

LDC (Proposed) Report		Application number	2015/4871/P
Officer		Expiry date	
Raymond Yeung		20/10/2015	
Application Address		Authorised Officer Signature	
17 Wadham Gardens London NW3 3DN			
Conservation Area		Article 4	
Elsworthy		N/A	
Proposal			
Excavation of a single storey basement extension under the footprint of original building			
Recommendation:		Grant certificate	

Site Description

The property is a two -storey detached house which benefits from existing rear extensions. It is located to the north of Wadham Gardens and is within the Elsworthy Conservation Area.

Relevant History

2015/1987/P - Excavation of a basement to include a swimming pool and a front lightwell, installation of walk-on skylights to rear garden, external staircase from basement to rear garden and car lift in front garden, rear dormer extension on east roof plane, installation of rooflight over ground floor rear extension, alterations to rear, side and front elevations and installation of enclosed air conditioning unit to northeast rear garden corner. **Granted 23/11/2015**

Policies and Legislation

The scheme can only be assessed against the relevant planning legislation which is the Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 2015 No. 596) ("GPDO").

This is to determine whether it is permitted development and hence can go ahead without the specific grant of planning permission from the local planning authority. An assessment of its planning merits as to its acceptability under current policies is therefore not relevant or possible here, as it is purely a legal determination.

The determination of this application can only be made by assessing whether the scheme is lawful as defined by the volumetric/dimensional/locational criteria set out in the GPDO and

whether the proposal would constitute 'development' (as defined under S55 of the TCPA 1990). It should be emphasised that this is a legal determination and no account can be taken of policy or advice within the Camden development plans (LDF) or the planning merits of the scheme in terms of issues such as its impact on hydrogeology, structural stability, neighbour amenity, transport impact, etc.

Assessment

The following section of this report will assess the proposal against the relevant sections of the GPDO which, in this case, concerns Class A.

Class A – The enlargement, improvement or other alteration of a dwellinghouse.

If yes to any of the questions below the proposal cannot be considered permitted development.	Yes/No
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A.1 (a)	Has planning permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M (A1 or A2 to C3), N (sui generis to C3), P (B8 to C3), or Q (agricultural buildings to Cs) of Part 3 of this Schedule (changes of use)?	No
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Comment: See section above on relevant planning history.

A.1 (b)	As a result of the works, will the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)?	No
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Comment: The proposed basement is beneath the footprint of the existing building only.

A.1 (c)	Will the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse?	No
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Comment: The proposal is for the excavation of a basement and does not exceed the highest part of the roof.

A.1 (d)	Will the height of the eaves of the part of the dwellinghouse enlarged, improved or altered exceed the height of the eaves of the existing dwellinghouse?	No
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Comment: No eaves are proposed as part of this proposal.

A.1 (e)	Will the enlarged part of the dwellinghouse extend beyond a wall which (i) forms either the principal elevation, or (ii) fronts a highway and forms a side elevation of the original dwellinghouse?	No
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Comment: The proposed basement is beneath the footprint of the existing building only.

A.1 (f)	Will the enlarged part of the dwellinghouse have a single storey and (i) extend beyond the rear wall of the original dwellinghouse by more	No
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	than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height?	
Comment: The proposed basement will be a single storey and would not extend beyond the rear wall of the dwelling.		
A.1 (g)	For a dwellinghouse not on Article 2(3) land nor on a site of special scientific interest, will the enlarged part of the dwellinghouse have a single storey and- (i) extend beyond the rear wall of the dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height?	N/A
Comment: The site is located within a Conservation Area but would not extend beyond the rear wall of the building.		
A.1 (h)	Will the enlarged part of the dwellinghouse have more than one storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse?	No
Comment: The proposal is for a single storey basement only.		
A.1 (i)	Will the enlarged part of the dwellinghouse be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part exceed 3 metres?	No
Comment: The proposal is for the excavation of a basement and has no eaves.		
A.1 (j)	Will the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse, and either (i) exceed 4 metres in height, (ii) have more than one storey, or (iii) have a width greater than half the width of the original dwellinghouse?	No
Comment: The proposed basement extends beneath the footprint of the existing building only.		
A.1 (k)	Would it consist of or include either (i) the construction or provision of a veranda, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse?	No

Comment: The proposal is for a basement extension.		
Is the property in a conservation area? If yes to any of the questions below then the proposal is not permitted development		
A.2 (a)	Would it consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles?	No
Comment: No work to the exterior is proposed.		
A.2 (b)	Would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse?	No
Comment: The proposed basement extends beneath the footprint of the existing building only.		
A.2 (c)	Would the enlarged part of the dwellinghouse have more than one storey and extend beyond the rear wall of the original dwellinghouse?	No
Comment: The proposed basement has a floor to ceiling height of 3 metres and extends beneath the footprint of the existing building with no extension to the rear.		
Conditions. If no to any of the below then the proposal is not permitted development		
A.3 (a)	Would the materials used in any exterior work (other than materials used in the construction of a conservatory) be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse?	N/A
Comment: No work is proposed to the exterior of the building.		
A.3 (b)	Would any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse be— (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed?	N/A
Comment: No work is proposed to the exterior of the building.		
A.3 (c)	Where the enlarged part of the dwellinghouse has more than one storey, would the roof pitch of the enlarged part, so far as practicable, be the same as the roof pitch of the original dwellinghouse?	N/A
Comment: The proposal is one storey and extends beneath the footprint of the property.		