

Delegated Report		Analysis sheet	Expiry Date:	08/02/2016
(Members Briefing)		N/A / attached	Consultation Expiry Date:	27/01/2016
Officer			Application Number(s)	
Gideon Whittingham			2015/7022/P	
Application Address			Drawing Numbers	
10 & 10A Eldon Grove London NW3 5PT			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Demolition of two storey side extension and replacement with two storey side extension including basement floor level beneath footprint; associated installation of rear dormer at main roof level; relocation of side window; new Juliette balconies to rear first floor windows; replacement of rear ground floor door and window with new doors and amalgamation of units 10 and 10a.				
Recommendation(s):		Grant Conditional Planning Permission subject to a S106 Legal Agreement		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	35	No. of responses	17	No. of objections	16
			No. of support	01		
Summary of consultation responses:	<p>Site notice placed - 29/12/2015 Press Notice placed - 06/01/2016</p> <p>Objections raised:</p> <p>[6a Eldon Grove; 11 Eldon Grove; 10b Eldon Grove; 10b Eldon Grove; 11 Eldon Grove; 10d Eldon Grove; 10C Eldon Grove; Flat 2, 29 Thurlow Road; 7 Eldon Grove; 6 Eldon Grove; 5 Eldon Grove; Flat B 8-9 Eldon Grove; Flat 5 30 Thurlow Road; Flat 2 – 4 29 Thurlow Road; 8 Downshire Hill; 6a Eldon Grove]</p> <ul style="list-style-type: none"> • Construction congestion, disruption, noise nuisance, dust (See Paragraph 1.34 – 1.37) • Loss of green garden to front (See Paragraph 1.10) • Detailed design of front landscape (See Paragraph 1.10) • Scope of BIA audit (See Paragraph 1.12 – 1.21) • Structural impact of proposal on neighbouring properties (See Paragraph 1.17) • Design and scale not in keeping with property (See Paragraph 1.3 – 1.11) • Adjacent Basements (See Paragraph 1.18) • Burland category of 1 is unacceptable (See Paragraph 1.17) • Lack of use of contiguous piled walling (See Paragraph 1.16) • Concerns over the implementation of the Construction Management Plan (See Paragraph 1.33 onwards) • Accuracy of supporting documents (<i>Officer comment: all submitted details are considered appropriate for assessment</i>) • Applicants necessity for additional accommodation (<i>Officer comment: This matter would not substantiate a reason for refusal</i>) • Lack of a Party Wall Agreement (<i>Officer comment: The Party Wall Act 1996 is separate from obtaining planning permission or building regulations approval</i>) <p>Support raised:</p> <p>[9 Holford Road]</p>					
CAAC/Local groups comments:	<p>The following CAAC and local groups were notified of the application directly:</p> <ul style="list-style-type: none"> • Fitzjohns/Netherhall CAAC • Fitzroy Park Residents Association • Fitzrovia Neighbourhood <p>To date no response has been received.</p>					

Site Description

The site is located on the north-east side of Eldon Grove with Thurlow Road to the north and Lyndhurst Road to the south. The site comprises a four-storey building and also a two storey side extension. The building is part of a pair of semi-detached villas. The building is not listed but is located within the Fitzjohns/Netherhall conservation area. The building is noted as making a positive contribution to the wider conservation area.

The building is divided into 2 flats, the upper floors of the four storey building and two storey side extension form No.10, whilst the lower floor level of the four storey building forms No.10A.

Relevant History

10 Eldon Grove:

Ref: TP1270/3450 - The erection of an extension to No. 10 Eldon Grove, Hampstead, and for the conversion of the basement into a self-contained flat. Granted 16/06/1959

10B Eldon Grove:

2005/1887/P - Erection of single storey rear extension, conversion of garage to habitable room and replacement of garage doors with new windows, plus insertion of new window to flank elevation 2nd floor level. Granted 15/07/2005

Relevant policies

National and London wide policies and guidance

Planning (listed building and conservation area) Act 1990 as amended

Enterprise and Regulatory Reform Act (ERR) 2013.

