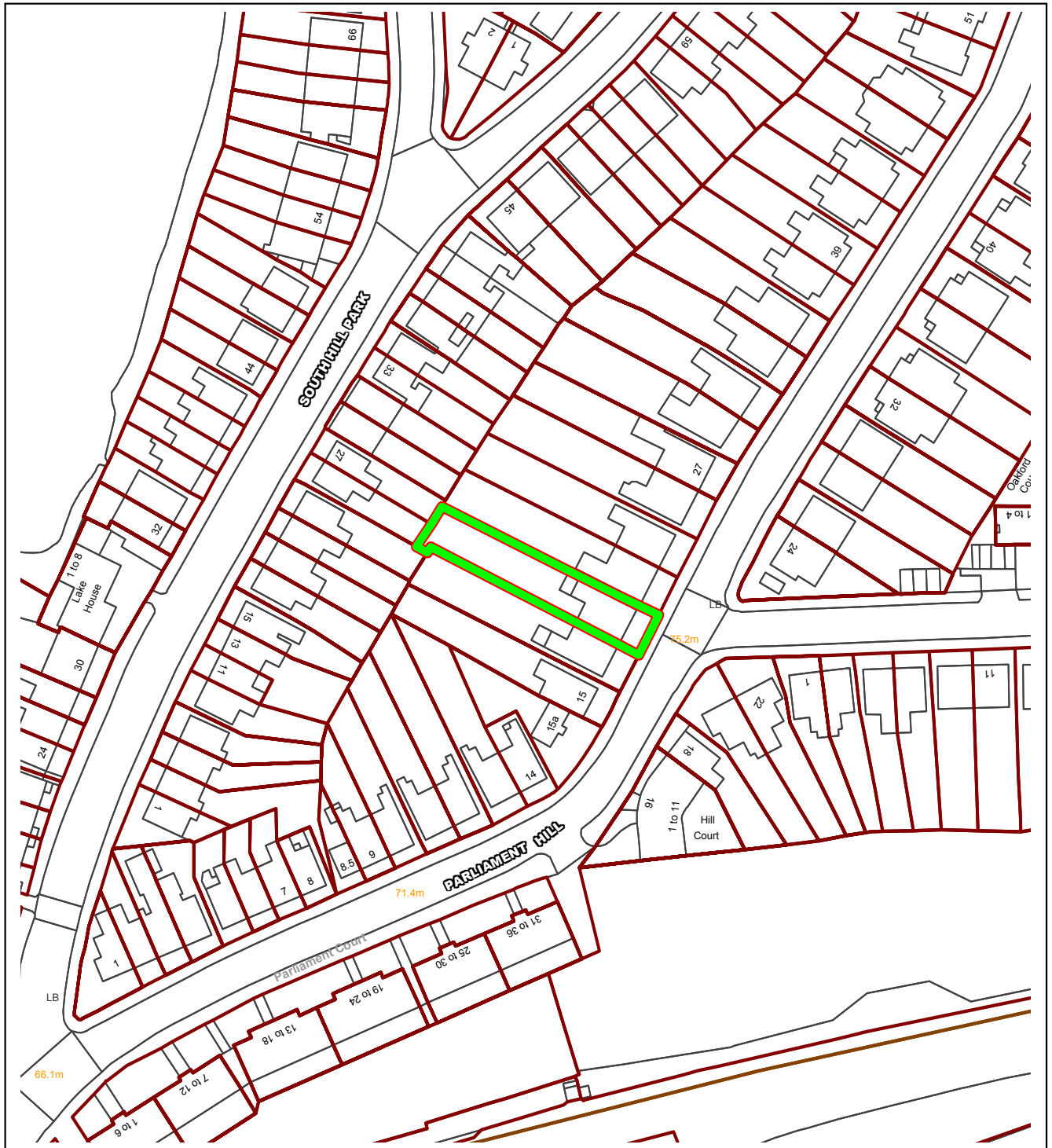


# 19 Parliament Hill (2015/0233/P)





**Figure 1. Rear Patio**



**Figure 2. Rear Elevation**



**Figure 3. Tree to be removed**

<b>Delegated Report</b> <b>(Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		19/03/2015	
		N/A		<b>Consultation Expiry Date:</b>		26/02/2015	
<b>Officer</b>				<b>Application Number(s)</b>			
Kathryn Moran				2015/0233/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
19 Parliament Hill London NW2 2TA				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 extension under building and rear terrace with associated rear external access stair and rear skylights							
<b>Recommendation(s):</b>		Grant conditional planning permission subject to S106 agreement					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	15	No. of responses	3	No. of objections	3
<b>Summary of consultation responses:</b>		Press notice displayed from 05/02/2015 – 26/02/2015 Site notice displayed from 04/02/2015 – 25/02/2015  Objections received from 17 and 15 Parliament Hill and 27 South Hill Park.  1) The excavation will result in structural damage to neighbouring properties. 2) Basement extensions have resulted in damage to properties in South Hill Park 3) There is no history of basement excavation on this side of Parliament Hill 4) Overdevelopment of the site 5) Properties already prone to subsidence 6) Alteration to underground water flow and water table in an area of many					

	<p>underground water courses causes problems for surrounding houses</p> <p>7) The development would result in prolonged noise, disruption and dirt</p> <p>8) Increase in traffic from heavy construction vehicles and moving equipment</p> <p><b>Officer response</b></p> <p>1&amp; 2) A Basement Impact Assessment has been submitted and independently verified. It has been demonstrated that the proposed basement excavation could result in slight damage (cracking). This would be covered under a party wall agreement. The independent assessment concluded this level of potential damage is in keeping with DP27.</p> <p>3) Whilst there are no other basements in this part of Parliament Hill, planning permission has been granted for basements elsewhere in Parliament Hill and South Hill Park to the rear.</p> <p>4) The proposed basement would sit beneath part of the footprint of the dwellinghouse and the rear patio. It is not considered to constitute overdevelopment of the site.</p> <p>5 &amp; 6) The BIA and supplementary information provided by the applicant established the proposal will not result in flooding or ground instability. This conclusion has been acceptable by the independent assessment.</p> <p>7&amp; 8) A Construction Management Plan would be secured by way of a s106 Legal agreement to ensure nuisance during the construction period is minimised.</p>
