Application site

**20351:** Change of use to 2 self-contained dwelling units involving construction of a two storey extension at rear, a roof extension at the side and dormer windows. Granted 06/06/1975.

**8905200:** The erection of a single storey rear extension. Granted 11/10/1989

**2017/0911/P:** Erection of a three storey plus basement building comprising 8x flats (4 x 3-bed units and 4 x 2-bed units) following the demolition of the existing house. Appeal against non-determination APP/X5210/W/19/3225592 Dismissed 09/07/2019

Following the receipt of the appeal, a notification of intended refusal of permission was issued. The notice includes a total of 2 reasons for refusal.

1. The replacement building, by virtue of the and scale and bulk of its rear massing would result in an incongruous and visually overbearing form of development, contrary to Local Plan policy D1 and A1 as well as Fortune Green & West Hampstead Neighbourhood Plan policy 2.
2. The proposed front lightwells, by virtue of their scale, siting and incongruous appearance, fails to respect the character and appearance of the wider terrace and streetscene contrary to Local Plan policy D1 and Fortune Green & West Hampstead Neighbourhood Plan policy 2.

There were a further 5 reasons for refusal which related to the lack of a s106 legal agreement to secure various requirements. It would therefore be possible to overcome reasons for refusal 3 – 7 by entering into a suitably worded section 106 legal agreement.

### 22 Ravenshaw Street

**2006/2388/P:** Erection of a new two storey plus loft level residential building (Class C3) to provide 2 self-contained flats. Granted 18/07/2006

### 10 Ravenshaw Street

**2014/7521/P:** Erection of a rear roof extension. Certificate of lawfulness (proposed) Granted 17/12/2014

### 4 Ravenshaw Street

**2017/5920/P:** Erection of rear dormer window and enlargement of existing front rooflight to dwelling house. Certificate of lawfulness (proposed) Granted 04/12/2017

### 71 Ravenshaw Street



**2016/0990/P:** Erection of a full width rear dormer with Juliet balcony and glass balustrade and installation of x2 front rooflights. Refused 03/06/2016

Reason for Refusal

The proposed rear dormer, by reason of its design, scale and bulk, would fail to appear subservient within the roofscape to the detriment of the character and appearance of the host building and the general locality contrary to policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan, policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

77 Ravenshaw Street

**2011/3654/P:** Erection of a full width dormer in rear roofslope, installation of 2 x rooflights on front roofslope, alterations to roof of rear projecting wing to create roof terrace including installation of door and balustrading all in connection with existing first floor flat (Class C3). Refused 22/09/2011

Reason for Refusal

The proposed rear roof extension, by reason of its height, bulk, and design, would be detrimental to the appearance of the roofscape of the host building and the area generally contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

32 Ravenshaw Street

**2015/4172/P:** Erection of a two storey rear extension, rear roof dormer and raising the roof ridgeline to facilitate the conversion of the loft to habitable space. Refused 29/10/2015

**Relevant policies**

**NPPF 2019**

**The London Plan March 2016, consolidated with alterations since 2011**

Publication London Plan December 2020

**Camden Local Plan 2017**

G1 Delivery and location of growth

H1 Maximising housing supply

H4 Maximising the supply of affordable housing

H6 Housing choice and mix

H7 Large and small homes

C1 Health and wellbeing

C5 Safety and security

C6 Access for all

A1 Managing the impact of development

A3 Biodiversity

D1 Design

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

CC4 Air quality

CC5 Waste

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development  
DM1 Delivery and monitoring

## **Fortune Green and West Hampstead Neighbourhood Plan**

Policy 1 Housing

Policy 2 Design & Character

Policy 7 Sustainable Transport

Policy 8 Cycling

## **Camden Planning Guidance**

Design (January 2021)

Amenity (January 2021)

Transport (January 2021)

Basements (January 2021)

Water and flooding (March 2019)

Housing (January 2021)

Energy efficiency and adaptation (January 2021)

## **Assessment**

### **1. Proposal**

- 1.1. The application seeks approval for the erection of a three storey plus basement building comprising 7 flats (4 x 3-bed units and 3 x 2-bed units) to replace the existing one. The second floor accommodation would be located at roof level and would be visible from the rear. The proposed infill building would continue the terrace in its general character and from the front would appear as two terraced properties with two storey window bays.
- 1.2. Background
- 1.3. The previous application at this site (2017/0911/P) was subject to an appeal against non-determination (APP/X5210/W/19/3225592). The appeal was dismissed with the inspector identifying harm to the character and appearance of the area as well as harm to neighbouring occupiers' living conditions.
- 1.4. The Inspector concluded that 'While the principle of redeveloping and infilling the site of No 23 would be acceptable, the harm arising from the proposed method of doing so, in terms of character and appearance and living conditions, would outweigh the housing benefits arising from the scheme and the appeal should be dismissed'.
- 1.5. The current application seeks to address the issues raised by the previous appeal. The key differences between the current application and the previous scheme are as follows:
  - The front lightwells were previously proposed to be fully open but would now be covered over with metal lightwell grilles surrounded by an aggregate surface. The entrance bridge has also been reduced in size and would be part tiled and part sand blasted glass.
  - The form and design of the rear elevation has been completely reworked.

