

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>09/11/2011</b>
		N/A		<b>Consultation Expiry Date:</b>	20/10/2011
<b>Officer</b>			<b>Application Number(s)</b>		
Jennifer Walsh			2011/4600/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
6 Wedderburn Road London NW3 5QE			Please 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</b>					
Extension of existing basement level, creation of lightwell to rear side (east) elevation at basement level with external steps up to ground level and three lightwells with walk on grids to the west elevation, all in connection with basement and ground floor maisonette (Class C3).					
<b>Recommendations:</b>		Grant Planning Permission subject to Section 106 agreement			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	11	No. of responses	02	No. of objections	02
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 23/09/2011-14/10/2011; A press notice was advertised from 29/09/2011 – 20/10/2011.</p> <p><b>6b Wedderburn Road objects to the proposal on the following grounds:</b></p> <ul style="list-style-type: none"><li>- This is the second time the applicant has submitted a planning application for the same proposed works. He believes there were approx 20 objections received the last time he applied. They are unable to discern any material changes in the nature and scope of proposed works so the previous comments still apply. They are especially concerned about the light pollution from proposed lightwells and changes to the character of this conservation area. Also, there will be further pressure on residents parking if the basement is allowed to become an independent dwelling unit.</li><li>- However, there are 2 new comments to add: 1) following recent probes/ investigations by the applicant's contractors they experienced a major leak in the water pipes which service the building. This could just be a coincidence, but it does serve to highlight serious risks associated with excavating the foundations of a 100 year old period property which is built on soft clay 2) the applicant has in the past shown flagrant disregard for the well being of his neighbours incl. ignoring health and safety issues. eg concerns were persistently ignored for 8 months until the applicant was forced by Camden Council's Dept of Environment to rectify defects which were caused by his builders following refurbishment of communal areas.</li></ul> <p><i>(Officers response: The hours of construction are recommended to be added to any permission and these are controlled under the Control of Pollution Act 1974. A construction management plan is also required to be submitted prior to any works commencing on site. Therefore the Council will have additional control over deliveries and construction traffic. Please also refer to section 5; please see section 4 regarding light pollution; please see section 3 relating to basement matters; regarding parking, it is not proposed to increase the number of residential units at the site, such a proposal would require a separate application and thus is not considered as part of this assessment – given there is no increase in residential units it is not considered that the proposal would increase parking pressures in the local area).</i></p> <p><b>8 Wedderburn Road objects to the proposals on the following grounds:</b></p> <ul style="list-style-type: none"><li>- The proposed west side light wells will extend beyond the footprint of the current property extending into what is already a narrow passage between properties 6 and 8 Wedderburn Road. The properties were designed to have a clear partition between them and the creation of the light wells would lead to no. 6 being extended to the very edge of it's boundary to no. 8. The original design of the street is for a series of semi detached houses and the proposal would in effect link the properties.</li><li>-The proposed extension is very substantial in relation to the size of the existing flat and as such changes the nature of the building. This proposal together with the first basement extension approved in 2001 has doubled the size of the flat in the last 10 years.</li><li>- There is a clear problem of building movement on the north side of Wedderburn Road. While this can only be observed through looking at the front garden walls of the other properties just from this you can see several of which have suffered from large amounts of movement. Their front garden wall on the east side has a very substantial crack on it. According to the previous owner of No. 8 this occurred after the previous basement work on No. 6 was done. The large amount of soil excavation to be done under this proposal is likely to exacerbate what is already a clear issue for the houses on the north side of Wedderburn Road.</li><li>-The large amounts of soil excavated will need a substantial number of heavy lorry visits to remove. Wedderburn Road already suffers from heavy traffic congestion due to being in the vicinity of several schools. It is only possible for single lane traffic on an existing 2 way traffic flow. Therefore the addition of a large number of heavy lorry visits will lead to traffic chaos.</li><li>- The digging out of basements is extremely polluting both from a noise perspective as well as creating substantial air pollution from the huge amounts of dirt and dust generated. In addition there is the noise and air pollution from the trucks required to undertake the soil removal. Their 6 year old boy, who suffers from asthma, will suffer from the proposed</li></ul>					

	<p>works.</p> <ul style="list-style-type: none"> <li>- Whilst we believe in home owners to improve their property overtime, policies which would allow a doubling of the original property size, if extended to all other property owners would be unsustainable if the character of the conversation area is to be maintained.</li> </ul> <p><i>(Officers response: Please refer to sections 3 and 4. A construction management plan is also required to be submitted prior to any works commencing on site. Therefore the Council will have additional control over deliveries and construction traffic – please also see section 5 for more details).</i></p>
<b>CAAC/Local groups comments:</b>	<p><b>The Wedderburn Road Residents Association and the Heath and Hampstead Society comment on the application as follows:</b></p> <ul style="list-style-type: none"> <li>- They continue to be alarmed by the prospect of further significant excavation on a clay and sand soil and they would like to be sure that the proposed structural works conform precisely to the Building Regulations Act.</li> <li>- In addition, they would like to require that disruption to the road and to neighbouring properties is kept to a minimum by mandating a construction period not to exceed twelve months from the start of excavation.</li> </ul> <p><i>(Officers response: Please see sections 3 and 5)</i></p> <p><b>Fitzjohns/Netherhall CAAC object to the proposal on the following grounds:</b></p> <ul style="list-style-type: none"> <li>- They object to “the principle of basement extensions as they contravene emerging policies DP23 and DP27”.</li> </ul> <p><i>(Officers response: Please see section 3)</i></p>

