

Delegated Report		Analysis sheet		Expiry Date:	04/03/2013
		N/A		Consultation Expiry Date:	14/02/2013
Officer			Application Number(s)		
Nicola Tulley			2013/0085/P		
Application Address			Drawing Numbers		
29 Aberdare Gardens London NW6 3AJ			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Excavation of basement with front and rear lightwells (rear lightwell includes stairs to ground floor level terrace), erection of rear glazed ground floor level extension and terrace, installation of solar panels to main roof the building and glazing to roof of existing rear ground floor extension, and erection of a summer house in rear garden all in connection with existing ground floor flat (Class C3).					
Recommendation(s):		Refuse permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	20	No. of responses	07	No. of objections	07
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 18/01/2013 to 08/02/2013. A notice was placed in the Ham & High on 24/01/2013.</p> <p><u>7 letters of objection</u> were received, the following issues were raised:</p> <ul style="list-style-type: none"> • There is an underground river, impacts on groundwater flow; • Noise and dust, unsightly building materials; • Vibration; • Danger of subsidence to nearby properties; • The basement if approved would set a precedent for similar development in the area; • The foundations of properties in this area are not deep and could suffer from interference; • The developer has recently paved over the front garden in spite of new regulations; • Failure to comply with policies DP23 & DP27; • The proposal does not adequately consider the impact on potential flooding or how the rear lightwell will control the dissipation of surface water; • The visual impact of the large lightwell to the rear is not in keeping with the host building; • The basement construction occupies the majority of the rear garden which is against Camden's planning guidance and will have an impact upon immediate neighbours and buildings; • The destruction of the rear garden causes serious damage to the character and appearance of this conservation area. A number of mature trees are present along the boundary of number 29/31 and residents are concerned that the scale of development could damage the root protection zones of adjoining trees. <p><u>Officers response</u> See assessment below.</p>					
CAAC/Local groups* comments: *Please Specify	<p><u>CRASH 'Combined Residents Associations of South Hampstead'</u> have raised the following objections.</p> <p>Continued risks of potential flooding involved in the number of basement developments in the area. The proposal should not be considered further until the results of a flood risk management consultation has been completed, assessed and evaluated.</p> <p>The scale of the application is totally inappropriate for the scale and location of the site and conservation area.</p> <p>The depth of the excavation and underpinning required to the party wall must inevitably destabilise the adjoining house, but this fact is glossed over</p>					

	<p>in the report. Such vitally important facts should be ascertained before submission.</p> <p>The rear garden aspect and environment is blighted by overdevelopment which detrimentally affects the visual aspect and amenity of the gardens. The proposal states that the mature trees in the rear garden will not be harmed yet the accompanying soil investigation states that live tree roots were found in all boreholes.</p> <p><u>Officers response</u> See assessment below.</p>
--	---

Site Description

The application site relates to a two storey semi-detached dwelling with loft storey located on the north side of Aberdare Gardens. The property has been subdivided into two self contained flats (C3). The surrounding area is predominately residential with similar large semi-detached type dwellings.

The application site is within South Hampstead Conservation Area and noted as a positive contributor in the South Hampstead Conservation Area Appraisal and Management Strategy (CAAMS).

Relevant History

Application site

Full planning application, reference 2012/2689/P, excavation of basement with front and rear lightwells (rear lightwell includes stairs to ground floor level terrace), erection of rear glazed ground floor level extension and terrace, installation of solar panels to main roof the building and glazing to roof of existing rear ground floor extension, and erection of a summer house in rear garden with internal stair access to the proposed basement all in connection with existing ground floor flat (Class C3) was withdrawn.

Full planning application, reference 2011/2360/P, was granted on 07/07/2011 for amendment to enlarge rear glazed infill extension granted planning permission 2010/0833/P dated 10 May 2010 to existing ground floor flat (Class C3)

Full planning application, reference 2010/0833/P, was granted on 10/05/2010 for erection of rear glazed infill extension at ground floor level; alteration to rear and side elevations of the existing rear extension including new timber finish and new door, all to garden flat (Class C3).

Full planning application, reference 8905468, was refused on 14/06/1989 for redevelopment and enlargement of the existing single storey extension at rear ground floor level together with the insertion of an entrance door along the side elevation fronting No.27 Aberdare Gardens and the formation of a monopitched covered way.

Full planning application, reference H5/8/26/9274, was granted on 02/09/1970 for the conversion of 29 Aberdare Gardens, NW6. into 3 self-contained flats with a total of 10 habitable rooms and the construction of an extension to the ground floor living room at the rear of the house.

