

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>13/12/2010</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	13/12/2010
<b>Officer</b>			<b>Application Numbers</b>		
Aysegul Olcar-Chamberlin			1) 2010/4299/P & 2) 2010/4303/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
31 Chester Terrace London NW1 4ND			See decision notices		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposals</b>					
<p>1) Alteration to dwelling house (Class C3) including basement excavation for an additional lower basement level (below front lightwell and vaults) and installation of glazed panel with French Doors in front lightwell.</p> <p>2) Internal and external alterations to dwelling house (Class C3) including basement excavation for an additional lower basement level (below front lightwell and vaults), installation of glazed panel with French Doors in front lightwell, new boiler under existing stairs to front lightwell, stone repairs, reconfiguration of lower ground floor level and alterations to vaults.</p>					
<b>Recommendations:</b>		<p>1) Refuse Planning Permission</p> <p>2) Refuse Listed Building Consent</p>			
<b>Application Type:</b>		Householder Application			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>
<b>Informatives:</b>	

### Consultations

<b>Adjoining Occupiers:</b>	No. notified	<b>07</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. Electronic	<b>00</b>		

<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 15/11/2010 to 06/12/2010.</p> <p>32 Chester Terrace objected to the any further development of the application property. International Law Firm on behalf of the occupiers of 32 Chester Terrace raised the following concerns in relation to the proposed development:</p> <ul style="list-style-type: none"> <li>No structural calculations have been provided for the proposed basement excavation and the proposal would involve complete removal of the lower ground floor level and installation of considerable underpinning and pins and props.</li> <li>The proposed works to lower ground floor level and basement excavation may have a serious adverse affect on the stability of the application and adjoining properties.</li> <li>The proposed works are inappropriate to the original construction and design of these properties.</li> <li>The proposed basement extension is not essential to proper enjoyment of the property as it is to provide for a gym and home cinema.</li> <li>The side door in the front lightwell which would provide access to the lower ground floor and new basement level would be security risk.</li> <li>The proposed works would be contrary to the Council's planning policies.</li> <li>Very little information is provided about how to ventilate the additional basement level. The emanation of noise from the ventilation/air circulation plant or equipment might be necessary.</li> <li>New boiler under the external stairs would be visible and unsightly and there is also the question of noise.</li> <li>The works may have been permitted at 1-2 Chester Gate and 6-10 Cambridge Terrace, where the circumstances are different, should not be used as a precedent to allow further development of this nature in Chester Terrace.</li> </ul>
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<b>CAAC/Local groups comments:</b>	<p>No reply from CAAC or local groups is received.</p> <p><b>English Heritage</b> raised concerns over the impact of the proposed basement excavation on the physical fabric and structural stability of the building.</p>
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### Site Description

The application relates to a Grade I listed three-story-plus-basement-mid-terrace dwellinghouse on the east side of Chester Terrace in the Regent's Park Conservation Area. The property forms part of a Nash-designed terrace which has a special interest within a planned townscape behind Regent's Park. It is well documented that many of the Nash-designed terraces around Regent's Park were comprehensively rebuilt behind the retained façade after extensive damage during World War II.

### Relevant History

Application Property:

**2009/5065/P** – Planning permission was granted on 21/12/2009 for the creation of roof terrace within existing roof of mansard accessed via rooflight, installation of a glazed screen and door within the front open area to create a lobby at lower ground level and lowering of vault floors to provide additional headroom (Class C3). The associated listed building consent was also granted on 21/12/2009 (ref: 2009/5066/L). The approved scheme has not been implemented on site.

**2010/4300/L** – Listed building consent was granted on 20/10/2010 for the installation of slimlite double glazing

to the rear elevation windows of residential dwellings (Class C3).

Neighbouring Properties:

**29 Chester Terrace** – The listed building consent was granted on 15/08/2005 for the internal works, alterations to roof lights, the erection of a glazed screen and door within the basement under steps to the main entrance and a window within the outer wall of a vault, and alterations including excavation to vaults (ref: 2005/2117/L).