### **2. Assessment**

- 2.1. The main issues for consideration are land use, affordable housing, housing mix, quality of accommodation, design, amenity, basement, energy and sustainability, SUDS, transport and nature conservation.
- 2.2. **Land Use**

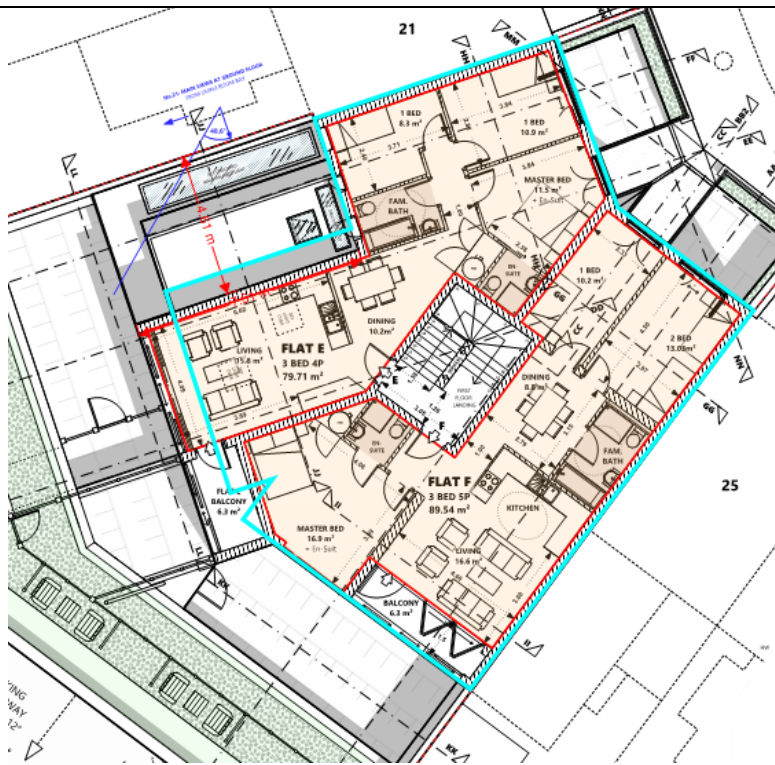
- 2.3. Housing is the priority land use in the Local Plan, as stated in policy H1, and the provision of 7 additional flats would help to meet Camden's housing needs.
- 2.4. Concerns have been raised regarding the density of the development. The previous application was found to be in accordance with the density matrix for an urban location, as set out in the London Plan 2016. The London Plan has moved to a 'design led approach' and Policy D3 states all development must make the best use of land by following a design-led approach that optimises the capacity of sites. A design-led approach to optimising site capacity should be based on an evaluation of the site's attributes, its surrounding context and its capacity for growth to determine the appropriate form of development for that site. As the density of development is a design issue, this matter will be assessed in the design section of this report.
- 2.5. **Affordable housing**
- 2.6. Policy H4 aims to maximise the supply of affordable housing. We will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity. On the basis of 529.9sqm GIA of additional housing floorspace proposed, this would result in a requirement for 10% affordable housing. This would equate to 52.99sqm GIA of affordable floorspace. Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu (PIL) of affordable housing.
- 2.7. The affordable housing payment in lieu rate is £5000 per sqm GIA. Therefore, the affordable housing payment in lieu would be £264,950 (52.99sqm x £5,000). This should be secured by legal agreement. In the absence of a legal agreement this would form a reason for refusal.
- 2.8. **Housing mix**
- 2.9. The development would provide 7 residential units (4 x 3-bed units and 3 x 2-bed units). The unit mix is broadly acceptable and is in line with Policy H7. The development would include a mix of dwelling sizes. Two and three bedroom homes are a high priority for market housing according to the Council's Dwelling Size Priorities Table. While no low priority homes would be provided (i.e. 1-bed units), the overall mix is considered acceptable.
- 2.10. **Quality of accommodation**
- 2.11. All of the proposed dwellings would comfortably meet or exceed the London Plan's minimum floorspace requirements. The flats at ground and first floor would be dual aspect. The two flats at basement level would have bedrooms facing onto a narrow front lightwell which would be new, unlike the previous scheme, totally covered with a metal grille and sand blasted glass.
- 2.12. The outlook from these front basement bedrooms would therefore be very limited and poor. The rear living room of both these basement flats would look out onto a private basement patio and are considered to have satisfactory outlook. Overall, given that the main living areas receive adequate outlook, it is considered that the amenity of the basement flats is broadly acceptable and a reason for refusal based on poor outlook to bedrooms would not be sustainable on appeal.
- 2.13. A daylight and sunlight report has been submitted which demonstrates that the basement flats will receive adequate light. To achieve a predominately daylight space, BRE guidance recommends an Average Daylight Factor of 5% or more if there is no supplementary electric lighting, or 2% or more if supplementary lighting is provided. There are additional

