

21-23 Cressy Road, London, NW3 2NB

2014/2736/P



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Site Photos –

Photo 1: Existing Front Elevation



Photo 2: Existing Rear Extension



Delegated Report		Analysis sheet	Expiry Date:	05/06/2014
(Members Briefing)		N/A	Consultation Expiry Date:	15/05/2014
Officer			Application Number(s)	
Jonathan McClue			2014/2553/P	
Application Address			Drawing Numbers	
Flat 1 21-23 Cressy Road London NW3 2NB			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use from 4 x residential units to 2 x residential dwellings (1x2 bed and 1x3 bed); excavation and development of a new basement; a lightwell and pavement lights to the side of the building; a replacement single storey rear extension and the installation of a new front wall and automatic gate to parking space.				
Recommendation(s):		Grant Conditional Planning Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	21	No. of responses	10	No. of objections	10
			No. Electronic	08		
Summary of consultation responses:	<p>Advertised in the Ham & High on 24/04/2014 Site Notice displayed from 23/04/2014</p> <p>10 objections have been received and are summarised below:</p> <ul style="list-style-type: none"> • Concern regarding structural issues to neighbouring properties and devalue them. • The road lies above Fleet River making such a development unsuitable. There has been recent subsidence under the road resulting in stability issues. • Creation of lightwells would harm the appearance of the building and the streetscene as well as cause light spillage. It would be a safety hazard for pedestrians. • Excavation works would damage existing underground sewers and water pipes. • Road surface would be damaged from heavy vehicles during construction. • Quality of daylight inadequate to new basement. • Flooding and subsidence from basement works. • Harm to the conservation area as no other property on the street has a basement. • Disruption to the area during building works. <p><u>Officer Response</u></p> <ul style="list-style-type: none"> • The proposed basement works are subject to a Basement Impact Assessment (BIA) that has been independently assessed and considered acceptable. Further information is found under the Basement section within the main body of the report below. • The issue of property value is not a material planning consideration. • The lightwell has been amended to be located at the side of the dwelling and would no longer be visible within the public realm. Any light spillage would not be a material increase over existing levels (i.e. the lightwell would be directly below rear and side ground level windows which could emit light). • It is not considered that construction vehicles would cause significant damage to the road surface and due to the nature of the proposal and its location a Construction Management Plan and/or financial contribution to highways has not been sought. • The lower ground level would be used as additional dining, kitchen and living space and would be served by a lightwell and a basement shaft. The proposed quality of daylight is considered acceptable as it is further living space to the existing flat with the prospective 					

	occupiers benefitting from living spaces on the ground floor.
CAAC comments:	<p>Mansfield CAAC were consulted on the application and raised the following objections:</p> <ul style="list-style-type: none">• Poor means of escape from basement.• The roof skylight to the ground floor extension would not be buildable.• The label for flat 2 is incorrect (on the wrong door) <p><u>Officer Response</u></p> <ul style="list-style-type: none">• The means of escape is not a material planning consideration and forms part of the building regulations consent process.• The roof skylight has already been granted planning permission under 2013/2882/P. Furthermore, whether an element of a proposal can practically be built is not a material planning consideration.• This objection relates to the labelling of the existing first floor plan. Flat 2 is annotated within the door of the bedroom of the flat and it is clear what it relates to.

Site Description

The site contains an end of terrace 2 storey building with rooms in the roof, located towards the northern end of Cressy Road. The building has an existing single storey rear extension, dormer windows and a single storey garage to the side.

The site is unlisted and lies within the Mansfield Conservation Area. The building is listed as a positive contributor in the Mansfield Conservation Area Appraisal and Management Strategy 2008.

The building has recently been granted planning permission to become 2 self-contained dwellings and it was previously in use as 4 separate self-contained flats.

Relevant History

TP/1411/1218: Planning permission was granted on 03/02/1964 for the erection of a garage at the side of 21 Cressy Road.

2013/2882/P: Planning permission was granted on 30/07/2013 for the change of use from 4 residential units into 2 flats (1x2 bed and 1x3 bed) with a new front wall and automatic gate and a replacement single storey rear extension.

