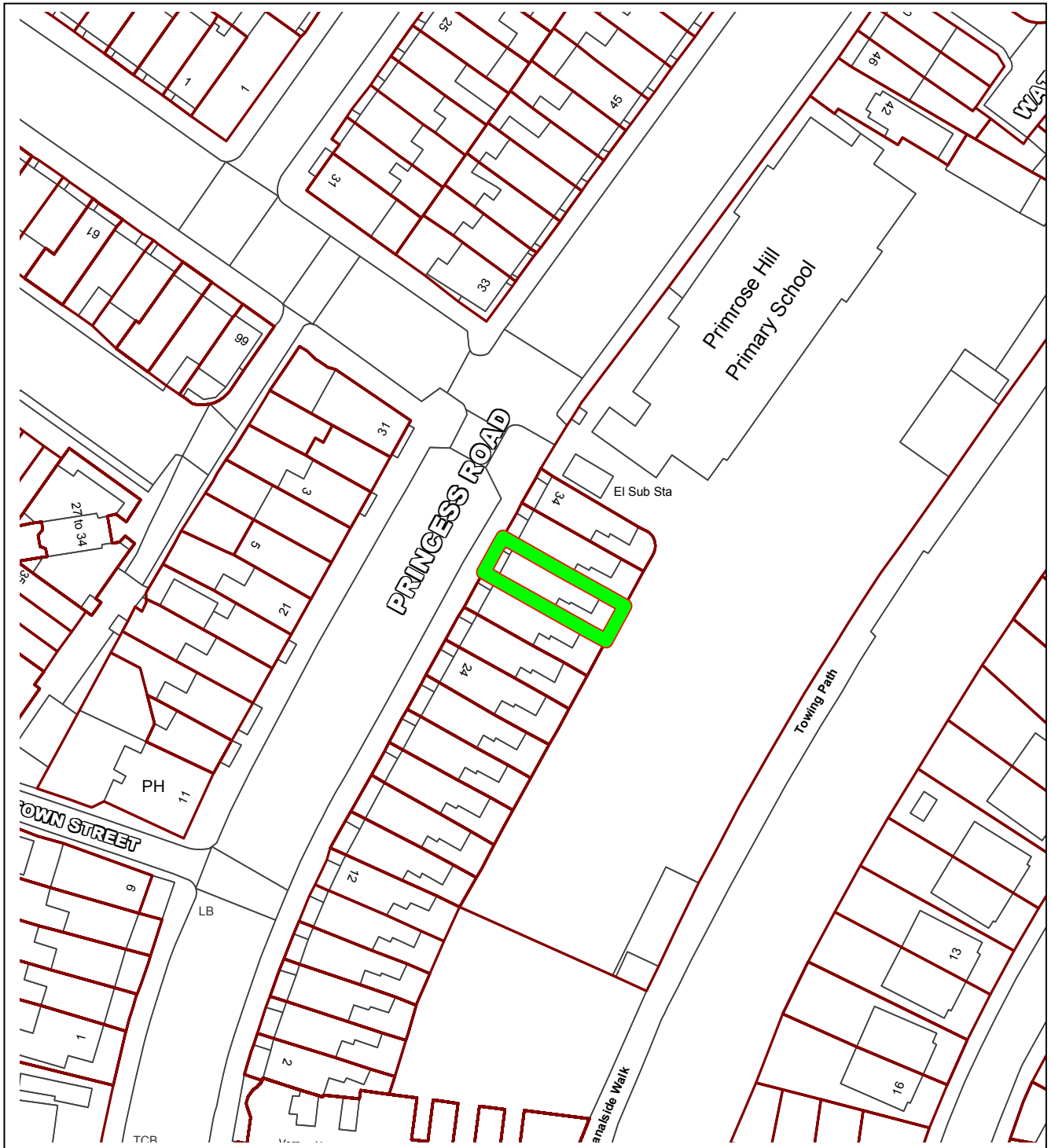


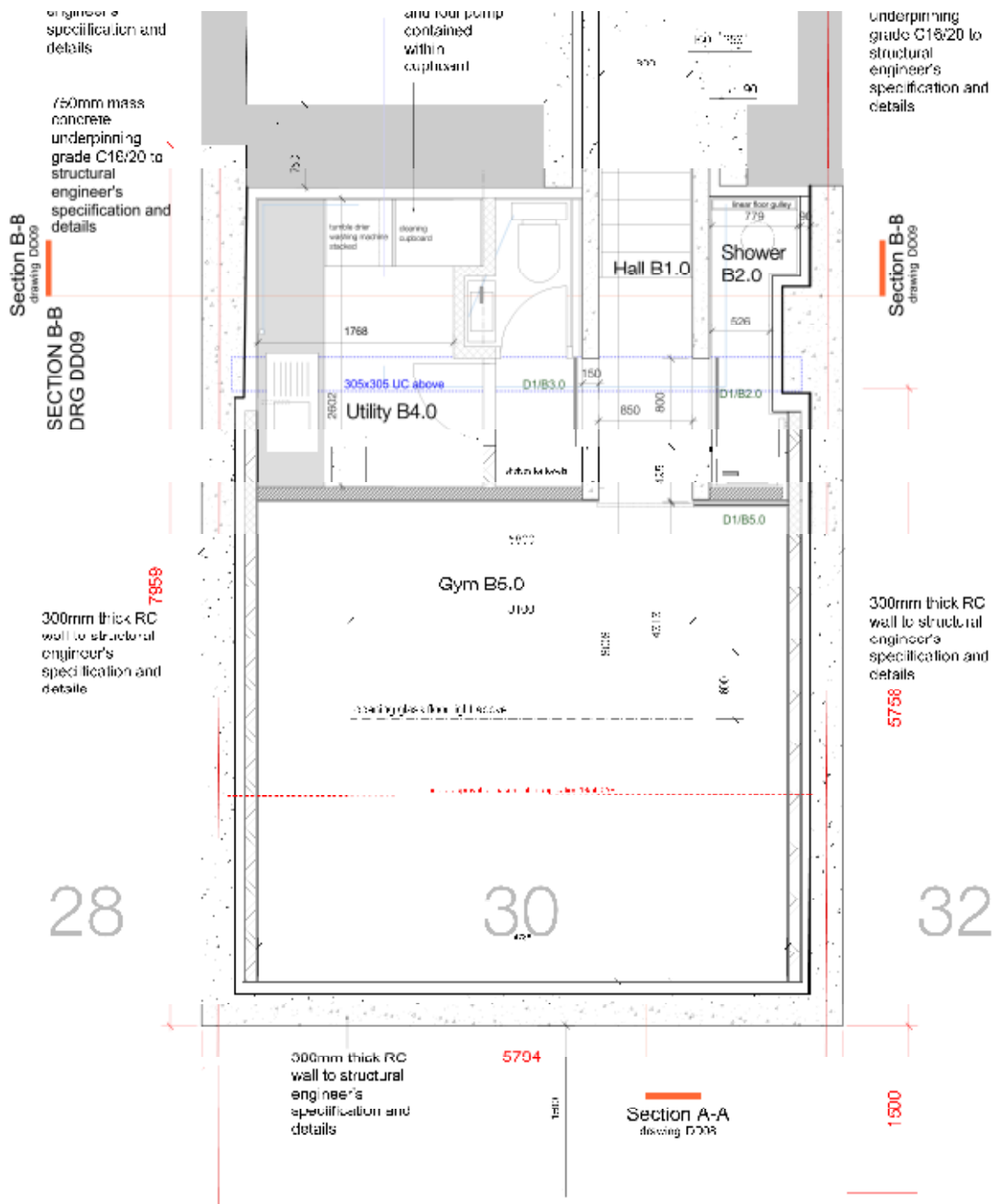
# 30 Princess Road – Site location plan



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# 30 Princess Road – Pictures

As the proposed alterations relate to the enlargement of a basement and no external works are proposed no pictures are provided. Below is the proposed basement plan showing with a red line the extent of the previously approved basement.



<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>17/07/2015</b>	
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>		16/07/2015	
<b>Officer</b>				<b>Application Number(s)</b>			
Carlos Martin				2015/2133/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
30 Princess Road London NW1 8JL				Refer to 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>							
Variation of condition 3 (approved plans) of planning permission 2013/1565/P dated 10/07/2013 (for the erection of single storey rear extension at lower ground floor level, following demolition of existing rear extension and excavation to create new basement level underneath the extension to single dwelling house) namely to enlarge proposed basement under rear courtyard.							
<b>Recommendation(s):</b>		<b>Grant Subject to a Deed of Variation</b>					
<b>Application Type:</b>		<b>Variation or Removal of Condition(s)</b>					

