

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	10/07/2012
		N/A / attached		<b>Consultation Expiry Date:</b>	14/06/2012
<b>Officer</b>			<b>Application Numbers</b>		
Aysegul Olcar-Chamberlin			1) 2012/2295/P & 2) 2012/2439/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
40 Chester Terrace London NW1 4ND			See draft decision notices		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposals</b>					
1) Enlargement of basement to side and rear of building to provide cinema, gym, pool and plant room with skylight at ground floor level and associated works of landscaping, excavation to increase depth of front basement vaults to accommodate condensing unit and mechanical plant, installation of new louvers and door to vaults, installation of new windows at first floor level on north side elevation and new balcony on ground floor at rear court yard all in connection with existing residential dwelling (Class C3).  2) Enlargement of basement to side and rear of building to provide cinema, gym, pool and plant room with skylight at ground floor level and associated works of landscaping, excavation to increase depth of front basement vaults to accommodate condensing unit and mechanical plant, installation of new louvers and door to vaults, installation of new windows at first floor level on north side elevation, new balcony on ground floor at rear court yard and internal alterations all in connection with existing residential dwelling (Class C3).					
<b>Recommendations:</b>		1) Grant Planning Permission 2) Grant Listed Building Consent			
<b>Application Type:</b>		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>03</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. electronic	<b>00</b>		
Summary of consultation responses:	<p>A site notice was displayed from 21/05/2012 to 11/06/2012. A press notice was advertised on 24/05/2012 and expired on 11/06/2012.</p> <p>No reply from the adjoining occupiers received.</p>					
CAAC/Local groups comments:	<p>No reply received.</p> <p><b>English Heritage</b> raised no objection to the proposed development and recommended that the applications determine in accordance with the Council's considerations.</p>					
<b>Site Description</b>						
<p>The application site is a four storey plus basement level end-of-terrace property, by John Nash, dated c1825 with a good size garden space on the side on the west side of Chester Terrace in the Regent's Park Conservation Area. The application property is part of a symmetrical composition of stucco Grand Palace style terrace comprising 37 houses and 5 semi-detached houses.</p> <p>Although the front survives in its early 19<sup>th</sup> century Regency form, the whole terrace was rebuilt behind the façade in the 1960s following WWII bomb damage, under the direction of the eminent architect Louis de Soissons. The basic context of the Terrace as a 'set-piece' composition facing The Park remains unchanged.</p> <p>The existing garden wall and attached railings are listed in their own right.</p>						
<b>Relevant History</b>						
<p><u>Application Property:</u></p> <p><b>9070445</b> – Listed building consent was granted on 10/09/1990 for the alterations to existing sash window to provide French doors to garden.</p> <p><b>HB1059</b> – Consent was granted on 23/05/1975 for the formation of a new sash window on the flank elevation, at ground floor level and the installation of a dummy window to match and the removal of the entrance hall screen and archway and its replacement by a lintel at picture rail level.</p> <p><u>Neighbouring properties:</u></p> <p><b>42 Chester Terrace</b> – Listed building consent was granted on 25/09/2009 for the removal and replacement of existing window at basement level with single glazed French window of matching width (ref: 2009/2957/L).</p> <p>Both planning permission and listed building consent was granted on 26/05/1995 for the erection of infill extension in the basement well area and associated external alterations (refs: 9401891 and 9470374).</p>						

Listed building consent was granted on 29/11/1988 for the alterations of internal partition walls on the basement, ground, first, second and third floors (ref: 8870369).

**9 Chester Terrace** – Planning permission and listed building consent were granted on 09/12/2002 for the removal of water softener unit at basement level, the installation of new air cooling condenser unit at the front basement elevation below entrance and installation of new ventilation grill at rear above the existing garage entrance door (refs: PEX0200835 and LEX0200836).

**1 Cumberland Place** – Planning permission and listed building consent was granted on 11/03/1991 for the alterations and repairs to house including extension at basement level to provide a swimming pool (refs: 9003513 and 9070494).