minimum recommendations for dwellings of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The submitted daylight and sunlight report demonstrates that all the rooms in the development would meet the BRE recommendations in terms of Average Daylight Factor. The four basement bedrooms, facing the metal grille and glass covered lightwell, were found to have an ADF of between 2.5% to 2.8%. The rear basement dining / living rooms with kitchen were found to have an ADF of 7.7% for Flat A and 3.1% for Flat B. The rear basement living rooms would receive 35% of Annual Probable Sunlight Hours and none of the units have only north facing living room windows.

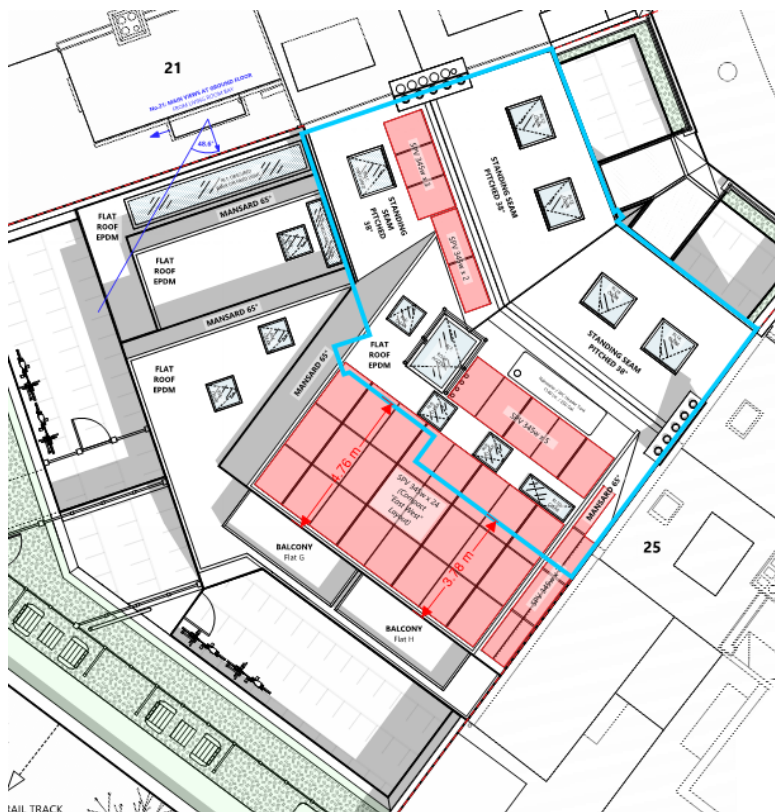
- 2.14. All units would have external amenity space in the form of balconies, or patio gardens for the lower flats (A, B & C). The balconies would meet the London Plan standards for private outside space. The development would also have a communal rear garden of approximately 66.9sqm.
- 2.15. A communal bin store is provided at the front of the property which would be accessed from the street. The Council would expect the communal bin store to have sufficient capacity for 120L of refuse, 140L of recycling and 23L of food waste per dwelling. Therefore the requirement for 7 dwellings would be 840L for refuse, 980L for recycling and 161L for food waste. The bin store shows seven 240L bins providing a total capacity of 1680L. While this is less than the 1820L required, the bin store appears to have room for additional capacity. The plans also show the provision of 7 food bins. Details of the waste and recycling would be secured by condition should the application be recommended for approval.
- 2.16. **Design**
- 2.17. The current application seeks to address the design issues raised by the previous appeal (APP/X5210/W/19/3225592). One of the matters the inspector raised concerns with was the visibility of the basement when viewed from the street. He made the following comments:
- 2.18. *"However, in closer views, when approaching the building, the effect of the basement over the full width of the building and given the size and depth of the open lightwells extending over most of the frontage area would be to significantly increase the apparent scale and mass of the frontage. This would result in a development entirely out of character in a street which is not characterised by basements and their lightwells."*
- 2.19. While the front façade would be very similar to the previous application, the lightwell depth (front to back) has been significantly reduced. The front lightwell would be covered over by a metal lightwell grille and a walk-on glass. An area of planting would separate the lightwell grilles from the street. This would reduce their visibility from the street. The pathway to the main entrance would be finished in ceramic tiles. Where the pathway crosses the basement lightwell the path would consist of reinforced walk-on glass. The glass would be sand-blasted with a matching tile pattern to tie in with the ceramic tiles that precede it. The reduced size of the lightwell, along with the proposed metal grilles and the sandblasted walk-on glass, would help to minimise the prominence of the lightwell in the streetscene. Given this, the design concern raised by the inspector would be overcome.
- 2.20. The inspector also raised concerns with the rear elevation and reached the following conclusion.
- 2.21. *Taken as a whole the development would fail to comply with CLP Policy D1 which requires all development to respect local context and character. The supporting text to the policy explains how this is to be achieved by development considering character, setting, context, form and the prevailing pattern, density and scale of surrounding development. For the reasons above the scale, massing and extent of development proposed for this small infill plot would be over-intensive and would fail to achieve the policy objective. For the same reasons it would also fail to comply with the objective of the FGWHNP Policy 2 referred to*

