

14 Eldon Grove



Site Photos



Front of application site



Front of application site with neighbouring garage/drive to the left



Basement at adjacent building, 15 Eldon Grove

Delegated Report (Members Briefing)		Analysis sheet N/A	Expiry Date: Consultation Expiry Date:	04/09/2014 21/08/2014
Officer		Application Number(s)		
Neil Collins		2014/4498/P		
Application Address		Drawing Numbers		
14 Eldon Grove London NW3 5PT		See Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Excavation at front of existing basement flat to create an additional 2-bed flat and associated lightwell in front garden.				
Recommendation(s):		Grant conditional planning permission subject to S106		
Application Type:		Full Planning Application		

Conditions or Reasons for Refusal:	Refer to Decision Notices					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	12	No. of responses	01	No. of objections	01
			No. electronic	01		
Summary of consultation responses:	<p>Site notice: 25/07/2014 to 21/08/2014 Press notice: 31/07/2014 to 21/08/2014</p> <p>One letter of objection received from neighbouring resident at 12 Eldon Grove raising concerns on the following grounds.</p> <ol style="list-style-type: none"> 1. Concern with regard to the potential for damage to neighbouring building resulting from excavation works. <p><i>Officer response:</i></p> <ol style="list-style-type: none"> 1. <i>All submitted documents and drawings have been Independently Assessed by a fully qualified engineer separately appointed by the Council and, following revision to address some minor concerns regarding temporary works to shore up the excavated site, have been found to comply with adopted policy and legislation on basement development.</i> 					
CAAC / other group comments:	<p>The Fitzjohn and Netherhall CAAC were consulted. No response has been received.</p> <p>The Heath and Hampstead Society has objected to the application, on the following grounds:</p> <ol style="list-style-type: none"> 1. The basement would be poorly lit and require artificial lighting; 2. The light well would be required to provide light and is not acceptable in term so fits appearance, as it is not a typical feature within the Conservation Area. <p><i>Officer Response:</i></p> <ol style="list-style-type: none"> 1. <i>The basement would be lit by natural light from windows on two elevations, one of which would be southwest facing and is considered to be acceptable in the context of the site;</i> 2. <i>The Council's Conservation Officer has assessed the impact of the light well upon the character and appearance of the conservation area and has concluded that with appropriate planting the light well would be screened to lessen the impact of its appearance in the street scene. It is noted that in assessing the conservation area character, other light wells have been considered within Eldon Grove, including at the adjoining property (15 Eldon Grove).</i> 					

Site Description

The application site is located on the northern side of Eldon Grove and comprises a two storey semi-detached Edwardian residential building, which forms the northwestern end of three terraced buildings built at the same time. The subject building is divided into flats and also accommodates a self-contained flat at basement level.

The building is located within the Fitzjohns and Netherhall Conservation Area, but is not statutorily listed. The building is noted as making a positive contribution to the conservation within the adopted Fitzjohns and Netherhall Conservation Area Statement.

Relevant History

There is no relevant planning history for the site itself. However, it is noted that a basement has been approved directly adjacent to the site at 15 Eldon Grove (Ref: 2005/4009/P).

Relevant policies

**The London Plan March 2015 consolidated with alterations since 2011.
NPPF (2012)**

LDF Core Strategy and Development Policies

Relevant Policies in Camden Core Strategy

- CS1 (Distribution of growth)
- CS5 (Managing the impact of growth and development)
- CS 6 (Providing quality homes)
- CS11(Promoting sustainable and efficient travel)
- CS13 (Tackling climate change and promoting higher environmental standards)
- CS14 (Promoting high quality places and conserving our heritage)
- CS19 (Delivering and monitoring the Core Strategy)

Relevant Policies in Camden Development Policies

- DP2 (Making full use of Camden's capacity for housing)
- DP5 (Homes of different sizes)
- DP6 (Lifetimes Homes and wheelchair housing)
- DP16 (The transport implications of development)
- DP19 (Managing the impact of parking)
- DP20 (Movement of goods and materials)
- 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, 2011/2013

- CPG1 (Design)
- CPG4 (Basements and Lightwells)
- CPG6 (Amenity)
- CPG7 (Transport)

Fitzjohns and Netherhall Conservation Area Statement (adopted November 2002)

Assessment

1.0 Proposal

- 1.1 The application proposes excavation of the front of the site, below the front portion of the building and front garden area, to provide a new self-contained 2 bedroom flat. A new window would be located on the front elevation below the existing ground and first floor bay windows and a new access front door below the existing access path.
- 1.2 The excavated front garden would be terraced, with planting areas to provide soft landscaping features on the front boundary, with a stepped access stair to the flat entrance.
- 1.2 The proposal has been revised in the following ways:
- To remove an external platform lift from ground to basement level, to increase the internal floor area and to provide a more substantial window to the second bedroom located at the front of the site.