## **Relevant policies**

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

#### **Core Strategy**

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

CS15 - Open space and biodiversity

#### **Development Policies**

DP22- 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 – Basement and lightwells

DP28 – Noise and vibration

#### **Camden Planning Guidance 2011**

CPG 1 – Design

CPG 4 – Basement and Lightwells

CPG6 - Amenity

#### **Regent's Park Conservation Area Appraisal 2011**

## Assessment

Proposal: The following alterations and extensions are proposed:

- Enlargement of the basement level with skylight by approximately 128sqm under the garden to accommodate a wine store, cinema, gym, pool, shower and changing room and plant room. The swimming pool would be 2.3m by 5.3m and 1.2m deep (below the basement level).
- works to the front vaults including some excavation work to increase the headroom to house air handling plant and installation of new doors, louvers and steps;
- installation of new windows at first floor level on the north elevation of the 20<sup>th</sup> century mews house addition;
- a new balcony at the ground floor onto the rear courtyard which would replace the existing one; and
- changes to the layout of the bedrooms and bathrooms.

## Design and Impact on Listed Building

No. 40 Chester Terrace stands at the end of the terrace and is fairly unique in this part of the Nash development as it has its own substantial garden sited against the side wall. The garden gives considerable visual amenity to the surrounding houses which in the main have modest back yards. The garden is considered highly significant as part of the setting of both No. 40 and the neighboring listed Grade I Nash houses. The listed walls and railings around the garden are also highly significant in terms of their contribution to the character and appearance of John Nash's development.

### Excavation and extension below the garden:

The proposed basement extension would project 5m from the existing basement level into the garden and would continue under the 20<sup>th</sup> century mews house addition. The garden above the basement would be reinstated close to the existing landscaping arrangements and there would be skylights above the existing lightwell below the external steps from the house to the garden. No part of the proposed basement level would be under the historic house and the link at basement level from the listed part of the house to the proposed extension is limited to a single doorway. The proposed basement extension will effectively be a stand alone underground structure and in relation to the existing listed structure. The impact of the proposed floor plan is considered to be minimal in terms of the spatial hierarchy. Given the garden would be re-instated the proposed basement level would also not harm the setting of the listed building.

### Works to the vaults to accommodate plant:

The existing height of the vaults is particularly low and there is inadequate height to stand. As such it is difficult to use the spaces satisfactorily. The brickwork of the vaults has already been compromised having been tanked and plastered. It is considered that the proposed ancillary service use is in keeping with the original purpose and therefore the further excavation under the vaults to increase headroom objections to the excavation with additional masonry support or to install air handling equipment. The proposed doors and louvers in the front lightwell would not be visible from the streetscenes and acceptable in design terms.

### The installation of a window to the northern elevation of the extension:

This part of the proposal involves the incorporation of a window in the blank flank wall of the 20<sup>th</sup> century rear addition. The flank wall is rendered and detailed to match the historic host building adjacent, while to the rear, facing Chester Terrace Mews, the elevations date stylistically from the mid 20<sup>th</sup> century.

The proposed site of the window is directly above an existing glazed opening which opens on to the garden. Providing the joinery details are to match the existing joinery details of the Listed Building the proposal would not compromise the architectural composition of the listed building. This could be ensured by way of a condition.

### New/Replacement balcony:

The new balcony would be marginally wider than the existing balcony and would have matching

materials to the existing. The proposed balcony would have only a very modest visual impact and is not considered harmful to the architectural significance of the Listed Building.

#### Internal changes to the second and third floor bedrooms and bathrooms.

The Louis de Soissons 20th century reconstruction of much of much of John Nash's terraces in Regent's Park is well documented. The dilapidated and bomb damaged interiors were radically swept away and replaced with an altered floor plan to accommodate offices and later lifts to each building. None of the current floor plan or fabric is considered original. Most of the proposed alterations to the internal layout would be on the basement level and the layouts of the upper floor levels would be minimally altered. The proposed internal alterations would not adversely affect the proportions of the rooms or harm the historic fabric therefore the proposed alterations are not considered to adversely affect the significance of the historic building.

Further details of the proposed replacement internal doors, including typical sections would be secured by a condition.

