

Delegated Report		Analysis sheet		Expiry Date:		23/03/2012	
		N/A / attached		Consultation Expiry Date:		01/03/2012	
Officer				Application Number(s)			
Rob Tulloch				2012/0337/P			
Application Address				Drawing Numbers			
6 Estelle Road London NW3 2JA				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Retention of excavation works at basement floor level to create additional living accommodation to basement and ground floor residential unit (Class C3).							
Recommendation(s):		Grant Planning Permission					
Application Type:		Full Planning Application					
Conditions:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	07	No. of responses	01	No. of objections	00
Summary of consultation responses:		Press advert 09/02/2012 – 01/03/2012 Site notice 03/02/2012 – 24/02/2012 No. 4 Estelle Road comment that the works have already commenced despite assurances that it would not, this makes comments irrelevant and the works are not easily reversed. Officer response: <i>see paras 2.2 & 3.1</i>					
CAAC/Local group comments:		Mansfield CAAC were notified, but did not respond.					
Site Description							
The application site is a three storey terrace house on the eastern side of Estelle Road. It lies within the Mansfield Conservation Area and is listed as making a positive contribution to the conservation area. The building has been split into three flats. The application concerns only the basement and ground floor flat.							
Relevant History							
<u>Planning History</u> 2011/4949/P The erection of a single storey rear and side extension and replacement of a window with a door to residential flat (Class C3). Granted 01/12/2011							
<u>Enforcement History</u> EN12/0032 Basement development – a complaint was received that the basement was being excavated without the benefit of planning permission.							

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

DP20 Movement of goods and materials

DP21 Development connecting to the highway

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

Mansfield Conservation Area Appraisal and Management Strategy

Assessment

1 Proposal

1.1 The proposal is for excavation works to an existing basement. The works have already been carried out and a complaint received by Planning Enforcement (see relevant history above). The application seeks retrospective permission for the works. The main issues are:

- basement impact
- amenity

2 Basement issues

2.1 The building had an existing basement measuring 8.5m x 3.1m which was slightly smaller than the footprint of the house as it did not extend under the original rear addition and did not extend the full width of the building. The basement had a floor to ceiling height of 1.8m and the proposal seeks to increase this to 2.3m whilst retaining the original footprint. The level of excavation is 0.5m across an area 8.5m x 3.1m in size. At ground floor level the existing rear addition is immediately to the rear, with the building entrance and a projecting bay to the front, as such there are no external alterations as lightwells would not be practical.

2.2 In line with policy DP27, all applications for basement works are required to be accompanied by a Basement Impact Assessment (BIA) so that the Council can properly assess the impact a proposal would have on the stability of the host and neighbouring buildings and the local water environment. The original application was only accompanied by a Flood Risk Assessment and the absence of Basement Impact Assessment would have been a reason for refusal. As the works have already been carried out this could lead to the Council ensuring that the original basement be re-instated by way of an enforcement notice. The fact the development has commenced without the benefit of planning permission does not make the consultation process redundant as responses are still considered, and if an application is unacceptable it is irrelevant whether it has been implemented or not.

2.3 The applicant subsequently submitted a Basement Impact Assessment compiled by a CGeol Hydrogeologist and a CEng engineer. The BIA screening stage is divided into land stability, groundwater and surface water and concludes that:

- the site is not located within the Hampstead Heath ponds catchment area;
- the site is not located within proximity to any spring lines, surface water features or underground rivers;
- the site is not above an aquifer and the basal elevation of the extended basement is not below the existing groundwater table;
- the underlying London Clay is classified as unproductive strata;
- the site is not located in an area of sloping topography or in an area of significant landslip

potential;

- there is no change to the amount of hardstanding, therefore there will be no change to the current surface water runoff patterns and quality;
- the site has no record of being historically flooded and it is not considered to be at risk of surface water flooding given the current published information (the applicant has also included a Flood Risk Assessment which also concludes that the development will not create any issues in terms of ground and surface water).

2.3 The screening process does raise two points in terms of land stability: London Clay is the shallowest strata (Q5) and the site is within 5m of a highway or pedestrian right of way (Q12). The BIA does not consider it necessary to progress to the scoping stage as the basement is being excavated by less than 1m, it will abut the foundations of the basement of no. 8 Estelle Road, and the excavation is vertical and not lateral. As such the report concludes that the proposal would have a negligible effect on land stability and the adjacent highway. It is considered that due to the depth of the original basement, and the area and depth of new excavation, that a full scoping stage is not required and that the Basement Impact Assessment submitted complies with policy DP27 and supplementary planning guidance. As such this proposal has sufficiently demonstrated that the scheme does not cause harm to the built environment and local amenity and does not result in flooding or ground instability.

3 Amenity

3.1 Basement construction can have a detrimental impact on neighbours in terms of noise and construction traffic, however the scope of the basement works would not have required additional control in the form of a Construction Management Plan to mitigate such impacts. As the basement works have largely been completed any potential harm arising specifically from the works to the basement, such as the removal of spoil, have come to an end. Planning permission for a rear extension at ground floor level is still being implemented, this includes the suspension of a parking bay for the siting of a skip, noise and dust from these works, as well any works of making good to the basement, are covered by Environmental Health legislation. As such the proposal is not considered to harm the local transport network or the amenity of adjoining occupiers in line with policies DP21 and DP26.

3.2 As there is no external manifestation of the basement the proposal is not considered to harm the amenity of adjoining occupiers in terms of light pollution or overlooking and would comply with policies CS5 and DP26 of the LDF.

4 Recommendation: Grant Planning Permission

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