2013/6125/P: Planning permission was refused on 20/12/2013 for the change of use from 4 residential units to 2 dwellings (1x2 bed and 1x4 bed); a roof extensions to create an additional storey; replacement single storey rear extension and the installation of a new front wall and automatic gate to parking space. This was on the basis on the additional bulk and mass created by the new storey being of an inappropriate design and harmful to neighbouring amenity. The application is currently being appealed with the Planning Inspectorate. The replacement rear extension and boundary wall were not objected to.

Relevant policies

NPPF 2012

London Plan 2011

LDF Core Strategy and Development Policies

CS1 (Distribution and growth)

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS14 (Promoting high quality places and conserving our heritage)

DP2 (Making full use of Camden's capacity for housing)

DP5 (Homes of different sizes)

DP6 (Lifetime Homes Standards)

DP18 (Parking standards and limiting the availability of car parking)

DP19 (Managing the impact of parking)

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

CPG1 (Design)

CPG2 (Housing)

CPG4 (Basements and Lightwells)

Mansfield Conservation Area Appraisal and Management Strategy 2008

Assessment

1.0 Proposal

1.1 Planning permission is sought for the conversion of the building from 4 self-contained flats into 2 dwellinghouses; the demolition of an existing garage and a new 2m high front boundary brick wall and 1.8m high security gate; a replacement single storey rear extension and the creation of a basement under the footprint of the building with an associated lightwell and installation of pavement lights.

1.2 The proposed dwellings include a 1 x 2 bedroom unit (23 Cressy Road) and a 1 x 3 bedroom unit (21 Cressy Road). No.21 would have access from the original front door of the building and No.23 would have a new entrance created to the side. This development was approved under 2013/2882/P and internal works within the building have begun to implement the permission.

1.3 The single storey rear extension would replace an existing rear element with a similar footprint and height. It would have a maximum depth of 5.38m from the original rear wall to match the extension it would replace; a splayed sidewall in line with the boundary; be constructed with materials to match the host building; have a flat roof (with roof lantern) with a height of 2.92m and it would include concertina glazed timber doors. This element was consented under 2013/2882/P.

1.4 The proposed basement would match the footprint of the original dwelling (44.33sqm) and excavate 3.1m in depth.

1.5 Revised plans were received on 01/08/2014 to relocate the basement lightwell from the front garden of the property to the side garden so that it would not be visible within the public realm. It is also proposed to install pavement lights to the side of the building to provide light into the basement area, these would be screened by the proposed boundary treatment.

1.7 The change of use to 2 dwellings, front boundary works and replacement rear extension were approved under 2013/2882/P. This new permission includes all these developments in addition to the proposed basement and lightwell. While permission has already been granted for some of these works, a brief assessment will be included as part of this report as the works form part of the new proposal and have not been implemented.

2.0 Basement

2.1 The submitted BIA follows the CPG4 (Basements and Lightwells) screening and scoping approach to assessing the likely impact of the basement. A geotechnical investigation checked details of the building foundations, the properties of the soil, the likelihood of finding contamination on the site and it gathered information on ground water. The BIA assessed subterranean (groundwater) flow; slope stability and surface flow and flooding.

2.2 A Basement Impact Assessment (BIA) was submitted by Card Geotechnics Limited (CGL). It was subject to an independent assessment. Following this, revised BIAs were submitted in November 2014 and January 2015 to address concerns raised by the independent assessor. In addition, a structural method statement and Flood Risk Assessment were submitted.

2.3 The submitted BIA found that the site is not located above an aquifer and it is underlain by London Clay. This has been confirmed by groundwater maps from the Environment Agency. However, the site is located within 100m of a watercourse or spring line with the closest river (the River Fleet) located 100m to the southwest. No water was found in the borehole records which went 4m below the

proposed foundation level of the basement.

2.4 The screening assessment confirmed that slope stability will remain unaffected by the proposed basement. The topography of the site and surrounding area is relatively flat and does not include natural or man-made slopes. The proposal does not include re-profiling or landscaping at the property boundaries and the basement would be setback 2m from the party wall at 19 Cressy Road.

2.5 The submitted Flood Risk Assessment concluded that the proposal would not alter or increase surface water flows materially. The application site is not located within an area identified as at risk of surface water flowing within the Camden Strategic Flood Risk Assessment. It falls within Flood Zone 1 which has the lowest probability of flooding (less than 1 in 1000 annual probability of river or sea flooding per annum).