**Relevant policies**

**LDF Core Strategy and Development Policies**

**Core Strategy**

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

**Development Policies**

DP24 – Securing high quality design

DP25 – Conserving Camden's heritage

DP26 - Managing the impact of development on occupiers and neighbours

DP27 – Basements and lightwells

DP28 - Noise and vibration

**Regents Park Conservation Area Statement**

**Camden Planning Guidance 2006**

**Camden Guidance Note: New Basement Development and Extension to Existing Basement Accommodation (Draft 2009)**

**Assessment**

**Proposal**

The proposal is for some external and internal alterations and a basement excavation below the upper ground floor level of the house. The alterations to the front lightwell would involve the installation of new French doors and panels to the side to form an entrance lobby at the lower ground / basement. These were previously approved (refs: 2009/5065/P and 2010/4300/L).

The internal alterations would involve the reconfiguration of lower ground floor / basement and a new cloakroom in one of the vaults. Additional basement level would be under the front light well and vaults adjacent to and under the front pavement area and would provide home cinema and gym. A new boiler would be installed under external stairs in the front lightwell and a water tank and heating pump would be installed inside the vaults.

The Design and Access Statement states the additional basement would be achieved by excavating below the floors of the vaults and lightwell to provide serviceable head room, underpinning the walls and providing beams to support the dividing walls of the vaults and lightwell wall.

**Impact on Listed Building**

The excavation and opening up of the vaults at basement level has been established in other properties along Chester Terrace including Nos. 29, 21 and 16. However, the principle of excavation below the vaults is not a common intervention across the terrace and is considered to be unacceptable on the grounds that this does not form part of the historic character of basement vaults. The character of basement vaults is that they are small-scale, vaulted rooms, external to the principal building and located at basement level i.e. in the lowest part of a building. Creating a room beneath the vaults would change the character and hierarchy of the building which would harm its special interest.

The vaults would be waterproofed by a non invasive internal damp proof membrane and render system which is independent of the brick vaults. As part of this application the vaults would not be interconnected by forming door openings between the vaults as per the recently approved applications and therefore the disturbance to the brick vaults would be minimised. All proposed works would be below the level of the existing floor in the vaults. The doors in the two end vaults would be placed into the old door openings to match the existing detail and maintain the status quo.

The proposed basement excavation would extend beyond the footprint of the original house and would be beneath the vaults under the road. The method statement submitted with this application contains the

underpinning details and states that a geo-environmental desk top study would be carried out prior to construction. It is clear that no structural or ground survey has been undertaken. Regardless of the additional basement level being unacceptable in principle, the proposals are not supported by any supporting information to suggest the structure of the vaults, the principle building, the wider terrace or the pavement could accommodate such an intervention.

The proposed basement excavation is considered to harm the historic form of the building. In the absence of structural and geotechnical investigation to establish that the proposed works would not harm the structural stability of the listed building, the proposal could also harm the physical fabric and structural integrity of the listed building. The proposal is contrary to policies CS5, DP24, DP26 and DP27.

### **Residential Amenity**

The proposal would not be likely to raise any material amenity issues in terms of loss of daylight, overlooking and noise nuisance.

Concern over the noise from the boiler was raised by the adjoining occupiers. Domestic boilers are not considered to be likely to generate unacceptable noise. It also noted the boiler would be well screened by the retaining walls of the lightwell and the external stairs.

An initial concern over security risk is also raised by the adjoining occupiers. The proposed glazed screen on the front basement lightwell would not be immediately visible by the users of the road due to its location below the street level and the screening provided by the existing bridge from street level to the main entrance on the ground floor level of the building.

### **Transport**

The proposal would not affect the main transport networks as the application site is accessed via private road and are considered to be acceptable in terms of transport without any planning obligations or conditions.

**Recommendation:** Both planning permission and listed building consent should be refused as the proposal would harm the special architectural interest of the building and could cause damage to the structural stability of the listed building.

### **Disclaimer**

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