

# 61 Bayham Place 2014/6837/P



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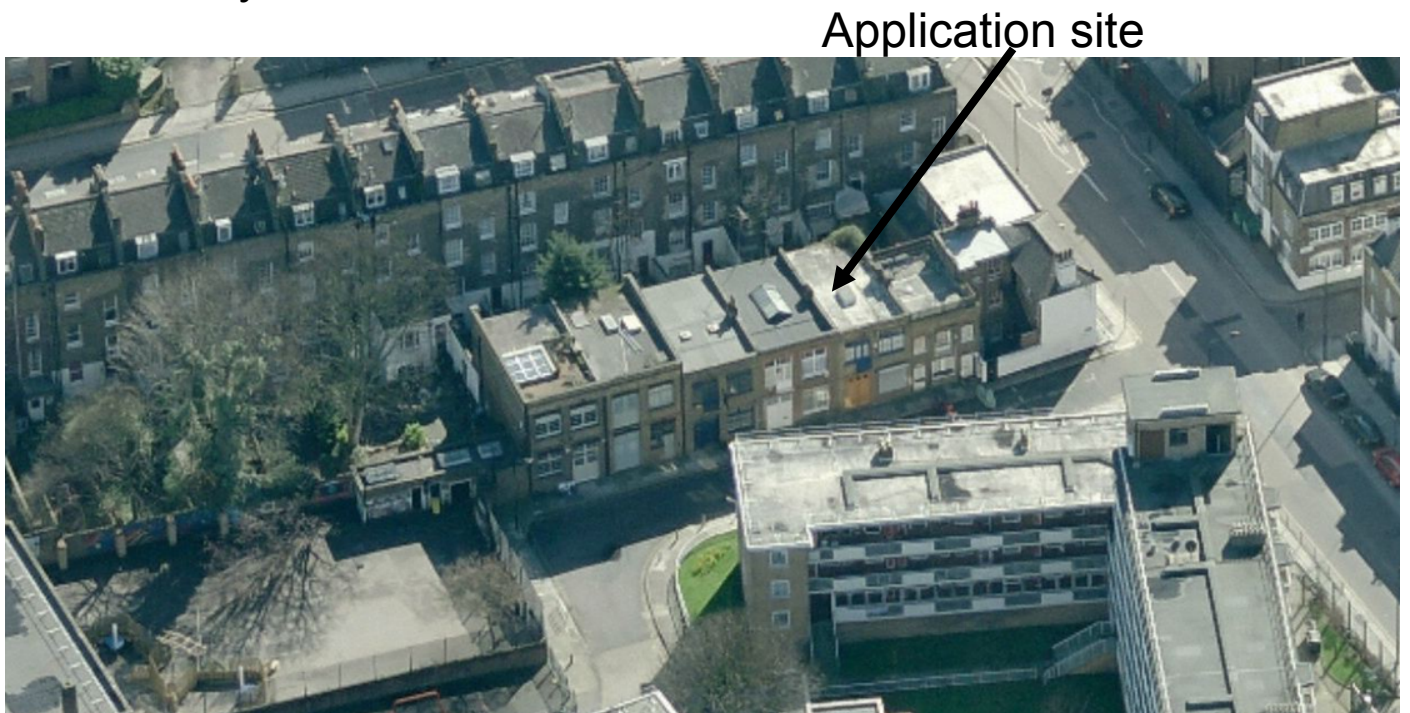
# 1. Front façade



