

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>09/07/2012</b>	
		N/A		<b>Consultation Expiry Date:</b>		<b>28/06/2012</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Gideon Whittingham				1) 2012/2414/P 2) 2012/2471/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Hunters Lodge 5 Belsize Lane London NW5 5AD				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>							
<p>1) Construction of basement floor level beneath dwelling house (Class C3) and rear garden, rebuild section of boundary wall and amendment to the design and arrangement of the curved glass extension in relation to planning permission (ref: 2011/4019/P) dated 03/04/2012, for the erection of a lower ground floor level curved, glazed extension attached to a new two-storey plus semi-basement side extension.</p> <p>2) Construction of basement floor level beneath dwelling house (Class C3) and rear garden, rebuild section of boundary wall and amendment to the design and arrangement of the curved glass extension in relation to listed building consent (ref: 2011/4021/L) dated 03/04/2012, for the erection of a lower ground floor level curved, glazed extension attached to a new two-storey plus semi-basement side extension.</p>							
<b>Recommendation(s):</b>		1) Grant Planning Permission subject to a deed of variation of the S106 2) Grant Listed Building Consent					
<b>Application Type:</b>		<b>Householder Application</b>					
<b>Conditions or Reasons for Refusal:</b>		<b>Refer to Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>04</b>	No. of responses	<b>9</b>	No. of objections	<b>9</b>
				No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		<p>A site notice was displayed from 29/05/2012 and a public notice was published in the Ham &amp; High from 07/06/2012.</p> <p>Objections have been received from Nos. 2, 4 and 8 Perceval Avenue and Nos.9, 15, 17 and 24 Belsize Lane and one unknown address. The objections are summarised as follows:</p>					

	<p><u>Listed building:</u></p> <ul style="list-style-type: none"> <li>• Harm the appearance and integrity of the listed building (Para 2.4-2.7)</li> <li>• Damage and alteration to historic boundary wall (Para 1.5, 2.7, 2.8)</li> <li>• Additional pedestrian gate along Belsize Lane unsympathetic (Para 1.5)</li> <li>• Result in the demolition of the boundary wall along Belsize lane (Para 1.5, 2.7, 2.8)</li> </ul> <p><u>Basement Impact</u></p> <ul style="list-style-type: none"> <li>• The proposal will harm the structural stability of neighbouring buildings and boundary wall (Para 3.4-3.6)</li> <li>• The BIA and borehole assessment was taken during an unrepresentative period of rainfall (Para 3.8)</li> <li>• The existing site is prone to flooding (Para 3.9)</li> <li>• Underpinning beneath listed building (Para 3.6)</li> </ul> <p><u>Transport</u></p> <ul style="list-style-type: none"> <li>• The proposal will cause disruption and noise (Para 5.1–5.2)</li> </ul> <p><u>Consultation and Submission</u></p> <ul style="list-style-type: none"> <li>• Extent of letter consultation inadequate</li> <li>• Plans inaccurate</li> </ul> <p>Officer comment: The statutory requirement to consult local civic and amenity societies, residents' associations and those relevant has been undertaken. The plans, following their revisions, are considered accurate.</p>
<b>CAAC/Local groups comments:</b>	<p><b>The Fitzjohns and Netherhall CAAC</b> object to the loss of garden space, the enlargement of the basement exceeds that of the main building, noise from construction works, considered overdevelopment.</p> <p>Officer comment: see sections 6.1, 2.4, 2.5 and 5.1, 5.2.</p> <p><b>The Belsize Residents Association</b> object to the impact of the excavation works upon the Listed boundary wall, size of the basement more than the footprint of the original building and accuracy of the hydro geological report.</p> <p>Officer comment: see sections 3.6 and 2.4, 2.5.</p>

## Site Description

Hunter's Lodge, No.5 Belsize Lane is located at the apex in the road where it intersects with Wedderburn Road. The building was constructed circa 1812 and has had at least 2 major additions since. The original building faced south and now forms the triple bowed centre of the present building; the windows in this original building have ogee heads and the conical roofs over the bays are covered with graduated slates. The house has a large mid 19th century addition at its eastern end, in Victorian Gothic style, and includes a single storey entrance hall to the front elevation. There is a 2-storey garage extension to the west end (currently being demolished) of the building which was built in 1928.

The house and its extensions are stuccoed, with timber windows and a slated roof. It is Grade II listed and forms part of the Fitzjohns and Netherhall Conservation Area.

## Relevant History

### Planning

**2008/0123/P and 2008/0124/L:** PP and LB Granted (11/03/2008) – for the erection of conservatory to side of dwellinghouse, alterations to steps leading from Belsize Lane into the garden and repairs / alterations to a door within the flank wall.