Subject to safeguarding conditions it is considered that the proposal would be acceptable in design terms and would not harm the appearance and historic significance of the listed building.

#### **Basement Impact**

A Basement Impact Report was submitted with the application to address policy DP27. According to the report the site is not located within a fluvial or tidal plain or considered at risk of flooding from beach containment systems and is located about 3km to the south of the pond chain on Hampstead Heath. The site is underlain with a substantial thickness of relatively impermeable London Clays extending to depths of 43m and is remote of any known water courses (in excess of 100m). The proposed basement excavation would not be likely to penetrate any water tables. The natural drainage conditions would not be affected by the proposed basement excavation. The proposed basement level would have a cavity drainage system. It is considered that the proposed basement excavation would not be likely to increase the risk of flooding and ground water conditions.

A Structural Stability Report submitted with the application confirms that the proposed basement could be built without causing significant ground movements and the underpinning would be done by an experienced sub-contractor in accordance with a strict specification using the traditional "hit and miss". The vaults would be underpinned. The proposed basement would be constructed by installing piles around the extension and underpinning the north flank wall of the application property and the walls of the 20<sup>th</sup> century addition.

Subject to a condition requiring a structural engineers report and or contractor's specification including a method statement for all excavation and removal and details of below ground construction to ensure the structural stability and safety of the Listed Grade I building the proposed excavations would be acceptable.

#### **Amenity**

Given the relationship between the application property and its immediate neighbours the proposal would not adversely impact the amenities of the neighbouring properties in terms of loss of daylight, privacy and outlook.

There is an existing overlooking from the existing balcony and windows of the application property to the adjoining property at no 39 at the rear courtyard. The additional width of the replacement balcony would not result in additional overlooking to the adjoining property.

In terms of noise from the proposed plant rooms the Council's Environmental Health officer raised concerns over the missing information for the details of calibration for the mic and pre-amplifier in the originally submitted noise report. Following that a revised noise report submitted to demonstrate that noise levels from the proposed air handling units at 1m from the nearest noise sensitive window would not be likely to cause noise nuisance to the neighbours. The measurements for background noise levels are 38dB during night and 48dB during daytime. In accordance with the noise standards set in

policy DP28 the noise levels from the proposed plant and machinery (without wine, hiss, clicks, etc) should be 5dB below the background noise level. The highest predicted noise level from the proposed air handling units would be 31 dB and would comply with the Council's noise standards.

The proposal is considered to comply with the aims of policies CS5, DP26 and DP28.

### **Trees**

The garden would be reinstated above the proposed basement level and the garden above the basement level would be 0.5 m thick. In addition to that, the basement extends a relatively small distance outside of the existing footprint of the building under an area of the garden which is hard landscaped and will not cause any loss of soft landscaping.

The arboricultural report submitted with the application lists all trees on site for retention. The tree protection and method proposed is in line with BS5837:2012 Trees in relation to demolition, design and construction, and is therefore considered satisfactory to demonstrate that the trees will be protected during the implementation of the scheme should it be approved. There is some minor incursion into the Root Protection Area of the trees however this is very minor and is highly unlikely to present a problem.

Subject to a safeguarding condition to ensure that tree protection measures have been implemented in accordance with the approved details the proposed excavation works are considered not to harm the trees on the site.

### **Transport**

The application site is not located on a busy road and has a large garden space which is easily accessible from the surrounding roads. Although there would be significant amount of excavation works there is an existing basement level and the garden space is sufficient to store materials, debris and soil.

Due to the scale and kind of this development and a Construction Management Plan is not required in this case. Any occupation of the highway, such as for hoarding, skips or storage of materials, will require a licence from Highways Management and this, along with the existing on-street waiting and loading controls, should be sufficient to ensure the work is carried out in such a way as to not adversely affecting the safety or operation of the public highway.

### **Others**

CIL is applicable as the additional floorspace would be more than 100sqm.

### **Conclusion**

The proposed alterations and extensions are considered to respect the appearance and character of the listed building and would not compromise the amenities of the neighbouring properties.

### **Recommendation**

Grant conditional planning permission and listed building consent.

### **Disclaimer**

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