## 2. Front streetscene



## 3. Birdseye view



<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>15/01/2015</b>
<b>(Members Briefing)</b>		N/A	<b>Consultation Expiry Date:</b>	<b>25/12/2015</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Rachel English			2014/6837/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
61 Bayham Place London NW1 0ET			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Excavation of single storey basement, replacement of rear windows and roof. Erection of roof access hatch and installation of balustrades for new terrace at roof level.				
<b>Recommendation(s):</b>		Grant Subject to a Section 106 Legal Agreement		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	<b>Refer to Draft Decision Notice</b>					
Informatives:						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>15</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	<p>Press notice displayed from 04/12/2014 until 25/12/2014  Site notice displayed from 03/12/2014 until 24/12/2014</p> <p>One objection received from owners/occupiers of 59 Bayham Place with the following concerns:</p> <ol style="list-style-type: none"> <li>1) Object to the roof access if it would overshadow and cause loss of light to glass atrium if the roof height is raised</li> <li>2) Noise, dirt and disruption on the already narrow road with double yellow lines on both sides. the road is already very congested for the primary school at the bottom of Bayham Place</li> <li>3) Party wall notices have not always proved effective to protect neighbours rights and cracks and other damage can occur many years after construction has finished</li> <li>4) There are structural concerns for the historic terrace</li> <li>5) The cost of the basement in terms of unpredictable damage to neighbouring properties is completely disproportionate to the benefit to the applicant</li> </ol> <p><u>Officer response</u></p> <ol style="list-style-type: none"> <li>1) The roof access is only 0.8metres higher than the flank parapet and would not give rise to any adverse impact on the glass atrium on number 59 Bayham Place</li> <li>2) Construction is for a temporary period. Hours of construction are controlled via Environmental Health legislation and the applicant will be advised of this through an informative.</li> <li>3) and 4) The applicant has submitted a BIA that has been independently reviewed which satisfactorily addresses structural movement as a result of the excavation</li> <li>5) This is not a material planning consideration</li> </ol>					
<b>CAAC comments:</b>	<p>Camden Town CAAC – We object to the rooftop extension to house the stair and cold water tank. The extension is far too long and inappropriate for a mews building. We understand that there are other ways of dealing with water storage. Our concern is that it will act as a precedent for the other mews buildings in the row which would ruin this particular row.</p> <p><u>Officer response</u></p> <p>Following Officers’ comments the proposals have been revised to set the balustrade and roof access back from the front parapet. See design section below.</p>					

## Site Description

The site comprises a two-storey, mid-terrace building located on the southern side of Bayham Place. The building is used as a dwellinghouse following prior approval granted in 2013.

The building is noted as making a positive contribution to the Camden Town conservation area.

## Relevant History

8602397 – Application for the erection of a roof extension for light industrial residential use. Refused on 30/04/1987

2003/1282/P - Change of use from studio/office to residential. Refused on 18/12/2003

2013/3973/P - Prior approval for the change of use from Office (Class B1) to 1 x 2-bed residential unit (Class C3). Granted subject to a S106 on 21<sup>st</sup> August 2013

## Relevant policies

### NPPF 2012

### The London Plan March 2015, consolidated with alterations since 2011

#### LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)

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 occupiers and neighbours)

DP27 (Basements and Lightwells)

DP28 (Noise and vibration)

#### Camden Planning Guidance

CPG1 (Design) 2014

CPG4 (Basements and Lightwells) 2013

CPG6 (Amenity) 2011

CPG7 (Transport) 2011

CPG8 (Planning Obligations) 2015

### Camden Town Conservation Area Appraisal and Management Strategy 2007

## **Assessment**

### **1.0 Proposal**

1.1 Planning permission is sought for the excavation of a single storey basement. The basement would be located underneath the footprint of the house. It would measure 3.9metres deep x 10metres long x 4.6metres wide. There would be no external manifestations of the basement.

1.2 The proposals include the installation of a roof access hatch for access to a new terrace. This would be 0.4metres high x 1metres wide. It would be set back from the front façade by 4.7metres. The application includes metal balustrades to serve the proposed roof terrace that would be set back from the front building line by 2.4 metres and set back from the rear building line by 2.2metres.

1.3 At the rear it is proposed to install new timber windows that are reversible. As there is no access to the rear of the site, the reversible windows are designed so that they can be easily maintained. There would be no changes to the front façade.

1.4 The material considerations in assessment of this planning application are:

- Design and impact on the host building and Camden Town Conservation Area
- Basement impact
- Impact on amenity of surrounding occupiers
- Transport and construction impacts

### **2.0 Design and impact on the character and appearance of the host building and the Camden Town Conservation Area**

2.1 At roof level the applicant proposes the installation of an access hatch which would allow access to a new roof terrace. The Camden Town CAAC has concerns about the visual impact of the proposed rooftop extension. The applicant originally proposed a metre high access hatch with water tank which would have been visible from long views. Following Officers advice, the rooftop housing has been reduced in height to just 0.4metres and set back as far as possible so that it is not visible from the front or from long views from Bayham St. It would be set back from the front façade by 4.7metres and would not be visible from street level. The proposed balustrades would be not harm the appearance of the host building or the Camden Town Conservation Area. It is recommended that a condition is added that requires details of the balustrades to be submitted.

2.2 Following Officers advice the balustrades have been revised from glazed balustrades to metal ones. It is considered that these would be more appropriate for the age of the building and would reduce their visual impact. The front balustrade would be located 2.4metres behind the front parapet therefore views of the balustrade from the street would be limited.

2.3 The proposed basement would not be visible from the public realm. There are no proposed lightwells at the front or rear.

2.4 The proposed windows at the rear would be replaced with a matching glazing pattern. This is considered acceptable in design terms.

### **3.0 Basement impacts**

3.1 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 contribute to localised surface water flow or flooding.

