

Delegated Report		Analysis sheet		Expiry Date:		27/10/2011	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		28/9/2011	
Officer				Application Number(s)			
Hugh Miller				2011/4256/P			
Application Address				Drawing Numbers			
40 Hampstead Grove London NW3 6SR				Refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Excavation of basement including lightwells at front and rear to residential house (Class C3).							
Recommendation(s):		Grant subject to S106 legal agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	05	No. of responses	01	No. of objections	01
				No. Electronic	00		
Summary of consultation responses:		<p>Application advertised in local press, Ham & High 15/9/2011, expired 06/10/2011. Site notice displayed 07/9/2011, expired 28/9/2011.</p> <p><u>25 Hampstead Grove:</u> Objection Concern that the physical changes proposed for the section, elevation, walls openings etc will have a detrimental effect on the building, the adjoining properties and the conservation area.</p> <p>Officer response: Please refer to paras. 3.2 to 3.4.</p>					
CAAC/Local groups* comments: <small>*Please Specify</small>		<p><u>Hampstead CAAC:</u> No comments received.</p> <p><u>Thames Water:</u> – No objection to the planning application.</p> <p>Thames Water has advised that the applicant should incorporate within the proposed development the installation of, for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the</p>					

assumption that the sewage network may surcharge to ground level during storm conditions.

Officer response: This is recommended to be added as an informative to any planning permission at the site.

Site Description

A three-storey semi-detached property situated on the east side of Hampstead Grove at the junction with Upper Terrace and located west of Heath Street. The building has dormer windows at the front side and rear roof slopes. The roof has a terrace and prior to removal for roof repair works included metal and glazed balustrade. Accessed is provided by the existing enclosed timber structure. The building which forms a group of six is classified as making a positive contribution to the special character and appearance of the Hampstead Conservation area. The building is not listed.

Relevant History

No.42 Hampstead Grove

Application currently under assessment – Excavation of basement including front and rear lightwells and replacement of a side glazed canopy at main entrance to a residential dwelling house (Class C3); ref. 2011/4251/P

January 2011 - Planning application - Withdrawn - Excavation to provide new basement with habitable rooms including replacement of a side glazed canopy at main entrance to a residential dwelling house (Class C3); ref. 2010/6949/P

No.40 Hampstead Grove

August 2011 – PP Granted - Erection of a side extension, extension to front entrance and replacement metal and glazed canopy and rooflight, rooflight to main roof, installation of timber gate in rear boundary wall and enlargement of vehicular access and gate to front boundary wall of existing house (Class C3) ref. 2011/2933/P

September 2006 – PP Granted - Erection of extension at front ground floor level beneath existing canopy to create enlarged porch to existing single-family dwellinghouse (Class C3); ref. 2006/2520/P

June 2006 – Certificate of Lawfulness(Proposed) - Erection of a single-storey ground floor level side extension; ref. 2006/2371/P

38 Hampstead Grove

September 2010 – PP Granted - The installation of rear entrance gate [Heath Street] with associated steps, to existing dwelling (Class C3). Ref. 2010/5654/P.

Relevant policies

LDF Core Strategy

- CS1 - Distribution of growth
- 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
- CS15 (Open space and biodiversity)
- CS19 - Delivering and monitoring the Core Strategy

Development Policies

- DP20 (Movement of goods and materials)
- DP22 (Proposals detrimental to conservation area)
- DP23 (Water)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)
- DP26 (Managing the impact of development on occupiers and neighbours)

Assessment

1.0 Overview

1.1 The host building forms one of a group of six detached dwellinghouses all of identical design, footprint, height and use of materials. Some small alterations have been carried out on some of the houses similar to those referred to in the planning history section but the substantive appearance of the neighbouring houses remain as original conceived.

2.0 Proposal

- ✓ Excavation of basement to a residential dwelling house (Class C3). The basement is entirely within the footprint of the main building, except for two lightwells to the front and two lightwells to the rear. The basement would be approximately 3m in depth.

2.1 The main issues are **a]** design, **b]** the impact of the proposed basement on the character and appearance of the host building and conservation area/ structural stability and hydrology, **c]** residential standard **e]** the impact on amenity.

3.0 Design and appearance

3.1 The host building has gained planning permission to amend the main front entrance to mirror no.42 (replacement glazed canopy and brick extension lobby also bay window at the rear) also for a mono-pitched single-storey extension on its south side as replacement of small bay-window. NB. These works are excluded from the assessment of the current basement proposal assessment.

New Basement & lightwells

3.2 Policy DP27 states "In determining applications for lightwells, the Council will consider whether:
i) the architectural character of the building is protected;
j) the character and appearance of the surrounding area is harmed; and
k) the development results in the loss of more than 50% of the front garden or amenity area".

