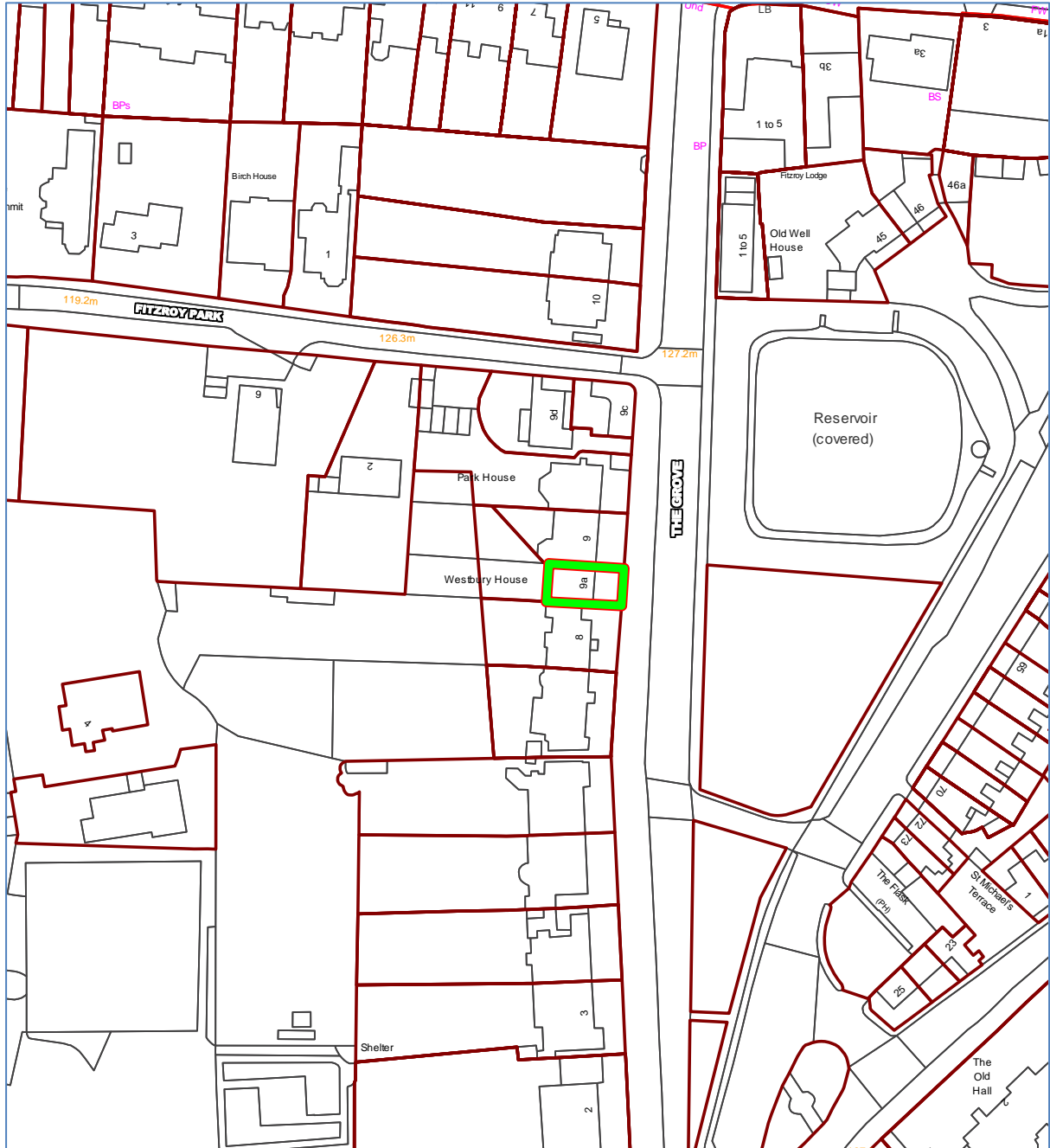


9A Westbury House, The Grove

N6 6JU

2015/1685/P & 2015/2069/L



Photograph One: Birds eye view of
9A The Grove



Photograph Two: Rear View of Property



Photograph Three: Front facade of 9A the Grove



Delegated Report		Analysis sheet	Expiry Date:	16/06/2015
(Members Briefing)		N/A / attached	Consultation Expiry Date:	19/05/2015
Officer			Application Number(s)	
Jennifer Chivers			2015/1685/P 2015/2069/L	
Application Address			Drawing Numbers	
9A Westbury House The Grove London N6 6JU			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
<ol style="list-style-type: none"> 1. Extension of existing basement installation of front lightwell, railings and porch. Install double glazed french doors to rear ground floor, a window to second floor rear and a new dormer to the mansard roof. 2. Extension of existing basement with associated internal reconfiguration and installation of front lightwell, railings and porch. Install double glazed french doors to rear ground floor, a window to second floor rear and a new dormer to the mansard roof. 				
Recommendation(s):		Grant Conditional Planning Permission subject to a section 106 agreement Grant Conditional Listed Building Consent		
Application Type:		<ol style="list-style-type: none"> 1. Householder Application 2. Listed Building Consent 		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	3	No. of responses	2	No. of objections	2
			No. Electronic	00		
Summary of consultation responses:	<p>Historic England have responded granting flexible authorisation.</p> <p>The owner/occupier of 8 The Grove has objected on the following grounds:</p> <ul style="list-style-type: none"> - The disturbing of the foundation during excavation works risk damaging my own houses foundations. The properties were built in 1820 and the structures did not encompass the need for resistance to such heavy civil engineering at this late date in its life. <p>Officer Response: <i>The applicant has submitted a Basement Impact Assessment (as discussed below in section 3 of this report) which has been assessed by independent engineers. The report concluded that any damage to adjacent properties would be less than category 2 on the Burland scale which is accepted within CPG4 and DP27.</i></p>					
CAAC comments:	<p>The Highgate Conservation Area Advisory Committee have objected to the proposal on the following grounds:</p> <ul style="list-style-type: none"> - The neighbouring property at 8 The Grove is significant and the basement extension extends beyond the footprint of the house into the garden and is liable to cause damage to the listed garden wall. <p>Officer Response: <i>The applicant has submitted a Basement Impact Assessment (as discussed below in section 3 of this report) which has been assessed by independent engineers. The report concluded that any damage to adjacent properties would be Burland Category 2 which is accepted within CPG4 and DP27. It is therefore unlikely that significant damage would arise to the listed wall. The Basement does not extend any further into the garden than the existing terraced area.</i></p> <ul style="list-style-type: none"> - To rely on the provisions of the party wall legislation is not sufficient when an element in a listed terrace of national importance is concerned. <p>Officer Response: <i>The works are not reliant on party wall legislation and assessment has been undertaken in all aspects of the structural integrity of the building and the effect of the proposed works. Additionally, the works can take place without undue harm to the structure of the host and adjoining listed building.</i></p>					

