

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	26/07/2012
		N/A / attached		Consultation Expiry Date:	12/07/2012
Officer			Application Number(s)		
Neil Zaayman			2012/2812/P		
Application Address			Drawing Numbers		
Flat 1 50 Canfield Gardens London NW6 3EB			Refer to decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Excavation of basement with rear lightwells and erection of single-storey rear ground floor level extension (following demolition of existing ground floor rear extension) all in connection with existing residential flat (Class C3).					
Recommendation(s):		Grant permission subject to conditions			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	21	No. of responses	24	No. of objections	23
			No. Electronic	00		
Summary of consultation responses:	<p>Site notice displayed from 14/16/2012 until 05/07/2012. Advertised in the Ham and High Newspaper 21/06/2012 until 12/07/2012.</p> <p>21 letters of representation received, raising objections in respect of the following:</p> <ul style="list-style-type: none"> - The area suffers from unstable ground conditions and basement excavations will cause structural damage and result in flooding issues; - Canfield Gardens is on the list of Camden's most vulnerable roads for flooding; - The application site and adjoining buildings have a history of being unstable; - There are issues with subsidence in the area; - There are protected trees in the front garden; - The development will cause serious damage to neighbouring properties; - There is a storm relief sewer running underneath Nos. 48 and 50 Canfield Gardens; - The BIA omits key factors; - Due to the basement construction and underpinning at No. 50, No. 48 will eventually suffer from structural damage; - Development out of keeping with character of the Conservation Area; - The combined impact of many basement extensions in this area will be harmful to other properties; - The development would not preserve the historic character and will cause harm to long term residence; - The precedent set by previous developments should not influence current decision making; - The BIA soil tests were undertaken during exceptionally dry times; - Damages to the underlying water table; - Noise and disturbance as a result of construction works; - Disruption to streets, traffic and pedestrians; - Parking issues; - The proposal would cause damage to the fabric and appearance of the building 					
CAAC/Local groups* comments: *Please Specify	<p><u>Combined Residents Association of South Hampstead (CRASH):</u></p> <ul style="list-style-type: none"> - There are protected trees in the front garden which should not be harmed; - Risk of flooding; 					

Site Description

The application site relates to the ground floor flat at No. 50 Canfield Gardens. No. 50 Canfield Gardens is a 3-storey semi-detached property on the north side of Canfield Gardens, close to the junction with Fairhazel Gardens. The property comprises 3 flats; it is currently unoccupied and undergoing major works of refurbishment. To the front the property has a driveway to accommodate two vehicles and to the rear there is a large flat roofed single storey extension.

The building is located in the Swiss Cottage Conservation Area.

Relevant History

Application site:

8905866 - Change of use and works of conversion to the second floor and to roof space to form one self-contained flat and one maisonette – **Granted on 14/03/1990.**

PW9802164R1 - Enlargement of an existing single storey flat roof rear extension – **Granted on 29/05/1998.**

PW9802462R1 - Enclosure of existing roof and the formation of a new roof terrace – **Granted on 26/10/1998.**

Neighbouring properties:

44 Canfield Gardens: 2010/3616/P - Conversion of an existing residential premises (Class C3) from 1 x 2-bedroom and 2 x 3-bedroom flats to 1 x 1-bedroom and 1 x 6-bedroom flats; associated works include basement excavation, erection of new single storey rear ground floor extension following the demolition of an existing single storey addition, a glass balustrade and privacy screen associated with the use of the roof of the extension as a terrace, two rear dormers, 4 velux roof lights to the front, 1 to the side and 3 on the main flat roof, alterations to fenestration, including the infill of 2 window openings to the side, a new entrance door to replace existing to the side and front boundary treatment – **Granted on 23/11/2010.**

84 Canfield Gardens: 2007/4701/P and 2010/5552/P - Excavation of basement level with two lightwells on the front elevation and erection of rear extension at basement and ground floor level in connection with existing ground floor level flats – **Granted on 13/11/2007 and again on 30/12/2010.**