## Site Description

The application site is a large three storey, semi detached property, located on the north side of Wedderburn Road. The site is split into three flats, and this application relates solely to the ground floor and basement maisonette. The site does not include a listed building, but it is located within the Fitzjohns and Netherhall Conservation Area. The application site building is identified as making a positive contribution to the character and appearance of the conservation area.

## Relevant History

**P9601368R1:** The increase in height of the existing rear extension and the erection of a new conservatory at rear ground floor level, and the creation of a new window at rear first floor level. **Granted 06/09/1996**

**PW9605073:** Erection of two small sheds in rear garden and erection of new boundary wall to front garden. **Granted 24/01/1997**

**2009/4437/P:** Erection of a single story glazed conservatory following removal of existing conservatory on the rear elevation at ground floor level and alterations to the fenestration of the existing bay window to the rear of the residential unit (Class C3). **Granted 30/11/2009**

**2009/4778/P:** Excavation of front garden and creation of dropped kerb to form single car park space for residential unit (Class C3), following part demolition of front boundary wall. **Refused 02/02/2010**

**2011/1945/P:** Extension of existing basement under the full footprint of the dwellinghouse and creation of new lightwell to east side elevation at basement level with external steps up to ground level and the installation of three lightwells with walk on grids to the west elevation in connection with basement extension to residential flat (Class C3). **Withdrawn by applicant prior to a formal decision being made due to lack of supporting information 07/07/2011**

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)  
CS11 (Promoting sustainable and efficient travel)  
CS14 (Promoting high quality places and conserving our heritage)  
CS19 (Delivering and monitoring the Core Strategy)  
DP20 (Movement of goods and materials)  
DP21 (Development connecting to the highway network)  
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

### Fitzjohns and Netherhall Conservation Area Statement

## Assessment

### 1.0 Proposal

1.1 The application seeks planning permission for a basement excavation under the rear element of the existing building. Such works include joining up the proposed rear basement with the existing basement level located towards the front of the property. It also includes the creation of a lightwell to the side of the existing rear extension (rear east side elevation) to allow light into the proposed accommodation at basement level and also includes open metal stairs to provide access to the rear garden. To provide additional light into the proposed basement level, 3 small lightwells are proposed to be located on the west side elevation of the property with stainless steel walk-on grids (so as not to disrupt the existing access arrangements to the rear of the property). All of these works are proposed in order to create additional residential accommodation to the existing basement and ground floor maisonette.

1.2 This application is very similar to the previous application (2011/1945/P) which was withdrawn by the applicant due to the lack of supporting information in relation to the basement. More substantial information in this regard has been submitted with this submission.

### 2.0 Design

2.1 A lightwell is proposed to be located to the east side of the existing rear extension. It is to be located to the north of the existing projecting wing within the existing garden area. The lightwell is to project 1.2m from the original rear elevation (it will not extend beyond the rear building line of the extended part of the building) and is to have metal stairs leading up to the garden level. A frameless balustrade is proposed to sit in line with the total projection of the proposed lightwell for safety purposes. The lightwell is to be 4metres in length (to sit in line with the existing rear elevation) 1.7m in width. Three glazed sliding doors are proposed to open up from the 'gym' into the lightwell.

2.2 Three small lightwells are also proposed and are to abut the boundary with 8 Wedderburn Road on the west side boundary. Each lightwell (3 in total) are to measure 0.7m in width when measured from the existing side elevation and are 1.5m length. They are to be covered with a stainless steel walk on grid to allow continued access along this pathway at this point. Each lightwell is positioned towards the rear of the building in order to serve the proposed area of basement accommodation.

2.3 The proposed lightwell to the north of the projecting wing is not considered to be read as detrimental addition and the use of the lightweight materials to the feature will create a modest appearance. The lightwell is sensitively located and has been set away from the existing bay window to the original rear elevation. As such they would read as separate elements. The small lightwells to the western path way are small in scale and are not considered to be read as dominant additions when read in conjunction with the host property. These elements of the proposal are considered to preserve the character and appearance of the host property as well as this part of the conservation area.

2.4 The lightwells are the sole external alterations proposed. The proposed extended basement would be subterranean barring the lightwell additions. The extended basement in itself is not considered to cause harm in itself on the character of the host building, streetscene (as it is located entirely to the rear of the property) or wider conservation area.

### 3.0 Basement Proposal

3.1 A basement excavation is also included within this application. The basement level is proposed to accommodate a storage room and a gym, in order to provide additional residential accommodation for the existing basement and ground floor maisonette. It is a maximum 9.3m in length, 9.3m in width (if the lightwells are taken into account) and 3.7m in depth. It covers only part of the width of the building being located on the west side of the rear part of the building and will conjoin with the existing full width extension towards the front of the building.