Conditions or Reasons for Refusal:	<b>Refer to Draft Decision Notice</b>					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>08</b>	No. of responses	<b>02</b>	No. of objections	<b>02</b>
			No. Electronic	<b>02</b>		
Summary of consultation responses:	<p>Press notice published from 25/06/2015 to 16/07/2015. Site notice displayed from 24/06/2015 to 15/07/2015</p> <p>2 objections received from the occupiers of 2 Albert Terrace &amp; 16 Princess Road based on the following grounds:</p> <ol style="list-style-type: none"> <li>1. This further extension to an already regrettable case of overdevelopment is unnecessary and could send out an undesirable message to other households that there exists a free-for-all to excavate as deep and as far as you please in a conservation area.</li> <li>2. The terminology contained within the application particularly in relation to the room uses appears to indicate a business usage for the lower two floors of the building. If this is indeed the case then the applicant must surely seek permission to alter the use from residential to business. This situation must be clarified prior to any decision as the property forms part of an important residential terrace within the townscape of the Primrose Hill conservation area.</li> <li>3. It is completely unsuitable that the premises - part of a Victorian terrace - be used for commercial purposes in this way and notwithstanding the fact that permission has been granted for sub-basement works, such a sub-ground level extension is at variance with conservation area policies and aims and should not have been "waved through".</li> </ol> <p><u>Officer's comments:</u></p> <ol style="list-style-type: none"> <li>1. The proposed basement is only one storey deep and it is not considered to be overdevelopment. In terms of establishing a precedent, each future application must be considered on its own merits.</li> <li>2. See response to CAAC objection below.</li> <li>3. Conservation area policies do not preclude the excavation of basements in principle as long as the BIA demonstrates that the environmental impact of the excavation is acceptable.</li> </ol>					
CAAC/Local groups* comments: *Please Specify	<p>Primrose Hill CAAC: Objects.</p> <ol style="list-style-type: none"> <li>1. "While the extra extent of the basement may be relatively minor, the extent of the operation in the basement at both original lower ground floor level and the new basement level below that suggests that this space is no longer in private residential use. We note that both applications 2013/1565/P and 2013/5902/P, on the basis of which consents were granted, specified that they were for use Class C3 (dwellinghouse). We understand that these premises may be operating as a commercial operation, not Class C3. In this</li> </ol>					

case, then the further extension would be a harmful intensification of an unapproved use, which should itself be subject of a planning application for change of use.”

Officer's comments:

The propose use of the basement is as a gym. However, this is ancillary to the existing residential use of property and in no way would operate as an independent commercial unit. This has been confirmed in writing by the applicants.

## Site Description

The application site consists of a three storey mid-terrace single dwelling with semi-basement on the east side of Princess Road. The property has a three storey back addition and a single storey rear extension with a green roof. The rear garden area is covered with timber decking. There is a school located to the rear of the property. The property is located within the Primrose Hill Conservation Area and is not listed.

## Relevant History

**2013/5902/P:** Alterations namely to increase proposed basement excavation of permission 2013/1565/P dated 10/07/2013 (Erection of single storey rear extension at lower ground floor level, following demolition of existing rear extension and excavation to create new basement level underneath the extension to single dwelling house (Class C3)). **Granted** 2013/5902/P.

**2013/1565/P:** Erection of single storey rear extension at lower ground floor level, following demolition of existing rear extension and excavation to create new basement level underneath the extension to single dwelling house (Class C3). **Granted** 10/07/2013.

**2012/6394/P:** Variation of condition 3 (approved plans) and removal of condition 4 (green roof details) of planning permission dated 24/08/12 (Ref: 2012/3566/P for the erection of a single storey rear infill extension with green roof to lower ground floor level of dwelling house), namely to reconfigure the staircase to front lightwell, to remove the green roof and to replace the patio doors. **Granted** 18/01/2013.

**2012/3566/P:** Erection of a single storey rear infill extension with green roof to lower ground floor level of dwelling house (Class C3). **Granted** 24/08/2012

**2004/5413/P:** The erection of basement and ground floor rear extensions and alterations to coal stores to the front of 8 Princess Road. **Granted** 2004.

## Relevant policies

### National Planning Policy Framework 2012

### The London Plan 2015

### LDF Core Strategy & Development Policies 2010

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

CS19 Delivering and monitoring the Core Strategy

DP20 Movement of goods and materials

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

### Camden Planning Guidance 2011/2015

CPG1: Design 2015

CPG4: Basements and lightwells 2015

CPG6: Amenity 2011

CPG8: Planning obligations 2015

### Primrose Hill Conservation Area Statement 2000

## Assessment

### 1.0 Proposal

1.1 The applicant is seeking planning permission for the increase in length of a basement under the foot print of a rear extension that has previously been granted planning permission (see relevant history for 2013/1565/P).

1.2 The basement was originally to be 2.95m from the existing rear wall of the dwelling, and would be excavated to a depth of 3.1m with a ground to ceiling height of 2.48m. A subsequent application (ref 2013/5902/P) was granted permission to enlarge the approved basement by 0.15m to be 3.10m in length from the rear wall. The current proposal would extend the length of the basement by a further 1.7m into the rear garden area.