2.0 Assessment

Design / Impact on listed building and conservation area

- 2.1.1 The front garden of the existing building is predominantly hard surfaced to accommodate parking, with raised entrance steps, a small amount of soft landscaping and a Cherry Tree adjacent to the boundary with number 17. Nearest the house is a light well, which accommodates a lower ground floor window on the front elevation. The application proposes an almost identical arrangement to the existing, with the exception of the insertion of a clerestory style window within the front wall of the replacement light well, which would face the main building and would not be visible from the street.
- 2.1.2 The application originally proposed a staircase within the light well, adjacent to the existing raised entrance steps, to link the main house to the newly created subterranean room. However, following advice from the Conservation Officer, the stairs have been moved to below the existing entrance steps, which would lessen the disturbance to the building's interior and to historic fabric.
- 2.1.3 Given the minimal changes to the existing arrangement, the proposal is considered to preserve the character and appearance of the building and character and appearance of the Fitzjohn's Netherhall Conservation Area, complying with policies DP24 and DP25 of Camden's Development Plan. A condition is recommended requiring the approval of suitable materials, in the interest of the host building and wider conservation area.

Basement Impact Assessment

- 2.2.1 A Basement Impact Assessment was submitted to support the application, in accordance with DP27 and CPG4 (Basement and Lightwells). The submitted BIA provides a screening assessment of areas of concern with regard to the proposed excavation works. Screening uses checklists to identify whether there are matters of concern (with regard to hydrogeology, hydrology or ground stability) which should be further investigated as part of the scoping exercise carried out in a BIA (Section 6.2 and Appendix E of the CGHSS) and is the process for determining whether or not a BIA is required. There are three checklists as follows:

- subterranean (groundwater) flow
- slope stability
- surface flow and flooding

Subterranean Groundwater Flow

- 2.2.2 A screening checklist for the impact of the proposed basement on groundwater flow is included in

Appendix IV of the submitted BIA (Document 3). This identifies the following potential issues of concern:

- The site is located directly above an aquifer;
- The proposed development will result in a change in the area of hard-surfaces/paved areas; and
- More surface water (e.g. rainfall and run-off) than at present will be discharged to the ground (e.g. via soakaways and/or SUDS).

Slope Stability

2.2.3 A screening checklist for the impact of the proposed basement on groundwater flow is included in Appendix IV of the submitted BIA (Document 3). This identifies the following potential issues of concern:

- The existing site includes slopes, natural or manmade, greater than 7 degrees;
- London Clay is the shallowest strata on the site;
- There is a history of seasonal shrink-swell subsidence in the local area, and/or evidence of such effects at the site;
- The site is within 5m of a highway or pedestrian right of way;
- The proposed basement will significantly increase the differential depth of foundations relative to the neighbouring properties; and
- The site is over(or within the exclusion zone of) tunnels, e.g. railway lines)

Surface Flow and Flooding

2.2.4 A screening checklist for the impact of the proposed basement on groundwater flow is included in Appendix IV of the submitted BIA (Document 4). This identifies no areas of potential concern.

Independent Review

2.2.5 An Independent Review of the submitted BIA was undertaken by the Council's appointed engineers, LBH Wembley. The review concluded that, whilst the submitted BIA did not strictly follow the processes and procedures set out in policies DP27 and CPG4, it did demonstrate reasonable accordance with adopted policy. However, the review identified a small area of concern with regard to the structural stability of temporary works to shore-up, the side walls of the excavated area. As such, further information was requested from the applicant to respond to this point. More detailed plans and methodology were submitted and LBH Wembley has since confirmed that this information sufficiently addresses concerns regarding temporary works and that the submitted information meets all adopted policy requirements.

Quality of proposed accommodation

Space standards / Outlook / Arrangement

2.3.1 The proposed unit would provide a double and single bedroom, suitable for three persons. As such, in accordance with the Council adopted space standards, the unit would achieve an internal area of 61 sq metres (GIA). The original proposal fell unacceptably short of the required area, but the internal space has been increased following requested revisions. The GIA of the resulting proposal is 60.6m, which would provide a very small shortfall in internal space and is considered to be acceptable given the constrained nature of the site. Outlook from the site would be limited. However, with appropriate planting within the terraced front garden, a verdant outlook is envisaged and considered to be acceptable.

