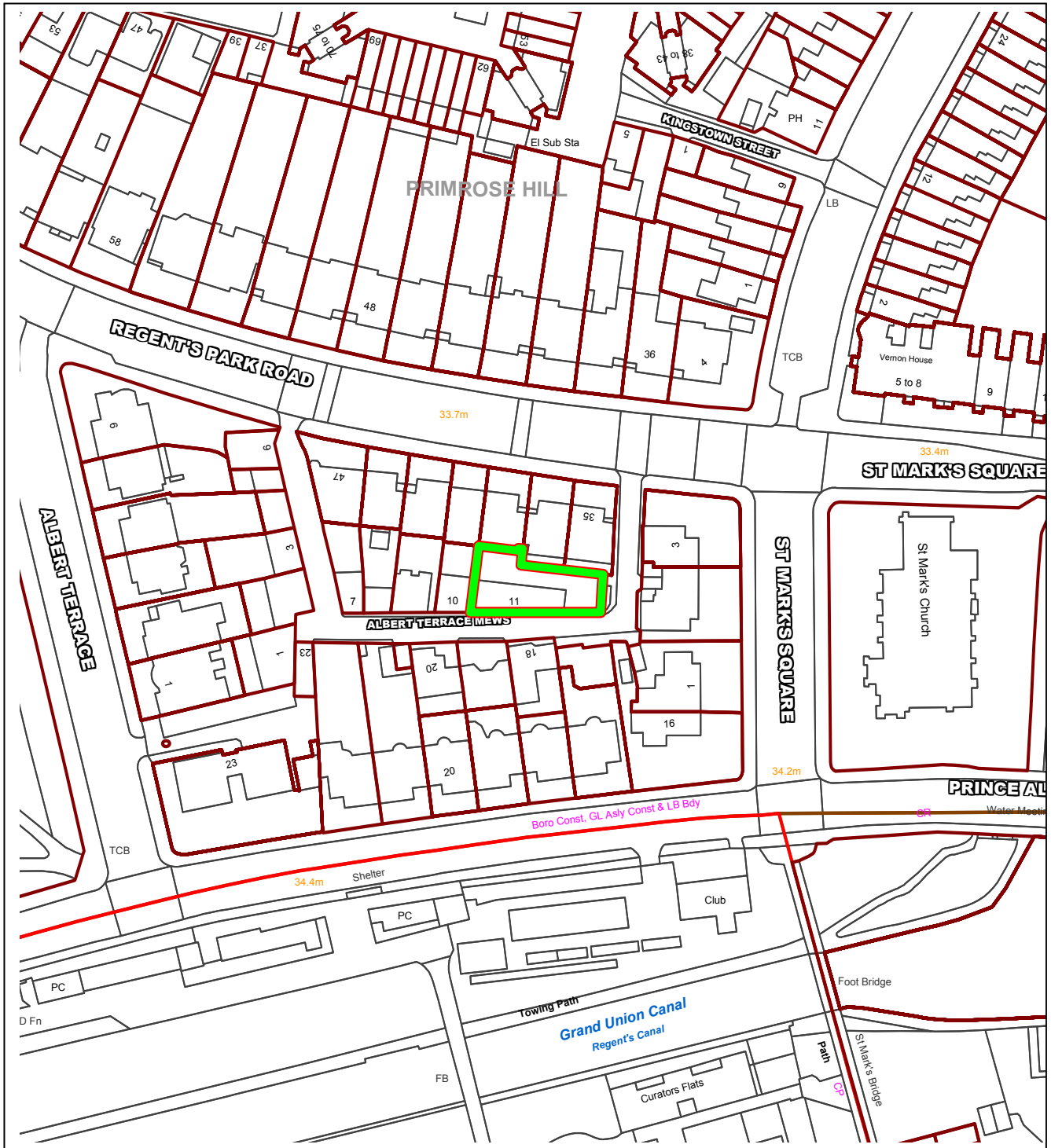


11 Albert Terrace Mews



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2014/7709/P - 11 Albert Terrace Mews



