

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		25/06/2010	
		N/A / attached		<b>Consultation Expiry Date:</b>		02/06/2010	
<b>Officer</b>				<b>Application Number(s)</b>			
Rob Tulloch				2010/2050/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Flat 1 38 Compayne Gardens South Hampstead London NW6 3RY				See 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>							
Creation of new window opening, installation of railings and provision of a lightwell to the rear elevation in association with the conversion of existing basement to additional habitable accommodation for the ground floor flat (Class C3).							
<b>Recommendation(s):</b>		Grant Planning Permission					
<b>Application Type:</b>		Full Planning Permission					

<b>Conditions:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>05</b>	No. of responses No. Electronic	<b>05</b> <b>03</b>	No. of objections	<b>05</b>
<b>Summary of consultation responses:</b>	<p>Flats 2, 3, 4, 5 &amp; 6, 38 Compayne Gardens object on grounds that:</p> <ul style="list-style-type: none"> <li>• The applicant does not own the basement or have the permission of the freeholders to carry out the work</li> <li>• The proposal would cause damage to an adjacent tree</li> <li>• The proposal could cause subsidence</li> <li>• Construction work would cause noise pollution</li> <li>• The proposal would be overdevelopment for commercial gain and increase traffic and noise</li> <li>• The proposal would harm the appearance of the building</li> <li>• The proposal would compromise security</li> </ul> <p><u>Officer response</u></p> <ul style="list-style-type: none"> <li>• <i>Ownership issues are not a planning matter</i></li> <li>• <i>The tree is over 5m away, and as the proposal would open up an existing lightwell, it is considered that it would not harm the tree</i></li> <li>• <i>There is no internal excavation proposed or an increase in the size of the existing basement. A modest external lightwell is proposed, which would replace one which had previously been filled in. It is considered that the amount of work would not pose a structural problem, but structural issues such as subsidence are dealt with under the Building Regulations</i></li> <li>• <i>Noise from construction work is covered by Environmental Health legislation</i></li> <li>• <i>Adding a bedroom with en-suite bathroom is not considered to be overdevelopment, nor would an extra bedroom increase parking or noise problems</i></li> <li>• <i>The external changes are at the rear and relatively minor and not considered to harm the appearance of the building or conservation area</i></li> <li>• <i>New windows, as long as they are secure, are not considered to compromise security</i></li> </ul>					
<b>CAAC/Local groups comments:</b>	No responses received.					
<b>Site Description</b>						
The site is a 4-storey plus attic building constructed in red brick. It is located at the junction of Compayne Gardens and Fairhazel Gardens. It is currently divided into flats and lies within Swiss Cottage Conservation Area.						
<b>Relevant History</b>						
8401112 Change of use including works of conversion to form six self-contained flats and two maisonettes including the erection of a rear extension. Granted 05/09/1984						
<b>Relevant policies</b>						
<b>Replacement Unitary Development Plan 2006</b>						
SD6 Amenity for occupiers and neighbours						
B1 General design principles						
B3 Alterations and extensions						
B7 Conservation areas						
<b>Camden Planning Guidance 2006</b>						
<b>New Basement Development and Extensions to Existing Basement Accommodation 2009</b>						
<b>LDF Core Strategy and Development Policies</b>						
DP25 Conserving Camden's heritage						
CS14 Promoting high quality places and conserving our heritage						

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

## **Assessment**

The building currently has a small basement accessed by a hatch and used for storage. It occupies roughly a quarter of the footprint of the building. It is proposed to reconfigure the existing basement to provide a new staircase, bedroom and bathroom. This would not involve an increase in the floor area of the basement or any excavation. It is also proposed to open up a previously blocked up window and lightwell to create a new lightwell at the rear of the property to provide light to the bedroom and create an additional means of escape.

The main issues are the impact of the changes on the character and appearance of the building and wider conservation area, and on the amenity of occupiers and neighbours.

## **Design**

### Internal alterations

Although internal alterations are not normally a planning concern, the Council has guidelines for basements. The proposed bedroom exceeds the floorspace requirements for a double bedroom and has a window which will provide daylight and natural ventilation. However, the guidance also recommends existing basements should have headroom of 2.1m. This proposal does not involve internal excavation so the basement headroom would remain as existing at 1.9m. However, as this is an existing basement, and the internal alterations can be done without the benefit of planning permission, the lack of headroom cannot in itself be a reason for refusal.

### External alterations

It is proposed to excavate a small lightwell to the rear. It would extend out from the building by 1m and be 3m wide. A walkway measuring 1.4m would allow access over the lightwell from the ground floor kitchen to the garden. The remainder of the lightwell would be surrounded by metal railings measuring 1.2m high and 1.6m wide at ground floor level.

Camden's guidance for basements advises that lightwells to the side or rear are often the most appropriate way to provide light and should be set away from neighbouring properties and not take up more than 50% of the garden. The proposed lightwell is relatively small and complies with this guidance.

The railings are considered to be a minor alteration, and being at the rear, would not adversely affect the appearance of the building. The window to the original basement has been bricked up and it is proposed to open up the window. The proposed window would be 1.2m high by 1m wide, approximately the same size as the previous window and constructed in materials to match the existing windows of the building.

It is unlikely that the excavation of the lightwell would cause any structural problems for the building due to the modest size of the lightwell, the fact that a similar lightwell previously existed in the same location, and the fact that the works would not extend below the level of the existing foundations. Structural stability should be ensured through the Building Regulations.

## **Amenity**

The creation of a lightwell at the rear and the opening up of a basement window are not considered to harm the amenity of any adjoining occupiers.

**Recommendation:** Grant Planning Permission

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