

Delegated Report		Analysis sheet	Expiry Date:	27/05/2011
(Members Briefing)		N/A / attached	Consultation Expiry Date:	05/05/2011
Officer			Application Number(s)	
Max Smith			2011/1589/P	
Application Address			Drawing Numbers	
14 Oakhill Avenue, London, NW3 7RE			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Retrospective application for amendments including increase in size of basement to accommodate swimming pool with plant and associated alterations to elevations and roof pursuant to planning permission granted on 06/08/2007 (ref: 2007/2898/P) for "excavation to provide a new basement level to provide additional habitable accommodation and integral garage for dwelling house, with associated changes to forecourt and driveway levels; remodelling of the existing two storey NE side extension with raised roof eaves and realignment of windows; erection of a raised ground floor SW side extension with terrace above; erection of a ground floor NE side conservatory extension, and various elevational alterations to fenestration" (Use Class C3).				
Recommendation(s):		Grant planning permission		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice
Informatives:	

Consultations

Adjoining Occupiers:	No. notified	13	No. of responses No. Electronic	01 00	No. of objections	01
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Summary of consultation responses:	<p>Neighbours were consulted by letter, site notice and press notice. One letter of objection was received raising the following points:</p> <ol style="list-style-type: none"> 1. The increase in depth of the basement will cause long-term problems underground to adjoining properties and should have been the subject of an application prior to works being undertaken. 2. The property is now a monster out or proportion to the site and surroundings. Any reduction in size to regularise the permission is welcome. <p>Thames Water: The Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.</p> <p>The following conditions should be adhered to with regard to the emptying of swimming pools into a public sewer to prevent the risk of flooding or surcharging: - 1. The pool to be emptied overnight and in dry periods. 2. The discharge rate is controlled such that it does not exceed a flow rate of 5 litres/ second into the public sewer network. The property will need metering and the applicant is advised to contact Thames Water.</p>
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CAAC/Local groups comments:	<p><u>Redington/Frogna CAAC</u>. No objection.</p> <p><u>The Heath and Hampstead Society</u>: A number of unauthorised alterations have been made to the original design, including a swimming pool. This is a significant alteration. Other alterations seem to be minor, although the annotation of the drawings is confusing, if not misleading. It is assumed the Council is not willing to instigate effective enforcement action, but there should still be a regime of regular supervised site inspection and monitoring of adjoining and adjacent buildings to ensure that subsidence or other structural damage is not occurring, arising from this illegal excavation work.</p>
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Site Description

A detached single family dwellinghouse located in the Redington/Frogna Conservation Area.

The development which is the subject of this planning application has already been completed in accordance with the approved plans.

Relevant History

2007/2898/P: Excavation to provide a new basement level to provide additional habitable accommodation and integral garage for dwelling house, with associated changes to forecourt and driveway levels; remodelling of the existing two storey NE side extension with raised roof eaves and realignment of windows; erection of a raised ground floor SW side extension with terrace above; erection of a ground floor NE side conservatory extension, and various elevational alterations to fenestration. Granted 06/08/2007.

2007/5527/P: Details of all external works, plant schedule and garden layout pursuant to condition 3 attached to planning permission granted on 06 August 2007 (2007/2898/P) for excavation to provide a new basement level to provide additional habitable accommodation and integral garage for dwelling house. Granted 17/12/2007.

Relevant policies

LDF Core Strategy and Development Policies

CS3 – Other highly accessible areas

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

DP22 – Promoting sustainable design and construction.

DP24 – Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

DP27 – Basements and lightwells

Camden Planning Guidance 2006.

Belsize Park Conservation Area Statement

Assessment

Proposal

Planning permission was granted for the excavation of a basement for additional accommodation, 2 side single storey extensions and a remodelling of the 2 storey side extension to raise the roof eaves and lower the garage under planning permission 2007/2898/P.

The development has now been completed, although with variations to the approved drawings sufficient to warrant a fresh planning application to regularise the changes. The amendments to the approved scheme are as follows:

1. The layout of the basement floor has been amended to include a swimming pool at the expense of a billiards room and a playroom. This has increased the depth of the basement locally by 1.4m. The basement is also larger than approved, with the further excavation of an area 2.5m x 5.5m to accommodate a plant room for the pool. The amendments at this level also include the reduction in the size of the garage (one vehicle rather than two could be accommodated).
2. A small lean-to extension on the rear elevation (2.5m x 2.5m), identified in the approved drawings as for demolition, has been preserved and used to house plant associated with the swimming pool (there would be no external plant).
3. Two dormer windows and two rooflights have been replaced with a single larger dormer on the north-east (side) elevation.
4. Minor changes to fenestration on all elevations, balustrading and the location and size of planters and assorted internal alterations.

Main issues: The impact of the amendments on the character and appearance of the conservation area, residential amenity and the impact of the changes to the basement are the main considerations.

Conservation area

The external changes to the building are minor in scope and do not significantly affect the character or appearance of the conservation compared to the approved scheme. The high quality of the building's finish is noted.

Residential amenity

The bulk and scale of the building would not be significantly altered compared to the approved scheme and no new opportunities for overlooking would be created. The development therefore remains acceptable in terms of its impact on the light and privacy of neighbours. As noted above, no external plant has been installed that could cause noise nuisance.

Basement issues

Although the works have already been undertaken, the applicant has provided details of how the development addresses the requirements of Policy DP27. In this assessment, the applicant is greatly assisted by data

provided to satisfy the Building Regulations and the Party Wall Act.

Impact on drainage and the water environment: Borehole data has been submitted which demonstrate ground conditions to the depth of the basement and beyond. This shows that the excavated ground was mostly impermeable 'Claygate Member'. The boreholes encountered groundwater in a sandy layer below the lower slab level of basement. This would have been unaffected by the development.

It should also be noted that the basement is located almost entirely under the footprint of the existing building and so does not introduce an impermeable structure into previously permeable gardens or open space.

Impact on structural stability: The basement was constructed using reinforced concrete underpins and bored piling. The works were approved by the Council's Building Control section and neighbouring Party Wall engineers. The works have been completed for approximately a year and it is understood that no structural issues have arisen either to the property itself or the closest neighbour at no.12 Oakhill Avenue. No objections have been received to the current application from the occupants of the latter property.

The increase in the size of the basement is of a small scale compared to the size of the basement as approved. Whilst the changes should have been assessed prior to their construction, due to their limited scale it is considered that the borehole data, drainage and structural details the applicant has subsequently provided are sufficient to demonstrate that the scheme complies with the requirements of policy DP27.

An informative is recommended to address the requirements of Thames Water.

Recommendation: Grant planning permission.

DISCLAIMER

Decision route to be decided by nominated members on Monday 13th June 2011.

For further information see

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