

<b>Delegated Report</b> (Member's Briefing)		<b>Analysis sheet</b> N/A		<b>Expiry Date:</b> 29/09/2014	
				<b>Consultation Expiry Date:</b> 04/09/2014	
<b>Officer</b>			<b>Application Number</b>		
Alex McDougall			1. 2014/4658/P 2. 2014/4896/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Flat 1 27 Oakhill Avenue London NW3 7RD			Refer to draft decisions.		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal</b>					
<ol style="list-style-type: none"> <li>Erection of single storey ground floor rear extension, rear patio extension and excavation of single storey basement level below rear garden including lightwell to rear of site.</li> <li>Erection of single storey ground floor rear extension, rear patio extension, excavation of single storey basement level below rear garden including lightwell to rear of site and internal alterations.</li> </ol>					
<b>Recommendation:</b>		<ol style="list-style-type: none"> <li>Grant Conditional Planning Permission</li> <li>Grant Conditional Listed Building Consent</li> </ol>			
<b>Application Type:</b>		<ol style="list-style-type: none"> <li>Full Planning Permission</li> <li>Listed Building Consent</li> </ol>			
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notices			
<b>Informatives:</b>					
<b>Consultations</b>					
<b>Adjoining Occupiers:</b>	No. notified	<b>20</b>	No. of responses No. electronic	<b>1</b> <b>1</b>	No. of objections
					<b>1</b>
<b>Summary of consultation responses:</b>	Site Notice: 08/08/14 – 29/08/14. Press Notice: 14/08/14 – 04/09/14. A letter of objection was received from No. 95 Redington Road, London, NW3 7RR, on the following grounds: <ul style="list-style-type: none"> <li><i>Basement</i> – Excavations not appropriate in area owing to underground water and soil type (<b>Officer Comment: Please see Section 5 below for more information</b>).</li> <li><i>Use</i> – Additional space unnecessary (<b>Officer Comment: The applicant's need for additional space is not a relevant planning consideration</b>).</li> <li><i>Construction</i> – Impact on neighbours and pedestrians (<b>Officer Comment: Please see Sections 4.3 &amp; 5.7 below for more information</b>).</li> </ul>				
<b>Redington Frognaal CAAC response:</b>	Objections were made on the following grounds:				

	<ul style="list-style-type: none"> <li>• <i>Basement</i> – Should be under footprint of dwelling, not necessary to dig under garden (<b>Officer Comment: Please see Sections 3.1 &amp; 5 below for more information</b>).</li> </ul>
<p>Heath &amp; Hampstead Society response:</p>	<p>Objections were made on the following grounds:</p> <ul style="list-style-type: none"> <li>• <i>Basement</i> – Covers too much of garden, should be under footprint of dwelling, too deep, insufficient room for planting, two lightwells in rear garden inappropriate (<b>Officer Comment: Please see Sections 3 - 6 below for more information</b>).</li> <li>• <i>Design</i> – Insufficient details of adjoining properties provided to fully assess application (<b>Officer Comment: It is considered that the drawings are sufficient to assess the application</b>).</li> </ul>

### Site Description

The site is occupied by a Grade II listed building on the south side of Oakhill Avenue, at the western end near the junction with Bracknell Gardens. The building forms part of a pair of symmetrical semi-detached houses dating from 1909, designed by CHB Quennell and built by WJ King. The building is 3 storeys in height, built of red brick with rusticated brick quoins, has a tiled double gabled roof with upswept outer eaves to the main façade and hipped roof to the rear. The site is located in the Redington Froggnal Conservation Area. The area is generally characterised by residential properties.

The site is 51.6m in depth, 8.7m in width and has an area of approximately 460sqm. The original rear garden is 20m in depth (not including the rear return) and has an area of approximately 200sqm.

### Relevant History

#### 27 Oakhill Avenue (subject site)

8703359: Change of use and works of conversion to form two self-contained flats and one maisonette including the erection of a single storey extension to the rear and the installation of a dormer window and circular staircase to the side. Granted PP 10/05/1988.

8770427: Demolition of existing rear extension. Granted LBC 10/05/1988.

9301084: The enclosure of part of the rear basement area with a glazed roof to form a conservatory. Granted PP 17/02/1994.

9702913: Erection of a rear ground floor extension and conservatory, and erection of new railings on front wall and new dustbin enclosure in front garden. Granted PP 17/04/1998.

#### 21 Oakhill Avenue (nearby site)

2003/1279/P: The remodelling of the existing rear extensions and basement area, with the modification of the rear patio area, the erection of a rear dormer window and installation of 2 rooflights to an existing single family dwelling house. Granted PP 19/02/2004.