**2010/05631/P and 2010/5645/L:** PP and LB Granted (21/12/2010) – for the erection of a garage in connection with existing dwelling (Class C3).

**2011/4019/P and 2011/4021/L:** PP and LB Granted (03/04/2012) - for the erection of a lower ground floor level curved, glazed extension attached to a new two-storey plus semi-basement side extension (following demolition of the existing ground and first floor side extension), to existing dwelling house (Class C3). This permission has been implemented

- This decision is addressed in this report. The conclusions reached are material to assessment of the current application, specifically matters relating to transport and trees.

**2012/0882/P and 2012/1015/L:** PP and LB Refused (8/05/2012) – for the retention of building/garage in connection with existing dwelling (Class C3).

**2012/2354/P and 2012/2436/L:** PP and LB Refused (11/07/2012) - Demolition and rebuild of boundary wall and addition of a pedestrian access gate on Belsize Lane in connection with dwelling house (Class C3).

**2012/2722/P and 2012/2837/L:** Amendment to the design and arrangement of the curved glass extension in relation to planning permission (ref: 2011/4019/P) dated 03/04/2012, for the erection of a lower ground floor level curved, glazed extension attached to a new two-storey plus semi-basement side extension. These applications have been recommended for approval subject to a deed of variation of the S106.

The current proposal also includes these works.

#### **Enforcement**

**EN11/0951** current investigation into whether garage has been constructed in accordance with permission 2010/5631/P and 2010/5645/L

#### **Relevant policies**

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

###### Relevant Policies in Camden Core Strategy

**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 spaces & encouraging biodiversity)

**CS18** (Dealing with our waste and encouraging recycling)

**CS19** (Delivering and monitoring the Core Strategy)

###### Relevant Policies in Camden Development Policies

**DP16** (The Transport Implications of Development)

**DP17** (Walking, Cycling and Public Transport)

**DP18** (Parking Standards and Limiting the Availability of Car Parking)

**DP19** (Managing the Impact of Parking)

**DP20** (Movement of goods and materials)

**DP21** (Development connecting to the highway network)

**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:** CPG2 Housing; CPG3 Sustainability; CPG6 Amenity; CPG7 Transport; CPG8 Planning Obligations;

**Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy (2001)**

**London Plan 2011**

**National Planning Policy Framework 2012**

## Assessment

### 1. Proposal:

1.1 The application proposes:

#### 1.2 Basement floor level:

- The construction of a basement floor level beneath the glazed extension and two-storey side extension, pursuant to permission 2011/4019/P and 2011/4021/L and the rear garden. A lightwell would be created at basement floor level to the southern end of the glazed extension and two rooflights would be above.
- The proposed basement floor level would provide approximately 148sqm of additional residential accommodation as a gym, sauna and treatment room, with a head height of 3.6m.

#### 1.3 Curved glass garden extension and two-storey extension:

- The amendment to the design and arrangement of the curved glass garden extension in relation to planning permission and listed building consent (ref: 2011/4019/P and 2011/4021/L) dated 03/04/2012.
- The amendment includes the alteration to the curvature and ground coverage of the glass extension. The proposed extension shall provide approximately 54sqm of additional residential accommodation, compared to 48sqm as previously approved.

#### 1.4 Demolition of Boundary wall fronting Belsize Lane:

- Demolition and rebuild a section of boundary wall, approximately 4m in length, on corner curve of Belsize Lane

1.5 With particular regard to works outlined in paragraph 1.3, the Officer's report from the previous applications (ref: 2011/4019/P and 2011/4021/L) provide an overview of the consideration of issues which have not changed in the intervening period, a site visit has also been undertaken to confirm no significant material changes on or adjacent to the site which have taken place since the approval of the previous permission. The predominant focus of this particular assessment will be on matters which have changed significantly since the previous permission.

1.6 The proposal has, since the initial submission, been revised including:

- Retention of boundary wall fronting Belsize Lane
- Removal of additional pedestrian gate along Belsize Lane
- Submission of accurate drawings relating to previous permissions shown on plan

1.7 The main issues for consideration are:

- Design
- Basement impact
- Neighbour amenity
- Transport
- Trees

### 2. Design

2.1 In terms of form and appearance, the site has evolved considerably over time. Originally comprising a detached cottage, circa 1812, later additions have included a three storey east wing (late 19<sup>th</sup> century) with a single storey conservatory (21<sup>st</sup> century), a two storey west wing (early 20<sup>th</sup> century) and a single storey garage (21<sup>st</sup> century) located in the southern most part of the rear garden.

