



## **PLANNING STATEMENT**

**4/4A Wadham Gardens, London NW3 3DP**

Prepared for

**Mr & Mrs L Brown**

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## 1 INTRODUCTION

- 1.1 This statement is written in support of an application for planning permission for excavation under the front garden area to make provision for an underground car parking lift from lower ground to ground level.
- 1.2 This statement should be read in conjunction with the following:
- Architectural drawings by Burwell Deakins Architects;
  - Design and Access Statement of Burwell Deakins Architects dated 24<sup>th</sup> April 2015;
  - Construction Method Statement of Elliott Wood Partnership dated April 2015;
  - Basement Impact Assessment of Site Analytical Services Ltd dated April 2015;
  - Arboricultural Impact Assessment Report of Landmark Trees dated 2/7/14; and
  - Noise Report of The Equus Partnership dated 29<sup>th</sup> April 2015.

### The Application Site and Surrounding Area

- 1.3 4 and 4A Wadham Gardens comprise a detached single family dwelling house and separate annex located on the east side of the road and opposite Harley Road. The buildings are set back from the street frontage behind a dwarf wall, metal railings and gates. The facade of the buildings is painted stucco, a finish typically found within the local streetscape.
- 1.4 The application proposals relate only to the area of land associated with the later annex and involve excavation under the forecourt for provision of a car lift from lower ground to ground floor level. Excavation under the annex to provide additional accommodation as an extension to the existing basement level under the main building has recently been approved under application ref: 2014/4948/P.
- 1.5 The property lies within the Elsworthy conservation area. The area was once farmland owned by the Eton College Estate dating back to the fifteenth century. Development commenced in the nineteenth century and the area is now predominately residential in character comprising buildings set back from the street frontage on generous plots and set in a green and leafy environment. The main building and later annex are not listed buildings.

## Relevant Planning History

- 1.6 Planning permission was granted on 17<sup>th</sup> February 2015 (LPA ref: 2014/4949/P) for conversion of the house and annex into a single family dwelling including enlargement of existing basement and erection of a first floor extension. Having considered further the scheme proposals and to make more efficient use of the basement, additional excavation is now proposed which in turn would enlarge the basement area further under the front garden to accommodate a car lift.

## The Proposal

- 1.7 Planning permission is now therefore sought to carry out further excavation works under the forecourt in front of the annex to increase the extent of basement accommodation already approved. This will allow for a car lift in the front garden to access underground car parking and the provision of cycle storage space.

***Refer to architects drawings and Design and Access Statement for further detailed information of the scheme proposals.***

## **2 PLANNING POLICY FRAMEWORK**

### **National Planning Policy Framework**

- 2.1 The National Planning Policy Framework (NPPF) was published on 27th March 2012. The new NPPF largely carries forward the planning policies and protections contained within Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) albeit in a more streamlined form with an emphasis on a presumption in favour of sustainable development.
- 2.2 The NPPF makes clear that the starting point for decision making is the development plan and applications for development proposals that accord with an up-to-date Local Plan should be approved.
- 2.3 The NPPF establishes a number of core principles that underpin the planning system which includes conserving heritage assets in a manner appropriate to their significance so that their contribution and enjoyment can continue for this and future generations.
- 2.4 The Framework encourages design to secure the optimal and efficient use of a site whilst responding to local character and history.
- 2.5 Paragraph 126 recognises that heritage assets (includes conservation areas) are an irreplaceable resource and seeks to conserve them in a manner appropriate to their significance. It is appropriate to consider the desirability of new development making a positive contribution to local character and distinctiveness.
- 2.6 Paragraph 135 is relevant to this proposal as it relates to the effect of an application on the significance of a non-designated heritage asset (the application property) and requires that a balanced judgement should be made in determining such applications having regard to the scale of any harm or loss, the relative significance of the building and its contribution to the significance of the designated heritage asset (Elsworthy Conservation Area) as a whole.

### **Development Plan**

- 2.7 The proposal has been assessed in relation to the 'development plan' which comprises relevant policies contained within the London Plan, dated March 2015 (FALP), the Council's Core Strategy, adopted in November 2010 and Development Policies also adopted in November 2010.

## London Plan

- 2.8 Consistent with the NPPF, strategic advice in the London Plan seeks to ensure that development affecting a heritage asset and its setting conserves its significance by being sympathetic to its form, scale, materials and architectural detail.

## Core Strategy

- 2.9 One of the main objectives identified in the Council's Core Strategy is to manage change and growth in a manner that respects the character, heritage and distinctiveness of the Borough for it to continue to be a popular place to live, work and visit.
- 2.10 The application property is identified as being within the Elsworthy Conservation Area. The following policies from the Core Strategy are therefore considered to be of particular relevance in the determination of this application:
- CS5 Managing the impact of growth and development; and
  - CS14 Promoting high quality places and conserving local heritage.