2.6 The BIA was independently reviewed by LBH Wembley who identified the following issues of concern – London Clay is the shallowest strata at the site; the site lies within 100m of the River Fleet; the site is within 5m of a highway or pedestrian right of way and the proposed basement may significantly increase the differential depth of foundations relative to neighbouring properties. Following the independent review, an impact assessment and investigation into these issues was requested by LBH Wembley with the resulting information having to undergo a further review.

2.7 A revised BIA was submitted in November 2014 following a ground investigation undertaken by CGL comprising of 2 window sampling boreholes, 2 pits to expose existing foundations and a groundwater monitoring well. Following the investigation an impact assessment was carried out by CGL. Information regarding the location and form of foundations to the host and neighbouring properties was included. The assessment found that groundwater is unlikely to be encountered during excavation and that local groundwater would not likely be altered due to the presence of impermeable London Clay; the heave regime would not extend over the adjacent pavement into Cressy Road and the works would have a negligible impact on the public highway; for the adjacent properties the maximum damage category predicted based on combined lateral and vertical ground movement profiles is Category 1 'very slight' damage and based on results of the ground movement assessment, neighbouring properties positioned greater than 6m from the excavation would be subjected to negligible damage (Category 0). The revised information was assessed by LBH Wembley who requested that further information be submitted regarding the potential for seasonal ground movements and evidence that the proposed drainage measures would not lead to the removal of perched water from beneath adjacent properties.

2.8 The above requests from LBH Wembley were dealt with by way of a revised BIA in January 2015. The revisions stated that the party wall at 19 Cressy Road would not be underpinned with the closest foundation element to the proposal some 2m away from the party wall. Therefore, seasonal ground movement beneath the party wall would not be affected. Furthermore, there was no evidence of existing building damage due to seasonal ground movement. In response to the impacts of drainage this would be collected beneath the new basement slab and run via gravity to the front boundary to a pumped collector sump. It is not likely to alter the local hydrology of the area as the water is not being actively pumped out resulting in perched water being of low flow rates.

2.9 The revised BIA in January 2015 was subsequently reviewed by LBH Wembley who are now satisfied that all of the outstanding concerns are met. Based on the above, it is considered that the proposal demonstrates sufficient certainty to meet the requirements of DP27 and CPG4. Due to the nature and scale of the basement and based on the outcome of the independent review, it is not considered that a Basement Impact Plan should be secured through a Section 106 Agreement as part of this application.

3.0 Principle and Standard of Proposed Residential Accommodation

3.1 As the surrounding area is predominately in residential use, the proposed use for 2 single family

dwelling houses is considered to be an appropriate land use at the site. Policy DP2 (f) stipulates that development will be resisted where it would involve the loss of two or more homes unless; the use creates large homes in a part of the borough with a relatively low proportion of large dwellings or the development enables sub-standard units to be enlarged to meet residential space standards.

3.2 As per the previous approval (ref: 2013/2882/P), it is considered that 3 out of the 4 existing residential flats provide substandard accommodation in terms of size and the units have a poor layout. Camden Planning Guidance 2 (Housing) specifies the minimum space for residential standards which are 48sqm for 2 person units and 75sqm for 4 person units. Table 3.3 of the London Plan requires a minimum gross internal area of 50sqm for 1 bed (2 person) units and 61sqm for 2 bed (3 person) units. The existing floor areas (GIA) are 38.2sqm, 48.1sqm, 38.6sqm and 66.6sqm, meaning that only 1 of units complies with the London Plan minimum standards and only 2 of the units comply with Camden's residential standards. In addition, the proposal would not result in a net loss of residential floorspace with an improvement being made by way of the basement. Based on the above, it is considered that the loss of the units can be justified in accordance with policy DP2.

3.3 The proposed residential floor areas would be 120sqm at 21 Cressy Road and 121.33sqm (including the proposed basement) at 23 Cressy Road. These meet the minimum standards for a 3 bed unit (London Plan minimum is 86sqm for a 5person unit) and a 2 bed unit (London minimum is 70sqm for a 4person unit). The proposed units would be self-contained and dual aspect. They would have sufficient floorspace, an adequate layout and acceptable access to natural light and ventilation. The basement would be used as additional living/kitchen/dining space for 23 Cressy Road and would be provided with sufficient light through a lightwell and basement shaft. It is considered that the proposed accommodation would provide an improved standard of accommodation compared to the existing flats and is in compliance with the standards set out within policy DP26, CPG2 and the London Plan.