2.2 Within the last decade, the eastern conservatory, southern garage and two storey west wing (with a new single storey glazed extension) have received and implemented permission to be rebuilt.

2.3 The building's special interest lies largely within the cottage building, whereby the later non original elements of the site to the east, south and west are of much lesser interest.

Basement floor level:

2.4 The proposed basement floor level would be directly beneath the later non original elements to the west, specifically the single glazed extension and two-storey side extension, as well as approximately 25% of the rear garden. The basement floor level would not extent beneath the footprint of the original building and the impact on the original building fabric would therefore be small.

2.5 It is proposed to insert a lightwell adjacent to the glazed extension (southern end along the inside boundary wall of Belsize Lane), providing an external area of 4sqm, located at basement floor level. A total of two rooflights would be inserted adjacent to the glazed extension, above the basement, one a circular light (diameter of 1.8m) and one square light (3.5 x 0.8). Given the basement would be accessed via a stairway from within the two-storey west wing extension, all external manifestations such as the lightwell and rooflights would be appropriately located away from the original building whereby its character would be maintained.

#### Curved glass garden extension and two-storey extension:

2.6 The approved glazed extension was a contextual response which ran parallel to the curved boundary wall. This resulted in the structure having a subservient appearance that related well to the plot and associated developments on site. Although the proposal would result in an increased footprint (approximately +6sqm), the use of glass and curved façade is maintained, thereby underlining its subordinate and lightweight nature of the extension. Unashamedly modern in design, it is considered the extension neither competes nor detracts from the integrity of the listed building and therefore, is considered acceptable in design terms.

#### Demolition of Boundary wall fronting Belsize Lane:

2.7 A 4m length of non original (early 21<sup>st</sup> century) brick built boundary wall shall be removed and rebuilt to match the remainder of the original wall. Given its lesser architectural merit and form, diagonal rather than curved which matches the remainder of the original wall, this proposal would not detract from the integrity of the listed building and therefore, is considered acceptable in design terms.

2.8 Within this context, the proposal is considered to preserve the special interest of the listed building and would not harm the character or appearance of the conservation area, in compliance with policies CS14, DP24, DP25 and DP27 of the LDF and Camden Planning Guidance.

### **3. Basement impact**

3.1 The house currently comprises four bedrooms over three storeys. The proposed basement would provide additional residential accommodation for use as a media/family room, wetroom, gym, sauna, spa pool and treatment room, with associated plant rooms.

3.2 The proposed basement floor level would be directly beneath the later non original elements to the west, specifically the single glazed extension and two-storey side extension and spread southwards beneath the garden. The proposed basement would have an area of approximately 148sqm, set 4m below ground/garden level when measured externally. Approximately 59sqm of the basement would be beneath the rear garden, although this would be 25% of garden space, a sustainable urban drainage system to mitigate any harm to the water environment shall be introduced.

3.3 A full Basement Impact Assessment (BIA), following guidelines stipulated in CPG4, has been submitted by Tweedie Evans Consulting (TEC), with the authors having the required qualifications as required by CPG4. Each of the main considerations are outlined in turn below.

#### Land stability

3.4 The site is on land with a gradient of less than 1:8 and the proposal would not re-profile the landscaping of the site. There are no tunnels or railway cuttings nearby, nor is the site within 100m of a watercourse or within 50m of the Hampstead pond chain.

3.5 As a result of the borehole constructions, the London Clay Formation was not found to be dissected and no evidence of relict slip surfaces or cryoturbation (weathering processes) of the natural ground was found.

3.6 The method of propped pile or cantilever piled solution would minimise potential damage to the main house, in particular, the BIA concludes that the proposal would not affect the stability of this building and the surrounding boundary walls. Within the wider context, the BIA concludes that the proposal would not influence any neighbouring properties, particularly given the limited (slight cracking) horizontal and vertical ground movements anticipated.

#### Groundwater (subterranean) flow

3.7 The proposal would not increase the amount of hard surfacing on the site, and the BIA suggests that the proposal would have a negligible impact on surface water infiltrating the soil around the property. The site is not identified as being within 100m of a water course well or spring line, nor is the site within the catchment of the Hampstead Heath pond chain.

3.8 A total of 4 boreholes were constructed at a depth of 10m on two occasions, namely 19/08/11 and 12/04/2012. The site is underlain by a low permeability London Clay Formation and the highest susceptibility to groundwater flooding is considered very low. A hydro geological assessment has been carried out by Tweedie Evans Consulting (TEC) and considers that the basement would not encounter any more than slight groundwater seepages which would be suitably mitigated with adequate attenuation measures.