71 Canfield Gardens: 2008/4166/P - Conversion of three flats into single dwelling over five floors and a basement flat, including the extension of the existing basement with grille covered lightwell to front, new single storey rear extension with roof terrace on top and alterations to the roof including a rear dormer extension, rear roof terrace and the insertion of rooflights – **Granted on 11/11/2008.**

80 Canfield Gardens: 2007/4702/P & 2008/1740/P - Extension to the existing 2x residential flats at ground and first floor levels by excavating a basement level with two front light wells and erection of a rear extension at basement level with terrace above – **Granted on 15/11/2007 and 06/06/2008.**

90 Canfield Gardens: 2006/3868/P - Excavation to create enlarged basement including addition of glazing at rear basement level, erection of a single-storey rear conservatory and single-storey extension to accommodate a garage both at ground floor level, installation of a glass canopy over the front door, erection of a balcony at rear ground floor and alterations to fenestration of the existing dwellinghouse – **Granted on 31/10/2006.**

95 Canfield Gardens: 2006/0380/P - Extensions and alterations to single dwelling house including reinstatement of front bay window, erection of a basement and ground floor rear extension and minor alterations to fenestration – **Granted on 28/03/2006.**

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)

DP22 (Promoting sustainable design and construction)

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

CPG 1 (Design)

CPG4 (Basements and lightwells)

CPG 6 (Amenity)

South Hampstead Conservation Area Appraisal

Assessment

The Proposal:

The proposal is for basement excavations to increase the size of the existing basement. The proposed basement would be 3m in depth with an internal ceiling height of 2.6m. The basement would not extend the full length of the footprint of the main dwelling as it would be set back by 5.5m from the main front elevation. The basement would however extend slightly beyond the footprint of the proposed rear extension by approximately 2.3m, giving it a total length of 14.9m (excluding the lightwell). The basement would be utilised for 3 x bedrooms of which 2 will have en-suite facilities, a shower room, storage area, dressing room, plant room and media room.

The proposed single storey rear extension at ground level would measure 6m in depth with a width of 6.465m. The single storey rear extension would have a height of 3.672m above ground level, measured to the top of a flat roof. At ground floor level would be 2 x bedrooms, each with en-suite facilities, a dressing room, study, kitchen / dining / family living area and a “snug” room.

There would be 2 x lightwells to the rear, one to the rear of the “snug” room measuring 4m x 4m and providing light to the “snug” room and one of the bedrooms at basement level. The second lightwell would be 0.8m x 2.1m and would serve bedroom 3 at basement level.

Other alterations involve a raised patio comprising of timber decking to the rear of the proposed single storey extension. There would be steps to provide access to the garden.

Planning Issues:

The planning issues associated with the proposal relate to the design/visual impact of the proposals on the main building and South Hampstead Conservation Area, impact on residential amenity and the impact of the basement extension. These issues are addressed below in the context of planning policy and other material considerations.

Design:

Policy DP25 of the LDF requires that all alterations and extensions with designated conservation areas preserve and enhance the character and appearance of the area.

The proposed basement would extend underneath the footprint of the main dwelling to a depth of 3m with an internal ceiling height of 2.6m. Policy DP27 states that the most appropriate type of basement development would ‘not extend beyond the footprint of the original building’ and be ‘no deeper than one full storey below ground’. This is supplemented by the CPG5 (Basements and Lightwells). The basement extension would comply with this guidance in respect of not extending deeper than one storey below ground. Whilst the basement would not extend the full depth of the existing footprint of the main building, it would extend beyond the original rear wall. The majority of the basement would be contained beneath the proposed rear extension. It was noted during the site inspection that the application site has a substantial rear garden and it is not considered that the development would have a harmful impact by increasing the development proportion on the site. The full impact of the basement extension will be considered below under “Basement Impact Assessment”.

Whilst it is acknowledged that in some instances alterations and additions can have an adverse impact upon the character and appearance of buildings, in this instance the basement extension itself would not be visible. The external changes which will potentially affect the character and appearance of the main dwelling relate to the lightwells and the single storey ground floor extension.