#### 14 Oakhill Avenue (nearby site)

2007/2898/P: Excavation to provide a new basement level to provide additional habitable accommodation and integral garage for dwelling house, with associated changes to forecourt and driveway levels; remodelling of the existing two storey NE side extension with raised roof eaves and realignment of windows; erection of a raised ground floor SW side extension with terrace above; erection of a ground floor NE side conservatory extension, and various elevational alterations to

fenestration. Granted PP 06/08/2007.

### **2 Oakhill Avenue (nearby site)**

2013/6162/P: Basement excavation and extensions to rear and side in connection with conversion of existing single family dwelling into 2 x 3 bedroom maisonettes (Class C3). Granted PP subject to s106 legal agreement 09/03/2015.

### **10A Oakhill Avenue (nearby site)**

2014/1037/P: Erection of a 3 storey building with lower ground and basement levels to accommodate 2 x 4-beds and 3 x 3-bed units (Class C3) with roof terraces to side elevations, 7 car parking spaces and cycle storage at lower ground floor level and landscaping works, following demolition of existing house. Granted PP subject to s106 legal agreement 27/08/2014.

### **25 Bracknell Gardens (nearby site)**

2010/4765/P: Alterations and extensions including excavation of basement floor and installation of 3 light wells; extensions to the roof, front, side and rear elevations at lower ground, ground, first and second floor levels, alterations to fenestration and installation of rooflights and new dormers at second floor level of existing dwelling house (Class C3). Granted PP 01/11/2010.

## **Relevant policies**

### **National Planning Policy Framework 2012**

National Planning Practice Guidance

### **The London Plan 2015 (consolidated with alterations since 2011)**

London Housing SPG

### **Camden LDF Core Strategy 2010**

CS4 Areas of more limited change

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS16 Improving Camden's health and well-being

### **Camden Development Policies 2010**

DP22 Promoting sustainable design and construction

DP23 Water

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

DP29 Improving access

### **Camden Planning Guidance**

CPG1 Design 2013

CPG2 Housing 2013

CPG3 Sustainability 2013

CPG4 Basements and Lightwells 2013

CPG6 Amenity 2011

## Redington/Frogna Conservation Area Statement 2003

### Assessment

#### 1. Detailed Description of Proposed Development

1.1. The proposal is detailed as follows:

- Excavation in rear garden to provide single storey basement level. The proposal includes a lightwell, secured with glazed balustrades, to the rear of the basement. Relevant dimensions:
  - Basement proper: 12.8m (length) x 7.4m (width) x 4.6m (depth).
  - Rear lightwell: 2.3m (length) x 4.0m (width) x 4.6m (depth).
  - The basement would be 0.7m from the adjoining rear garden to the east (No. 25 Oakhill Avenue), 0.8m from the boundary with the adjoining property to the west (No. 30 Bracknell Gardens) and 5.3m – 7.7m from the rear boundary.
  - There would be 1m of soil above the majority of the proposed basement. The *existing* rear garden would reduce in overall size from 142sqm to 130sqm (92% maintained), of which 71sqm would be unconstrained by the basement (50% maintained). These figures should not be confused with the percentage of the original garden which would be maintained, which would be 36% (due to existing rear extensions and patios).
  - The finished level of the rear garden would not change as a result of the proposal.
- Erection of a single storey ground floor rear extension to the rear of the existing rear return extension to accommodate staircase to basement. The extension would be predominantly glazed, apart from a solid brick wall on its eastern elevation, and have dimensions 2.0m (depth) x 3.5m (width) x 2.9m (height).
- Part of the existing rear patio would be raised to match that of the remaining patio, 0.7m above ground level.
- The internal alterations are limited to those required to provide access to the new rear extension from the existing rear infill extension. The works would not impact any of the original fabric of the listed building.

1.2. In response to an independent verification of the original Basement Impact Assessment (BIA) the applicant undertook further site investigations and testing and provided a revised BIA.

#### 2. Principle of Development

Alterations and additions, including basements, are considered to be acceptable in principle subject to a detailed assessment on the following grounds:

- a) Design
- b) Residential Amenity
- c) Basement Impact
- d) Trees & Landscaping
- e) Standard of Accommodation
- f) Sustainability

#### 3. Design

##### *Excavation & lightwells*

3.1. The proposed excavation and lightwell are considered to be of an acceptable design, and

have an acceptable impact on the listed building and the character of the conservation area, for the following reasons:

- a) The basement would be located below ground level and as such would result in minimal external change to the site appearance.
- b) The proposal would not result in a change to the level of the rear garden.
- c) The proposed lightwells would not be visible from any public areas or the rear gardens of adjoining properties.
- d) The proposal appears to include high quality materials.
- e) Basements are characteristic of the area (see history section above).
- f) While DP27 and CPG4 generally encourage basements to be confined to the footprint of the building, they do not expressly preclude basements in rear gardens. Furthermore it is considered that the proposal is less likely to compromise the structural integrity of the listed building if it is in the rear garden.