#### Surface water

3.9 The Flood Risk Assessment has examined three potential risks: ground and surface water flooding in addition to infrastructure failure, particularly given that surface water flooding has been recorded in Belsize Lane in 1975 and 2002. Whilst the existing surface water flow via the Thames Water public sewer shall be maintained, the total surface water from the site shall be stored by way of a combined rainwater harvesting and integrated garden irrigation system with adequate attenuation measure to control any increase run-off such as a 100 year rainfall event. It is considered unlikely that the proposal would increase the risk of surface water flooding to the site and local area, particularly given that there would be no increase in the amount of hard surfaces across the site, other than that pursuant to permission 2011/4019/P and 2011/4021/L.

3.10 The Basement Impact Assessment concludes that the proposed basement would have a negligible affect on groundwater, surface water and flooding. The BIA has been prepared by relevantly qualified professionals, and does not indicate that the proposal will harm the local environment. It is considered that the proposal complies with the requirements of policies DP23, DP27 and Camden Planning Guidance. However, owing to the relatively large size of the excavation and the context of the site and surroundings, a condition is recommended to be added to ensure a suitably qualified engineer inspects, approves and monitors the temporary and permanent basement construction works. This provides a necessary and suitable safeguard to ensure the proposal neither causes harm to the built and natural environment and local amenity, nor result in flooding nor ground instability.

### **4. Neighbouring amenity**

4.1 The gym/relaxation room would be lit by a single rooflight above, whilst the treatment room would be lit by the lightwell. Light and ventilation to the proposed basement would therefore be limited, and due to the listed status of the building it would not be acceptable to install additional open lightwells closer to the original building. As the proposed basement would provide ancillary accommodation to the house, rather than self-contained accommodation, the proposed level of amenity is considered to be acceptable. The Council has limited control over the internal layout and use of rooms within a property.

4.2 It is considered the basement and enlarged glazed extension, by virtue of their location within the rear garden and proximity to surrounding buildings would not impinge on any amenity issues, particularly light pollution, for neighbouring residents. As such the proposal is considered to comply with policies CS5 and DP26 of the LDF and Camden Planning Guidance.

### **5. Transport**

5.1 The comments of the Council on this issue in the 2011 (ref: 2011/4019/P and 2011/4021/L) were:

*"In relation to the transport implications which are associated to the site, the property benefits from planning permission 2010/5631/P for a garage to replace a former garage in the south west corner of the site. The existing garage which forms part of the eastern extension is proposed to be replaced by habitable rooms. The new garage makes use of an existing crossover and has been built in this location. As the proposal includes the demolition and rebuild of the existing side extension and replacing the existing garage into habitable accommodation, the existing crossover will be redundant to the front of the property. The applicant is required to cover the cost of reinstating the footway to the north of the house once the garage has been removed. The contribution in respect to such works includes a sum of £2,239. This should be secured by means of a Section 106 Agreement.*

*The proposed development involves considerable demolition and construction work. The site is located at the junction of Belsize Lane which experiences traffic congestion at peak times and may present difficulties of approach for larger construction vehicles. The works proposed require considerable demolition in relation to the works proposed and included within this application. DP20 in particular seeks to minimise such effects on local amenity while DP21 seeks to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. The factors relating to this application means that a Construction Management Plan (CMP) would need to be secured by S.106 legal agreement in order to minimise the impact on the transport network and local amenity. Amongst other details the CMP will need to provide details of the size of vehicles, their expected numbers and regularity etc, for agreement by the Council. The applicant is therefore required to provide a Construction Management Plan, which should also be secured via the S106 Agreement."*

5.2 Due to the extent of works proposed and the potential effect of construction in terms of noise, dust vibration etc on nearby residential properties from the basement and associated demolition works forming part of the extent/under construction permissions, the proposed scheme would require the submission of a CMP, secured by a deed of variation to the S.106 legal agreement, pursuant to application 2011/4019/P and 2011/4021/L, thereby complying with policies DP20 and DP26.

## **6. Trees**

6.1 The proposed basement floor level extension would not result in the loss of external amenity space.

6.2 All trees on site shall be protected from construction and demolition, as per previous permissions, in accordance with the submitted arboricultural report. A tree constraints plan indicates that the proposed basement would not extend into the root protection area (RPA) of the adjacent trees. Such a matter shall be secured by way of a suitable condition.

## **7. Community Infrastructure Levy (CIL)**

7.1 The proposal will be liable for the Mayor of London's CIL. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be around £11,000 (220sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## **Recommendation:**

- 1) Grant Planning Permission subject to a deed of variation of the S106
- 2) Grant Listed Building Consent

## **DISCLAIMER**

Decision route to be decided by nominated members on Monday 26<sup>th</sup> November 2012.  
For further information please click [here](#).