Site Description

The host dwelling is a two storey dwelling with mansard roof. The dwelling currently has an existing cellar and coal hole located under the front of the dwelling.

The subject dwelling was originally built as ancillary accommodation comprising a Billiard room and cellar which were attached as part of an expansion of Park House. The Park house property and garden were subdivided into eight separate properties and the host property was redeveloped and converted into a 2 bedroom house.

The property is located within Highgate Conservation Area and is a Grade II listed building.

Relevant History

PEX0200077 - The erection of an extension at first-floor level at the front of the building and an additional second-floor mansard-style roof extension. As shown on drawing numbers: 1489/01A, 02D, 03B, 04, 05A, 06B, 07B, and 08B – Appeal Allowed 30/04/2003

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework

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

Core Strategy

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

Development Plan

DP16 (The transport implications of development)

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)

DP28 (Noise and vibration)

DP32 (Air quality and Camden's Clear Zone)

Supplementary Planning Policies

CPG 1 Design

CPG 4 Basements and lightwells

CPG 6 Amenity

Highgate Conservation Area Appraisal and Management Strategy 2007

Assessment

1.0 Proposal

1.1 Planning permission and listed building consent are sought for the excavation to extend the existing basement to create a single storey basement with front lightwell to the existing dwelling house the development would provide two bedrooms, family room and bathroom, works would also include a porch to the front elevation, addition of a third dormer to the mansard and alterations to the fenestration at ground floor level.

1.2 Relevant dimensions of the basement are:

- The basement would measure 9.3 metres in width and 20 metres in length. The basement works would excavate 2.9 – 3.2 metres below ground level. The basement would extend beyond the rear building line of the property by 4.8 metres as it would be located beneath the existing rear garden terrace. The existing area of garden would be retained with no excavation required in this area.
- The proposed front light well will be 1.8 metres in depth being 6.5m wide and 3.5m depth. The lightwell would include full height glass timber French doors. It is also proposed to install a metal balustrade around the lightwell for safety.

1.3 The finished level of the rear garden will remain unchanged. The finished ground level of the front car park would also remain the same.

1.4 Additionally, the proposal includes the addition of a third dormer window to the rear of mansard roof and changes to the fenestration at ground floor rear.

