

Delegated Report		Analysis sheet		Expiry Date:		05/12/2011	
		N/A		Consultation Expiry Date:		17/11/2011	
Officer				Application Number			
John Sheehy				2011/5076/P			
Application Address				Drawing Numbers			
62 ELSWORTHY ROAD LONDON NW3 3BU				Refer to draft decision			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal							
Variation of condition 3 for minor material amendments to planning permission granted 07/02/11 (2010/6827/P) as amended on 02/08/11 (2011/2277/P) for erection of new side and rear extension (following demolition of existing) and the excavation of a basement and sub-basement including front and rear light well plus elevational alterations to single family dwelling house (Class C3) namely, enlargement of sub-basement and basement and alterations to internal layout.							
Recommendation:		Refuse permission					
Application Type:		Variation or Removal of Condition					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	7	No. of responses No. electronic	1 0	No. of objections	1
Summary of consultation responses:		Site and press notices displayed for 3 weeks. One objection received from a neighbour on Elsworthy Road "The variations requested will cause additional inconvenience and noise and are not considered necessary".					
CAAC/Local groups comments:		Elsworthy CAAC: "No objections to proposed alterations to basement. We are not able to comment on the elevational alterations as it is not clear what these are".					

Site Description

The application relates to a substantial detached dwelling house dating from the turn of the 20th century, a fine example of the Queen Anne revival architectural style.

The building is finished in red brick and red hung tiles. It is identified as making a positive contribution to the character and appearance of the predominantly residential Elsworthy Conservation Area in which it is located.

The properties benefits from private front and rear gardens and a communal private open space to the rear.

Relevant History

Original permission

February 2011 Planning permission granted for erection of new side and rear extension (following demolition of existing) and the excavation of a basement and sub-basement including rear light well plus elevational alterations to single family dwelling house (Class C3), ref. 2010/6827/P. NOT IMPLEMENTED.

Variation of condition

August 2011 Planning permission granted for variation of condition 3 for minor material amendment to planning permission dated 07/02/11 (2010/6827/P) for erection of new side and rear extension (following demolition of existing) and the excavation of a basement and sub-basement including rear light well plus elevation alterations to single family dwelling house (Class C3), namely to create a front basement lightwell, ref. 2011/2277/P.

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

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 2006 and 2011

Elsworthy Conservation Area Statement 2009

London Plan 2011

Assessment

It is proposed to enlarge the excavated area as follows:

- Increase in depth of sub-basement by 0.7m over an area of 9.5m L x 6.5m W;
- Additional excavation at front basement level by squaring off footprint at basement level, providing an extra excavated area of ca. 15sqm with a floor to ceiling height of 3.175m (floorslab 0.4m);
- Squaring off of basement at rear by extension to rear by 0.6m and to side/ rear by 0.6m – additional excavation ca. 10sqm with a floor to ceiling height of 2.80m.
- Squaring off of part of the sub-basement at the front of the property.

The main issues in the assessment of this application are as follows:

- impact of changes on structural integrity of properties and minimising flooding;
- impact on rear garden of application property and neighbours and the ability of these gardens to support mature growth.

Impact on structural integrity of properties and impact on flooding

The Council's basement policies are aimed at protecting the structural integrity of properties and minimising flooding. DP27 is as follows:

In determining proposals for basement and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability. We will require developers to demonstrate by methodologies appropriate to the site that schemes:

- a) maintain the structural stability of the building and neighbouring properties;*
- b) avoid adversely affecting drainage and run-off or causing other damage to the water environment;*
- c) avoid cumulative impacts upon structural stability or the water environment in the local area*
and will consider whether schemes
- d) harm the amenity of neighbours;*
- e) lead to the loss of open space or trees of townscape or amenity value*
- f) provide satisfactory landscaping, including adequate soil depth.*

The proposal would add significantly to the overall basement area by increasing it to the front, the side and the rear and by extending downward, deepening the excavation.

No further justification has been provided with this variation of condition application in terms of further site analysis or demonstration of structural stability of the application building or neighbouring buildings.

The amount of additional excavation proposed is of a scale and in a location to require a new Basement Impact Assessment if it was a stand-alone proposal to an existing house with basement. A large basement has already been granted on the site and the proposed excavation is to add to this, however this does not remove the requirement to submit a new BIA or to update the approved BIA.

This differs from the recent front lightwell MMA application – this was a relatively minor new excavated area, the modest dimensions of which did not require submission of an updated BIA.

The application is refused on the basis of the failure to provide the required Basement Impact Assessment.

Impact on rear garden and ability to accommodate mature growth

As set out above, the rear corner of the basement would be squared off by extension sideways and backwards to take in the majority of the margin to the side, and reduce the margin to the rear.

The margin to the rear, which measures 3.5m at one point, would be reduced to provide a margin of between 1.5m and a maximum 2.9m. This would result in a reduction in the ability of the garden and margins to provide scope for mature planting and may have a knock-on impact on the neighbouring rear garden (no. 60). It is recognised that the rear area behind the property is a largely open landscaped area with mature tree growth. Nevertheless, the ability of the rear garden and the neighbouring garden to accommodate mature growth would be likely to be detrimentally affected by the proposal and as such the proposal is not consistent with policy DP27.

Recommendation: refuse permission.

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