31 Aberdare Gardens

Full planning application, reference 2004/4005/P, was granted on 15/11/2004 for construction of new timber outbuilding in rear garden, involving demolition of existing outbuilding.

Relevant policies

National Planning Policy Framework 2012

The London Plan: Spatial Development Strategy for Greater London: 2011

LDF Core Strategy and Development Policies 2010

CS5 Managing the impact of growth and development

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and improving our parks and open space and encouraging biodiversity.

DP22 Promoting sustainable design and construction

DP23 Water

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

CPG1 Design

CPG4 Basements

CPG6 Amenity

South Hampstead Conservation Area Appraisal and Management Strategy (CAAMS) 2011

Assessment

Proposal and background

The application site relates to a two storey semi-detached building with loft storey that has been subdivided into two self contained flats, the application relates to the ground floor flat. The properties on Aberdare Gardens feature original single storey rear projections forming an L-shape. The majority of rear projections on Aberdare Gardens have been subject to alteration and extension.

Planning permission was granted at the site in 2010 for a single storey glazed rear extension (2010/0833/P) which was later amended in 2011 (2011/2360/P). A planning application was submitted in 2012 (2012/2689/P) for a basement level with front and rear lightwells, single storey rear extension and building in rear garden. Officers advised that the application would likely be recommended for refusal in view that a basement impact assessment was lacking and that the basement level proposed projected too far into the rear garden. The application was withdrawn by the applicant.

The applicant has resubmitted the following proposed works for consideration:

- Excavation of basement with front and rear lightwells;
- Erection of rear glazed ground floor level extension and terrace;
- Erection of single storey summer house in rear garden.
- Installation of solar panels to roof;
- Alterations to fenestration at rear ground floor level;

The main considerations subject to the determination of this application are: basement excavation, design and appearance and amenity.

Basement excavation

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings; development should consider the character and proportions of the existing building, where extensions and alterations are proposed; developments should consider the quality of materials to be used.

Development policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that preserves and enhances the character and appearance of the conservation area. Paragraph 25.2 states that the character of conservation areas derive from a combination of a number of factors including scale, density, pattern of development landscape, topography, open space, materials, architectural detailing and uses.

The supporting text of DP27 states basement development that does not extend further than the footprint of the original building and is not deeper than one storey is often the most appropriate way to extend a building below ground. Proposals that take up the whole rear/front garden are unlikely to be acceptable and sufficient margins should be left between the site boundaries with an appropriate proportion of planted material above. Where basement excavation extends into the rear garden and is considered acceptable, the use of Sustainable Urban Drainage Systems (SUDS) will be required to mitigate any harm to the water environment.

The proposed basement excavation would sit beneath the built footprint of the existing and extended property, extending approximately 1.5m from the front of the building to provide lightwells and approximately 20m from the back of the main house. The basement level would provide two additional bedrooms, kitchen with dining area and swimming pool. The majority of the basement floor would be

approximately 3.5m below ground level and 5.25m below ground to accommodate the swimming pool. A lightwell would subdivide the habitable accommodation in the basement from the swimming pool which would be sited under the rear garden.

At ground level the rear lightwell would be approximately 2.5m deep by 6.2m wide with glazed walkway and stair access into the rear garden. Where the basement would project into the rear garden a substrate depth of 500mm would be maintained to promote the growth of vegetation. South Hampstead CAAMS notes that some basement development in the CA, specifically Aberdare Gardens, are overly large, spilling into and resulting in a loss of verdant front and rear gardens and detracting from the leafy character of the CA. Paragraph 7.12 of the CAAMS states further that just as overly large extensions above ground can dominate a building, contributing to overdevelopment of a site, an extension below ground can be of an inappropriate scale to the host building and neighbours as well as impacting on the immediate and neighbouring garden setting.

The proposed basement floor sited under the rear garden has been set away from neighbouring boundaries by approximately 1.4/1.8m and would have a substrate depth of 500mm. This ensures that the garden would maintain sufficient area for mature planting to maintain its verdant character.

Assessing basement impact

Notwithstanding the assessment above, it is equally important to assess the possible impacts that the proposed basement could have upon groundwater flow, slope stability and structural stability in accordance with policy DP27. Camden Planning Guidance CPG4 'Basements and lightwells' provide detailed design guidance in respect of basement development. The applicant has submitted a site investigation report produced by Ground Engineering Ltd dated October 2012 and an engineering design and construction statement produced by Howard Cavanna Consulting Engineers dated December 2012.

The site is located in an area which has experienced surface water flooding and therefore needs to be accompanied by a Flood Risk Assessment. This has not been submitted with the application documents nor has SUDS been proposed. The following text sets out the findings of the supporting documents.

