



32 Leverton Street

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	19/07/2013
		N/A		<b>Consultation Expiry Date:</b>	27/06/2013
<b>Officer</b>			<b>Application Number(s)</b>		
Angela Ryan			2013/1760/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
32 Leverton Street London NW5 2PJ			Refer to 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 rear extension at ground floor level following demolition of existing extension, excavation in association with the creation of a new basement below ground floor rear extension with associated rear lightwell and installation of a new window on the side elevation of the host building in connection with existing use as a dwelling house (C3).					
<b>Recommendation(s):</b>		Grant Planning Permission subject to a S106 agreement			
<b>Application Type:</b>		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	7	No. of responses	11	No. of objections	5
Summary of consultation responses:	<p>A site notice was displayed from 29/05/2013, expiring on 19/06/2013 and a publicity notice published in the local press on 06/06/2013, expiring on 27/06/2013.</p> <p>6 letters of support: were received from local residents and neighbours</p> <p>5 letters of objection has been received from neighbouring occupiers raising the following concerns:</p> <p><b>Design:</b></p> <ul style="list-style-type: none"> <li>- The alterations do not blend in with the general style of the street (<b>Officer's response:</b> see section 2 of this report)</li> </ul> <p><b>Amenity:</b></p> <ul style="list-style-type: none"> <li>- Loss of light (<b>Officer's response:</b> see paragraph 3.1 in this report)</li> <li>- Loss of garden area (<b>Officer's response:</b> See paragraph 2.4 in this report)</li> <li>- Loss of a bay tree at no. 30 Leverton St (<b>Officer's response:</b> See paragraph 3.6 in this report)</li> <li>- Impact in terms of movement and resulting subsidence and other damage to neighbouring properties (many of the houses in the street have suffered from cracking and subsidence (<b>Officer's response:</b> see paragraph 3.5 in this report)</li> <li>- Inaccuracies in the Basement Impact Assessment (BIA) (<b>Officer's response:</b> There are a few inaccuracies in the BIA, but these would not have resulted in affecting the assessment of the information detailed in the report)</li> </ul>					
CAAC/Local groups* comments: *Please Specify	<p><b>Bartholomew Estate and Kentish Town CAAC:</b> Object to the proposal on the basis that:</p> <ul style="list-style-type: none"> <li>-The rear extension is too large and not subservient to the footprint of the building (<b>Officer's response:</b> see section 2 in this report)</li> <li>-The proposed side window may result in overlooking neighbouring properties (<b>Officer's response:</b> See paragraph 3.2 of this report)</li> </ul> <p>Insufficient information provided in relation to proposed materials for building the rear extension (<b>Officer's response:</b> The proposed materials have been confirmed on the application form and in the BIA that was submitted in support of the application)</p> <ul style="list-style-type: none"> <li>-Inaccuracies in the BIA regarding the proposed removal of a tree in adjoining property (<b>Officer's response:</b> See paragraph 3.6 in this report)</li> </ul>					

	<p>-Basement has the capacity to cause damage to properties along the terrace, e.g., land stability and surface water flow (<b>Officer's response:</b> see paragraphs 3.4 and 3.5 in this report)</p>
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## Site Description

The site comprises a two-storey single family dwelling house located on the east side of Leverton Street. It is set within a group of three buildings of similar design where the predominant land use is for residential purposes. The site is bounded to the south by no. 30 Leverton Street; to the east by the rear garden of no. 24 Falkland Road and to the north by a narrow private walkway and adjacent to the pathway is the rear of residential properties located on Falkland Road.

The site is not listed but lies within the Kentish Town Conservation Area and is identified as making a positive contribution to the character and appearance of the conservation area.

## Relevant History

### **32 Leverton Street-**

**07/09/2012-** Permission **refused** for the erection of extension at rear ground and first floor level following demolition of existing ground floor rear extension including installation of window on side elevation at the first floor level to residential dwelling house (Class C3). (Ref: 2012/3676/P). The application was refused solely on the basis of the proposed first floor rear extension which was considered to be insubordinate in terms of its relationship with the host building. It was also considered that the first floor rear addition would result in the loss of outlook and increased sense of enclosure to the occupiers of the adjacent property located at no. 18 Falkland Road. The application was subsequently dismissed at appeal (Ref: APP/X5210/D/12/2188540).