above.

- 2.22. The current proposal has amended the rear elevation and seeks to draw on local character and context and to “blend seamlessly into the existing environment”. The DAS states: “to achieve this the entire form of the rear elevation has been assembled from the shapes, angles, proportions, massing, details and material palette of the surrounding buildings”. This approach is not entirely successful and results in an unconvincing architectural expression. Parts of the rear elevation still appear bulky in the context of neighbouring rear elevations.
- 2.23. The rear elevations of this part of Ravenshaw Street is made up of a consistent rear building line with two storey closet wings / outriggers to each property. The outriggers are most often paired and symmetrical although there are a number of examples of outriggers which are separate. There is a mix of dormer roof extensions in the area with some small dormers and others that consume most of the roof.
- 2.24. The proposed rear elevation attempts to respond to this pattern of development. The rear façade is “intended to present as two or possibly three Victorian buildings that have evolved over time with extensions, dormers, infills; along with some of the quirks and oddities that inevitably accompany that process” (page 28 of the DAS).
- 2.25. However, the proposal does not reflect the urban grain of the area and the pattern of built to unbuilt space. On the northern side boundary the first floor elevation of the development is in line with the neighbouring property, 21 Ravenshaw Street. Likewise, on the southern side boundary, the ground and first floor match the projection of the 2 storey outrigger at 25 Ravenshaw Street. However rather than the development stepping out and then stepping back to the established rear building line as found on properties to the north and south, the majority of the ground and first floor projects into the garden. While this projection is in line with neighbouring closet wings, the width of this projection is considerably wider than the outriggers found on neighbouring properties (even when these are paired). The width of the projection measures approximately 15m whereas the width of paired outriggers on this side of Ravenshaw Street is approximately 6m. There are 3 outriggers close together at 17-21 Ravenshaw Street with only a 1.6m gap between the paired outriggers of 19-21 Ravenshaw Street and the outrigger of 17 Ravenshaw Street. However, even in this situation, the outriggers have a cumulative width of approx. 11m, which is still substantially less than the 15m width of the proposed rear projection of the application scheme. This results in a bulky appearance, especially at first floor level.
- 2.26. This bulkiness is accentuated at roof level with proposed full width roof dormers on the southern part of the development. While the proposed dormers have been amended and reduced in size during the course of the application, the southern part of the second floor would still appear overly bulky and would harm the character of this part of Ravenshaw Street. The applicant has provided photographs of the rear elevation of the western side of Ravenshaw Street and photographs of full height, full width dormers which can be found on both sides of Ravenshaw Street. It is acknowledged that the surrounding roofscape has examples of historic rear dormer roof extensions providing some context for the proposed development. However, many of these dormers were built as ‘permitted development’ and therefore these dormers would not have been assessed against the Development Plan. Furthermore, there is no planning history for other dormers so they have not been formally authorised. While the rear of the application site would not be easily seen from the public realm, the inspector for the previous appeal acknowledged that there would be private views of the development.
- 2.27. A comparison of the first floor of the appeal scheme and the current application demonstrates that the overall dimensions are very similar. The plan shown below is the appeal scheme with the outline of the current application laid over the top (as shown by the blue line)



