

Flat 1, 31 Heath Drive,

NW3 7SB

2015/3738/P and 2015/3953/L



Photograph One: Front of 31 Heath Drive (Host property).



Photograph Two: Rear of property



Photograph Three: Rear side elevation (North)



Delegated Report		Analysis sheet	Expiry Date:	16/06/2015
(Members Briefing)		N/A	Consultation Expiry Date:	19/05/2015
Officer			Application Number(s)	
Jennifer Chivers			2015/3738/P 2015/3953/L	
Application Address			Drawing Numbers	
Flat 1, 31 Heath Drive London NW3 7SB			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, replacement of existing door to side elevation with a window and insertion of door on southern elevation. 2. Extension of the existing basement, replacement of existing door to side elevation with a window and insertion of door on southern elevation, internal alterations at ground floor level and creation of new openings. 				
Recommendation(s):		Grant Conditional Planning Permission subject to conditions Grant Conditional Listed Building Consent		
Application Type:		<ol style="list-style-type: none"> 1. Full Planning Permission 2. Listed Building Consent 		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	20	No. of responses	6	No. of objections	5
Summary of consultation responses:			No. Electronic	00		
	<p>The owner/occupiers of Flat 1, 2, 4 and 5 , 32 Heath Drive and flat 4, 32 Bracknell Gardens has objected on the following grounds:</p> <ul style="list-style-type: none"> - Symmetry and settings are of key importance within a Grade II listed building and Redington Froggnal Conservation Area. <i>Officer Response: The building currently has an existing basement, which is proposed to be extended. There are minimal external changes. This is discussed further in section 4.0 of this report.</i> - The basement extension will impact negatively on the front garden introducing hard surfacing and impairing the symmetry. <i>Officer Response: There is no change to the front garden area. There is already a basement under the existing dwelling and the application proposes to extend further under the existing house.</i> - Structural stability issues given there are potential subsidence and flooding problems. <i>Officer Response: The applicant has submitted a basement impact assessment which has been independently assessed and considered acceptable. Please see further discussion in section 3.0 of this report.</i> - The basement construction is close to the party wall of 32 and there has not been any notice or party wall agreements. <i>Officer Response: The basement is being brought closer to the party wall with 32 Heath Drive, however party wall agreements are independent of the planning process.</i> - There will be further construction noise and light pollution. There are currently noisy leaf blowers in the garden and unwarranted flood lights. <i>Officer Response: The development is of a temporary nature and it is acknowledged will create some noise. The development is of a small scale and would have a limited amount of traffic movement and noise at the site. Construction noise, dust and disruption is not a reason to sustain a refusal. An informative will be added to the decision to ensure that the applicant is aware of the hours of construction in accordance with the Control of Pollution Act 1974. There are no additional light wells or large areas of glazing that would increase light pollution.</i> - There is a previous history of subsidence on this site. <i>Officer Response: The previous history of subsidence has been addressed within the submitted BIA report and independent audit. Please see section 3.0 of this report.</i> 					

- The proposed works will cause structural stability and subsidence issues in its twin listed building including foundation erosion and flooding problems.

Officer Response: *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 0-1 (negligible to very slight) on the Burland scale which is the accepted categories within CPG4 and DP27.*

- I request a party wall agreement to be in place with a 50 year warranty against insurance claims.

Officer Response: *Party wall matters are not within the remit of the planning application.*

- The plans show that the basement will be increased by 50% this could cause damage to the structures of both buildings.

Officer Response: *The basement is increased by the proposal with the existing basement being 61m² and the proposed basement being 114m². The proposed basement is entirely underneath the existing dwelling and therefore will not appear bigger from any surrounding view point. The submitted BIA has been assessed by independent auditors who are satisfied that there will be no harm to surrounding buildings.*

- Residents will have reduced parking facilities because of construction traffic.

Officer Response: *The development is of a small scale and would have a limited amount of traffic movement to and from site.*

**CAAC
Comments:**

The **Heath and Hampstead Society** have objected to the proposal on the following grounds:

- The basement extension is within the house's footprint, but it still requires a Basement Impact Assessment. This is particularly necessary in this case, in view of the extensive history of subsidence and underpinning suffered some years ago. Damage to the architecture and character of the house was sustained at that time, not fully restored. The fact that the house is semi-detached makes it more important; the adjoining house must be structurally protected.

Officer Response: The applicant has submitted a Basement Impact Assessment (as discussed below in section 3 of this report) which has been assessed by independent auditors. The report concluded that any damage to adjacent properties would be less than category 0-1 (negligible to very slight) on the Burland scale which is the accepted categories within CPG4 and DP27

- The extent and detail of the construction management plan does not recognise the listed status of the house.