3.3 The Hampstead CA Statement state "The creation of new front basement areas will generally be resisted for traffic and design reasons. Excavation works can have a detrimental effect on the character and appearance of a building and the Conservation Area. Extending into basement areas will only be acceptable where it would not involve harm to the character of the building or its setting".

3.4 New lightwells are proposed at the front and rear elevations. The front lightwells would have a depth of approx 1m and would occupy a small area of the front garden and is set back by 4.8m from the front boundary comprising a brick and privet hedge. The steel grille of the front lightwells may be partially visible from the pedestrian access gate and the vehicle double gates due to the gaps within the front boundary treatment. Notwithstanding this, the actual lightwells would not be visible and be obscured from view by the steel grille. The grilles would be set flush with the ground/ paving levels and thus would appear as part of the overall garden setting and prevent the creation of an uncharacteristic void. They are of a simple, modern design, non-decorative, and would not detract from the appearance of the host building. The total garden space that the proposed lightwells would occupy would not diminish the quality and amenity value of garden space. The part brick, part privet hedge boundary would provide screening of the lightwells from the public domain, minimising their overall visual impact on the appearance of the host building and the streetscape. The rear lightwells would not be visible from the public realm due to their location. The rear lightwells would be obscured by the high rear boundary wall and associated trees/shrubs. Given the lightwells' location, it is not considered that they would impact on the streetscape or detract from the character and appearance of the Hampstead C.A.

New windows/ doors

3.5 The proposed windows at basement floor level follow the pattern of the windows above, with timber sliding sash windows proposed. Therefore no design issues are raised with this element of the proposals. Externally, it would not have any impact on the appearance of the building as neither the basement nor the lightwells would be visible from the public realm; due to their setback from the pavement and front boundary wall and the height of the rear boundary wall. In terms of design the proposed windows would not harm the character and appearance of the Hampstead Conservation Area and are considered satisfactory.

Structural stability and hydrology New Basement floor level

3.6 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.

3.7 The application is accompanied by a Basement Impact Assessment (BIA) undertaken by a Chartered Structural Engineer. The report confirms that a screening exercise was carried out in accordance with the recommendations of CPG4 (Basements) in respect of surface flow and flooding, ground water flow and slope stability. Soil investigations have been carried out which show that the subsoil in Bagshot Formation, Claygate Member (London Clay). The Basement Impact Assessment identifies that the ground conditions are such that there would be no significant impact on soils, land use, water quality and hydrology. In addition, Hampstead Grove is not within 50m of Hampstead Heath Ponds; neither is the site listed as a “street at risk of surface water flooding”. Moreover, the proposed basement is principally below the footprint of the building. It is considered that the proposal basement is in compliance with Policies DP23 and DP27.

Residential Development Standards

3.8 Policy CS6 (Providing quality homes) seeks to secure sufficient housing of the right type and quality. CPG2 (Housing) includes advice on residential standards and access (including lifetime homes). Policy DP27 state the Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding. The CPG recommends that new basement should have headroom height of 2.3m and that adequate natural light is provided to habitable rooms. Notwithstanding, this scheme does include a bedroom at the basement level and is located at the rear of the building. The proposed lightwells are of a small size and are unlikely to provide sufficient daylight to the totality of the new basement floor, which would be considered a substandard type of accommodation, however, the new rooms would be ancillary to the existing house, which benefits from well-aired and well-lit habitable rooms at ground and upper floor levels, and therefore can be considered acceptable. The bedroom with acceptable internal headroom height and floor size would be compliant to CPG guidelines and would be satisfactory. Moreover, given that Hampstead Grove has not been designated as a “street at risk of surface water flooding” it is considered that the bedroom is acceptable here.

Landscape /Trees

3.10 The extant approved scheme of August 2011 (see history section above) dealt with the substantive landscaping scheme for the front and rear gardens and boundary matters, which accepted the principle of the loss of the Magnolia tree in the front garden (it was not considered to provide sufficient amenity within the streetscape). No further landscaping proposed works are included in this current proposal.

4.0 Highways/Transport

4.1 DP20 seeks to protect the safety and operation of the highway network. For some developments this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. It is considered that

due to the constraints of the local highway network around the application site that a S106 legal agreement is required for this development and should comprise **a]** CMP and **b]** one-off financial contribution for the repaving of the footpaths. The applicant has confirmed acceptance of the legal agreement.

5.0 Neighbour Amenity

5.1 The proposed basement floor would not pose any amenity issues on occupiers of adjacent dwellinghouses. It would not result in any loss of amenity for neighbours in terms of loss of day/sunlight, outlook or privacy, cause a sense of enclosure or light pollution. As such, the works are considered to be in accordance with policies CS5 & DP26.

Recommendation

Grant planning permission Subject to a S106 agreement

DISCLAIMER

Decision route to be decided by nominated members on Monday 14th November 2011.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>