**2 Leverton Street: 13/09/2010-** Permission **granted** for the erection of a single storey rear extension at first floor level with associated alterations to windows and doors on rear elevation at ground and first floor level to residential dwelling (Class C3). (Ref: 2010/3827/P)

**5 Leverton Street: 19/09/2000-** Permission **granted** for the demolition of existing single storey extension and erection of replacement two storey rear extension; replacement of front boundary wall with railings, reinstatement of first floor front balcony, installation of rooflights. (Ref: PEX0000397)

**8 Leverton Street: 15/08/1983-** Permission **granted** for the erection of a single storey rear extension and a roof extension with terrace at the front, together with roof terraces at rear first and second floor levels and an external rear staircase access to the garden from second floor level. (Ref: 36374)

**18 Leverton Street: 10/09/1996-** Permission **granted** for the erection of single storey rear extension (Ref: P9602263)

**20 Leverton Street: 07/02/1980-** Permission **granted** for the erection of a two-storey rear extension to provide additional residential accommodation (Ref: 29595)

**21 Leverton Street: 13/08/2002-** Permission **granted** for the Demolition of existing rear ground floor extensions, and construction of new ground and first floor rear extension (Ref: PEX0101041)

## Relevant policies

### **LDF Core Strategy and Development Policies**

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces and encouraging diversity)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)  
DP27 (Basements and lightwells)

**Camden Planning Guidance 2011:**  
**CGP1- Design: Chapters 1, 2, 3 & 4**  
**CPG4- Basements and lightwells**  
**CPG6- Amenity: Chapters 6 & 7**

**Kentish Town Conservation Area Appraisal and Management Strategy 2011**

**London Plan 2011**  
**National Planning Policy Framework 2012**

## **Assessment**

### **1.0 Proposal:**

1.1 The applicant seeks permission for:

- A new single storey rear extension at ground floor level, including the installation of a clerestorey rooflight on the flat roof of the extension following removal of the existing ground floor rear addition.
- Excavation of new basement extension under the new rear extension.
- Installation of a new window opening to the side elevation at first floor level.
  
- Installation of a new window on the rear elevation at first floor level
- Creation of a lightwell in the rear garden area at ground floor level

1.2 The current single storey rear addition is 3m deep and 5.2m wide and accommodates a bathroom and kitchen. The proposed extension is to extend a further 1m into the garden area resulting in the rear extension being 4m deep at ground floor level. It will be 3.2m high on the north facing elevation and 3.2m high rising up to 4.2m high on the south facing elevation and will be 5.2m wide and will accommodate a living area measuring approximately 66.5m<sup>2</sup>. It is proposed to excavate approximately 3m in depth in order to create a new basement area that will extend the whole footprint of the ground floor extension and will accommodate secondary service space measuring 12.2m<sup>2</sup>. The proposed basement will be 3.5m high, 4m deep and 3.5m wide. The rear façade of the lower ground and ground floor extension will be fully-glazed in order to facilitate the provision of natural light and natural ventilation into the new areas created. The new flank wall will be constructed in London Stock bricks to reflect the existing.

1.3 A rear lightwell measuring approximately 3.3m<sup>2</sup> will be created at ground floor level to ensure that the basement receives sufficient natural light. The lightwell will be enclosed by railings.

1.4 It should be noted that there are a number of single storey rear extensions within the vicinity of the site, namely at nos. 2, 8, 18, 20, 22, 26, 28 and 30 Leverton Street.

1.5 The key issues to consider are:

- The impact of the proposal on the character and appearance of the host building and conservation area
- Impact on amenity
- Transport

### **2.0 Impact on the character and appearance of the host building and conservation area**

2.1 The extension at both lower ground and ground floor levels will be a predominantly glazed structure providing a clear definition between the extended part and main rear facade of the host

building and is considered would therefore not detract from the architectural composition of the host building. Given that the proposed extension will not extend beyond rear first floor level of this two-storey building, it is considered to be sufficiently subordinate to the host building and is therefore considered to be acceptable.

2.2 The proposed extension would not be visible from the wider public realm, albeit it will be visible from the upper floor windows located in the rear of the neighbouring buildings. As such it is considered that the proposal would not be harmful to the character and appearance of the conservation area.

2.3 The new windows proposed on the rear and side elevations at first floor level are proposed to be timber framed to reflect the existing and therefore no design issues are raised.

2.4 A sufficient sized garden area is proposed to be retained at the rear of the site.

### **3.0 Amenity:**

3.1 The extension on the north facing elevation would be no higher than the existing boundary treatment. A majority of the boundary wall located on the south facing elevation will remain at the same height as the existing at 3.3m high but will be raised by 1m in height to 4.2m high in order to facilitate the construction of the proposed clerestorey rooflight. A light test using the 45<sup>0</sup> rule ascertained that the line did not hit any part of the extended part of the wall and therefore it is considered that the proposals would not result in significantly affecting existing residential amenity by way of blocking out natural sunlight/daylight. It is also considered that proposal would not contribute to the added sense of enclosure to the neighbouring properties.

3.2 The window proposed on the rear elevation would not result in increased overlooking over and above that which is already experienced by virtue of the existing opening in the same location. The window proposed on the side elevation at first floor level will serve an existing internal staircase. It is considered that the window may result in providing an opportunity for overlooking into the rear of properties located in Falkland Road and as such it is recommended that an appropriate condition is attached to the decision notice requiring the window to be of obscured glass and fixed shut. As such it is considered that the proposals would not result in overlooking.