### 2.0 Design

2.1 The increase in size to the basement would not be visible from either the public realm or neighbouring properties. The increase in size would have no bearing on the previously approved extension. Therefore no concerns are raised in terms of design. The existing garden has decking and therefore the proposal does not result in loss of soft landscaping. A tree pit would be retained at the back end of the garden to allow for the growth of a tree.

### 3.0 Basement excavation

3.1 Policy DP27 states where a basement development is deeper than one full storey below ground level (approximately 3 metres in depth) the Council would require evidence, including geotechnical, structural engineering and hydrological investigations and modelling to demonstrate that basement developments do not harm the built and natural environment or local amenity.

3.2 In his assessment of the proposed extension the engineer states that: *“This change has no significant impact on the subterranean ground water flow and so the response to screening questions 3.1 1 to 6 are unchanged. The changes also have no significant impact on slope stability and so the response to screening questions 3.2 1 to 14 are unchanged. The changes also have no impact on hydrogeological, hydrological or flood risk impacts and so the responses to screening questions 3.3 1 to 6 remain the same. The conceptual site model also remains the same. The additional excavation in the rear yard is further away from the neighbouring properties and so will not increase the risk of movement or cracking of the party wall”*. And concludes that “the Basement Impact Assessment does not need to be amended and the conclusions remain the same”. Given the relatively minor nature of the proposed development (an additional 1.7m in length), as well as the letter from the engineer stating that the increase in size would have little to no bearing on the outcome of the previous Basement Impact Assessment, the basement proposal is considered to comply with policies DP23 and DP27 of the LDF.

### 4.0 Amenity

4.1 In terms of potential undue detrimental impact to neighbouring residential amenity from the basement excavation, a section 106 agreement was attached to the previous decision to ensure that a Construction Management Plan is undertaken, with the intention of reducing any general disturbance to neighbouring properties. In order to accommodate the change to the plans, a request for a deed of variation was sent to Council’s legal staff, and this has been agreed to by the applicant.

4.2 Given the proposed basement would not be expressed above ground level and there would be no window openings, it would not result in an harm to neighbour amenity any more than the approved development.

### 5.0 Traffic

5.1 Given the scale of the works and its potential to cause disruption to the highway network surrounding the property, a Construction Management Plan is required. This was previously secured by a s. 106 agreement, and a deed of variation will be completed in order to accommodate the new plans.

**6.0 Conclusion:** Grant conditional permission subject to agreement deed of variation.

**DISCLAIMER**

**Decision route to be decided by nominated members on Tuesday 1<sup>st</sup> September 2015.  
For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members  
briefing'**



Annabel Brown Architect  
17 High Street  
Maldon  
Essex  
CM9 5PEApplication Ref: **2015/2133/P**

26 August 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:  
**30 Princess Road**  
**London**  
**NW1 8JL****DECISION**  
Proposal:  
Variation of condition 3 (approved plans) of planning permission 2013/1565/P dated 10/07/2013 (for the erection of single storey rear extension at lower ground floor level, following demolition of existing rear extension and excavation to create new basement level underneath the extension to single dwelling house) namely to enlarge proposed basement under rear courtyard.

Drawing Nos: Superseded drawings: 0718 07A; 0718 10A; A12372/DD01A; A12372/DD05A; A12372/01-PP03 A.

Drawings for approval: A12372/DD01A (Sep 2013); 2x A12372/DD01A (Jun 2014); A12372/DD08 (Mar 2014); A12372/01-PP03 A (Mar 2013); A12372/DD08 (May 2015); Letter received from Ecos Maclean, dated 7th November 2013; &amp; Letter received from Ecos Maclean, dated 10th August 2015

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 Condition 3 of the planning permission granted on 10/07/2013 under reference number 2013/1565/P shall be replaced by the following condition:

**REPLACEMENT CONDITION 3**

The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; 0718 01; 0718 05; A12372/DD01A (Feb 2013); A12372/DD01A (Sep 2013); 2x A12372/DD01A (Jun 2014); A12372/DD08 (Mar 2014); A12372/01-PP03 A; A12372/DD08 (May 2015); Basement Impact Assessment, prepared by Ecos Maclean Ltd, dated 24/01/2013; Letter received from Ecos Maclean, dated 7th November 2013; & Letter received from Ecos Maclean, dated 10th August 2015.

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

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings and conditions as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision and not this variation.
- 2 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.
- 3 The use of the basement is ancillary to the use of the residential property. You are reminded that planning permission would be required if it were to be used as an independent commercial unit.

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**