## Development Policies

- 2.11 Development Policies sets out more detailed policies to aid in delivering the overarching objectives of the Core Strategy. Relevant Development Policies are:
- DP18 – Parking Standards;
  - DP19 – Managing the Impact of Parking;
  - 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 neighbouring occupiers; &
  - DP27 Basements and Lightwells.

## Supplementary Planning Documents

- 2.12 The Council's supplementary planning guidance entitled "Basements and Lightwells" adopted in September 2013 is also a material consideration in the determination of this application.
- 2.13 Regard is also had to the Elsworthy Conservation Area Appraisal adopted in 2009 and produced by the Council to provide a basis for guiding development and the

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approach to be taken in the preservation and enhancement of the conservation area.

### 3 PLANNING POLICY COMPLIANCE

#### NPPF

3.1 Paragraph 14 states:

*"At the heart of the NPPF is a **Presumption in favour of sustainable development...."***

3.2 As well as the five 'guiding principles' of sustainable development, the NPPF also relies upon The United Nations General Assembly definition: "meeting the needs of the present without compromising the ability of future generations to meet their own needs".

3.3 In that context, the NPPF identifies three dimensions to 'sustainable development':

- An economic role;
- A social role; and
- An environmental role.

3.4 In essence sustainable development means ensuring positive growth whilst conserving the local environment and without making lives worse for future generations.

3.5 Paragraph 14 of the NPPF advises:

- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
- *- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as taken as a whole; or*
- *- specific policies in this Framework indicate development should be restricted".*

3.6 Paragraph 14 further continues that for decision taking this means:

- *Approving development proposals that accord with the development plan without delay.*

3.7 The proposed development would meet the needs of the present without compromising the ability of future generations to come. The construction works would support economic growth and once completed would preserve the character



and appearance of the local environment. The development is therefore a sustainable development consistent with the NPPF. This report further demonstrates below how the development meets the objectives of the five guiding principles of sustainable development and complies with relevant development plan policies.

### **Development Plan**

- 3.8 Consideration has been given to prevailing development plan policies. Every effort has been made to ensure the proposals, whilst meeting the expectations of modern day living, do not harm the architectural quality and integrity of the existing building, the significance of the Conservation Area or the amenities of neighbouring occupiers. To that end, the proposed development would be executed to a very high standard ensuring the proposal is respectful and harmonious with the integrity of the existing building, the townscape character and local distinctiveness of the area, in accordance with Core Strategy policies CS5, CS14 and Development Policies DP24, DP25 & DP26.

### **Impact upon the Existing Building and Surrounding Area**

#### ***New Basement Accommodation and Car Lift***

- 3.9 Excavation directly under the front garden area of the annex would be an extension of the new basement level recently granted permission under the auspices of application ref: 2015/4948/P and would accommodate an underground car lift.
- 3.10 The proposed car lift would be located within the curtilage of the building in the front garden area which is currently used for off-street car parking for the occupants of the dwelling.
- 3.11 When not in use, the car lift would not be evident. The mechanics of the car lift would be beneath the lower deck and therefore not visible from the street. The car storage system involves a platform being raised from underground up to the existing driveway level. The car then drives off the platform upon which the system is then lowered back underground. The roof of the system would consist of stone paving to match the materials on the existing forecourt. A car could also be parked on top of the system within the forecourt area as existing.
- 3.12 When not in use the default position would be for the system to be with the top lid closed showing no change therefore to the front forecourt area with paving stones to match existing. The platform takes between 45 seconds and 1 minute to return to its closed position. It is not expected that this movement would occur more than a

couple of times a week at most because the main purpose of the extra space underground is to shelter a valuable classic car.

### Off-Street Parking Provision

3.13 Although permission has recently been granted to amalgamate nos. 4 & 4A into one dwelling, it is important to note that the existing forecourt to the annex can currently accommodate two cars, as was the case when the dwelling was in separate ownership. As such, the new underground car parking would not result in an increase in off-street parking provision. In actual fact the impact would be less and result in a reduction in off street car parking because the two dwellings will become one and be in the same ownership. The underground parking area would also provide cycle storage space. The proposal is therefore in conformity with Development Policies DP18 & DP19.

### Landscaping and Trees

3.14 The front garden area is currently hard surfaced with perimeter planting and will be reinstated following completion of the development. The rear garden is unaffected by the proposals. Whilst no trees are to be felled as there are a number of mature trees in the vicinity of the application site, an Arboricultural Impact Assessment was commissioned and forms part of the application documents. The report of Landmark Trees dated 2<sup>nd</sup> July 2014 concludes that the proposed development is a sufficient distance from any tree roots and is not therefore considered to impact significantly upon the wider tree population or local landscape.