- 2.28. A comparison of the second floor of the appeal scheme and the current application shows that the second floor of the current application has been significantly pulled back from the depth of the second floor sought at appeal. The plan shown below is the appeal scheme with the outline of the current application laid over the top (as shown by the blue line)



- 2.29. While the size of the second floor has been reduced, the design draws on oversized dormers in this street and neighbouring streets as a precedent. This results in the proposed southern dormers appearing disproportionately large.
- 2.30. The inspector for the previous appeal made the following observation:
- 2.31. *Regarding the proposed rear elevation to the property, the scale, mass and overall width and depth of the block would be excessive and significantly at odds with the surrounding*

*pattern of development which is comprised of smaller rear terrace forms. Whilst the proposal would not exceed the height as the existing main houses in the terrace, the existing rear outrigger extensions are for the most part lower and therefore subservient in terms of height and width to each main house. I acknowledge that the proposed block would not extend beyond the depth of these outrigger extensions but the height and width of the block to this depth would appear disproportionately large and out of keeping with the rear of the terrace.*

- 2.32. While the mass has been reduced at second floor level, the inspector's concerns in relation to scale, mass and overall width are still relevant. Officers consider that the rear of the development would still appear disproportionately large and out of keeping with the rear of the terrace. Although the scale and mass would not be visible from the streetscene, it would be apparent from the private realm of rear gardens in the street, and in private views from flats in Ellerton Tower on Mill Lane and from flats in the Brassey Road Estate to the south of the railway. It would also be visible from the railway line to the rear.
- 2.33. While the provision of 7 flats is evidence of a desire to optimise site capacity, it is not considered that a design-led approach has been followed (as set out in Policy D3 of the Publication London Plan). The rear of the development does not respond to the distinctive features of Ravenshaw Street including its architectural rhythm and the distribution of building forms and heights. The Council seeks to secure high quality development which integrates into its surroundings. The proposed scale and mass of the rear elevation and its lack of relationship to the surrounding context results in an overdevelopment of the site which does not meet the Council's expectation of high quality design.
- 2.34. **Basement**
- 2.35. A Basement Impact Assessment (BIA) has been submitted. This has been audited by Campbell Reith (CR) as part of the assessment of the previous application and CR confirmed that the submitted information demonstrates that the proposal would not harm the natural or built environment including to the local water environment and ground conditions. The size of the proposed basement remains unchanged from the appeal scheme, therefore the conclusions of CR are still considered to hold and no further audit is required for this application. A condition is recommended to ensure details of a relevantly qualified engineer to oversee the basement works are submitted to and approved by the Council. In addition, if approval is recommended, a condition requiring compliance with the recommendations of the BIA would be required.
- 2.36. Policy A5 also sets limits for the size of proposed basements to ensure that they are subordinate to the building being extended. In this instance the proposed basement is an integral part of the new development, but would still be considered as being subordinate as the basement, other than the lightwells, is entirely under the footprint of the proposed ground floor. The proposed basement is also considered to comply with criteria f - m which restricts basements to 1.5 times the footprint of the host building, and constrains basement lengths compared to the length of the host building and depth of the garden.
- 2.37. The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding (Policy A5). Policy CC3 (Water and Flooding) also states that the Council will require development to not locate vulnerable development in flood-prone areas. The key flood risk to Camden is from surface water flooding. This arises following periods of intense rainfall when the volume and intensity of a rainfall event exceeds the capacity of the drainage system, resulting in localised flooding. Areas considered at risk from flooding are: Local Flood Risk Zones; and previously flooded streets.
- 2.38. The site falls within the Sumatra Road Local Flood Risk Zone and within a Critical Drainage



Area. The development proposes two self-contained flats which would be wholly at basement level. As such, the development seeks to introduce highly vulnerable uses into an area prone to flooding. The Lead Local Flood Authority (LLFA) has been consulted and they have confirmed that the location of self-contained flats at basement level would be contrary to policies A5 and CC3.