3.2 The site is located within a hydrological constraints area for Claygate Beds. A Structural Basement Impact Assessment report has been submitted in support of the application. The external manifestations of the basement are in the form of lightwells to the rear and side of the property which are deemed acceptable in design terms (see section 2 above). The proposals extend beyond the original dwelling footprint as it is to be constructed underneath the rear element of the existing extension to the building as well as the remaining part of the existing original footprint. The proposal includes an extended basement to the maximum depth of 3.7m. The internal headheight of the proposal is to be 2.8m to align with that of the existing front basement. Therefore the proposals are inline with the recommended depth of basements, as set out within the basement guidance (to a depth of 4 metres) and CPG. Recommendations on how the retaining wall is to be designed have also been submitted within the BIA.

3.3 A ground investigation was undertaken between 19<sup>th</sup> July and 1<sup>st</sup> August 2011. One borehole was drilled to a depth of 10m with a standpipe being lowered to a depth of 6m. A trial pit was hand dug to a depth of 1.6m alongside the external wall of the existing rear extension to investigate the configuration of the existing foundations. These confirmed that the site comprises a moderate thickness of Claygate Beds to a depth of 6.7m over stiff London Clay. Groundwater inflow was noted in BH1 at 3m with a 0.5m depth of standing water being recorded upon completion of the borehole at 10m. Subsequent standpipe monitoring on 1<sup>st</sup> August revealed standing water at a depth of 1.5m. 3 litres of water was then removed from the standpipe for testing and the level equalled out at 2m. The report subsequently records the water as

'seepage'.

3.4 Further monitoring of the standpipe was required by the case officer and this most recent reading taking on 20/10/11 with a depth of 3m being recorded. The revised report states that the elevated groundwater reading of 1.50 m (100.50 m) taken on 1/08/11 may be related to water trapped in the installation which has since dissipated into the ground, which comprises Claygate silt and fine sand to a depth of 6.7 m (95.30 m).

3.5 The borehole investigation was conducted in the rear garden and a full soil profile was provided. The submitted hydrology details of the site provide both desktop and borehole evidence of the site conditions, with associated recommendations. The basement extension is to align with the existing basement in line with the sloping ground (Inclination of approximately 5°) and anticipated groundwater flow direction from north to south. Therefore the basement extension will have a perceived minimal impact on the groundwater flow and will not 'dam the flow' anymore than the existing basement.

3.6 The applicants have not provided any information in relation to SUDS or drainage details. As the proposal does not dramatically increase the amount of built form on the site, and a large garden is retained throughout the proposal, it is not considered to unreasonably impact on the drainage of the surrounding area. It is noted that the basement and the proposed details have been appropriately designed to retain the landscaping which will assist in mitigating water runoff.

3.7 It is considered that the basement which is to be located within the rear element of the footprint of the building, takes sufficient account of the requirements of DP23 and DP27 with regards to elements a and b of the policy. The basement would sit in from the boundary with the property to the east and west to ensure that water could pass between or by their cumulative presence, thus meeting the terms of DP27(c). The basement would have a limited area of lightwell in relation to the rear and side of the site and their presence would have no direct impact on the amenity of neighbours in terms of overlooking, outlook or privacy, thus meeting DP27 (d). Therefore, in overall terms it is considered on the basis of the detailed information submitted, that policies DP23 and DP27 will be accorded with in this instance.

#### **4.0 Amenity**

4.1 Due to the proposed lightwells being located at ground floor level to both the side and the rear side elevation it is not considered to have an impact on the neighbouring properties in terms of loss of daylight or sunlight. Similarly no issues are raised in relation to overlooking or outlook matters as a result of the proposals.

4.2 Concerns have been raised in relation to light pollution from the proposed lightwells to both the eastern side of the existing rear extension and to the west. It is not considered that any possible 'light pollution' generated from the proposals would have a significantly detrimental impact on the neighbouring properties due to the limited width of the lightwells as well as the windows/doors being set in from the edge of the lightwells.

#### **5.0 Transport**

5.1 The site is located along Wedderburn Road, which is a narrow road which experiences traffic congestion at peak times and may present difficulties of approach for larger construction vehicles. The works proposed require excavations in relation to the works to the basement. DP20 and DP26 in particular seeks to minimise such effects on local amenity while DP21 seeks to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. The factors relating to this application including the limited space on site to store materials and limited external access to the rear of the site where the works are taking place for example, means that a Construction Management Plan (CMP) would need to be secured by S.106 legal agreement in order to minimise the impact on the transport network and local amenity. Amongst other details the CMP will need to provide details of the size of vehicles, their expected numbers and regularity etc, for agreement by the Council. The applicant has indicated a willingness to enter into this via S106. The CMP will act as a further means of protecting the amenity of neighbouring occupiers during construction works and protecting highway safety in the surrounding area.

#### **6. Recommendation**

**6.1 Grant Planning Permission subject to Section 106 agreement for a Construction Management Plan.**

#### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 7<sup>th</sup> November 2011.**

**For further information see**

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