#### *Rear extension*

3.2. The proposed rear extension is considered to be of an acceptable design, and have an acceptable impact on the listed building and the character of the conservation area, for the following reasons:

- a) The extension is considered to be of a scale in keeping with the size of the existing building.
- b) The extension would not be readily visible from the public domain.
- c) The small glazed rear extension is considered an appropriate way to transition between the listed building and the modern basement.
- d) The proposal is of high quality materials.
- e) The fenestration pattern would match that of the existing ground floor rear elevation.
- f) The proposal would maintain a reasonably sized rear garden.
- g) The extension does not result in the loss of any significant planting or vegetation.

3.3. For the reasons listed above the proposed development is considered to be consistent with LDF policies CS14, DP24 and DP25 of the London Borough of Camden's Local Development Framework as well as Camden Planning Guidance on Design.

#### 4. Residential Amenity

##### *Excavation & lightwells*

4.1. The proposed excavation and lightwell are considered to have an acceptable impact on the amenity of adjoining and nearby properties for the following reasons:

- a) Given that the proposed basement is accommodated below existing ground level it is not considered that the proposal would have an unacceptable impact on the amenity of adjoining or nearby occupiers by way of loss of light, sense of enclosure, loss of outlook or the like.
- b) The proposal includes a skylight over the proposed basement in the rear garden. Section 2.77 of CPG4 states that, '*where a basement extension under part of the front or rear garden is considered acceptable, the inclusion of skylights designed within the landscaping of a garden will not usually be acceptable, as illumination and light spill from a skylight can harm the appearance of a garden setting and cause light pollution*'. However, in this case the skylight is relatively small, at 1.6sqm, and as such it not considered to be of sufficient

size to result in light spill that would have a material impact on adjoining/nearby properties.

### *Rear Extension*

4.2. The proposed rear extension is considered to have an acceptable impact on the amenity of adjoining and nearby properties for the following reasons:

- a) The rear extension would be approximately the same height as the adjoining boundary wall, lower than the vegetation on the adjoining wall, and lower than the rear extension on the adjoining property. As such the proposal would not result in an unacceptable loss of outlook or sense of enclosure to the adjoining property.
- b) The rear elevation of the subject site and the adjoining properties face to the south and as such receive direct sunlight through the day. Coupled with the low height of the extension the proposal would not unacceptably overshadow adjoining properties.
- c) The extension is at ground level and accommodates stairs down into the basement. As such the proposal will not overlook adjoining or nearby properties.

4.3. Construction generally results in a certain level of noise and general disturbance to adjoining properties. The Applicant has provided a construction management plan which outlines how noise and dust would be suppressed. Given the detail of the construction management information submitted a standard informative noting the relevant hours of construction is considered to be sufficient to ensure that the construction phase would have a reasonable impact on the amenity of adjoining properties.

4.4. For the reasons listed above the proposal is considered to be in accordance with Development Policy DP26 of the London Borough of Camden's Local Development Framework.

## 5. Basement Impact

5.1. Policy DP27 and planning guidance CPG4 state that developers will be required to demonstrate, with methodologies appropriate to the site, that schemes do not interfere unreasonably with underground water flows; maintain the structural stability of the land, existing building and neighbouring properties; and do not unacceptably impact localised surface water flow or contribute to the likelihood of flooding.

5.2. 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. The BIA has been prepared by suitability qualified engineers. The report goes through the screening exercise recommended in CPG4 in respect of groundwater flow, land stability and surface flooding and triggered the following requirements for further investigation:

### 5.2.1. Subterranean groundwater flow

- The site is within 100m of a watercourse.
- The proposal would result in an increase of hard surfaced areas.
- The proposal may be near a spring line.

### 5.2.2. Land stability

- London clay is the shallowest strata on site.
- The site is within 100m of a watercourse.
- The proposal would significantly increase the differential depth of foundations relative to neighbouring properties.

### 5.2.3. Surface flow and flooding

- The proposal would result in an increase of hard surfaced areas.

5.3. A ground investigation was undertaken as a result of the scoping stage to better understand the geology of the site. The site investigation included a desk study, walk over, and a 6m deep borehole. The borehole was dry at completion and no ingress of groundwater was noted.

5.4. The BIA came to the following conclusions:

#### 5.4.1. Subterranean groundwater flow

- Groundwater was not encountered in the borehole which was 1.4m below the lowest depth of the proposal basement. As such the proposal is not considered likely to result in material impacts to subterranean groundwater flows.

