

# 2013/6138/P – 56 Howitt Road



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Front elevation and front garden area for proposed lightwell





Rear elevation







Application site

<b>Delegated Report</b> <b>(Members Briefing)</b>		Analysis sheet		Expiry Date:	06/12/2013
		N/A		Consultation Expiry Date:	14/11/2013
Officer			Application Number(s)		
Seonaid Carr			2013/6138/P		
Application Address			Drawing Numbers		
56 Howitt Road London NW3 4LJ			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
<b>Proposal(s)</b>  Excavation to enlarge existing basement level with creation of 2 x front lightwells and 2 x rear skylight at garden level, loft conversion with 3 rear and 1 front rooflights, replacement of window with double doors to rear elevation and enlargement of window to existing rear extension at ground floor level of dwellinghouse.					
Recommendation(s):		Grant conditional permission			
Application Type:		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	12	No. of responses	04	No. of objections	03
			No. Electronic	02		
Summary of consultation responses:	<p>A press notice was published on 24 October 2013 expiring 14 November 2013 and a site notice was displayed on 18 October 2013 until 08 November 2013.</p> <p>One letter of support was received which is summarised below:</p> <ul style="list-style-type: none"><li>Even though I live next door I don't think the proposed works will affect me.</li></ul> <p>Three letters of objection were received a summary of which is provided below:</p> <ul style="list-style-type: none"><li>Concerns regarding subsidence and measures in place to protect neighbouring properties;</li><li>Noise during construction works affecting work environment as neighbour works from home;</li><li>Subsequent noise – if a loft conversion should be permitted can I be assured that sufficient noise insulation is a requirement;</li><li>Insufficient space has been allowed for soft landscaping to comply with LPA guidance, concern there will be an infringement of root protection damaging to our adjoining tree;</li><li>Areas of glazing within the garden may also exceed the guidelines for light spill into adjoining houses;</li><li>Level of construction information is opaque and insufficient in terms of current requirements to enable safe approval;</li><li>No clear indication of how the retaining walls in front and rear gardens along our boundaries would be built, the walls appear to be sitting over out boundary line – clearly unacceptable but also indicative of surprisingly inadequate preparation. I note a few years ago where the basement excavations along the road here (maybe Nos.8 to 12) resulted in a dangerous and costly collapse of a neighbouring garden into the excavated site together with much attendant damage. I appreciate this will need to be the subject of Party Wall agreements but without adequate plans or method statements this should not even get that far in terms of suitability;</li><li>The dormer window proposal is out of scope of what is acceptable in accordance with the planning requirements as applied to this side of Howitt Road;</li><li>I could not determine what hours of work or length of programme is planned. Would be appreciated if works don't happen on Saturdays.</li></ul> <p><b>Officer comment:</b></p> <ul style="list-style-type: none"><li>The applicant has provided a basement impact assessment which demonstrates the works would not impact on ground movement of neighbouring properties, a condition will be used to ensure a suitably qualified engineer is on site during construction to oversee the works;</li><li>Noise during construction works would be covered by environmental health legislation which the applicant would have to accord with during works;</li><li>During the course of the application a revision was accepted which reduced the size of the basement development, allowing more space for soft landscaping to grow. With regard to concern of tree root protection during works a condition will be used to secure details of this prior to commencement of works;</li><li>Issues of lightspill are addressed in paragraph 5.2;</li><li>Sufficient information has been provided for the Council to make a decision on the current application;</li><li>The walls of the basement as they bound neighbouring properties No.54 and 56 would be Party Walls and subject to a Party Wall agreement which is a civil matter, the plans and supporting documents provided are sufficient to make a decision on planning permission.</li><li>The dormer has been removed from the application;</li><li>The Council's Environmental Health department consider it acceptable for works to</li></ul>					