- 2.39. This matter was not addressed sufficiently in the assessment of the previous application and the Council's submissions for the appeal. It is noted that the case officer did not consult the Lead Local Flood Authority. It is also noted that the BIA Audit states that the proposed development is at very low risk of flooding. However, BIAs are expected to assess the impact of the basement on groundwater flow, land stability and surface flow and flooding. The aim of the BIA is to ensure basement development does not displace ground water or surface water flow so it causes flooding on nearby sites or those further away. The BIA and the audit process are to assess whether any predicted damage to neighbouring properties and the water environment is acceptable or can be satisfactorily ameliorated by the developer. The Audit process is not primarily focused on the acceptability of introducing highly vulnerable uses into an area prone to flooding. That is a matter for the Lead Local Flood Authority. Therefore, the LLFA comments stand in their own right in regard to local planning policy and they should not be considered to be in contradiction with the BIA Audit, which has a different focus and a different set of parameters to assess.
- 2.40. The applicant has advised the existing crossover to the site will be replaced with a 100mm kerb and improved road camber. In addition, the applicant has stated that the entrance floor level would be 0.22m above the maximum predicted depth of surface water flooding for both the 1:100 year and 1:1000 year events and "therefore the possibility of flooding to the basement apartments is extremely remote". The applicant has also offered to install a range of additional permanent and temporary flood proofing measures, including: toughened glass, watertight balustrade and impervious brick wall (450mm at the upper end) to surround the front lightwells along with main entrance and basement flat doors specified as Flood Protection Doors to PAS 1188:2014 standard (water pressure sealed to 600mm).
- 2.41. While the applicant states the risk of flooding to the basement flats is low, the application must nevertheless be determined in accordance with the Development Plan which states that self-contained flats must not be located at basement level in areas prone to flooding.
- 2.42. The applicant draws attention to other applications in Local Flood Risk Zones where the Council has approved habitable rooms at basement level. Most of the applications identified are to provide additional habitable accommodation at basement level to an existing dwelling rather than the provision of a self-contained dwelling at basement level. Several examples have been identified where the Council has approved self-contained flats at basement level (2016/3545/P and 2016/6714/P). It is noted that both these applications were registered prior to the adoption of the Local Plan 2017 and that planning application ref: 2016/6714/P was determined prior to the adoption of the Local Plan 2017. Neither of these applications appear to have consulted the Lead Local Flood Authority as required. These decisions do not provide a precedent for the current application and self-contained flats at basement level cannot be supported in a flood risk zone.
- 2.43. **Amenity**
- 2.44. Daylight / sunlight
- 2.45. A daylight and sunlight report has been submitted. This is the same report that was submitted for the previous application (2017/0911/P) and is accompanied by a letter from 'Right of Light Consulting' dated 29 June 2020 which confirms that:
- 2.46. *"The changes shown on the revised drawings will not materially affect the findings of the*



*report. Since the proposed development massing is reduced compared to the design tested in the aforementioned report, it has not been necessary to re-do the calculations. It automatically follows that the latest scheme will perform better than the previous design."*

- 2.47. The above assessment appears reasonable. The officer's report for the original application found that the impact on daylight and sunlight was acceptable. However the inspector for the subsequent appeal raised concerns in relation to the rear dormer window at No.25 Ravenshaw Street.
- 2.48. *"Regarding No 25, the upper flat has a rear facing dormer window assumed to light a bedroom. The proximity of the second floor of the proposed building would be both overshadowing on this window when the sun is in the west and overbearing on it."*
- 2.49. The size of the proposed second floor has been reduced and has been pulled back 3.78m on the boundary with No.25. The applicant's planning statement addresses overshadowing of this dormer and confirms that the appeal scheme would have caused some overshadowing in the late afternoon. The reduced size of the second floor would reduce the length of time this dormer window would be overshadowed and the overshadowing would start later in the day. Given this, the degree of overshadowing is considered acceptable. The reduction in the size of the second floor also means that this element would no longer have an overbearing appearance when viewed from the dormer window of No.25.
- 2.50. Overshadowing
- 2.51. The daylight / sunlight report has undertaken detailed analysis of the impact of shading on adjacent amenity spaces and confirms that this remains within the acceptable range defined by the BRE. Given that the size of second floor has been reduced, it is likely that any overshadowing, as compared to the original scheme, would also be reduced.
- 2.52. Overlooking
- 2.53. The windows of the residential dwellings on the opposite side of Ravenshaw Street are more than 17m away from the proposed front windows of the development, so there would be no harmful overlooking from these windows. It is also noted that the existing building has front windows which face towards these properties so there are already established views towards these properties. There are no windows in the side elevations and all the windows at the rear face towards the railway. Given this, there would be no harmful overlooking from these windows. Views from the proposed rear balconies would be into the rear gardens and the railway lines beyond, which are already established views from the rear of the houses along Ravenshaw Street. As such it is not considered that adjoining occupiers would suffer a loss of privacy from overlooking.
- 2.54. Outlook and sense of enclosure
- 2.55. The appeal inspector made the following comments in relation to No. 21 Ravenshaw Street.
- 2.56. *"The new building would sit south of the living room and kitchen windows in the lower flat of No 21. Whilst the proposed chamfered roofs and tiered setback with each floor stepped slightly further away from No 21 would probably avoid any significant loss of sunlight, the effect of the block, given its height and increased depth would be enclosing and overbearing on the outlook from these windows."*
- 2.57. *"Assessed from the rear garden boundary between Nos 21 and 23 the development would also be overbearing on the garden at No 21."*
- 2.58. The proposed development's rear bulk has been reduced close to the boundary with No.21.