National Planning Policy Framework 2012

National Planning Policy Guidance 2014

London Plan 2015 consolidated with amendments since 2011

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS13 (Tackling climate change and promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

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

DP5 (Homes of different sizes)

DP6 (Lifetime homes and wheelchair homes)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

Other Planning Policies / Guidance

Camden Planning Guidance (CPG) 2015 – CPG 1, 2, 3, 4, 8

Camden Planning Guidance (CPG) 2011 – CPG 6 and 7

Fitzjohns and Netherhall conservation area statement (March 2001)

Assessment

1. PROPOSAL

1.1 The application proposes:

- The replacement of a 2 storey side extension (6.3m in height x 6.1m in width x 10.6m in length) with a 2 storey side extension (6.6m in height x 6.4m in width x 10.8m in length). The extension would be white rendered, feature a single timber framed window at ground and lower ground floor level on the front elevation and Crittall doors and windows on the rear elevation.
- The construction of a basement floor level beneath the replacement 2 storey side extension (3.7m in depth x 6.4m in width x 11.9m in length) [and not the main building].
- The installation of a rear dormer window which would be lead cheeked and incorporates a traditional painted timber window. The dormer would feature a 200mm gap to the ridge of the roof.
- The installation of 2 metal framed Juliette balconies at rear ground floor level
- The installation of white painted timber doors at rear lower ground floor level
- Installation of cycle and refuse store along with front garden landscaping
- The amalgamation of flats no.10 with no.10a.

1.2 The main issues for consideration therefore are:

- **Design – scale, bulk and detailed design**
- **Impact of basement development**
- **Impact on neighbouring amenity**
- **Impact on trees**
- **Transport issues**
- **Land use**

Design – scale, bulk and detailed design

1.3 The proposal would demolish a non–original 2 storey staggered side extension built in 1959. The demolition would result in only partial loss of the building which is a positive contributor, with the main building being retained. The existing extension, by virtue of its staggered form, detailed design and fenestration pattern is considered of limited architectural merit itself and its demolition would allow a replacement extension of greater value architecturally.

1.4 The proposed replacement side extension would replicate the position and scale of the existing extension. The principle of an extension in this position, without a mirrored example shown at the adjacent villa of no.11, has therefore already been established. The replacement side extension continues to be set back from the main building and broadly aligns with the porch, thereby the proposal would be in accordance with CPG 1 - side extensions.

1.5 The existing staggered form would be replaced with a more regular footprint and form, resulting in a marginal increase in footprint and associated floorspace provided. The comparison of the existing and proposed side extension (excluding the newly proposed basement floor level) is as follows:

	Existing (metres)	Proposed (metres)
Height	6.3	6.6
Width	6.1	6.4
Length	10.6	10.8
Footprint at Lower Ground floor level	54 (sqm2)	67 (sqm2)
Floorspace in total of side extension	83 (sqm2)	118 (sqm2)

1.6 The proposed extension would be white rendered (same as in situ extension) to match the lower level banding of the main building. The roof would be flat topped and feature a single rooflight. In terms of detailed design, the front elevation would feature a single and centrally aligned timber framed

window at ground and lower ground floor level, both of which match the fenestration dimensions and pattern of the host building. A simple timber framed door at lower ground floor level would allow access at this level. The rear elevation would comprise Crittall windows at ground floor level and Crittall doors at lower ground floor level.

1.7 Overall the detailed design of the replacement 2 storey extension is considered to be more refined and sympathetic to the existing building in comparison to the existing extension. It is considered that the proposed scale, bulk and detailed design of the replacement 2 storey extension is suitable, yet of high quality and would preserve and enhance the character and appearance of the wider conservation area.

1.8 Although the roofscape of the existing pair of semi-detached villas is completely unimpaired, this would not prohibit sensitive changes which maintain the overall structure of the existing roof form. The installation of a rear dormer in this location, as opposed to a side dormer, could be incorporated in a discreet manner, away from public view and would be appropriately aligned with the fenestration pattern below. Usually a 500mm gap is required between the dormer and the ridge or hip to maintain this separation, however in this instance, to allow adequate habitable space without the creation of disproportionately large dormers or raising the roof ridge, a 200mm gap will be acceptable in this instance. Given that this roof level extension would not be subject to any public view and would be set at least 20m from neighbours views to the rear, this minimal discrepancy would not be readily perceptible or harmful in respect of the buildings appearance.

1.9 The external alterations including 2 metal framed Juliette balconies and white painted timber doors at rear lower ground floor level consist of an appropriate material form and design.

1.10 The external alterations to the front garden would include the reconfiguration of hard and soft landscaping areas to provide a lower ground floor level cycle store beneath a planter and retained tree and a ground floor level refuse store. The existing garden is predominantly paved with a single planter, matching the adjacent front garden of no.11. The proposal would maintain this balance without adversely reducing the balance of hard to soft landscaping.

1.11 The proposal would therefore preserve the character and appearance of the Fitzjohns and Netherhall conservation area and would accord with the policies CS14 and DP25.

Impact of basement development

1.12 The proposal incorporates a single storey basement extension beneath the footprint of the replacement side extension only. The excavation would provide a basement floor level for 62m² of additional residential floorspace (3.7m in depth x 6.4m in width x 10.8m in length).

