

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		10/11/2011	
		N/A		<b>Consultation Expiry Date:</b>		27/10/2011	
<b>Officer</b>				<b>Application Number(s)</b>			
Jenna Litherland				2011/4646/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
23 Howitt Road London NW3 4LT				Refer to draft decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Enlargement of basement with front and rear lightwells to provide 2 x self contained studio flats (Class C3).							
<b>Recommendation(s):</b>		Refuse planning permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	17	No. of responses No. electronic	00 00	No. of objections	00
<b>Summary of consultation responses:</b>		Site notice displayed from 28/09/2011 until 19/10/2011. Advertised in the Ham and High on 28/09/2011.					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		Belsize CAAC: Overdevelopment, overcrowding and sub-standard accommodation.					
<b>Site Description</b>							
The application site comprises a 2 storey terrace property with loft accommodation. The property contains 10 self-contained studio and one bedroom flats. The property is located within the Belsize Conservation Area.							
<b>Relevant History</b>							
<u>Neighbouring properties</u>							
1 <b>Howitt Road</b> Planning permission was <b>granted</b> on 01/11/07 for excavation to enlarge the existing basement with the provision of a front lightwell, rear lightwell with ground level bridge link to garden and stairs leading from basement to ground level, and alterations to windows/doors at rear ground floor level all in connection with the existing ground floor flat (ref: 2007/4496/P).							

**8 Howitt Road** Planning permission was **granted** on 12/08/08 for the additions and alterations including excavation of basement, rear lightwell and erection of two storey (basement and ground floor) rear extension following demolition of original ground floor extension to create additional residential floor space to ground floor flat (ref: 2008/2231/P). An amendment to this planning permission including re-landscaping and two pavement lights to the front garden was granted permission on 16/12/08 (ref: 2008/5040/P).

**11 Howitt Road** Planning permission was **granted** on 23/01/08 for the excavation works to enlarge the existing basement with the provision of a rear lightwell with glass bridge and balustrades above at ground floor level on the rear elevation of the dwellinghouse (ref: 2007/5695/P).

**29 Howitt Road** Planning permission was **granted** on 17/08/09 for the installation of three rooflights within the front roof slope, a dormer extension within the rear roof slope, alterations to fenestration to the rear, excavation to enlarge the basement area and to create a sunken terrace to the rear and the conversion of the existing residential dwelling from three x 1 bed self-contained flats to one x 3 bed lower ground/ground floor and one x two bedroom second/third floor self-contained maisonettes and a one bedroom first floor flat. (ref: 2008/4810/P).

**51 Howitt Road** Planning permission was **refused** on 17/07/09 for the excavation of basement including front lightwell, in connection with the creation of a self contained studio flat at basement level (ref: 2009/1752/P). An appeal was logged against the refusal and dismissed on 24/02/10. The proposed front lightwell involved the total excavation of the basement area in front of the bay window which was considered to be readily visible from the street and therefore detrimental to the character and appearance of the building and the conservation area, plus there were concerns regarding levels of daylight and outlook from the flat.

**54 Howitt Rd** Planning permission was **granted** on 26/7/10 for basement extension with associated front and rear lightwells to dwelling house (ref. 2010/3047/P).

**57 Howitt Road** Planning permission was **granted** on 02/06/2010 for the renewal of planning permission granted on 18/05/2007 (2007/1620/P) for the excavation works to enlarge the existing basement with the provision of a rear lightwell with steel/timber bridge over and alteration to the front basement window to provide a door for the ground and basement maisonette.

**47 Howitt Road** Planning permission was **granted** on 18/07/2011 for the extension of existing basement to accommodate 2 bedrooms including creation of lightwells to front and rear and erection of single storey rear extension at ground floor level all in connection with existing flat (Class C3).