### **Basement impact-**

#### **Ground water flow:**

3.3 The site is not located above an aquifer, within the catchment area of Hampstead Ponds or within 100m of a watercourse, well or spring. A borehole was dug at approximately 6m deep and water was struck at approximately 5.4m deep which is below the formation level of the proposed basement area, with only London Clay being encountered.

#### **Surface water:**

3.4 The site is not located in an area that is susceptible to flooding. The rear garden is predominantly of hard landscaping; therefore there will be no change to the proportion of hard landscaping/paved areas as a result of the proposed extensions. Therefore it is considered that surface water flow will not be significantly affected by the proposals.

#### **Land stability:**

3.5 The ground within the immediate vicinity of the site is fairly flat, with a slope of approximately 0.4m from the back of the garden to the rear of the house. The landscape will not be re-profiled to greater than 7<sup>0</sup> and does not adjoin land that slopes greater than 7<sup>0</sup>. It has been confirmed that there is no

record of subsidence at the site and the applicant is not aware of there being a history of seasonal shrink-swell in the local area. The borehole ascertained that the soil below the topsoil is virgin clay. The proposal will increase the differential depth of the foundations along the party wall line with the adjoining neighbours at no. 30 Leverton Street. The impact assessment concluded that there will be limited heave associated with a 3m deep excavation. The basement will be constructed using reinforced concrete. The concrete floor will act as a permanent prop at the head of the retaining walls. The dead weight of the concrete will help to act against heave pressures from the excavation. The party wall between the application site and the adjoining property at no. 30 Leverton Street will also be required to be underpinned which will affect the single storey extension to the rear and a short section of the party wall to the main property. In this respect new foundations at approximately 3m in depth will be into stiff clay and the use of spread footings will give rise to very low bearing pressures to allow some relaxation of the ground (heave) to take place as the excavation proceeds. It is recommended that further measures should be taken against heave by initially reducing site levels in the new basement area in order to avoid undermining existing perimeter wall footings. As levels are reduced it will be necessary to provide temporary props in order to maintain stability. On this basis it is considered that the risk of differential settlement between deep and shallow foundations is low.

#### Trees:

3.6 The impact statement recommends that, with or without a basement extension, it would be prudent to remove a bay laurel tree located in no.30 Leverton Street as it is just over 1m away from their rear extension and 4m away from the rear elevation of the application site. The applicant has confirmed that the extension will be constructed so as not to cause damage to the tree, moreover it should be noted that the Council would not object to the removal of the tree.

#### 4.0 Transport:

4.1 Due to the site location (narrow street within a CPZ operating between 08:30 -18:30 Monday to Friday) and the nature of the proposal, it is considered that a Construction Management Plan will be required in this instance. This will be secured via a S106 legal agreement.

**Recommendation: Grant planning permission subject to a S106 agreement.**

#### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 15<sup>th</sup> July 2013. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'**



Ian Hay Architects  
11 Halton Road  
London  
N1 2EN  
United Kingdom

Application Ref: **2013/1760/P**

17 July 2013

Dear Sir/Madam

***FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION***

*Town and Country Planning Act 1990 (as amended)*

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**32 Leverton Street  
London  
NW5 2PJ**

Proposal:

Erection of a rear extension at ground floor level following demolition of existing extension, excavation in association with the creation of a new basement below ground floor rear extension with associated rear lightwell and installation of a new window on the side elevation of the host building in connection with existing use as a dwelling house (C3).

Drawing Nos: Site location Plan (Ref: 151/21), Block plan (Ref: 151/21 28.08.12), (Prefix: 151/), 00, 01, 02, 03, 04, 05, 06, 07, 08, 09, 15, 16 .11.07.13, 17. 11.07.13, 18, 19, Design and access statement by Ian Hay Architects dated 13/05/13 (Ref: 151/141), Basement Impact Assessment by Hardman Structural Engineers dated May 2013 (Ref: 1502)

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

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

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

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

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 3 The window proposed on the side elevation at first floor level shall be of obscured glass and fixed shut and shall be permanently maintained and retained thereafter.

Reason: In order to prevent unreasonable levels of overlooking and loss of privacy to future occupiers and existing residential units in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 4 The flat roof of the ground floor extension hereby approved shall not be used for a roof terrace or seating area. Access to the roof shall be for the purposes of maintenance only.

Reason: In order to prevent unreasonable levels of overlooking and loss of privacy to future occupiers and existing residential units in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 5 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 6 The development hereby permitted shall be carried out in accordance with the following approved plans: - (Prefix: 151/), 00, 01, 02, 03, 04, 05, 06, 07, 08, 09, 15, 16, 17, 18, 19, Design and access statement by Ian Hay Architects dated 13/05/13 (Ref: 151/141), Basement Impact Assessment by Hardman Structural Engineers dated May 2013 (Ref: 1502)

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

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.

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.

Yours faithfully

Culture and Environment Directorate

**R/O 30 Leverton Street**

**R/O 32 Leverton Street**



**Rear of 32 Leverton Street**



**Retained rear garden 32 Leverton Street**