Cycle parking

2.3.2 One of the key transport aims within the LDF is to promote cycling in the borough. Furthermore Camden's Transport Strategy has set a target of 25% for cycling as a proportion of road traffic flows in the borough by 2020. At present, there is no designated cycle storage space for any of the units within the building and no specific area has been outlined on the submitted plans. However, given the very constrained nature of the site, Transport Officers have advised that internal storage would be an appropriate option and that future occupants of the unit would have sufficient space to store a bicycle if

required.

Refuse

2.3.3 Designated refuse areas would be located at ground floor level within screened enclosures. The proposed arrangement would be suitable in terms of capacity and location close to the highway.

Amenity

2.4.1 The resulting arrangement would not be significantly different to the existing to warrant any amenity concerns. All new windows, and the outlook they would provide, would be below ground level apart from some small clerestory windows on the side elevation just above ground floor level, which are not considered to have any impact upon adjoining occupiers.

Transport Impacts

2.5.1 Given that excavation works are proposed, a Construction Management Plan would be secured by way of a Section 106 legal agreement to control the removal of earth from site and to manage the traffic impacts of the site operations.

2.4.2 The Transport Team has advised that a highways works contribution should be secured by way of a Section 106 legal agreement to ensure that any damages that may occur to the highway resulting from the works would be adequately remedied.

Trees and Landscaping

2.6.1 The existing front garden area comprises soft landscaping in the front garden. Soft landscaping would be replaced by way of designated planting areas in the terraced area which would be re-provided in the proposed arrangement. The replacement soft landscaping is considered to be suitable to retain the verdant appearance of the site and the wider conservation area.

2.6.2 The advice of the Tree Officer has been sought to ascertain whether the proposed basement would have any impact upon the health of two street trees located just outside the site. The basement would fall within the Root Protection Area of the trees and, as such, a Tree Report was requested to fully investigate the impact of the excavation, along with trial pits to identify root presence within the excavation area. A Tree Report was submitted, which concluded that with the recent crowning of the trees, the impact upon the root system would not cause any significant harm. The result of trial pits also demonstrated very low presence of roots from the trees within the excavation area. As such, the Council's Tree Officer has confirmed that the submitted information demonstrates that the health of the trees would be adequately protected.

Planning Obligations

2.7.1 The following heads of terms are recommended for the Section 106 legal agreement:

1. Construction Management Plan
2. Highways Contribution
3. CIL – Camden
4. CIL – Mayoral; and
5. Commissioning of a qualified structural engineers to oversee the works.

3.0 Conclusion

3.1 The application has been assessed in accordance with policy DP27 (Basements and Lightwells) and CPG4. The submitted information has been revised to take account of concerns raised by the independent assessor and further information has been submitted to address concerns regarding temporary works. A second independent assessment has confirmed that all concerns have been

overcome in the revised proposal and that the development meets the requirements of adopted LDF policy and its accompanying guidance.

4.0 Recommendation:

4.1 Grant conditional planning permission subject to S106 legal agreement

DISCLAIMER

Decision route to be decided by nominated members on Monday 6th July 2015. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Schneider Designers
Lower Ground Unit
15 Eldon Grove
London
NW3 5PTApplication Ref: **2014/4498/P**

02 July 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:
14 Eldon Grove
London
NW3 5PT

Proposal:

Excavation at front of existing basement flat to create an additional 2-bed flat and associated lightwell in front garden.

Drawing Nos: APL-100; APL-101; APL-102; APL-103; APL-104; APL-105; APL-106; APL-107; APL-108; APL-109; APL-110; APL-111; APL-112 Rev 01; APL-113 Rev 01; APL-119 Rev 01; APL-122 Rev 01; 3791 Sheet P1; 3791 Sheet P2; Arboricultural Report, Impact Assessment & Method Statement, produced by Crown Consultants, dated 3rd March 2015; Tree Schedule; CCL 09274/TPC Rev: 1; and Structural Engineer's and Basement Impact Assessment (Rev A) and Appendices, produced by Ian Drummond Consulting Engineers, dated 7th July 2014.

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: APL-100; APL-101; APL-102; APL-103; APL-104; APL-105; APL-106; APL-107; APL-108; APL-109; APL-110; APL-111; APL-112 Rev 01; APL-113 Rev 01; APL-119 Rev 01; APL-122 Rev 01; 3791 Sheet P1; 3791 Sheet P2; Arboricultural Report, Impact Assessment & Method Statement, produced by Crown Consultants, dated 3rd March 2015; Tree Schedule; CCL 09274/TPC Rev: 1; and Structural Engineer's and Basement Impact Assessment (Rev A) and Appendices, produced by Ian Drummond Consulting Engineers, dated 7th July 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 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates; and

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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 policy 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.

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

DRAFT

DECISION