## **Relevant policies**

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

CS2: Growth Areas

CS5: Managing the impact of growth and development

CS6: Providing quality homes

CS11: Promoting sustainable and efficient travel

CS14: Promoting high quality places and conserving our heritage

DP2: Making full use of Camden's capacity for housing

DP5: Homes of different size

DP6: Lifetime homes and wheelchair housing

DP18: Parking Standards and limiting the availability of car parking

DP24: Securing high quality design

DP25: Conserving Camden's heritage

DP26: Managing the impact of development on occupiers and neighbours

DP27: Basement and lightwells

### **Updated Planning Guidance April 2011**

**CPG1 – Design**

**CPG2 - Housing**

## **CPG4 - Basements**

### **Belsize Conservation Area Appraisal**

#### **Assessment**

Planning permission is sought for the enlargement of basement with front and rear lightwells to provide 2 x 1-bedroom self contained studio flats.

#### **Creation of a new dwelling**

Housing is regarded as a priority land use of the LDF. The proposed change of use would assist the Council to meet the strategic housing target for the Borough. This is on the proviso of the residential accommodation proposed being of an acceptable standard (see the Amenity section of the report below). In overall terms the principle of providing residential accommodation at this location is considered to be appropriate.

Policy DP5 seeks the creation of mixed and inclusive communities by securing a range of self-contained homes of different size. The proposal is for two studio bedroom flat. Policy states there is a demand for studio bedroom units however, this demand is lower than demand for 2 bedroom units. At upper floor levels there are a further 10 studio flats at upper floor level which form a HMO. Given the limited floorspace available a 2 bedroom flat would not be encouraged.

In respect of lifetime homes (as outlined by policy DP6), the applicant has submitted a lifetime homes assessment demonstrating areas where the proposed scheme can accord with the necessary standards. It is acknowledged that in some instances the proposed scheme will not be able to achieve some standards. This is owing to the proposed scheme being at basement level within an existing building. This is considered acceptable.

#### **Basement**

The host property currently has a small basement level which is used for storage and contains a boiler room. This proposal seeks to increase the basement to the full extent of the footprint of the building and to create a lightwell at the front of the property with a flush grille and two lightwells to the rear of the property which would be surrounded by metal balustrades. The front lightwell will surround the existing bay window and extend under the entrance path. The bay will be extended down to basement level. The lightwell will have a width of 6.7 metres and a depth of 1.2 metres from the bay. The lightwell surrounding the bay will be covered with a flush steel grille. The two lightwells to the rear would be located to the rear of the single storey rear extension and the rear of the existing building line surrounding the double doors at ground floor level. The lightwell to the rear of the rear extension will have a width of 2.6 metres and a depth of 1.1 metres. It will be partly surrounded by a metal balustrade and will be partly covered by a flush glazed panel. The lightwell to the rear of the original building will have a width of 3.6 metres and a depth of 1.3 metres. It will have a width of 3.7 metres and a depth of 1.3 metres. It will also be covered with a flush steel grille. It will also be partly surrounded by a metal balustrade and will be partly covered by a flush glazed panel. The doors and window in the lightwell will again be timber framed.

**Visual impact, trees and landscaping** - Policy DP27 states that the Council will consider whether schemes will lead to the loss of open space or trees of townscape or amenity value; provide satisfactory landscaping, including adequate soil depth; harm the appearance or setting of the surrounding area.

As can be seen from the planning history above, a number of planning applications for basement extensions have been approved along other parts of Howitt Road and included front lightwells.

The basement itself does not extend beyond the footprint of the dwelling and it is not considered that the lightwell results in a significant reduction of open space. The use of the grilles over the lightwell helps to minimise the visual impact of the proposal on the street scene and the conservation area. The proposed materials for the windows, doors and grille are acceptable. It is considered that the lightwell would not appear visually intrusive or harm the character and appearance of the conservation area.

**Structural stability and hydrology** - Policy DP27 states that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

The application is accompanied by a statement from a Chartered Structural Engineer and a Hydrology Report. These documents confirm that the ground condition to be topsoil and made ground over London Clay. The statement also states that the basement would be formed using an underpinning method constructed in sections which would reduce the amount of potential ground movement and minimise the effect of settlement if the adjacent structures. The report confirms that the proposed basement would not affect the structural integrity of the host property or the adjoining properties. This is considered acceptable.

Howitt Road is not in an area identified in the LDF as being at risk of surface water flooding, nor in an area of known subterranean water flows such as lost rivers. Therefore a floodrisk assessment is not required.