3.4 Policy DP6 requires all new residential accommodation, including conversions, to meet Lifetime Homes standards. It is acknowledged that conversions may not be able to meet all of the criteria due to existing physical constraints. The applicants have provided a Lifetime Homes Statement which indicates that the proposal will comply with the criteria where relevant.

4.0 Conservation and Design

Lightwell and Pavement lights

4.1 Revised plans were received to relocate the basement lightwell (which had an iron railing around its perimeter) from the front garden to the side garden. This has overcome the objections by officers and neighbouring occupiers.

4.2 The proposed lightwell is located within a staggered wall of the property and would not be visible from the public realm or any adjoining properties. The pavement lights consist of obscure glass blocks to the side of the host building. These would have a minimal visual impact and be concealed by the proposed boundary treatment. Therefore, it is considered that the proposed lightwell and pavement lights would preserve the character and appearance of the Mansfield Conservation Area.

Front Boundary Treatment

4.3 The proposal includes the removal of a garage and entrance to the building which is a non-original development to the building from the mid 1960's. A brick wall and iron security gate would replace it as per 2013/2882/P. Overall, the proposed wall and gate would be lower than the structure it would replace with brickwork to match the host building. It is considered that the resulting wall would improve the appearance of the property resulting in an enhancement to the character and appearance of the Mansfield Conservation Area.

Replacement Rear Extension

4.4 The proposed replacement single storey extension would be similar in size and height to the rear element that it would replace and it would be in accordance with the previous approval 2013/2882/P. It is considered to be subordinate in size to the host building and would respect the existing architectural features and the established grain of the surrounding area in accordance with CPG1 and policies CS14, DP24 and DP25 of the LDF.

4.5 The extension would lie adjacent to the neighbouring residential property at 19 Cressy Road. It would be 200mm deeper than the extension it would replace with a height of 2.9m to the eaves. The proposal would also lie adjacent to the rear gardens of 64 and 66 Constantine Road. Due to the height and depth of the proposal in relation to 19 and its setback and orientation to 64 and 66, it is considered that the extension would not result in a significant loss of light, outlook or result in any overbearing or unneighbourly impacts. As such the proposal would comply with policies CS5, and DP26 of the LDF and CPG6.

5.0 Transport Impact

5.1 As the existing residential flats have access to parking permits and the proposal would result in a decrease in the number of housing units it is considered that a car-free development would not be required in this instance as it is envisaged that there will be no increase in car parking levels at the site. It is considered that as there is already an off-street parking space within the garage, there is no objection to the off-street space remaining for the use of number 23 Cressy Road.

5.2 The Council's Transport Officer was consulted as part of the application and they did not consider a Construction Management Plan necessary due to the scale and nature of the development, the location of the site and as it benefits from a loading bay to the front and a wide street.