<b>CAAC/Local groups comments:</b>	South Hill Park CAAC – no response received

### Site Description

The site is located on the west side of Parliament Hill and comprises a three storey Victorian Gothic Revival semi-detached dwellinghouse. The property is not listed but is located in the South Hill Park Conservation Area. It is noted as making a positive contribution to the Conservation Area. To the rear of the property is a patio area and a large garden.

### Relevant History

#### 19 Parliament Hill

None relevant

#### 20 Parliament Hill

2006/5228/P – Permission granted on 24 January 2007 for installation of glass balustrade at rear first floor level to facilitate use of flat roof as terrace; erection of lower ground floor level side extension (including rebuilding of garden wall) to provide utility room; excavation at rear basement/garden level to allow for construction of new room and sunken terrace; erection of a rear glazed extension at lower ground floor level (including raising of party wall) to provide access to basement all in connection with existing single-family dwellinghouse.

## 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)

DP2 (Making full use of Camden's capacity for housing)

DP18 (Parking standards and limiting the availability of car parking)

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

South Hill Park Estate Conservation Area Appraisal and Management Strategy 2001

## Assessment

### **1.0 Proposal**

1.1 Permission is sought for the excavation of a single storey basement under the footprint of the house and rear patio. The basement is to provide additional living space for the dwelling house; a kitchen, play room, study and laundry room.

1.2 The proposed basement would measure 17.8m in length x 9m in width x 4m in depth. The footprint of the basement extension is 138m<sup>2</sup>. The excavation under the patio is 48m<sup>2</sup> in area. Therefore 35% of the basement extension is below the rear patio. The rear garden has a total area of approximately 250sqm and as such the basement would occupy approximately 20% of the rear garden. The only external alterations that would be at the rear would be four smaller and one large skylight within the rear patio at ground floor level. A small lightwell with a staircase with glazed balustrade leading from ground floor down to the proposed basement is also proposed. The rear doors to the existing conservatory at ground floor would also be replaced and an additional set of doors installed centrally. A cherry tree (sapling) is to be removed to allow for the excavation of the basement.

