

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 17<sup>th</sup> December 2007. For further information see

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

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	19/12/2007
		N/A / attached	<b>Consultation Expiry Date:</b>	5.12.07
<b>Officer</b>			<b>Application Number(s)</b>	
Charles Thuaire			2007/4759/P, 4761/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Klippan House 50 Well Walk London NW3 1BT			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>				
P- Creation of a new underground swimming pool with ancillary plant and gym rooms next to 8 East Heath Road, connected to the main building via a basement corridor link. L- Demolition of garage adjoining 8 East Heath Rd and creation of a new underground swimming pool with ancillary plant and gym rooms, connected to the main building via a basement corridor link.				
<b>Recommendation(s):</b>		Grant permission and LB consent		
<b>Application Type:</b>		Full Planning Permission		
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice		
<b>Informatives:</b>				

## Consultations

Adjoining Occupiers:	No. notified <b>20</b>	No. of responses <b>08</b> No. Electronic <b>01</b>	No. of objections <b>08</b>
Summary of consultation responses:	<p>Objections from neighbours at 6-8 East Heath Rd and The Priors flats opposite:  Basement pool effect on reduced water pressure for neighbours water supply, given current low water table and water pressure (<i>response- not material planning consideration</i>);  noise and disruption from continuous construction works, in the case of this site lasting several years (<i>response- not material planning consideration</i>);  queries what will happen on above-ground hard surfaces (<i>response- awaiting outcome of appeal against recent refusal</i>);  cumulative impact of all applications for replacement walls, a/c units, gazebo in rear garden etc (<i>response- no harm to overall CA and LB, but each application must be considered on their merits</i>);  excessive hard surfacing and impact on drainage and groundwater runoff; (<i>response- area of hard surfacing less than existing, no demonstrable harm to be caused to local geology/hydrology</i>);  impact on subsidence and stability of neighbouring building (which has suffered twice in last 8 years) and impact on area drainage given underground rivers (<i>response- not material planning consideration; nevertheless engineer's report states that no damage will be caused- see final para of assessment</i>);  impact on cedar tree (<i>response- outside root protection zone of tree</i>)</p>		
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p>Hampstead CAAC object- grotesque addition to listed building which would effectively sterilise a major part of garden (<i>response- no physical or visual impact on LB, hard surfacing area same as or less than existing</i>)</p> <p>Heath and Hampstead Society object- little different from previous proposal, destroys large area of garden with hard paving, inappropriate setting for listed house, precludes possible planting and trees, impact on water table; grounds unsuitable for further devt. (<i>response- see above comments</i>)</p> <p>English Heritage- requests imposition of archaeology condition requiring programme of arch. investigation to be submitted for approval, as basement structures are likely to impact upon significant archaeological remains (given Roman finds found in vicinity). (<i>response- condition attached</i>)</p>		

## Site Description

- 1.1 The site contains a large 2-storey plus basement and attic detached house at the corner of East Heath Road and Well Walk, plus 2 detached garages facing East Heath Road. Klippan House is Grade 2 listed and was built in 1881 in an Arts and Crafts style. It is currently converted into 3 flats. The house is currently being refurbished and restored following problems of rising dampness and following recent previous permissions/consents to extend and alter.
- 1.2 The 2 detached garages date from the 1920's with red brick walls and pitched tiled roofs and adjoining 8 East Heath Road. They are neutral buildings in the context of their contribution to the character of the conservation area. The overall site has a large garden with gravel surfacing fronting the house and around the garages and has 2 vehicular entrances off both roads. The site has rows of mature trees on both frontages plus a large mature and impressive cedar tree in the rear garden.
- 1.3 The property is located in the Hampstead conservation area. East Heath Road faces the Heath on its NE side with large Edwardian mansion blocks opposite the site and on its SW side has typical Victorian 4-5 storey semi-detached houses adjoining the site. Well Walk has a variety of 19thC residential semi-detached properties in a tree-lined verdant setting. It also lies within Hampstead Archaeology Priority Area.

## Relevant History

31.3.38- pp granted for conversion of house into flats

January 2004- application for erection of new 2-storey dwellinghouse on site of 2 garages recommended for refusal, on grounds of inappropriate location, bulk, height, design, hard surfaces, and consequent harm to listed building, conservation area and trees; later withdrawn.

3.2.06- pp/lbc granted for rebuilding of rear balcony at lower & upper ground floor levels; erection of a small extension to the side at upper ground floor level; and installation of a glass roof over the lower patio area to the side of the existing basement of this lower ground & upper ground floor maisonette

20.10.06- pp/lbc granted for alterations and additions including the rebuilding of brick wall encasing access stair to the upper level flat; altering the location of the external stairs to the new balcony on the rear elevation; roof over external steps to Well Walk side to increase internal accommodation; and 2 conservation rooflights in the retained tiled roof.