2.0 Assessment:

Main Issues for consideration are:

- Basement Impact
- Design
- Residential Amenity
- Transport
- Trees and Landscaping

3.0 Basement Impact

3.1 Policy DP27 states 'In determining applications for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The council will only permit basement development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. It states that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

3.2 It further states that, the Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding. The supporting justification states 'although basement developments can help to make efficient use of the borough's limited land it is important that this is done in a way that does not cause harm to the amenity of neighbours, affect the stability of buildings, cause drainage or flooding problems, or damage the character of areas or the natural environment'.

3.3 The application was accompanied by a Basement Impact Assessment (BIA) undertaken by

Geotechnical and Environmental Associates and an additional construction method statement was submitted prepared by EngineersHRW. The basement impact assessment submitted by the applicant has been subject to independent verification. The independent assessment was undertaken by Campbell Reith and concludes that the final submitted BIA does reflect the processes and procedures set out in DP27 and CPG4 subject to conditions.

Groundwater Flow

- 3.4 CPG4 recommends that measurements should be made under different weather conditions over a long period of time. The geology of the site comprises bagshot formation and claygate member which is classified as a secondary A aquifer. The site is within the catchments are for Hampstead Heath chain of ponds. However, three standpipes installed to 16 metres depth were dry when monitored on two occasions. Therefore the proposed basement is not as deep as the groundwater and therefore should not impact on groundwater flows.

Ground Stability

- 3.5 Consideration has been given to ground movements and potential damage to adjacent properties. The basement will be excavated and constructed utilising established techniques. The calculations provided indicate that damage to neighbouring properties will be less than Burland Category 2 (very slight – slight). However if there is difficulty with unsupported excavations in the bagshot formations then the damage could be higher. The independent auditors have recommended a condition be imposed to ensure that the works will not damage neighbouring properties by providing further information prior to excavation commencing.
- 3.6 The site investigation indicates that there have been no problems with relation to land stability in the vicinity of the sight. The investigation established that made ground is prevalent up to 1.2 metres below ground level, and then London Clay is present up to 8.45 metres below ground level.

Surface Flow and Flooding

- 3.7 The independent review states that the discussion of surface water flow and flooding appear to be generally correct and agree with the BIA findings in this respect.
- 3.8 The risk of surface water flooding to the buildings is low, however the proposed mitigation of the impact of surface water flows as proposed within the BIA report should be adopted.

Conclusion

- 3.9 The BIA documents have been independently assessed in line with the requirements of CPG4. As such, officers consider that based on the expert advice the applicant has demonstrated that the proposal would accord with the requirements of policy DP27 and associated Camden Planning Guidance. A condition will require the applicant to submit details of a qualified engineer to inspect, approve and monitor the critical elements of both the temporary and permanent construction works throughout their duration and for an additional trial pit excavation to confirm the excavation techniques.

4.0 Design and Conservation

- 4.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within Policy DP24 are relevant to the application; development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.
- 4.2 CS14 states that the Council will ensure that Camden's places and buildings are attractive, safe and easy to use by requiring development of the highest standard of design that respects local

context and character; and preserving and enhancing Camden's rich and diverse heritage assets and their settings including conservation areas and listed buildings.

- 4.3 It is noted that the interior of the building has been continuously altered since the subdivision. Due to the series of alterations undertaken on the property the interior of the building is now of limited architectural interest. The proposal would continue the development of the dwelling to provide additional accommodation consistent with the scale and nature found in the dwellings along the grove. The changes are considered to form part of the buildings natural development and do not unduly harm the special interest given the changes which have already been undertaken.
- 4.4 The changes to the rear fenestration on the rear elevation are sympathetic to the building style and will not detract from the building. The windows would need to be in keeping with the original materials of the house and a condition is attached to require further details of the proposed windows.
- 4.5 The proposed lightwell and front porch are sympathetic to the existing dwelling and are common features in the houses along the Grove. The porch references the adjacent properties at 9b and 9c The Grove which both have identical entrances.
- 4.6 The proposed windows at basement level will not be visible within the streetscape. The proposed fenestration will be of a similar style, shape and size to the windows on the ground floor above and this is considered to continue the distinguished pattern of fenestration and in keeping with the design of the building.
- 4.7 The Conservation officer has reviewed the scheme and is satisfied that these works will not cause harm to the buildings special interest or the character and appearance of the conservation area.
- 4.8 In considering development proposals, special regard has been given to the desirability of preserving the listed building and its setting, and features of special architectural or historic interest, under s.16 and s. 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013. Special attention has also been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s72 of the aforementioned statute as amended.
- 4.9 For the reasons listed above the proposed development is considered to be consistent with Local Development Framework policies CS14, DP24 and DP25 and Camden Planning Guidance Design (CPG1).