The subtext of policy DP27 states that the Council will not allow habitable rooms and other sensitive uses for self contained basement flats and other underground structures in area at risk of flooding. The proposal is for two self contained flat at basement level, however this is considered not in an area at risk of flooding. This is acceptable.

### **Residential development standards**

The minimum residential development standards contained in CPG2- Housing require new basements to have a room height of 2.1 metres and that adequate natural light is provided to habitable rooms. To ensure adequate light is provided to habitable rooms walls or structures should not obstruct window by being within 3 metres of them, Where this is not achievable it is advised that the glazed area should total not less than 10% of the floor area of the room. Glazing allowable in this calculation is that which is above the point on the window/s from which a line can be drawn upwards at a vertical angle of 30 degrees with the horizontal to pass the top of the obstruction.

The proposed basement will have a room height of 2.1 metres. Four small windows are proposed on the front elevation in the front lightwell. These windows serve the kitchen of the front studio. The above calculation has been undertaken for this kitchen and the level of un-obscured light meets 10% of the floor area of the room and therefore the amount of natural daylight received is acceptable for this room. The main room of the front studio received light from the rear lightwell on the southern side. This lightwell contain double doors and the lightwell wall is at distance of 1.3 metres from the window. This window would only allow for a level of un-obscured natural light equivalent to less than 5% of the floor area of the room. This is considered to be unacceptable. The rear studio will receive light from the lightwell to the rear of the singles storey rear extension. This lightwell contains double doors and the lightwell wall is at distance of 1.1 metres from the window. This window would also allow for a level of un-obscured natural light equivalent to less than 5% of the floor area of the room, which again is unacceptable.

The outlook from all windows would be a blank wall at a distance of between 1.1 and 1.3 metres away. It is considered that flats will have a particularly poor outlook from both the rear and front windows and doors which would have a significant detrimental impact on amenity. The lack of daylight would also cause significant harm to the amenity of the occupiers. These reasons are considered to be sufficient reasons to refuse the application.

CPG2 also states that new self-contained flats should also comply with space standards. The flats would be a studio flats suitable for occupation by 1 people. The guidance states that flats for occupation by 1 person should have a minimum floorspace of 32 sqm. The front studio meets this requirement, however, the rear studio would have a floor area of approximately 29 sqm, falling below this minimum standard. This is considered unacceptable and would be detrimental to the amenity of any future occupier.

### **Amenity**

As stated in the subtext of Policy DP27 many potential impacts to the amenity of adjoining neighbours are limited by underground development. However, the excavation and construction phase can impact on amenity. A Construction Management Plan is not required for a basement of this scale in this location. The front and rear lightwells will not result in any undue impact to the amenity of surrounding residential properties. Given their location at lower ground level, overlooking will be contained and the proposal will not have any implications with regard to loss of sunlight or daylight to neighbouring properties.

It is considered that the proposed basement would not have a detrimental impact on neighbour amenity.

### **Transport**

In accordance with policy DP18 the Council will expect development to be car free in area within Controlled Parking Zones that are easily accessible by public transport. The application site has a Public Transport Accessibility Level of (PTAL) of 4 (good) and is therefore easily accessible by public transport. The site is also located within a Controlled Parking Zone (CPZ). Within this context, if approved, the development should be made car-free. This could be secured through a S106 Legal Agreement.

Regarding cycle standards, Appendix 2 of the LDF – Camden Development Policies states that 1 storage or parking space is required per residential unit created. However, the proposed flats are located at basement level and basement parking cannot be easily accommodated within the building. As a result it is considered to be unreasonable and overly onerous on the applicant, given the physical constraints of the site, to insist on the provision of a cycle space in this instance.

### **Conclusion**

The proposed residential units, by reason of insufficient natural light and outlook would result in sub-standard accommodation that would fail to provide an acceptable level of residential amenity contrary to policy. The proposed rearmost studio unit, by reason of its insufficient amount of floor area would result in sub-standard accommodation that would fail to provide an acceptable level of residential amenity contrary to policy.

**Recommendation:** Refuse planning permission.

### **Disclaimer**

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