	occur on Saturdays and allow construction works between the hours of 0800 and 1300.
<b>CAAC/Local groups comments:</b>	<p><b>Belsize CAAC</b> were consulted on the proposal and objected on grounds of overdevelopment.</p> <p><b>Belsize Residents Association</b> objected to the application stating that BRA are against basements that are larger than the original footprint of the house and this one is much larger, virtually the entire plot, this is unacceptable and contrary to guidance of DP26 and DP27.</p> <p><b>Officer comment:</b></p> <ul style="list-style-type: none"> <li>• Since receipt of these comments an amendment has been accepted which removed the dormer and reduced the scale of the basement development, it is considered the works would not be overdevelopment of the site; and</li> <li>• The scale of the basement excavation is not considered inappropriate the merits of the design has been assessed in paragraphs 3.1 and 3.2.</li> </ul>

## Site Description

The application site relates to a three storey single family dwelling located to the western side of Howitt Road. The site is set within a terrace of properties which were originally built with mansard roof extensions with steep lower pitched and pitched upper slopes.

The application site has a rooflight to the upper slope of the mansard but no other alterations at roof level. At ground floor level there is a single storey extension which spans just under half the width of the rear elevation with a terrace above. It appears from the pattern of development at surrounding properties that this may have been an original feature of the dwelling (minus the terrace which would have been a later addition).

The site is located within the Belsize conservation area however the building is not listed.

## Relevant History

There is no relevant planning history relating to the application site.

The adjoining neighbour No.54 was given permission for a basement extension with associated front and rear lightwells to dwelling house (Ref: 2010/3047/P).

## Relevant policies

### The National Planning Policy Framework (2012)

### The London Plan (2011)

### LDF Core Strategy and Development Policies (2010)

CS1 (Distribution of growth)

CS4 (Areas of more limited change)

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

CS18 (Dealing with our waste and encouraging recycling)

CS19 (Delivering and monitoring the Core Strategy)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP27 (Basements and lightwells)

DP28 (Noise and vibration)

### Camden Planning Guidance

CPG 1 Design

CPG 4 Basements and lightwells

## Assessment

### 1. Revisions

1.1 During the course of the application an amendment was sought to reduce the size of the basement area and remove the dormer roof extension from the upper roof slope.

1.2 When initially proposed the basement area would have excavated the full width of the front garden area at 7.1m and depth up to 2.8m, this was reduced to create two front lightwells, one to the front of the basement bay window at 3.6m wide and 1.6m deep and a second which enlarged the existing basement stairwell and would measure 2.4m by 2.4m. To the rear the basement was reduced in depth by 1m, setting it in 2.7m from the rear boundary of the site.

1.3 The rear dormer to the upper slope of the mansard has been removed and replaced with three rooflights.

### 2. Proposal

2.1 Planning permission is sought for excavation to enlarge existing basement level with creation of 2 x front lightwells and 2 x rear skylight at garden level, loft conversion with 3 rear and 1 front rooflights, replacement of window with double doors to rear elevation and enlargement of window to existing rear extension at ground floor level of dwellinghouse.

2.2 The proposed basement would occupy the full footprint of the parent building and extending 1.9-5.5m beyond the rear elevation of the parent building (due to its 'L' shaped footprint) and up to 2.4m from the front elevation of the building. The works would excavate 2.7m below ground level. To the front elevation, there would be two lightwells one that would follow the form of the bay window at the upper levels, measuring 3.6m wide by 1.6m deep and the second measuring 2.4m by 2.4m. To the rear elevation the basement would be expressed with skylights set flush with the ground.

### 3. Design

3.1 To the front elevation, there would be two proposed lightwells. The lightwell to the right side of the building would follow the pattern of existing lightwells which have recently been granted planning permission on Howitt Road, in the sense of following the form of the bay window and not extending for the whole area of the front garden. The works would also include excavating a second lightwell to the left side of the building, under the entrance pathway. There is an existing external stair that leads from ground to basement level. From street level the excavation to the right would be largely screened by the boundary treatment and hedge the lightwell to the left would not be perceivable as it would be covered by the existing pathway. It is therefore considered that this element of the proposed would not cause harm to the character and appearance of the parent building or conservation area when viewed from the front elevation and surrounding streetscene.

