

CONSULTATION SUMMARY

Case reference number(s)

2014/7958/P

Case Officer:

Raymond Yeung

Application Address:

58 B King Henrys Road
London
NW3 3RP

Proposal(s)

Variation of condition 2 (approved plans) of planning permission 2013/5855/P (appeal ref: APP/X5210/A/14/2214164) dated 02/07/14 (for excavation of basement and rear extension) namely to increase the size of the basement.

Representations

<p>Consultations:</p>	<p>Site notice displayed on 20/1/15 and expired on 11/2/15.</p> <p>The neighbours were aware of the proposal, including the two immediately adjoining ones A & C.</p>		<p>No. of responses</p> <p style="text-align: center;">2</p>		<p>No. of objections</p> <p>No of comments</p> <p>No of support</p> <p style="text-align: center;">2</p> <p style="text-align: center;">0</p> <p style="text-align: center;">0</p>	
<p>Summary of representations</p> <p><i>(Officer response(s) in italics)</i></p>	<p>The owner/occupier of No. 58A and another objector who does not live on this street have objected to the application on the following.</p> <ol style="list-style-type: none"> Lack of a basement impact report that covers the total proposed modifications as the existing does not cover the make-up, the removal of and the impact or purpose of retaining Victorian subterranean wall. <p><i>The proposal may not necessarily impact upon the retaining wall. Such structure is neither listed nor visible within the public realm. Such issue would be dealt with outside the means of planning and is not regarded as a material planning issue to determine this particular s73 planning application on.</i></p>					

2. Lack of clarity in the proposed modifications of the existing sewer arrangements for the group.

As above, such proposal would not be dealt with under planning and would be dealt with by other means.

3. The amendment should adhere to sec. 106: a legal agreement about every aspect of the building attached to their planning.

The application as mentioned above is an amended to the previous permission. The original application did not include a sec.106 and the proposal is not considered to be of a scale requiring introduction of a new legal agreement.

4. Full excavation of plot which is against policy.

While Camden planning guidance advises that excavation should ideally be limited to one storey under the footprint of the building, it does not explicitly restrict other basement development. The applicant has provided evidence that the development does not harm the built and natural environment or local amenity.

With regard to Sustainable Urban Drainage (SUDS), the proposal would not result in an increase in hardstand, and is not in an area of risk of flooding. The applicant would have to apply to Thames Water for a new sewer connection or diversion.

5. Issues such as party wall, trash collection, damage to buildings interfering with King Henry's Road stability by removing the underground retaining walls, removing a shared sewer and have not received permission from Thames Water to do so nor have they submitted to me a proposal to re-provide sewer connection for my property, interfering with Network Rail installations.

Many of the issues states are not a material planning consideration and are dealt with under separate legislation. The proposal is for an amendment for an extant permission for the extension of basement to the front. It would not alter the permission for the basement towards the rear. The proposal would not impact on the party wall as it relates to the basement to the front of the site, away from the adjoining buildings.

6. Working on progressing construction without the required planning permission.

The site benefits from existing planning permission.

Recommendation:-

Grant planning permission