5.0 Amenity

- 5.1 Policy CS5 seeks to protect to the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be 'designed to protect the privacy of both new and existing dwellings to a reasonable degree' and that the Council 'aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers'.
- 5.2 The addition of a further dormer window at high level is not anticipated to give rise to additional overlooking. It is acknowledged that the ability to overlook adjacent properties already exists given the presence of other windows at high level and a further window at this level will not result in additional harm.
- 5.3 Given that the proposed basement is accommodated wholly below existing ground level it is not considered that the proposal would have an unacceptable impact on the amenity of adjoining or nearby occupiers.

6 Transport and Parking

- 6.1 Camden Development Policy DP20 states that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). Camden Development Policy DP21 relates to how a development is connected to the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP). To ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area a construction management plan will be required prior to the implementation of the development. This will be secured via a section 106 agreement.

7 Conclusion

- 7.1 Based on the above, it is considered that the proposed development would preserve the character and appearance of the conservation area and would not harm the special historic interest of the listed building or its setting whilst ensuring that the residential amenities of the nearby occupiers would not be significantly harmed.

Recommendation: Grant conditional planning permission subject to section 106 agreement and listed building consent.

DISCLAIMER

Decision route to be decided by nominated members on Monday 14th December 2015. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Richard Keep Architects
48b Grafton Road,
London.
NW5 3DYApplication Ref: **2015/1685/P**

11 December 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:
9A Westbury House
The Grove
London
N6 6JU

Proposal:

Extension of existing basement installation of front lightwell, railings and porch. Install double glazed french doors to rear ground floor, a window to second floor rear and a new dormer to the mansard roof.

Drawing Nos: 140-1101 Rev P; 140-1100 Rev P; 140 Location Plan Rev P; 140-1200 Rev P; 140-1201 Rev P; Basement Impact Assessment prepared by GEA dated April 2015; Construction Method Statement prepared by EngineersHRW dated 20/4/15; Ground Movement Assessment prepared by CGL dated September 2015; Independent Basement Audit prepared by Campbell Reith dated October 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 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

140-1101 Rev P; 140-1100 Rev P; 140 Location Plan Rev P; 140-1200 Rev P; 140-1201 Rev P; Basement Impact Assessment prepared by GEA dated April 2015; Construction Method Statement prepared by EngineersHRW dated 20/4/15; Ground Movement Assessment prepared by CGL dated September 2015; Independent Basement Audit prepared by Campbell Reith dated October 2015.

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

- 4 The development shall not be constructed other than in accordance with the conclusions, methodologies and recommendations of the Basement Impact Assessment by GEA, the Construction Method Statement by EngineersHRW and the Ground Movement Assessment by CGL hereby approved, including inter alia the need for further pre-commencement trial excavations and pre-condition surveys, monitoring and surface water mitigation measures. In the event that further evidence of site or building conditions necessitate amendments to the BIA or associated methodologies they shall be submitted to the local planning authority for approval in writing prior to the commencement of development and the development shall be constructed in accordance with such amendments.

Reason: 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 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 Further submissions pursuant to condition 4 will require independent audit by an appropriately experienced and qualified engineer, at the expense of the applicant.
- 4 Notwithstanding the approved plans, the proposed windows shall be constructed in wood.
- 5 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

DRAFT

DECISION

Richard Keep Architects
48b Grafton Road,
London
NW5 3DYApplication Ref: **2015/2069/L**
Please ask for: **Jennifer Chivers**
Telephone: 020 7974 **3303**

9 December 2015

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent GrantedAddress:
9A Westbury House
The Grove
London
N6 6JU**DECISION**

Proposal:

Extension of existing basement with associated internal reconfiguration and installation of front lightwell, railings and porch. Install double glazed french doors to rear ground floor, a window to second floor rear and a new dormer to the mansard roof.

Drawing Nos: 140-1101 Rev P; 140-1100 Rev P; 140 Location Plan Rev P; 140-1200 Rev P; 140-1201 Rev P; Basement Impact Assessment prepared by GEA dated April 2015; Construction Method Statement prepared by EngineersHRW dated 20/4/14; Independent Basement Audit prepared by Campbell Reith dated October 2015.

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.



Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 All new work and work of making good shall be carried out to match the original work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 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) Typical details of new railings at a scale of 1:10 with finials at 1:1, including materials, finish and method of fixing into the plinth .

- b) Plan, elevation and section drawings, including jambs, head and cill, of all new window and door openings with typical moulding and architrave details at a scale of 1:1.

- c) Samples and manufacturer's details of new facing materials to be provided on site and retained on site during the course of the works.

- d) Details of any works of alteration or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification

The relevant part of the works shall then be carried in accordance with the approved details

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

DRAFT

DECISION