1. View down the mews



2. View of application property (no. 11) and elevation showing no existing windows



3. Ground floor level (internal)

Delegated Report (Members Briefing)		Analysis sheet N/A		Expiry Date: 09/02/2015			
				Consultation Expiry Date: 18/02/2015			
Officer Olivier Nelson			Application Number(s) 2014/7709/P				
Application Address 11 Albert Terrace Mews, London, NW1 7TA			Drawing Numbers Refer to draft decision notice.				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Excavation of basement and the addition of 2 x windows at 1st floor level on the front elevation.							
Recommendation(s):		Grant conditional permission subject to section 106 agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	59	No. of responses No. electronic	16 00	No. of objections	11
Summary of consultation responses:		Site Notice: 23/01/2015 – 13/02/2015 Press Notice: 29/01/2015 – 19/02/2015 A further consultation was done on the 28/01/2015 as neighbouring properties didn't feel they had been consulted. 11 objections were received commenting the following : <ul style="list-style-type: none"> • Increased noise disruption and dust (see paragraph 4.5) • Create parking problems when creation of basement is being undertaken and an increase in traffic problems around the property during the construction phase.(see paragraph 4.5) • The works will issue a risk during the event of an emergency, emergency vehicles may not be able to enter the mews (see paragraph 4.5) • Excavations may lead to flooding (see paragraph 3.1) • Excavations so close to the foundations of neighbouring properties would need careful protection. • Issues with cracking and subsidence (see paragraph 4.3) 					

	<ul style="list-style-type: none"> • A mews is a small, constricted environment (noted) • The impact of the development on the Walnut Tree in the rear garden. (see paragraph 5.1) <p>A further 4 comments were received, whilst not objecting to the proposal raised concerns about the impact of construction on the mews, possible subsidence and a need to protect the walnut tree and maintain access for emergency vehicles.</p>
Primrose Hill CAAC comments:	<p>No objection to the application.</p> <ul style="list-style-type: none"> • We do not see the issues arising at Quadrant Grove as relevant here. • We strongly urge that a Construction Management Plan, and Traffic Management Plan, as offered be required by condition.

Site Description

The site is occupied by a 2 storey semi-detached building with a garden area to the rear and side. The house is white rendered with black aluminium windows. There have been changes to the front elevation of the property since it was first built. The property is within the Primrose Hill Conservation Area but is not noted as making a positive contribution to the conservation area. The site has a Public Transport Accessibility Level (PTAL) of 1b (very low).

Relevant History

2014/5126/P- (Certificate of lawfulness) erection of a basement extension under the footprint of the original building. **No further action, this was not considered to be permitted development**
2008/2486/P - Erection of new shed in garden of single family dwellinghouse. (Class C3). **Granted 29/07/2008**
2006/1649/P - Additions and alterations including erection of a single storey rear extension at rear. **Granted 26/05/2006**

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

Camden LDF Core Strategy 2010

CS5 Managing the impact of growth and development
CS13 Tackling climate change through promoting higher environmental standards
CS14 Promoting high quality places and conserving our heritage

Camden Development Policies 2010

DP16 The transport implications of development
DP17 Walking, cycling and public transport
DP18 Parking standards and limiting the availability of car parking
DP19 Managing the impact of parking
DP20 Movement of goods and materials
DP21 Development connecting to the highway network
DP22 Promoting sustainable design and construction
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

Camden Planning Guidance (updated 2013)

CPG1 Design

CPG3 Sustainability

CPG4 Basements and Lightwells

CPG6 Amenity

Assessment

1. Detailed Description of Proposed Development

1.1 The proposal consists of the following elements:

- Excavation beneath the footprint of the ground floor level to create a store, utility room.
- A basement within the footprint of the existing property, 3.5m below existing rear garden and ground floor level and 4.3m below street level.
- The basement would be set in 5.2m from the boundary with no. 10 Albert Terrace Mews.
- Creation of basement level under the existing kitchen area. 13.6m in width and a median depth of 4.8m, internal head height would be 2.8m. Area of 64.4 square metres.
- Two opaque glazed windows at first floor level on the southern façade. Window frames would be similar in appearance to the existing windows.

Windows

1.2 Alteration and additions are considered to be acceptable in principle subject to an assessment of their design, amenity impacts and sustainability.

Creation of basement level

1.3 Basements will only be permitted when their development would not:

- Cause harm to the built and natural environment and local amenity:
- Result in flooding: or
- Lead to ground instability.

2. Design

Addition of windows to southern elevation

2.1 The proposed addition of two opaque windows are considered to be of an acceptable design and have an acceptable impact on the appearance of the building as the new window would be in keeping with the size, style and alignment of the windows on the upper floors of the front elevation. A condition of consent is recommended requiring that matching materials be used.

Basement

2.2 The basement area would house plant rooms, a store, utility room and toilets. A stair case would lead down from the lobby area. The basement would have no roof lights or fenestration. The basement would not be visible from street level, this helps to protect the character of the Primrose Hill Conservation Area.