3.2 The expression of the basement to the rear of the property is considered to be relatively modest, with the basement being expressed solely via the skylights set within the ground. The basement area would not be evident unless standing within the garden area. As such it is considered to be a sensitive form of development to the rear of the property.

3.3 No objection is raised to replacing the rear window with doors. The new doors would be to the same width of the existing window and set in the same location, as such the works would only drop the cill of the window. This is considered to be a sensitive alteration to the property which would not raise concern. Furthermore no objection is raised to the alteration to the side window, as this is sited to a secondary elevation it would not be readily visible and the alteration is not considered to cause harm to the character of the property. The use of timber is appropriate given the existing fenestration on the building and the sites location within a conservation area.

3.4 At roof level it is proposed to install one front and three rear rooflights to the upper slope of the mansard addition. The proposed rooflights are considered to be an acceptable addition to the upper slope. Given these would be sited flush with the plane of the roof and of a conservation style it is considered they would be a sensitive addition to both the host building and conservation area. When considering the rooflights in the context of the surrounding properties, with regard to the rear rooflight; Nos.42, 46 and 48 all have rooflights to the upper roof slope. Furthermore of the properties which bound the site to the rear along Glenmore Road almost all of the properties have rooflights at a high level. In respect of the front rooflight, this is existing and the development would be a replacement of the same size as such no objection is raised. It is



therefore considered that the proposed rooflights would not detract from the character and appearance of the conservation area. It is also important to note given the property is a single dwelling such works would be allowable under permitted development.

#### **4. Basement Impact Assessment**

4.1 In accordance with DP27, the applicant has provided a Basement Impact Assessment to support the proposed basement development.

##### Groundwater

4.2 The report has demonstrated that the development would answer no to all questions within the flow chart. As such there would be no change to existing conditions on the site with regards to subterranean groundwater flow.

##### Land Stability

4.3 With regard to land stability the report answered no to all questions within the flow chart with the exception of 6 (impact on trees), 12 (within 5m of highway) and 13 (differential foundation depth). In respect of question 6, the application site includes a row of trees to the rear boundary, however the development would be set in from these trees, it is proposed to retain the trees by ensuring the basement wall it kept back from the existing roots. As explained within paragraph 6.2 below a condition will be used to secure details of tree protection during construction works.

4.4 With regard to question 12, the site is located within 5m of a highway however this is considered not to be an issue, given only minor changes are to be made to the front elevation. The report notes that any potential ground movements will be assessed and minimised by use of appropriate construction method. In respect of question 13, with regard to significant increased to the differently depths of foundations, the report answers no with regard to the relationship between No.54 and 56 as No.54 already has a basement development. However it answers yes for No.56 and 58. However no.58 has an existing, but smaller original basement giving a small differential in foundation depths of approximately 1m. This is not considered to raise significant concerns.

##### Surface water and flooding

4.5 It is important to note that the site is not a street a risk of surface water flooding. The assessment answers no to all questions as such there would be no adverse effect or change to the existing surface or flooding conditions.

#### **5. Neighbour Amenity**

5.1 In respect of the works at basement level, it is considered this aspect of the development would not result in harm to the levels of light received by neighbouring residents nor would the development harm the outlook enjoyed by neighbours.

5.2 Concern has been raised with regard the level of light that would be emitted from the rooflights within the garden area which serve the new basement. However given these rooms would be used in connection with the main dwelling they would emit not more light than that of the windows in the existing dwelling. Furthermore as these would be at ground level, with existing windows being at a higher level, it is considered the light emitted from these would not cause harm to neighbouring residents amenity and would not increase light pollution within the area.

5.2 In terms of the works at roof level, given the nature of these there would be no impact on neighbouring amenity.

#### **6. Trees**

6.1 The site has a relatively small and largely hard landscaped garden with a row of lime trees across the rear. The proposal to excavate a basement under the garden is considered to be acceptable in its amended form as it has been pulled back to the extent that it leaves sufficient rooting space for the tree and retains the possibility of some soft landscaping and storm-water infiltration. There is also space retained for planting at the front of the property.