Rather than a two storey projection with chamfered roof, the proposal's two storey rear projection would have a pitched roof and would have the appearance of a Victorian outrigger. The amended form of the building is considered to address the inspector's concerns and the development would no longer appear overbearing or enclosing when viewed from the windows of No.21 or from this property's garden.

- 2.59. The appeal inspector also raised concerns in relation to No. 25 Ravenshaw Street.
- 2.60. *"In view of the third party objections I requested to view the proposal from the lower flat of No 25. The site inspection showed that, in terms of this flat, although its windows would not be affected, there would be a detrimental impact on living conditions as a result of the proximity, scale and mass of the new building which would be overbearing on the occupant's small garden and sitting out area."*
- 2.61. The proposed massing at ground and first floor level would remain similar to the appeal scheme, although the detailed design of the rear elevation would help to break down the visual appearance of this massing and would lessen its impact. In addition the second floor rear elevation has been pulled back by between 4.76m and 3.78m when compared to the appeal scheme and so would be less visible from the garden of No.25. Overall, given the amendments to the appeal scheme, the proposal would appear less overbearing when viewed from the garden of No. 25 and so would not harm the amenity of the occupiers of this property.
- 2.62. **Sustainability and energy**
- 2.63. Policy CC1 requires all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy and to optimise resource efficiency. The submitted details demonstrate that a 20.3% CO2 reduction below Part L 2013 Building Regulations would be achieved in accordance with Policy CC1. A condition is recommended to ensure that the 20.3% reduction in CO2 was achieved. The development would include solar PV panels.
- 2.64. The applicant has submitted an Energy & Sustainability Assessment. Energy reduction measures include:
- Adopting enhanced fabric specifications
  - Installing high efficiency gas boiler (communal gas boiler)
  - Incorporating energy-efficient lighting
  - Adopting principles of airtight construction
  - Double-glazed windows
  - Passive Solar Design– Solar gain, solar shading, thermal mass
  - Natural/Passive Ventilation strategy
  - Photovoltaic (PV) panels would be installed to generate renewable energy on site
  - High efficiency mechanical ventilation heat recovery will be used on each flat
- 2.65. To enable water re-use, an underground 7,500L rainwater tank would be installed in the garden. The collected water would be fed to header tanks for W.C. flushing. A condition is recommended to ensure this was provided. Residential developments are expected to meet the requirement of 110 litres per person per day (including 5 litres for external water use). This would be secured by condition if approval is recommended.
- 2.66. The building will incorporate shading measures to prevent the overheating of the building and the reliance on artificial cooling. This includes inset balconies on the south side of the building and Solar Control glazing on the 2nd floor rear windows.
- 2.67. Policy CC1 (Climate change mitigation) requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building and expects all developments to optimise resource efficiency. The applicant has

investigated retaining the existing building but large parts of the building are Victorian and these parts have very poor energy efficiency with no wall insulation and with most of the windows being single glazed. In addition it would be difficult to retain the existing structure and integrate it into a development that optimised the capacity of the site. In addition, a new build would benefit from the energy reduction measures set out above. The applicant has not provided details of the total CO2 reduction of the new build as compared to a refurbishment with extension. The assessment of the previous application did not raise any concerns in relation to compliance with Policy CC1. In this context, the level of detail submitted by the applicant to justify demolition and rebuild is considered acceptable.

2.68. Where the demolition of a building cannot be avoided, the Council expects developments to divert 85% of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site (paragraph 8.17 of the Local Plan). To secure this requirement, a condition would be included on the decision if the development were recommended for approval.

2.69. **SUDS**

2.70. A Flood Risk Assessment and Surface Water Drainage Strategy has been submitted.

2.71. Green roofs are proposed at roof level above part of the ground floor, first floor and second floor. Details of the green roofs would be secured by condition if approval is recommended. The total area of the site is 480m<sup>2</sup>. Existing greenfield runoff rates for the site have been calculated as 0.2l/s for the 1:1 annual runoff event, 0.4l/s for the 1:30 year event and 0.6l/s for the 1:100 year event. Preliminary calculations indicate that approximately 22.68m<sup>3</sup> of storage is required to attenuate the runoff for all storms up to and including the 1:100 year + 40% climate change event. A Hydro-Brake would be proposed as the outlet control, restricting the maximum flow rate to 0.6l/s to the combined sewer within Ravenshaw Street. There is also an option to use the collected water to feed header tanks for W.C. flushing and garden irrigation. Details of final SUDS design would be secured by condition.

