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|--|----------------------------|--|-------------------------------------|--------------------------------------|-----------|-------------------|-----------|
| <b>Delegated Report<br/>(Members Briefing)</b>   |                            | <b>Analysis sheet</b>  |                                     | <b>Expiry Date:</b>                  |           | <b>26/09/2012</b> |           |
|  |                            | N/A  |                                     | <b>Consultation<br/>Expiry Date:</b> |           | <b>29/08/2012</b> |           |
| <b>Officer</b>   |                            |  |                                     | <b>Application Number(s)</b>         |           |                   |           |
| Miheer Mehta   |                            |  |                                     | 2012/2313/P                          |           |                   |           |
| <b>Application Address</b>   |                            |  |                                     | <b>Drawing Numbers</b>               |           |                   |           |
| 58 A King Henrys Road<br>London<br>NW3 3RP   |                            |  |                                     | 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>   |                            |  |                                     |                                      |           |                   |           |
| Minor material amendments to planning permission granted 19/05/10 (Ref: 2010/1438/P) for excavation of basement and erection of a two storey rear extension at basement and ground floor level to dwelling house (Class C3), namely enlargement of basement under front garden and installation of skylight to the front driveway (Retrospective). |                            |  |                                     |                                      |           |                   |           |
| <b>Recommendation(s):</b>  |                            | <b>Grant Planning Permission</b>   |                                     |                                      |           |                   |           |
| <b>Application Type:</b>   |                            | <b>Variation or Removal of Condition(s)</b>  |                                     |                                      |           |                   |           |
| <b>Conditions or Reasons for Refusal:</b>  |                            | <b>Refer to Draft Decision Notice</b>  |                                     |                                      |           |                   |           |
| <b>Informatives:</b>   |                            |  |                                     |                                      |           |                   |           |
| <b>Consultations</b>   |                            |  |                                     |                                      |           |                   |           |
| <b>Adjoining Occupiers:</b>  |                            | No. notified   | <b>03</b>                           | No. of responses                     | <b>01</b> | No. of objections | <b>01</b> |
|  |                            |  |                                     | No. Electronic                       | <b>00</b> |                   |           |
| <b>Summary of consultation responses:</b>  |                            | <p>One response was received from 58 King Henry's Road.</p> <p>The main concerns relate to the work has already been completed, the boundary wall being built on neighbouring land, damage to the shared front garden wall, not seeing the manhole that should drain the sewage at the application property and removing a panel of glass to the front elevation and replacing it with a wall.</p> |                                     |                                      |           |                   |           |
| <b>CAAC/Local groups* comments:</b><br>*Please Specify   |                            | No responses received.   |                                     |                                      |           |                   |           |

## Site Description

The site forms part of a terrace of 11 three storey houses on the north side of King Henry's Road which back on to London Overground and Network Rail railway lines. The terrace was built in the late 1960's in a modern style as part of the Chalcot Estate development. It is constructed in London stock brick with white timber cladding, first floor balconies, aluminium framed windows and integral garages. The site does not lie within a conservation area.

## Relevant History

58 King Henry's Road (2010/1438/P) Granted 18/05/2010 Excavation of basement and erection of a two storey rear extension at basement and ground floor level to dwelling house (Class C3).

58 King Henry's Road (2007/4507/P) Lawful Development Certificate (proposed) Granted 01/11/2007 Erection of two-storey rear extension at basement and ground floor level in connection with existing single-family dwellinghouse (Class C3).

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

DP24 Securing High Quality Design

DP26 Managing the impact of development on occupiers and neighbours

DP27 Basements and Lightwells

CPG 4 Basements

## **Assessment**

### **The Proposal**

The application has been submitted for minor material amendments to planning permission dated 18/05/2012 (2010/1438/P) for the excavation of basement and erection of a two storey rear extension at basement and ground floor level to dwelling house (Class C3).

The main alterations to the original permission relate to the extension of the basement forward of the front building line of the property and the installation of the rooflight at ground level to the front.

### **Assessment**

The main issues raised by the application relates to the installation of a rooflight to the front of the building at ground level and the extension of the footprint of the basement under the application property, extending this forward of the main building line by 2m. The works had begun prior to the submission of this application.

### **Design**

The application proposes to install a rooflight to the front forecourt, which would be set within the ground adjacent to the front building line of the property. The rooflight would not project higher than ground level and the rooflight would not be visible. The increase to the size of the basement would have no other impact upon the external appearance of the property. Therefore, the proposed changes would not represent an incongruous addition to the property.

The proposed minor alterations to the previously approved scheme would not harm the appearance of the host building or the street scene and are therefore in accordance with Policies DP24 and DP25 of the LDF.

The previous permission pre-dated the current policy on basements. Therefore, the extension of the basement would now need to comply with DP27 and CPG 4 on basements. Additional information in the form of a short statement and a Basement Impact Assessment conducted at the neighbouring property 58E King Henrys Road have been provided. Considering the works have been completed and are an extension of the existing basement which would have had to be regulated by building control, it is considered that on this occasion this information would be acceptable.

### **Amenity**

Policy DP26 the LDF and the guidance in CPG6 (Amenity) seek to ensure that the amenity of occupiers of neighbouring properties is protected in terms of loss of daylight/sunlight, outlook, and privacy or increase sense of enclosure.

There are no windows or openings on the flank elevation of the adjoining property which faces onto the application site that could be adversely affected by the proposal, nor is it likely to have an adverse impact on the residential amenity.

### **Other Matters**

Concerns have been raised which relate to the work has already been completed, the boundary wall being built on neighbouring land, damage to the shared front garden wall, not seeing the manhole that should drain the sewage at the application property and removing a panel of glass to the front elevation and replacing it with a wall.

The boundary wall and damage to the front wall are civil matters and are not material planning matters. The issue in regards to the manhole is a building control or thames water matter. Although this application is retrospective, the issues relating to the proposal are considered in this report and are not considered to warrant refusal of planning permission. In terms of the alterations to the front elevation of the property, the agent has stated that an application is due to be submitted to the Council. The applicant considers that the alteration would fall within permitted development and therefore the applicant proposed to submit an application for a lawful development certificate.

### **Recommendation**

Grant planning permission.

## **DISCLAIMER**

Decision route to be decided by nominated members on Monday 15<sup>th</sup> October 2012. For further information please click [here](#).