14.9.07- pp/lbc/cac refused for Change of use and conversion of Klippan House from 3 flats into a single dwelling house with associated internal alterations; demolition of 2 garages; erection of a new 2 storey and basement building comprising ground floor garage for 3 cars for main house and a 1<sup>st</sup> floor self-contained 2 bedroom flat with access off East Heath Road, plus a new basement swimming pool and ancillary accommodation connected to main house; new hard surfacing and alterations to entrances and boundary walls. Reasons- inappropriate bulk/form/design/location and impact on listed building and CA. (2007/0680/P, 0682/L, 0683/C)

13.11.07- pp/lbc for erection of replacement boundary walls at front and side

7.12.07- pp/lbc for conversion of building from 3 to 2 units;

Dec 07- outstanding application for erection of gazebo, shed and replacement wall in rear garden

**Relevant policies**

S1, S2 environmental protection

SD6 neighbour amenity

SD8 noise disturbance

SD9 resources

SD10 hazards

B3 alterations/extensions

B6 listed buildings

B7 conservation areas

N8 ancient trees

## Assessment

The previous scheme, for a new structure comprising basement pool, ground floor garages and 1<sup>st</sup> floor flats associated with conversion of the main listed building to one house, was refused by DC Committee on grounds of the new above-ground garden structure being inappropriate in bulk, location and design; no objections were raised at that time to the basement part of the accommodation. Appeals have been lodged against the refusals.

This new scheme follows on from this previous scheme and comprises only the basement element of it, almost identical in location, layout and size to that in the refused scheme. It comprises a basement pool with plant room and gym/fitness room on the same plot between the listed building and 8 East Heath Rd; its width and length will be the same as before but the ancillary rooms will now extend the whole width of the basement thus bringing out the front extent of excavation next to no.8 further towards the road. Part of the pool area will also be deeper than before to create a simple rectangular box for excavation purposes. The ground surface in hard paving will be more extensive than before to be similar to the existing area of hard surfaces. It will be connected as before to the listed building basement via an underground corridor link to a basement room. A separate bin enclosure is provided next to the boundary with no.8, as before, but this scheme now shows it incorporating within the structure air intakes and exhaust flues for the pool.

Issues- impact on listed building and conservation area, tree/landscape, neighbour amenity, structural stability.

The new basement floor under and adjoining the new building will be completely separate from the listed house, except for a tunnel which connects with the main house into a basement lobby area; this is acceptable as no loss of significant historic fabric is involved. The basement accommodation will have no impact on the structural integrity of the listed building or on its character and appearance. As all works are underground, there will be no impact on the character and appearance of the conservation area. The demolition of one pitched roof garage at the front of the site is too small to require CA consent and in any case no objection would be raised to its demolition on account of its neutral contribution to the CA character. A bin store is shown located next to 8 East Heath Road and the vehicular entrance; this is acceptable in principle subject to more details being provided by condition.

The new basement will be designed on sustainable principles: a heat pump will be used to extract energy for the pool from the ground; insulation with a warm roof will reduce need for heating and cooling of the building.

The amount of hard surfacing currently on site is quite extensive and this will be somewhat reduced in the proposed scheme by reorganising the layout of the driveway and parking and landscaping areas. The new basement accommodation extending between the listed building and 8 East Heath Rd will be under existing hard surfacing and will not preclude the possibility of future tree planting and soft landscaping on the rest of this site, given its overall size and layout. However a condition requiring submission of re-landscaping details will be imposed to ensure grass or permeable surface materials are used. A small holly tree next to the building is proposed to be removed and replaced by a new one on the front verge- this is acceptable as it has poor amenity value. The excavation is outside the root zone of the TPO cedar tree in the rear garden and will have no impact on its health.

No details have been provided for the external plant required for the basement pool accommodation although it is proposed to have its extract flues in the dustbin enclosure near the front windows of 8 East Heath Rd; however it is likely to be small-scale in nature and can be designed in location and orientation to minimise its impact on habitable rooms of no.8 next door so as not to harm local amenity. More details will be required by condition as well as ensuring compliance with Council noise standards.

The proposed basement will encompass the hard surfaced area under and adjoining the existing garages between 8 East Heath Rd and the main house. As before, it will extend to 1m from the flank wall of 8 East Heath Road, following advice by the engineer in order to ensure that the adjoining buildings are protected from damage by excavation through the formation of a contiguously- piled barrier. An engineering report has been submitted which confirms that the basement in terms of location, depth and footprint and its proposed method of construction will have no or minimal impact on the stability of adjoining buildings including Klippan House itself. The use of bored contiguous piles to form the foundation and retaining walls of any future above-ground structure should limit any disturbance to the surrounding ground and mitigate any risk of subsidence in surrounding properties. This method of construction is also considered to be the least invasive and result in minimal vibration nuisance. The site is not in an area of known land instability and, as such, any issues relating to subsidence can be dealt with under the Building Regulations.