3. Basement Impact Assessment

- 3.1 The proposed works would be subterranean which necessitates the need for basement impact assessment to be considered. The proposed basement would fall within the footprint of the existing property. The site is at a low risk of surface water flooding as defined by the Environment Agency. The closest significant body of water is the Grand Union Canal located 90m away. The proposed basement extension would not see an alteration to the hardstanding and is unlikely to impact on surface water flows in the area. The site is more than 850m away from the “lost river” Tyburn. The street was not flooded during extreme rainfall events in 1975 and 2002; it is unlikely to have a significant impact on the development.
- 3.2 The basement would be constructed to a depth of 4.3m below ground level into the underlying London clay. Three boreholes were excavated along Albert Terrace, Prince Albert Road and St Mark’s Square this found some minor seepage 12.35m below ground level. This is a further 8m below the proposed finished level of the basement.
- 3.3 For the reasons listed above the proposed development is considered to be consistent with LDF policies CS14 and DP24 of the London Borough of Camden’s Local Development Framework as well as Camden Planning Guidance on Design.

4. Residential Amenity

Windows

- 4.1 The addition of two opaque windows on the front elevation facing onto the Mews is not considered likely to have an unacceptable impact on the amenity of any adjoining or nearby properties as the room will not have close and direct views into any adjacent habitable room windows.

Basement

- 4.2 Policy DP27 and planning guidance CPG4 state that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area. Local residents have raised concern in relation to the impact the basement would have on the structural stability of neighbouring properties and impacts on groundwater.
- 4.3 The application is accompanied by a basement impact assessment (BIA) which has been prepared in accordance with policy DP27 and planning guidance CPG4 – Basements and lightwells. Within the screening report none of the questions in the flow chart were answered yes. London clay the underlying strata and this suggests there is impermeability at ground water level. As the basement is to be constructed below the existing building, there is unlikely to be run-off/ surface attenuation. The cumulative impacts from the construction of the basement are considered to be negligible.
- 4.4 The adjacent properties are not expected to be affected, the fact it is set away from the adjoining neighbour at no. 10 Albert Terrace Mews mitigates this situation. The BIA has been provided by a qualified engineer and its findings are considered to be of a reasonable technical level.
- 4.5 However, it is considered due to the position of the property within a mews it would be difficult to work on the site and provide materials without the creation of a construction management plan. The excavation is significant and will require a considerable number of trips to the site to

remove excavated soil, as such officers recommend the applicant provide a Construction Management Plan (CMP) in respect of the construction works. This will be secured via a section 106 agreement.

4.6 It is considered that the proposed addition of windows and basement would preserve the character of the Primrose Hill Conservation Area. For the reasons listed above the proposal is considered to be in accordance with Development Policy DP26 and DP27 of the London Borough of Camden's Local Development Framework.

5. Tree works

5.1 No trees would be lost as a result of the proposal. The proposal would not impact on the Walnut tree; this is located on the corner of the site. It would have an 8ft high hoarding to protect the tree stems. During the construction phase the Olive trees which are in planters would be moved and protected during this period. Scaffold boards would be used to support the stored Olive trees. It is not considered that the basement excavation would have an impact on trees within the rear garden.

6. CIL

6.1 The proposal would not be CIL liable as the increase in the habitable floor space is less than 100 square metres.

Recommendation

Grant conditional planning permission subject to a section 106 agreement

DISCLAIMER

Decision route to be decided by nominated members on Monday 2nd March 2015. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

MRJ Rundell Associates Ltd
Second Floor
290-294 Latimer Road
London
W10 6QWApplication Ref: **2014/7709/P**

26 February 2015

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**11 Albert Terrace Mews
London
NW1 7TA**

Proposal:

Excavation of basement and the addition of 2 x windows at 1st floor level on the front elevation.

Drawing Nos: 001, 002, 003, 004, 100, 101, 110, 120, 121, 300, 301, 302, 310, 320, 321, Design and Access Statement, Basement Impact Assessment, Construction Method Statement, Traffic Management Plan, Tree Report, Arboricultural Report and Tree Constraints, Arboricultural Method Statement.

DECISION
The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 001, 002, 003, 004, 100, 101, 110, 120, 121, 300, 301, 302, 310, 320, 321, Design and Access Statement, Basement Impact Assessment, Construction Method Statement, Traffic Management Plan, Tree Report, Arboricultural Report and Tree Constraints, Arboricultural Method Statement.

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.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing

trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 6 All windows to the front elevation identified on drawing number 004 as being obscure glazed shall be installed as such prior to occupation and permanently retained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) 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.
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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.

Yours faithfully

Culture and Environment Directorate

DRAFT

DECISION