***Please refer to the Arboricultural Impact Assessment report of Landmark Trees for further detailed information in this regard.***

3.15 The underground extension would not harm the architectural character of the building and wholly preserves the established character and local distinctiveness of the surrounding area and thus accords with policies CS5, CS14, DP24 & DP25.

### Construction of the Development

3.16 A comprehensive site investigation has been carried out and such findings are that the geology is capable of supporting the loads from the proposed development.

3.17 As advised in the CMS of Elliott Wood Partnership and the Basement Impact Assessment of Site Analytical Services Ltd, the proposed structural design and scope of the works should not have any significant adverse impact on the structural

stability of the existing building or neighbouring structures.

- 3.18 As the development is an extension (of less than 500sqm) to an existing dwelling and is not new build, the proposals are not in conflict with policy DP22.

### **Flooding**

- 3.19 The site is not within the flood plain and is identified as being within an area of low risk from surface water flooding. The ground cover of the existing front garden area is that of paving with perimeter planting. This is not expected to change and the completed development therefore is unlikely to cause a worsening effect on the water table or result in surface water flooding.

***Please refer to the CMS of Elliott Wood Partnership and the Basement Impact Assessment of Site Analytical Services Ltd for further detailed information in this regard.***

- 3.20 For the reasons given in paragraphs 3.10 to 3.19 above, the proposed subterranean development is in accordance with development plan policies DP23, DP27 and supplementary guidance CPG4.

### **Impact upon Residential Amenity**

- 3.21 The application site is detached from neighbouring buildings. The proposals allow for an increase in floor space underground, not visible from any public or private view and not therefore harmful to existing neighbouring occupiers.
- 3.22 As described in paragraph 3.11 above, the car lift would only be evident when in operation. The default position of the system in this instance is designed to remain in the closed position and a key lock type operating switch will only allow the operator key to be removed when the unit has been fully lowered ensuring therefore that the system is always returned to this position after use.
- 3.23 The platform takes between 45 seconds and 1 minute to return to its closed position and would only be used a couple of times a week at most. As such for the majority of the time the system would not be directly visible and would not therefore have any visual impact.
- 3.24 Furthermore, operational noise from the use of the car lift is unlikely to have a harmful impact upon neighbouring occupiers as demonstrated in the Noise report of The Equus Partnership dated 29<sup>th</sup> April 2015. The plant/motor room for the car lift is located within the confines of the built structure underground to ensure noise would

not be audible from outside the building.

3.25 As such, the development is not considered to cause harm or injury to the amenities of any adjoining occupier and therefore accords with the requirements of Development Policy DP26.

### **In Summary**

3.26 In summary and for the reasons set out above, the proposals are not in conflict with prevailing planning policies and should be approved without delay.

## 4 OTHER MATERIAL CONSIDERATIONS

- 4.1 We are aware of other recent permissions in the vicinity of the application site where car lifts have been approved by Camden Council and in accordance therefore with development plan policy. These are:

### **48 Elsworthy Road (LPA ref: 2013/2545/P)**

In granting permission for the excavation of a basement and installation of a car lift in the front driveway, the Council was of the view that the proposal "*is not considered to detract from the character and appearance of the Elsworthy conservation area....*" and was in accordance with development plan policies.

### **11 Wadham Gardens (LPA ref: 2011/5077)**

The development included the provision of a car lift and planning permission granted in accordance with prevailing policies. Whilst it was noted in the Officer's delegated report that there would be limited visual harm when the car lift was in use, to ensure it does not result in unacceptable harm to the visual appearance of the street scene and wider conservation area, a condition was recommended to ensure the car lift remains at basement level when not in use.

- 4.2 This indeed would be the case with the application property whereby the default position of the system is designed to remain in the closed position. This is not only required from a health and safety aspect but also to protect against crime.
- 4.3 We maintain that the development proposed would not have a harmful impact upon the character and appearance of the street scene or Elsworthy Conservation Area. Furthermore, there would be no increase in off-street parking provision as a result of the development.

## 5 CONCLUSIONS

- 5.1 The proposed development would meet the needs of the present occupiers without compromising future generations to meet their own needs, would preserve the historic environment and is therefore sustainable development consistent with the NPPF.
- 5.2 The proposal for a car lift to provide underground car parking would not compromise the architectural integrity of the existing building or cause harm to the character and appearance of the conservation area. Furthermore, there would be no significant adverse effect upon the living conditions of neighbouring occupiers as a result of the development.
- 5.3 The proposals comply with all relevant development plan policies, supplementary planning guidance and with central government advice in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. In our judgement no other material considerations weigh against it.
- 5.4 Accordingly we trust that Camden Council will determine that the application for planning permission can be approved.