6.0 CIL

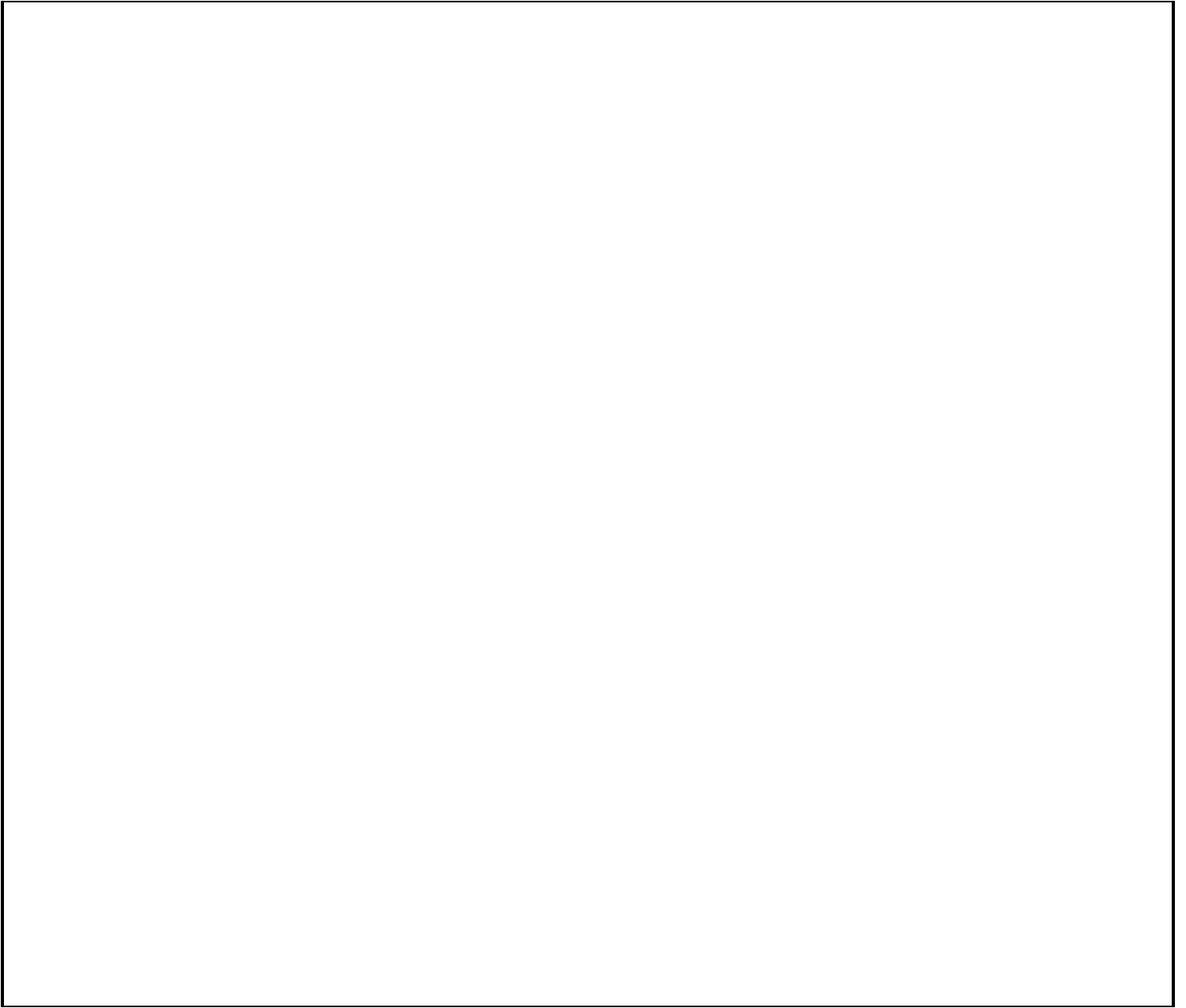
6.1 Less than 100sqm of residential floorspace would be created and the number of units would be reduced. Therefore, the development would not be CIL liable.