6.2 A standard condition would be added requiring an arboricultural protection plan and method statement to ensure that the trees are retained and protected.

6.3 The front garden has a low hedge which is characteristic of the area and should be retained or replaced with a similar hedge. A hedge is shown on the proposed plans, however it is recommended that details of hard and soft landscaping are required by condition to guarantee that a hedge is provided.

#### **7. Transport Implications**

7.1 As stated in policy DP27 many potential impacts to the amenity of adjoining neighbours are limited by underground

development. However, the excavation and construction phase can impact on amenity. A Construction Management Plan is not required for a basement of this type or scale which would rely mainly on manual labour conducted at a slow pace, contained within the site with the use of local skip licences for the highway etc.

## **8. Mayoral CIL**

8.1 The proposed basement development would have an area of 112.3sqm, the existing basement measures 10.7sqm. As such the additional floorspace to the dwelling would be over 100sqm and the development would be liable to pay the mayoral CIL. Within Camden this is charged at a rate of £50 per square metre. An informative will be placed on the decision notice drawing the applicants attention to this.

## **9. Conclusion**

9.1 In light of the above it is considered that the proposed works would be an acceptable form of development that would accord with the relevant policies within the Local Development Framework and no objection is raised.

**10. Recommendation:** Grant conditional permission.

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 2<sup>nd</sup> December 2013. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'**

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Application Ref: **2013/6138/P**  
Please ask for: **Seonaid Carr**  
Telephone: 020 7974 **2766**

28 November 2013

Dear Sir/Madam

**DRAFT**  
**DECISION**

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) Order 2010  
Town and Country Planning (Applications) Regulations 1988

### **Householder Application Granted**

Address:  
**56 Howitt Road**  
**London**  
**NW3 4LJ**

**DECISION**

#### **Proposal:**

Excavation to enlarge existing basement level with creation of 2 x front lightwells and 2 x rear skylights at garden level, loft conversion with 3 rear and 1 front rooflights, replacement of window with double doors to rear elevation and enlargement of window to existing rear extension at ground floor level of dwellinghouse.

Drawing Nos: 0224\_A\_0000\_01, 0224\_A\_0001\_01, 0224\_A\_0002\_01, 0224\_A\_0100\_01, 0224\_A\_0200\_01, 0224\_A\_0200\_02, 0224\_A\_1002\_02, 0224\_A\_110\_02, 0224\_A\_1200\_02, 0224\_A\_1000\_02, 0224\_A\_1001\_02, Proposed Basement Impact Assessment by David Dexter dated 27 November 2013, Tree Survey to BS5837 by Arbtech Consulting Limited dated 11 October 2013 and Tree Constraints Plan.

The Council has considered your application and decided to grant permission subject to the following condition(s):

#### **Conditions and Reasons:**

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 0224\_A\_0000\_01, 0224\_A\_0001\_01, 0224\_A\_0002\_01, 0224\_A\_0100\_01, 0224\_A\_0200\_01, 0224\_A\_0200\_02, 0224\_A\_1002\_02, 0224\_A\_110\_02, 0224\_A\_1200\_02, 0224\_A\_1000\_02, 0224\_A\_1001\_02, Proposed Basement Impact Assessment by David Dexter dated 27 November 2013, Tree Survey to BS5837 by Arbtech Consulting Limited dated 11 October 2013 and Tree Constraints Plan.

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

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details can include an arboricultural protection plan and method statement and shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 5 No development shall take place until full details of hard and soft landscaping have been submitted to and approved by the local planning authority in writing. Such details shall include the retention or replacement of the front hedge and any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London



## Borough of Camden Local Development Framework Development Policies.

### Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

Culture and Environment Directorate  
(Duly authorised by the Council to sign this document)

**DRAFT**

**DECISION**