Officer Response: The house has an existing basement and contains a number of unoriginal features as a result of the 1970 subdivision. The BIA does recognise the listed status of the building and transport officers are satisfied there will be no harm to surrounding environment.

The **Redington Froggnal** Association have objected to the proposal on the following grounds:

- The setting of 31 and 32 Heath Drive and the symmetry of the settings are of key importance to these listed buildings.

Officer Response: Please see assessment in section 4.0 of this report.

- The basement will impact negatively on the front garden to introduce unwelcome hard surfacing.

Officer response: There are no additional areas of hard surfacing within the front garden area.

- The previous application from 2008 was for underpinning to the front bay and steps due to stability issues. An extension of the basement within a few feet of the underground River Westbourne is inadvisable. Further testing should be conducted using deeper boreholes which should be monitored over a period of several months.

Officer Response: Please see section 3.0 of this report.

Site Description

The host property is a three storey, plus basement building. The building forms one half of a semidetached pair and is now internally divided into three flats. These works were undertaken prior to the buildings listing (added to the register in January 1999)

The dwelling is Grade II listed dating from 1905 by CHB Quennel. The property is located within the Redington Froggnal Conservation area.

The application relates to Flat 1, which is split over the basement and ground floor level. The rear garden is also within the demise of flat 1.

Relevant History

2008/4209/L Alterations in connection with underpinning works to main property and replacement of front steps – Granted 24/10/2008

CTP/E5/8/7/16521/R - The conversion of No.31 Heath Drive, N.W.3, to provide three self-contained flats including roof extensions with dormer windows. Granted 21/01/1973

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework

The London Plan March 2015

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 2015

CPG 4 Basements and lightwells 2015

CPG 6 Amenity 2011

Redington and Froggnal Conservation Area Statement 2000

Assessment

1.0 Proposal

1.1 Planning permission and listed building consent are sought for the excavation to extend the existing basement. The basement extension will be contained entirely within the existing dwelling footprint with no new external manifestations created. It is also proposed to brick up the existing door on the ground floor rear side elevation (north) to create a window, and create a door on the ground floor south elevation.

1.2 Relevant dimensions of the basement are:

- The existing basement measures a maximum width of 10.8 and 8.9m length and is 2.6m below ground level, with a total area of 61m²
- The proposed basement measures 10.8m width and 11.5m in length and is 3m below ground level, with a total area of 114m²

1.3 There are no works proposed to the rear garden area. The finished level of the rear garden will remain unchanged. The finished ground level of the front garden would also remain the same.

2.0 Assessment:

Main Issues for consideration are:

- Basement Impact
- Conservation and impact on listed building
- Residential Amenity
- Transport

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 The application was accompanied by a Basement Impact Assessment (BIA) undertaken by UK Hydrosciences and a ground movement assessment was provided by Geotechnical and Environmental Associates. 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

3.3 The development is not expected to encounter the ground water table during basement foundation excavation. The BIA identified that soil conditions as 1.9m Made Ground over 1.0m of superficial head over London Clay Formation to a depth of 5.45m (where borehole ended). No ground water was encountered and the material removed in the borehole remained dry throughout.

3.4 The development is close to a tributary of the 'lost' river westbourne, it will not impact the wider

hydrogeology of the area, any other watercourses, springs or the Hampstead heath pond chain catchment area.

Ground Stability

- 3.5 Consideration has been given to ground movements and potential damage to adjacent properties. The calculations provided indicate that damage to neighbouring properties will be less than Burland Category 0 - 1 (negligible to very slight). The BIA has confirmed the calculations undertaken of horizontal and vertical ground movements in relation to the proposed method of construction. The site investigation indicates that there have been no problems with relation to land stability in the vicinity of the site.
- 3.6 Additionally, condition surveys of the host property and neighbouring properties have been undertaken and proposals have been provided for a movement monitoring strategy during excavation and construction.

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.

Conclusion

- 3.8 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.

4.0 Impact on Listed Building

- 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. The floor plan has been altered to accommodate the subdivision for the flats, but the original room volumes at ground floor level are broadly appreciable.

Ground Floor

- 4.4 The alterations to the floor plan at ground level will not see the loss of any significant historic fabric. The general floor plan and principal room volumes will be retained, preserving the significance of this floor level.
- 4.5 The changes to the rear fenestration on the rear elevation are sympathetic to the building style and will not detract from the building. The insertion of a door on the southern rear elevation and replacement of a door with the window on the northern rear elevation would be in keeping with the style of the existing fenestration on the building and would be a sympathetic addition to the

building.