1.3 This application is assessed in terms of:

- Provision of additional residential accommodation



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

## **2.0 Proposed use**

2.1 The proposed basement extension would provide additional residential accommodation to be used in connection with the single family dwellinghouse. The provision of additional residential floorspace is considered to be acceptable in principle.

## **3.0 Basement impact**

3.1 The Applicant submitted a Basement Impact Assessment in accordance with policy DP27 and the guidance set out in CPG4. Policy DP27 and CPG4 state that developers will be required to demonstrate with methodologies appropriate to the site that schemes for basements 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.

3.2 The BIA and related documentation requires independent verification. This is owing to three main factors, as detailed within CPG4; the nature of the proposals (the BIA submitted goes beyond the screening stage); the location of the application site is located within an area of hydrological constraint (surface water flow and flooding) and the receipt of objections from third parties. In such instances the Council requires all information (to be independently verified at the cost of the applicant).

3.3 The scope of the independent verification was, in short, to ascertain whether the Basement Impact Assessment was sufficiently robust and accurate to enable planning permission to be granted in accordance with the requirements of LDF policy DP27 and guidance contained within CPG4. The BIA has been independently reviewed by LBH Wembley Geotechnical and Environmental consultants who concluded in their report dated May 2015 that the BIA submitted by the applicant is robust enough to comply with the policy guidance contained within DP 27.

3.4. The screening identified the follow areas of concern:

1. The proposed basement excavation may extend beneath the water table surface.
2. The site is within 400m of the watercourse, well or potential spring line.
3. London Clay is the shallowest strata
4. The proposed basement will significantly increase the differential depth of foundations relative to neighbouring properties
5. Trees will be felled as a result of the proposal
6. The site is over (or within the exclusion zone) of tunnels, e.g. railway lines.
7. The site is in an area known to be at risk of surface water flooding or at risk of flooding

3.5 The applicant's BIA addressed the above points and states that:

- 1) Since the basement will be constructed wholly within the London Clay strata it will not provide any form of cut off to groundwater flows and hence should not affect groundwater levels upstream of the development. Significant groundwater inflows are not expected within the 4m

deep basement and it should be possible to adopt traditional reinforced concrete underpins beneath the existing house.

- 2) Whilst the River Fleet formerly ran close to the site, it is noted that it has now been culverted and hence will not affect the groundwater regime in the vicinity.
- 3) The basement excavation may cause some heave of the underlying clay sub soils. Any heave forces on the basement under the building will be counteracted by the weight of the building over. For the excavation beneath the patio the heave effects are expected to be less significant.
- 4) The proposed basement is single storey and would be excavated through the made ground and London Clay stratum. Provided appropriate construction methods are employed there should be no significant impact in terms of ground stability. The building damage assessment for the adjacent properties (Nos. 17 and 21 Parliament Hill) fall within Category 2 of the Building Damage Assessment, indicating slight damage could occur e.g. cracks up to 5mm wide.
- 5) The new basement would not suffer seasonal shrink swell subsidence as the depth of the proposed basement will be below the level of any tree root activity.
- 6) There is a 5540mm diameter trunk storm overflow drain beneath No. 17 Parliament Hill.
- 7) There is low risk of flooding and therefore specific measures to protect from flooding are not considered necessary.

3.6 The independent review by LBH Wembley concludes that the applicant's BIA is acceptable and the evidence presented is sound and the assessment carried out is reasonable. The method of construction are considered to be acceptable. The BIA provided the relevant information with regards to groundwater flow and land stability to meet the requirements of DP27 and CPG4. However the BIA did not include a structural monitoring and contingency plan and the surface flow and flooding aspect of the BIA need to be reviewed and countersigned by persons holding the required qualifications.

3.7 The applicant has provided the information requested and LBH Wembley have subsequently confirmed that the applicant has satisfactorily demonstrated that the proposed basement excavation would not cause harm to the built and natural environment and would not result in flooding or ground instability. No further details have been requested and it is not considered a Basement Construction Plan is required. A condition to ensure the excavation is carried out by qualified engineers is recommended.

3.8 A construction management plan would also be secured via condition to ensure the development would not cause undue harm to local amenity. Therefore the development would accord with the objectives of Policy DP27 and CPG 4.