2.72. **Transport**

2.73. Car free

2.74. The 7 residential flats would be required to be car-free in accordance with Policy T2. This would be secured by a legal agreement if planning permission is granted, and would prevent future occupiers from obtaining on-street parking permits. In the absence of a legal agreement this would form a further reason for refusal.

2.75. Cycle parking

2.76. The development would be required to provide 14 long-stay cycle spaces in accordance with the London Plan (2 spaces for each dwelling). A two tier rack for 8 bicycles would be provided in a bin and bike storage area which would be accessed directly from the street. The ceiling height of the cycle store would be 3.1m high which would meet the requirement for a two tier rack. The Council recommends bins and bikes to be stored separately; however the statement indicates that the bike area would be separately ventilated, which would be acceptable. A bike shed to accommodate 2 bicycles would be provided for each of the basement flats (Flats A and B). An additional storage area for 4 bicycles would be provided at basement level under the patio of flat C. It is unclear what type of racks or stands would be provided in this area. As this storage area is public to the entire building, the racks should allow both the frame and wheels to be locked. Details of the cycle store would be secured by condition if planning permission is granted.

2.77. Highways Contribution

2.78. The footway directly adjacent to the site is likely to sustain damage because of the

basement excavation, demolition and construction works. In addition, Highways would need to remove the existing crossover. A highways contribution of £7,273.24 would need to be secured as a section 106 planning obligation if planning permission is granted. This would allow the Council to repave the footway directly adjacent to the site and repair any other damage to the public highway in the general vicinity of the site. The highway works would be implemented by the Council's highways contractor on completion of the development. In the absence of a legal agreement this would form a further reason for refusal.

2.79. Construction Management Plan (CMP)

2.80. Due to the proximity to a school, and the amount of basement excavation, demolition and construction works, a Construction Management Plan (CMP) would need to be secured to minimize the impact on the highway infrastructure and neighbouring community. In addition, a CMP implementation support contribution of £3,136 and a Construction Impact Bond of £7,500 would be secured as section 106 planning obligations, in accordance with Policy A1. In the absence of a legal agreement this would form a further reason for refusal.

2.81. Approval in Principle (AIP)

2.82. The proposal would involve basement excavations close to the public highway. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations. The applicant would be required to submit an 'Approval in Principle' (AIP) report to the Council's Highways Structures & Bridges Team within Engineering Services as a pre-commencement planning obligation. This is a requirement of British Standard BD2/12. The AIP report would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP report and an associated assessment fee of £1,863.54 would be secured via a legal agreement if planning permission is granted. In the absence of a legal agreement this would form a further reason for refusal.

2.83. **Biodiversity**

2.84. A green wall is proposed to the rear of the development. As the site is adjacent to a Site of Nature Conservation Importance (SINC), the Council needs to ensure that planting avoids potentially invasive species (e.g. Russian vine) and would encourage the use of native species of biodiversity value. To ensure suitable soft landscaping, a condition would be included on the decision if approval were recommended.

2.85. The officer's report for the previous application noted that prior to any internal or external demolition of buildings or any site clearance, including tree removal, an updated bat survey should be submitted detailing the methods and results of survey work to determine the presence or absence of roosting or foraging bats at this site. Should the application be recommended for approval, this would be secured by condition.

2.86. Only one tree occupies the site, a category C Bay Laurel at the rear. Due to its low quality and lack of amenity value there is no objection to its removal. The site is not within a conservation area and the tree could be removed at any time without the need for permission or consultation, and the Neighbourhood Plan only seeks to protect trees in good health that contribute to the character of the area, streetscapes and green spaces. There is a row of Poplars alongside the railway track, but these are at a sufficient distance not to be affected by the proposal.

2.87. **Conclusion**

2.88. Given the significant concerns with the bulk and massing of the rear elevation and the provision of self-contained dwellings at basement level within a Local Flood Risk Zone, the

planning application is recommended for refusal. In addition, given that there is no legal agreement to secure the affordable housing contribution, CMP, car-free housing, highways contribution and an Approval in Principle, these matters would constitute further reasons for refusal.

- 2.89. An informative would be included on the decision notice advising the applicant that the reasons for refusal related to the absence of a legal agreement could be overcome by entering into a Section 106 Legal Agreement.