Basement Level

- 4.6 The basement floor is of limited significance and was altered in the 1970s to accommodate a new floor structure. The existing basement is small on plan and does not correspond with the size of the principal floor plan above. The scale of the additional floor area will not extend the full width or length of the upper floor plan, and is therefore not considered to be out of keeping with the original subordinate proportions of the basement accommodation. The historic hierarchy of floor levels will therefore be preserved.
- 4.7 There will be a small loss of historic fabric in the partial removal of two walls, but this is not considered harmful as the area is of lesser significance, and there will be no impact upon any decorative fabric. Alterations to the floor level will not involve the loss of any historic fabric as this was replaced in the 1970s, and it will not affect the hierarchy of floors. Additionally there will be no external alterations in association with the basement.
- 4.8 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.
- 4.9 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.
- 4.10 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 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 by way of loss of light or outlook.

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.

6.2 In this case, given the scale of the proposal and excavation works it is not anticipated that this would result in a significant movement of goods and materials to the road and therefore the proposal would be acceptable.

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 and conditional listed building consent.

DISCLAIMER

Decision route to be decided by nominated members on Monday 1 February 2016. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Alistair Grills
Alistair Grills Associates
4 Chisholm Road
Richmond
TW10 6JH

Application Ref: **2015/3738/P**
Please ask for: **Jennifer Chivers**
Telephone: 020 7974 **3303**

DRAFT

26 January 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
**Flat 1
31 Heath Drive
London
NW3 7SB**

DECISION

Proposal:

Extension of existing basement, replacement of existing door to side elevation with a window and insertion of door on southern elevation

Drawing Nos: Basement Impact Assessment prepared by UK Hydrosiences dated May 2015; Flood risk assessment and soil report prepared by UK Hydrosiences dated May 2015; Audit response prepared by Geotechnical and Environmental associates dated 16 December 2015; Flood Risk Assessment audit response prepared by Geotechnical and Environmental associates dated 16 December 2015; BIA Audit prepared by Campbell Reith dated January 2016; 100 Rev I; 101 Rev E; 121; 201; 300; 301.01 Rev A; 301.02 Rev A; 301.03 Rev A; 303; 307 Rev A; 308.01 Rev A; 308.02; 309 Rev A; 318; 400 Rev B; 401 Rev B; 702; 703; 704; 705 Rev A; 706.01; 706.02; 706.03; 710; 711;

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

Condition(s) and Reason(s):

Director of Culture & Environment



- 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

Basement Impact Assessment prepared by UK Hydrosiences dated May 2015; Flood risk assessment and soil report prepared by UK Hydrosiences dated May 2015; Audit response prepared by Geotechnical and Environmental associates dated 16 December 2015; Flood Risk Assessment audit response prepared by Geotechnical and Environmental associates dated 16 December 2015; BIA Audit prepared by Campbell Reith dated January 2016; 100 Rev I; 101 Rev E; 121; 201; 300; 301.01 Rev A; 301.02 Rev A; 301.03 Rev A; 303; 307 Rev A; 308.01 Rev A; 308.02; 309 Rev A; 318; 400 Rev B; 401 Rev B; 702; 703; 704; 705 Rev A; 706.01; 706.02; 706.03; 710; 711;

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.

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.

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

Alistair Grills Associates
4 Chisholm Road
Richmond
TW10 6JHApplication Ref: **2015/3953/L**
Please ask for: **Jennifer Chivers**
Telephone: 020 7974 **3303**

26 January 2016

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent GrantedAddress:
**Flat 1
31 Heath Drive
London
NW3 7SB****DECISION**

Proposal:

Extension of the existing basement, replacement of existing door to side elevation with a window and insertion of door on southern elevation, internal alterations at ground floor level and creation of new openings.

Drawing Nos: Basement Impact Assessment prepared by UK Hydrosiences dated May 2015; Flood risk assessment and soil report prepared by UK Hydrosiences dated May 2015; Audit response prepared by Geotechnical and Environmental associates dated 16 December 2015; Flood Risk Assessment audit response prepared by Geotechnical and Environmental associates dated 16 December 2015; BIA Audit prepared by Campbell Reith dated January 2016; 100 Rev I; 101 Rev E; 121; 201; 300; 301.01 Rev A; 301.02 Rev A; 301.03 Rev A; 303; 307 Rev A; 308.01 Rev A; 308.02; 309 Rev A; 318; 400 Rev B; 401 Rev B; 702; 703; 704; 705 Rev A; 706.01; 706.02; 706.03; 710; 711;

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

Director of Culture & Environment



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.

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.
- 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 Noise and Licensing Enforcement Team, 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.

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