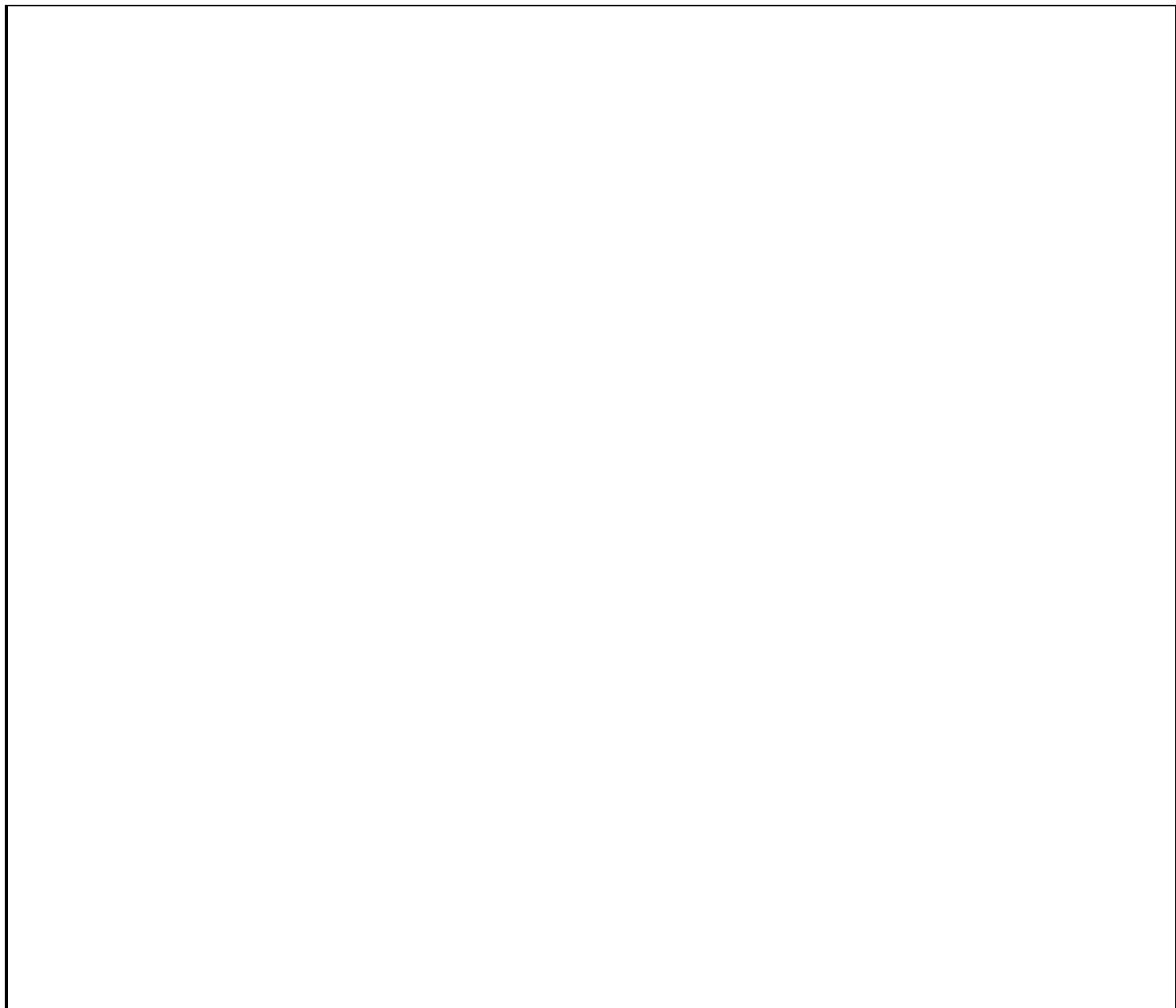
7.0 Recommendation and Conclusion

7.1 Overall, it is considered that the loss of housing units is acceptable given that the quality of residential accommodation would improve and the amount of floorspace would increase. The external alterations would all be acceptable in terms of design and their effect on the conservation area and residential amenity. A detailed BIA has been submitted and subjected to an independent review which has resulted in further amended documents. The independent assessment has concluded that the basement would comply with policies DP27 and CPG4 and a condition would be attached to any approval requiring a qualified engineer to inspect, approve and monitor the works. Planning permission is therefore recommended subject to planning conditions.

DISCLAIMER

Decision route to be decided by nominated members on Monday the 2nd of February 2015. For further information please click [here](#)





Miss Janet Rowley
Phillips Planning Services Ltd
Kingsbrook House
7 Kingsway
Bedford
Beds
MK42 9BA

Application Ref: **2014/2553/P**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 **4908**

23 January 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Flat 1
21-23 Cressy Road
London
NW3 2NB

DECISION

Proposal:

Change of use from 4 x residential units to 2 x residential dwellings (1x2 bed and 1x3 bed); excavation and development of a new basement; a lightwell and installation of pavement lights to the side of the building; a replacement single storey rear extension and the installation of a new front wall and automatic gate to parking space.

Drawing Nos: RM 12/176.12 Rev A and 14 Rev A, RM 13/139.31; 32; 33 Rev B and 34 Rev A, Flood Risk Assessment (B00652 Ver 1) dated February 2014, Planning Design and Access Statement dated April 2014 and Basement Impact Assessment Rev 1 (CG/18104) dated January 2015.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three



years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans RM 12/176.12 Rev A and 14 Rev A, RM 13/139.31; 32; 33 Rev B and 34 Rev A, Flood Risk Assessment (B00652 Ver 1) dated February 2014, Planning Design and Access Statement dated April 2014 and Basement Impact Assessment Rev 1 (CG/18104) dated January 2015.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

DECISION