

Delegated Report		Analysis sheet		Expiry Date:		04/01/2012	
		N/A		Consultation Expiry Date:		23/12/2011	
Officer				Application Numbers			
John Sheehy				2011/5390/P			
Application Address				Drawing Numbers			
Flat Ground Floor, 224 Finchley Road, London NW3 6DH				Refer to draft decision			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal							
Excavation to create enlarged lower ground floor level for use as a 3-bedroom self-contained flat (Class C3) including lowered frontage to street level and new rear courtyard.							
Recommendation:		Grant permission subject to conditions and a section 106 Legal Agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	28	No. of responses	0	No. of objections	0
Summary of consultation responses:		Site and Press notices displayed for 3 weeks.					
		No comments, objections or expressions of support received from neighbouring occupiers.					
CAAC/Local groups comments:		Redington/ Frognal CAAC: no objection.					
Site Description							
The site is located on the eastern side of Finchley Road on a significant slope, dropping from east to west. It is occupied by a substantial semi-detached property over 4 levels, containing four self-contained flats on the upper floors and a modest amount of storage space at lower ground floor level, accessed via a door on the front elevation. The application building is finished in red brick and has a large rear garden. It is identified as making a positive contribution to the character and appearance of the Redington/ Frognal Conservation Area in which it is located. Finchley Road (A41) forms part of the Transport for London Road Network and there is a bus lane outside the property.							
Relevant History							
<u>Application site:</u> none							
<u>Other sites:</u>							
220 Finchley Road							
March 2005 Planning permission granted for excavation of the front garden to form a lightwell and window to lower ground level and the conversion of the lower ground level garage and change of use from three self-contained residential flats to a House in Multiple Occupation, ref. 2004/2556/P (<i>this permission was subject to a Legal Agreement which secured car-free housing and other requirement associated with HMO use</i>).							
Relevant policies							
LDF Core Strategy and Development Policies							
<u>LDF Core Strategy</u>							
CS1 Distribution of growth							
CS5 Managing the impact of growth and development							
CS11 Promoting sustainable and efficient travel							
CS14 Promoting high Quality Places and Conserving Our Heritage							
<u>LDF Development Policies</u>							
DP2 Making full use of Camden's capacity for housing							
DP6 Lifetime homes and wheelchair homes							
DP16 The Transport Implications of Development							
DP17 Walking, Cycling and Public Transport							
DP18 Parking standards and Limiting the Availability of Car Parking							

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
Redington/ Frognal Conservation Area Statement
London Plan 2011

Assessment

Proposal: excavation to create enlarged lower ground floor level for use as a 3-bedroom self-contained flat (Class C3) including lowered frontage to street level and new rear courtyard. The lower ground floor of the property is currently used for domestic storage.

The property has an existing lower ground floor which occupies ca. one fifth of the footprint of the house and which has a floor to ceiling height of 1.80m.

As existing the front of the property has a raised garden in front of the southern bay. The proposal involves the dropping of the level of this garden. The brick retaining wall to the street would be retained and access to the new flat would be via a new solid timber gate within this wall.

Assessment

Design/ Impact on the Conservation Area

The Council's design policies are aimed at achieving a high standard of design in all developments and preserving the architectural quality of buildings. The Council's policies for developments in a Conservation Area are aimed at preserving and enhancing the special character and appearance of the area.

The proposal is acceptable in design/ Conservation Area terms for the following reasons:

- A solid timber gate would be inserted into the front boundary wall to provide access to the proposed lower ground floor unit. The retention of a front garden (albeit at a lower level) behind the largely unchanged street wall preserves the layout of the property which is part of a group of similar properties on this side of Finchley Road;
- The application building already has a visible lower ground floor level over part of its footprint. The proposed works would have limited additional impact on the form and proportions of the property. Neighbouring properties including nos. 220 and 226 have been enlarged at lower ground floor level in a similar way. The proposal would continue the established pattern of development in the surrounding area;
- To the rear, a sunken patio would be excavated to connect to the proposed new unit. A folding door from the application unit would serve this patio area and a staircase would connect it to the rear garden. The works to the rear elevation would have minimal impact on the overall bulk and appearance of the house and would not harm the character and appearance of the Conservation Area given their secluded position at the rear of the property;
- The detailed design of the new elements to the front and rear would consist of timber-framed doors and windows and a red brick finish. This reflects the prevailing treatment in the surrounding area and is acceptable;
- A condition is attached controlling landscaping with a view to ensuring soft-landscaped areas are provided within the amenity areas to the front and rear of the site.