Topography & hydrology

The desk study identified 'lost rivers' the Westbourne or Ranelagh Brook. One of the south flowing tributaries flows along the route of Priory Road 230m west and another is shown to cross Aberdare Gardens 240m east. The two streams converge and the southern boundary of the properties fronting the south side of Goldhurst Terrace, 170m south of the site. The historical surface water, field drainage system, was modified several times but the ditches drained to either the south east or south west.

Geology & hydrogeology

The desk study identifies the site as being underlain by London Clay. The higher ground about 1km to the north east is shown to be capped by Claygate Beds. The London Clay Formation is designated by the Environmental Agency (EA) as Unproductive strata. The Camden Geological, Hydrogeological and Hydrological study designates the strata beneath the London Clay as the lower aquifer. This lower aquifer also includes the underlying Upper Chalk which is designated as principal aquifer by the EA.

Site investigation & results

The site investigation consisted of a single cable percussive borehole at 15m deep with monitoring standpipe at 7m depth and two continuous dynamic sampled boreholes in the rear garden. The site work was undertaken between the 16th and 24th August.

The ground investigation shows a surface layer of made ground underlain by a superficial Head Deposit with London Clay Formation encountered from depths of 1.2m and 1.3m. Groundwater was found perched within the Head Deposit/London Clay at depths between 0.48m and 1.75m. Water seepages were noted in borehole 1 at 3.5m and 10.6m. Boreholes BH1 and WSB remained dry on

completion, as was WSA to 6m depth. After a period of eight days water stood in the hole at 1m depth which was bailed from the borehole and on completion was found dry. Two later monitoring visits on the 3rd and 11th October groundwater was found in the standpipe at 0.84m (WSB) and 1.75m (WSA).

Given the presence of groundwater with the proximity of existing and adjacent house structures piled basement walls are favoured. The clay soils would provide an ideal material for the support of contiguous bored or secant piled retaining walls. The clay soils will require close side support to maintain stability and provide protection to the adjacent properties. The basement structures should be constructed such that they are waterproofed to ensure future water tightness with regard to the basement extending below any perched water or the groundwater table.

The permeability of the Head Deposit and the London Clay is such that there will be no significant lateral subsurface flow within the depth to which the basement would be constructed. There is no realistic probability that the proposed development will adversely reduce lateral flow, even if the neighbouring properties were to contain basements.

Heave within the London Clay would begin to take place soon after excavation but would be confined to the basement floor once constructed. The London Clay at proposed basement levels would be capable of providing support for a ground bearing basement floor slab, providing that the sub-grade is inspected and softened.

There are a number of trees, shrubs and vegetation at the site. Fibrous live roots were observed within each of the boreholes. Void forming or compressible material should be placed against the sides of the basement walls within the zones of influence of tree roots or ensure that the piles are sufficiently reinforced to accommodate any vertical and horizontal forces caused by the heave of the clay.

Structural stability

The application site is a semi-detached building adjoined to Number 31 Aberdare Gardens. The structural statement notes that the proposed basement works will require the party wall to be underpinned by traditional construction methods. For the majority of basement works the perimeter of the basement is inset from the two side boundaries and any fencing or garden walling on the boundary will be retained during the works.

Whilst the construction statement identifies the design and construction method required for the proposed basement floor in addition to a construction methodology, it is not clear whether they have fully assessed the likely impacts upon structural stability of the building or neighbouring properties.

The structural statement has failed to identify the extent of structural damage expected to the application building and neighbouring properties, as per Burland. As such it is unclear whether any mitigation measures should be incorporated. CPG4 identifies that some of the worst problems affecting amenity are experienced during the demolition and construction phases of development and this is particularly so for basement development. Full consideration should be given to neighbouring properties in accordance with Considerate Contractors Scheme standards. The application site is within a conservation area and if the proposed development was considered acceptable a Construction Management Plan (CMP) would be sought through S106 agreement.

The application relates to a subdivided building and information is lacking as to how the impacts of the basement development will be attenuated during construction works, health and safety of occupants, and how occupants would be able to access the first floor flat.

Design and appearance

As noted above, policies CS14, DP24 and DP25 seek to ensure that Camden's places are attractive, achieving the highest standard of design for all developments whilst ensuring that the character and appearance of Camden's conservation areas are preserved and enhanced.

Erection of single storey rear extension

The proposed single storey extension at rear ground floor level was granted planning permission in 2010 (2010/0833/P) and amended under planning reference 2011/2360/P. Adopted policies and design guidance have not altered in relation to single storey rear extensions since the amended proposal was approved on 07/07/2011. As such the officers' assessment remains relevant to this application.