#### 5.4.2. Land stability

- The BIA found that the potential for damage to the adjoining properties would be Category 2 (slight) on the Burland scale. CPG4 states that specific mitigation measures will only be required when the proposal is predicted damage exceeds the Category 2 classification.

#### 5.4.3. Surface flow and flooding

- The proposal results in a minimal increase in hardstanding area, is not in a flood prone area, and drainage would be incorporated into the design of the lightwell and basement.

5.5. Camden Planning Guidance 4 recommends that BIA independent verification be undertaken if a BIA extends to the scoping stage. As such verification was undertaken by a third party engineering firm who concluded that given the specific circumstances of the site and proposal and in particular that the indicated location of the proposed basement is away from more sensitive neighbouring structures, that the proposal meets the requirements of DP27.

5.6. The application documentation includes a subterranean Construction Method Statement (CMS) which outlines how the proposed basement would be built. The CMS has also been independently reviewed and it was concluded that the proposal was generally acceptable.

5.7. The Applicant has provided details regarding construction management that would normally be required by condition. The proposal includes a site logistics plan which outlines where materials and waste would be stored and how deliveries would be managed. A site access diagram has been provided showing the route of construction vehicles to and from the site. The CMS provides details on disposal of waste, dust/noise control, hoardings and the like. As such the proposal is considered to have adequately responded to the issue of construction management and no further condition required.

5.8. Given the scale of the basement and its location to the rear of a listed building in a conservation area it is recommended that the Council's standard basement condition, monitoring by a qualified structural engineer, be included in any consent.

5.9. The proposed excavation is to the rear of the site and separated from the primary listed

building by non-original rear extensions. As such a specific structural stability report for the listed building was not considered to be necessary.

5.10. For the reasons listed above the proposed development is considered to be consistent with LDF policies CS5, DP26 and DP27 of the London Borough of Camden's Local Development Framework as well as Camden Planning Guidance on Design.

## 6. Trees & Landscaping

6.1. The Conservation Area appraisal states that, "*the rear gardens, many of which are sizeable, make a contribution of their own to the area's verdant quality. The gardens also contribute to the ecological balance of the area*".

6.2. There are 2 trees in the rear garden of the subject site. There are also 5 large trees located off the site with Root Protection Zones that extend onto the site. The application includes an arboricultural report which concludes that one tree would be lost as a result of the proposal and that the remaining trees could be viably retained as a result of the proposal. The tree to be lost is a 5m Category B 'moderate value' Holly tree. In the context of the much larger trees around it, the tree is not considered to contribute significantly to the verdant character of the area. Notwithstanding a condition is recommended requiring that a replacement tree be planted to ensure there is no net loss of trees.

6.3. The proposal is considered to provide an acceptable level of landscaping, commensurate with the character of the conservation area, for the following reasons:

- a) The proposal would not change the levels of the existing rear garden.
- b) The basement would include 1m of soil depth to provide for grass and smaller planting.
- c) The rear of the site has areas appropriate for the planting of larger trees.

## 7. Standard of Accommodation

7.1. The proposal is considered to provide an adequate standard of accommodation for the following reasons:

- a) The proposed floor to ceiling height is in keeping with the recommended head room of CPG2 and the London Plan.
- b) While the basement rooms would have limited outlook this is not considered to be necessary for a games/media room.
- c) The proposed rooms would be private from public areas.
- d) The site is not located in a flood risk area, or an area identified as being subject to localised surface water flooding. Furthermore, no bedrooms are proposed as part of the basement. As such the risk of flooding to future occupants is not considered to be a material concern.

## 8. Sustainability

8.1. LDF Policy DP22 requires developments to incorporate sustainable design and construction measures. The proposal includes the following measures to maximise the sustainability of the proposal which are considered to be commensurate with the scale of works and thus satisfy the requirements of this policy:

- a) The proposal provides 1m of soil above the proposed basement which is considered adequate to provide for planting and infiltration of rain water.
- b) The extension would have naturally high insulation due to its location underground.



- c) Underfloor heating
- d) Energy efficient LED lighting
- e) High efficiency boiler
- f) Dual flush toilets and flow restrictions on faucets.

8.2. LDF Policy DP27, paragraph 27.8, states that, "*the use of sustainable urban drainage systems (SUDS) will be encouraged in all basement developments that extend beyond the profile of the original building. For basements that consume more than 50% of the garden space, and are considered otherwise to be acceptable, the use of SUDS will be required to mitigate any harm to the water environment*". The proposal, along with existing extensions and terracing, would cover approximately 64% of the rear garden. As such SUDS is considered to be necessary and will be secured via condition.

## 9. Recommendation

- 9.1. Grant Conditional Planning Permission
- 9.2. Grant Condition Listed Building Consent