The extensions and alterations have been the subject of pre-application discussions and the advice given by the Council’s design advisors have been taken onboard. The rear extension has reduced in size and would

now measure 6m in depth with a width of 6.465m. This extension would be more contemporary with a flat roofed design however, the finish would be in matching brickwork which is considered appropriate in the conservation area. It was noted during the site inspection that substantial rear extensions of various sizes and design along Canfield Gardens are not uncommon, the most recent being in 2010 (44 Canfield Gardens). The proposal does not extend the full width of the main building and the bay window feature has specifically been left as a feature.

The extension will have a similar height compared to the existing extension. It is therefore not considered that this part of the proposal would appear visually dominant or intrusive in the rear garden. The extension is considered to preserve the character of the host building and the conservation area.

The raised patio and lightwells towards the rear would reduce the amount of soft landscaping. The larger lightwell would provide light to the lower level “snug” room and one of the bedrooms and has been designed to continue the bay window feature to lower ground level. The second lightwell is smaller measuring 0.8m x 2.1m. Notwithstanding this, the rear garden is substantial and whilst the amount of soft landscaping would be reduced, there would not be a significant reduction in the overall size of the garden area. The proposal would retain a large amount of grassed and landscaped area which is considered appropriate in the conservation area.

Residential amenity:

The basement extension is below ground level. The concerns raised in this respect and potential issues are discussed below under “Basement Impact Assessment”.

Overshadowing:

The ground floor rear extension would have a flat roof and would be the same height as the existing extension at the application site. The existing rear extension measures 1.6m before extending to a maximum depth of 4m on the western boundary. The proposal would therefore be 2m deeper compared to the existing extension as seen from the neighbour at No. 52 Canfield Gardens. The proposal would further be set away from the common boundary with No. 52 Canfield Gardens by approximately 1m. It was also noted upon site inspection that No. 52 has a rear extension of a similar depth, albeit higher, compared to the existing extension at the application site.

In light of the existing current circumstances, it is not considered that the proposal would have a significantly harmful impact on the amenities of No. 52 in terms of overshadowing or appearing visually intrusive. The proposal is acceptable in this respect.

Privacy / Overlooking:

Being single storey in height with no windows in the side elevation, no potential for overlooking would occur.

The proposal is a sufficient distance from the neighbour at No. 48 and would have no impact on the amenities of this neighbour.

The flat at 1st floor level is in different ownership and the extension can therefore not be used as a roof terrace. A separate planning application would be required, should the owners of the 1st floor flat ever wish to use the roof of the ground floor flat as a roof terrace. Notwithstanding, a planning condition can be imposed to prevent the terrace from being used as a terrace.

Noise during construction:

Construction noise would be temporarily only and should only take place during the hours enforced by Environmental Health which is between 8am and 6pm Mondays to Fridays, between 8am and 1pm on Saturdays and not at all on Sundays, Bank and Public holidays. An informative has been added to the decision notice to remind the applicant of these restrictions.

Basement Impact Assessment:

A large proportion of the development would be at basement level. A Basement Impact Assessment (BIA) has

been provided in accordance with the provisions of Policy DP27 and Camden Planning Guidance (CPG4 – Basements and lightwells). According to the guidance of CPG4, the BIA should include a screening stage. If during the screening stage the answer to some of the questions are “yes” or “unknown” the applicant should progress to the scoping stage to address the issues identified at screening stage. A Basement Impact Assessment (BIA) should follow to address the issues raised at scoping stage.

The Screening Stage (stage 1) of the BIA concluded that there are areas of concern which requires further investigation. Stage 2 (scoping) require these areas of concern to be identified. The Stage 2 Scoping identified the following matters which needs further investigation:

- The proportion of hard surfaced / paved areas will be increased (an increase of 3%);
- The site is immediately underlain by London Clay;
- The basement would increase the depth of the foundations at those areas where there is not an existing basement;

Following the above issues which were identified during the scoping stage, a Stage 3 site investigation was undertaken. The site investigation informed the Impact Assessment which forms part of Stage 4 of the overall BIA.