The proposed extension would project approximately 4.8m from the main rear wall of the building with a splay that would project from the boundary wall at a 45° angle. The extension would then run parallel to the rear property to join the existing side return extension. The extension would appear as a lightweight glazed extension to the side return of the L-shaped rear.

Generally, extensions should preserve the historic pattern of the building and local area. In consideration that the extension would be relatively subordinate to the large semi-detached building and that there are similar extensions on this side of Aberdare Gardens, the proposed single storey rear extension is considered acceptable in relation to policies CS5, CS14, DP24 and DP25 of Camden's LDF.

Erection of single storey rear outbuilding

CPG1 chapter 4 provides detailed design guidance on development in rear garden areas and other open land. It is recognised that garden structures can have a significant impact upon the amenity, biodiversity and character of an area. They may detract from the generally soft and green nature of gardens and other open space contributing to the loss of amenity. Paragraph 4.24 states that development in rear gardens should:

- Ensure that the siting, location, scale and design of the proposed development has a minimal visual impact on and is subordinate to the host garden;
- Not detract from the open character and garden amenity of the neighbouring gardens and the wider surrounding area;
- Use suitable soft landscaping to reduce the impact of the proposed development;
- Ensure building heights will retain visibility over garden walls and fences;
- Use materials which complement the host property and overall character of the surrounding area;
- Address any impacts of extensions and alterations upon water run-off and groundwater flows.

The proposed outbuilding would sit to the rear of the garden area, 5m wide by 5m deep and approximately 1.4m from neighbouring boundaries. The garden building would be of modern design featuring a flat roof with single ply lead coloured membrane and rendered masonry walls and glazed opening.

As noted above the significant characteristic of South Hampstead CA is its lush rear gardens and the Council will resist proposals that would compromise its character. It is considered that the size of the proposed garden structure is commensurate with the rear garden plot. There is a large timber outbuilding in the rear garden adjacent at Number 31 which was granted planning permission on 15/11/2004 (2004/4005/P).

However, the materials proposed have not sought to respond to the host building or soft nature of the rear garden. The use of render and large proportion of glazing would be stark in the rear garden which would not serve to reduce its impact upon the rear garden.

As such, the detailed design and use of materials would not complement the host building or the leafy character and appearance of the rear garden contrary to policies CS5, CS14, DP24 and DP25 of Camden's LDF and should therefore be resisted.

Installation of solar panels

Three solar panels are proposed centrally on the main flat roof of the building. These would be 1.675m long by 1.001m wide and fixed to tubular steel framing secured at 40° to the roof. Policies CS13 and DP22 seek to promote higher environmental standards.

In consideration that the proposed solar panels would not alter the form of the original roof or be visible from street level, their installation is acceptable in relation to policies CS5, CS13, CS14, DP22, DP24 and DP25 of Camden's LDF.

Amenity

Development policy DP26 seeks to ensure that the amenities of existing and future occupiers and neighbours are not unduly impacted by development in terms of reduced daylight/sunlight, outlook, privacy and enclosure.

The proposed single storey glazed rear extension has already been considered under planning reference 2011/2360/P against policies CS5 and DP26 of Camden's LDF. Officers did not consider that the proposed extension would be harmful to neighbouring amenity.

The proposed single storey outbuilding in the rear garden would not harm neighbouring residential amenity in terms of privacy and overshadowing in accordance with policy DP26.

Transport

Owing to the extent of excavation and the amount of spoil that would be removed from the site it is considered that a Construction Management Plan would be required to ensure the proposal does not result in traffic disruption and avoid dangerous situations for pedestrians and other road users. This would be secured via a S106 agreement should permission be granted.

Conclusion

In summary the proposed basement floor is of inappropriate scale to the host building and would likely compromise the quality of the leafy rear garden to the detriment of the character and appearance of the application site and conservation area. The information submitted in support of the basement excavation is considered insufficient to determine whether the basement excavation/construction would have harmful impacts on the structural stability of the property and neighbouring buildings. In addition, the application site is within an area that has experienced surface water flooding and the information provided within the application is considered insufficient to determine whether the proposed basement development would have harmful impacts on the water environment contrary to policies CS5, CS13, DP22, DP26 and DP27 of Camden's LDF.

The proposed scale, form, proportions, detailed design and use of materials of the garden building would be detrimental to the character and appearance of the host building and conservation area contrary to policies CS5, CS14, DP24 and DP25 of Camden's LDF.

The proposed single storey rear extension was granted permission and amended under planning reference 2011/2360/P. Adopted policies and design guidance have not altered in relation to single storey rear extensions since the amended proposal was approved on 07/07/2011. As such the officers' assessment remains relevant to this application.

Recommendation

Refuse planning permission

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613