3.2 The Applicant has submitted a Basement Impact Assessment by Ellis and Moore Consulting Engineers in accordance with policy DP27 and the guidance set out in CPG4.

3.3 The Basement Impact Assessment and related documentation submitted by the applicant has been subject to independent verification. This is owing to the nature of the proposals (the BIA submitted goes beyond the screening stage). In such instances, in accordance with paragraph 2.33 of CPG4, the Council requires all information (subsidised by the applicant) to be independently verified.

3.4 The submitted BIA was independently verified by Geotechnical Consulting Group (GCG) who found that the BIA was acceptable in geotechnical terms with an appropriate methodology for construction. However the BIA was deficient with regards to the qualifications required for the author of the report and the issues of ground movement and building damage of the surrounding structures. As such the submitted BIA did not fully comply with the requirements of CPG4.

3.5 In response the Applicant submitted a revised BIA to address the comments made by GCG. The revised BIA was signed by two individuals who between them hold the requisite professional qualifications as set out in CPG4. The revised BIA also includes submission of predicted ground movements and building damage levels with predicted damage levels for adjoining occupiers.

3.6 The revised BIA was again reviewed by GCG who considered that the additional information was sufficient to approve the application. The anticipated ground movements and resulting impact on structural stability were considered adequate and GCG considered that the additional information has been provided and the submission now meets the requirements of DP27. It is recommended that a condition is added to ensure the works are monitored by a qualified engineer (Council's standard basement condition).

#### **4.0 Amenity impacts**

4.1 The proposed terrace on the roof would be set back from the front and rear building lines. It would not give rise to any further overlooking of properties to the rear than the existing windows of the dwellinghouse. The proposed access hatch would not give rise to any loss of light to the adjoining occupier (number 59) as it would be lower than the existing boundary parapet wall.

4.2 The proposed basement would be accommodated wholly below existing ground level therefore it would not have an unacceptable impact on the amenity of adjoining or nearby occupiers by way of loss of light, sense of enclosure, loss of outlook.

#### **5.0 Transport and Construction impacts**

5.1 The site does not have any outside private amenity space. Due to the constraints of the site the site is located in a conservation area, and given the scale of the basement, a Construction Management Plan is required. Concerns have been raised from a neighbouring occupier about the construction impact. Owing to the location of the building on Bayham Place and close proximity of Richard Cobden Primary School and the level of works associated with the excavation of the basement within a terrace, it is considered necessary for a construction management plan to be secured via S106. The purpose of the CMP is to minimise, as far as possible, the impacts of construction on neighbouring occupiers, and the highway.

5.2 Due to the nature of the works there is likely to be damage to the public highway and footway therefore it is recommended that a payment contribution of £1,934.61 be submitted towards highways and streetworks.



## **6.0 Recommendation**

6.1 It is recommended that planning permission is granted subject to a S106 legal agreement.

### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 18<sup>th</sup> May 2015. For further information please click [here](#)**

TDArch  
306 Mare Street Studios  
203-213 Mare Street  
London  
E8 3QEApplication Ref: **2014/6837/P**

13 May 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:  
**61 Bayham Place**  
**London**  
**NW1 0ET****DECISION**  
Proposal:  
Excavation of single storey basement, replacement of rear windows and roof. Erection of roof access hatch and installation of balustrades for new terrace at roof level.  
Drawing Nos: Site location plan, (1767-) LOC-02, EX-01, DEM01, P-01B, P-02D, P-03C, P-04D, P-05E  
Design and Access Statement ref 1767.DAS  
Planning Statement ref 1767.PS  
Ellis & Moore Consulting Engineers letter dated 20th November 2014  
Basement Impact Assessment by Ellis and Moore Issue 3 dated 17/04/2015  
Ground Engineering letter dated 26th February 2015 ref SJF/C13359A  
Construction Management Plan by TDArch  
Ground Engineering Site Investigation Report (ref C13359) dated September 2014

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 policies 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: Site location plan, (1767-) LOC-02, EX-01, DEM01, P-01B, P-02D, P-03C, P-04D, P-05E

Design and Access Statement ref 1767.DAS

Planning Statement ref 1767.PS

Ellis & Moore Consulting Engineers letter dated 20th November 2014

Basement Impact Assessment by Ellis and Moore Issue 3 dated 17/04/2015

Ground Engineering letter dated 26th February 2015 ref SJF/C13359A

Construction Management Plan by TDArch

Ground Engineering Site Investigation Report (ref C13359) dated September 2014

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 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Detailed drawings, or samples of materials as appropriate, in respect of the proposed metal balustrades, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 policies DP24 and DP25 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 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 4 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email [highwayengineering@camden.gov.uk](mailto:highwayengineering@camden.gov.uk).
- 5 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.
- 6 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