The proposed development is of a high standard of design and would preserve and enhance the special character and appearance of the Conservation Area as required by policies CS14, DP24 and DP25.

Structural and groundwater considerations

The existing floor-to-ceiling height at lower ground floor level is 1.80m. It is proposed to increase this to 2.8m.

In terms of habitable area the proposed basement floor plan would match the ground floor plan and would not project beyond the footprint of the house in any direction.

The floor slab between the ground and basement levels would measure 0.5m in thickness; the floor slab underneath the basement level would be 0.4m thick.

In order to respond to the requirements of policy DP27 the application documents include a Basement Impact Assessment which deals in detail with the existing soil and water conditions. Structural methodologies are set out in the "Design Philosophy" report prepared by MMP Design and the "Construction Method Statement" prepared by the London Basement Company.

A borehole investigation was carried out within the front garden to a depth of 6.0m (1 x borehole). This, in addition to desktop investigations, was used to create a ground model which established that the existing soil conditions on the site constitute a layer of Made Ground (including roots) to a depth of 1.30m, above a clay base which increases in stiffness the deeper one gets. The survey information and analysis within the BIA provide a level of information on soil and water conditions which is satisfactory in the context of DP27.

The building would remain in occupation while the construction progresses. This would begin with the excavation which would progress incrementally, by hand with the excavated areas secured and underpinned before any new excavation begins. There are no records of the location and depth of existing foundations to the building; however it is assumed that any load-bearing walls at ground floor level will have foundations beneath. During the excavation, the lower ground floor support structure will replicate this arrangement with beams inserted under each load bearing or masonry wall. Once the excavation and underpinning is complete the floor slab above the basement will be created. This will be of precast beam and block construction. The floor slab under the lower ground floor will also be inserted at this time. The excavation of the rear patio and the front garden will progress alongside and at the same time as the internal works. The BIA demonstrates that the proposed basement would maintain the structural stability of the application building and neighbouring properties during construction and thereafter.

With regard to impact on the water environment, there would be no loss of permeable surface area on the site as the basement would be beneath the footprint of the house and the hard-landscaped rear patio. Map 5 of the London Borough of Camden Local Development Framework Core Strategy identifies Finchley Road as having flooded in 2002. Policy DP27 states that the Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding. The site slopes heavily westward, stepping down in level on the Finchley Road side. The proposal unit would present to Finchley Road as effectively a ground floor unit. It is recognized that a significant amount of excavation is proposed, in particular to the rear however given the layout of the site and the prevalence of lower ground floor units in neighbouring properties, it would not be reasonable or justifiable to refuse permission on the basis of DP27.

The BIA demonstrates that the structural stability of buildings would be maintained and that the impact on the water environment would be limited. As such the proposals are acceptable in the context of DP27.

Transport

The site is within Finchley Road Town Centre, a Controlled Parking Zone and on a TFL road. It is served by a number of bus routes as well as being in close proximity to underground and overground stations. As a result of its excellent transport connections, the following Planning Obligation is required:

- Car-free housing for the newly-created unit.

A Construction Management Plan has been submitted, however it is not necessary to secure this via Legal Agreement as the building would have to be underpinned as the excavation progresses. The excavation would have to be done by hand and possibly a small digger. This would make the work slow and the frequency of trips to and from the site would be light. On-street skips, bay suspension, storage of materials on the highway and temporary crossovers will all be subject to highways licences. This should be sufficient to ensure the works are carried out in an orderly fashion and do not cause undue disturbance to surrounding occupiers.

Policy DP17 requires development involving new residential units to provide 1 covered, secure cycle parking space within the development. The scheme can accommodate at least 1 cycle parking space internally or in the front garden or rear patio. It is therefore not necessary to attach a condition to the permission requiring submission of for cycle parking details.

Other issues

The new unit would have 3 bedrooms. It would provide spacious accommodation for future occupiers in line with the Council's residential development standards. It would also provide future occupiers with good levels of sunlight, daylight and outlook.

The proposal would not result in a loss of amenity to any neighbouring occupiers by virtue of a loss of sunlight, daylight, outlook or privacy.

All new homes should comply with Lifetime Homes criteria as far as possible. The applicants have submitted a Lifetime Homes assessment which addresses some of the 16 points of the criteria. The constraints of the scheme are such that not all of the criteria can be met, but the measures proposed are acceptable in this instance.

Recommendation: grant permission subject to conditions and a section 106 Legal Agreement.

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