The BIA concludes that hydro geological considerations and ground water flow across the site are not considered necessary as the site is primarily impermeable London Clay. The ground water encountered is therefore a perched water table in made ground above the London Clay only.

The increase in hard surfacing on the site would be from 50% to 53% (3% increase). At present, surface water is drained to surface water sewers and into the ground from paving. The proposal would drain all hard surfacing from the new development into surface water drainage, reducing ground water and increasing the surface water drainage on the site. This would have a positive effect in hydro geological terms.

There is currently an existing basement under part of the main building and therefore at a lower level than the main foundations with no signs of differential movement. The report states that this is confirmation that the founding soil conditions at the depths of the existing main house and the existing basement are satisfactory. The report also confirms that the potential for heave is limited to stress relief as opposed to moisture content changes. Heave due to stress relief would be managed during construction.

Various recommendations are made to ensure the development causes minimal disruption during and after construction. The report concludes, stating that the contractor should have all relevant information on the site to ensure that the potential for ground movement during construction is minimised.

Officers are satisfied with the findings of the BIA and the subsequent recommendations and mitigation measures proposed in the report by Land Science. It is not anticipated that any significant damage would result provided that the recommended construction methods are followed and subject to a qualified structural and civil engineer being present during construction and overseeing the basement construction works. This can be secured by means of a planning condition.

Concerns were raised in objections with regards to a storm relief sewer which runs under No. 48 and 50 Canfield Gardens. The Engineers confirmed that Land Science were involved in the works involved on the storm relief sewer and are therefore familiar with its exact location. It was confirmed that the storm relief sewer runs 23m below the ground and would therefore remain unaffected by the proposed development.

Trees:

The increase in footprint of the building is not considered to be excessive and the overall increase in hard standing is considered to be acceptable. The proposed basement retains approximately 19m of the garden and is also acceptable. The proposal allows for the retention of a sufficient amount of soft landscaping to absorb storm water.

There are three trees in the Arboricultural report submitted with the application listed to be removed to facilitate the development; an Apple designated T1 a Lilac T2 and an Elder T7. None of these are considered to be of sufficient quality to warrant modification of the proposal. The report recommends the heavy reduction of a fourth tree which is not worthy of being brought under the protection of a TPO and the recommendation is acceptable. The tree protection method statement is in line with BS5837:2012 Trees in relation to design demolition and construction, however no tree protection plan has been submitted. It is recommended that this

is submitted prior to any approval of the scheme and would be required by condition.

Concerns have been raised by neighbouring occupiers about the impact of the development on trees in the front garden.

A condition should also be added to any approval requiring the submission of details to ensure that the tree protection has been erected on site prior to the commencement of works. A landscaping plan should also be conditioned to ensure that soft landscaping is retained in the rear garden and to ensure the replacement of any trees removed in order to facilitate the development.

Parking / Highway considerations:

The number of residential units would remain unchanged and car free development in this case would not be appropriate.

Although the proposal involves a significant extension to the basement floor level which will require a large amount of earth excavation. As the existing building is being retained, the existing house will have to be underpinned. As these excavations will have to be largely done by hand; the daily limit of material excavated will not be large. Construction work with such a development also tends to be slow, due to the time required for concrete to harden, which is poured in sections to maintain the structural integrity of the building. Therefore construction is likely to take a longer period of time, and hence the number of construction vehicles going to and from the site on a weekly basis will not be large. Given this 'spreading of the load' on the transport network, a construction management plan will not be necessary.

The property which, given the extent of works proposed, will remain vacant throughout the duration of the works and has a large forecourt area and large rear garden where construction materials can temporarily be stored. The contractor could apply for licence for a skip if required.

Community Infrastructure Levy:

The proposed rear extension would create 15.6sq.m additional gross internal floorspace and the basement extension an additional 113.22sq.m, resulting in a total increase in floorspace of 128.82sq.m. As such, the proposal would be liable to contribute towards the Mayor's CIL. At £50/sq.m the amount is likely to be £6441.

Recommendation:

Grant planning permission, subject to conditions.

DISCLAIMER

Decision route to be decided by nominated members on Monday 23rd July 2012. For further information please click [here](#).