#### **4.0 Visual impact on the host building and Conservation Area.**

4.1 The external alterations are considered to be minor in nature. The rooflights would lie flush with the rear patio which is to be repaved following excavation. The staircase would be visible in some private views from the adjoining properties. However it is not considered the external alterations would have a detrimental impact on the character and appearance of the host property or the conservation area.

4.2 The basement extension and alterations would not be visible from the public realm and given that it is limited to below ground floor level the design is considered acceptable. As such it is in accordance with Development Policies DP24 and DP25.

#### **5.0 Impact on amenity**

5.1 The proposed basement would be accommodated 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.

5.2 The proposals would not adversely harm the amenity of adjoining occupiers and would comply with policies CS5 and DP26 of the LDF and Camden Planning Guidance 6.

## **6.0 Transport and construction impacts**

6.1 Concerns have been raised from neighbouring occupiers about the construction impact. Owing to the location of the building on Parliament Hill and the level of works associated with the excavation of the basement, it is considered necessary for a construction management plan (CMP) to be submitted. The purpose of the CMP is to minimise, as far as possible, the impacts of construction on neighbouring occupiers, and the highway. It is recommended that a CMP be secured via s106 agreement

6.3 Concerns have been raised about the noise, vibration and disturbance as a result of the proposed works. Any noise and disturbance caused by the building works are not considered to be a reason to refuse the application. An informative is added to the draft decision that highlights that under the Control of Pollution Act 1974 building work should not be heard at the boundary of the site outside 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturday and not at all on Sundays and Public Holidays.

## **7.0 Impact on nearby trees**

7.1 There are three young off site ash trees and a semi mature Ash trees in proximity of the proposed basement. These are low quality category C trees, however they are boundary trees and therefore their retention is required. The proposed basement lies within 1m of their stems and they overhang the development and would require cutting back. The excavation of the basement requires the removal of a Cherry sapling. This is to be replaced with details to be secured by condition.

7.2 The applicant has submitted an arboricultural report with the application. The report has been assessed by the Council's Tree Officer who considers that there is sufficient information to demonstrate that the proposed development can take place without adversely impacting on the trees on site and neighbouring sites. It is recommended that the standard condition is included requiring details of a suitable replacement tree and landscaping prior to commencement of works. This is at the request of the tree officer to ensure the replacement planting is suitable and the repaving works would preserve and enhance the character and appearance of the host property and the conservation area.

## **8.0 Recommendation**

8.1 It is recommended that planning permission be granted subject to a s106 legal agreement.

### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 13<sup>th</sup> July 2015. For further information please click [here](#)**

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www.camden.gov.uk/planning

Application Ref: **2015/0233/P**

08 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:  
**19 Parliament Hill**  
**London**  
**NW3 2TA**

**DECISION**

Proposal: Excavation of single storey basement extension under building and rear terrace with associated rear external access stair and rear skylights

Drawing Nos: 034 P 203; 034 P 302; 034 P 204; 034 P 006; 034 P 201; 034 P 301; 034 P 202; 034 P 200; 034 P 005; 034 P 001; 034 P 300; 034 P 004; 034 P 002; 034 P 003; Design and Access Statement; Basement Impact Assessment; Arboricultural Impact Assessment; Ground Movement Analysis; Surface Water Statement; Monitoring Specification

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: 034 P 203; 034 P 302; 034 P 204; 034 P 006; 034 P 201; 034 P 301; 034 P 202; 034 P 200; 034 P 005; 034 P 001; 034 P 300; 034 P 004; 034 P 002; 034 P 003; Design and Access Statement; Basement Impact Assessment; Arboricultural Impact Assessment; Ground Movement Analysis; Surface Water Statement; Monitoring Specification

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 5 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels and details of the replacement tree to be planted. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 6 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.

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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies need to be paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 4 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 5 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay the CIL charge.

The proposed CIL charge will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). For further information on the Camden CIL or Mayoral CIL charge please refer to the information on the Camden website which may be accessed via the following link: [http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset\\_id=3298006](http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset_id=3298006)

You are required to assume liability and notify the CIL team on commencement using the forms that can be downloaded from the planning portal;

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will issue an assumption of liability setting out the calculation and CIL demand notice setting out the method of payment accordingly. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or queries to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 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