1.13 A Basement Impact Assessment (BIA) has been submitted as part of this application. This document has been independently reviewed by Campbell Reith with subsequent information provided by the author of the BIA during the course of the application.

1.14 It is unlikely that the water table will be encountered during the excavation, however perched water and local water flows may be encountered due to the possible permeable strata within the Claygate member. Appropriate outline proposals for the temporary and permanent exclusion of perched water from the basement excavation have been provided.

1.15 The wider hydrological environment is not anticipated to be affected due to the limited ground water flows anticipated through the subsoil, and any flows that do exist are not likely to be strategic to the wider area.

1.16 The basement walls are proposed to be formed utilising a two stage process, where the top 2m are formed using traditional underpinning and retaining wall construction techniques, with the second stage involving the underpinning of the previously formed underpinning. This technique is suitable for

the creation of the basement walls, however it relies on good workmanship and extensive temporary works. The scheme presented in the BIA includes for propping in the temporary and permanent cases. The applicant has demonstrated the feasibility of their proposed structural retention system rather than a specific requirement for contiguous piled walling.

1.17 A ground movement assessment and subsequent damage assessment has been produced that concludes that damage to neighbouring properties will be no worse than Burland category 1 (very slight). Burland damage category 1 is considered permissible under Camden's CPG4 guideline document. It has been confirmed that the assumptions made in the ground movement assessment with respect to propping are valid.

1.18 No basements are planned within the immediate vicinity that could pose a cumulative effect.

1.19 It is concluded that the BIA presented has a robust understanding of the local soil characteristics and the groundwater regime that is more than adequate to support the proposed works. The assessment has identified appropriate parameters for the design and construction of the works which can be implemented safely, taking into account the stability of excavations and the adjacent properties.

1.20 The basement construction and associated BIA therefore meets the relevant requirements of DP27, CS14 and CPG4.

1.21 In mind of the above, a Basement Construction Plan would not be required in this instance.

Impact on neighbouring amenity

1.22 The adjacent building of no.10b Eldon Grove features 1 window along its flank elevation with 10a Eldon Grove. This obscurely glazed window is located at second floor level and serves a staircase. The existing side extension is set more than approximately 500mm below this window; this distance would be maintained again as a result of the proposed side extension.

1.23 The existing side extension is set back at least 500mm behind the rear elevation of 10b Eldon Grove. As a result of the proposal, the new side extension would again remain set behind the rear elevation of 10b Eldon Grove and therefore no detrimental harm would result.

1.24 Within this context, the proposed extension would not result in any adverse harm to the occupiers of 10b Eldon Grove or any adjacent, in terms of daylight/sunlight, overshadowing or outlook.

1.25 The introduction of a dormer window at rear roof level would not allow any greater adverse overlooking to adjacent neighbours than the existing arrangement and a distance of more than 18m would be maintained, in accordance with CPG6.

1.26 The introduction of 2 metal framed Juliette balconies, by virtue of their size and reasonable use would not allow any greater adverse overlooking to adjacent neighbours or noise nuisance than the existing arrangement.

1.27 The introduction of timber doors at rear lower ground floor level to provide access to the garden would not allow any greater adverse overlooking to adjacent neighbours or noise nuisance than the existing arrangement.

1.28 The roof of the side extension is neither depicted nor accessible for its use as a terrace. A condition will confirm this matter in any case.

1.29 It is considered that the proposal would not pose an unacceptable level of harm to the amenity of adjoining occupiers and thereby accords with policies CS5 and DP26 of the LDF and Camden Planning Guidance.

Impact on trees

1.30 The application site includes a total of 4 trees, 2 x Silver birches (Class C2) and 1 x Plum (Class C) in the rear garden and 1 x Hawthorn (Class C2) in the front garden. To the rear, the adjacent garden of no.35 Rosslyn Hill includes an Ash (Class C2). Directly along the highway fronting the property are 2 x Lime tree (Class C2).

1.31 The development proposal would not necessitate the removal of any trees or tree works. The development would not also necessitate the incursion for any on/off-site tree Root Protection Areas (RPA) and shall be protected by the relevant condition.

1.32 The Council's Arboricultural officer has assessed the submitted Arboricultural report and is satisfied the Council's required standards are capable of being met, subject to the conditions regulating their protection.

Transport issues

1.33 As a result of the excavation works to provide a basement floor level, the proposal would likely involve a significant amount of construction works. This is likely to generate a large number of construction vehicle movements during the overall construction period. The primary concern is public safety but also the need to ensure construction traffic does not create (or add to existing) traffic congestion. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality).

1.34 The Council needs 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 (CMP) must therefore be secured as a Section 106 planning obligation. Any agreed CMP would also include a requirement to consult locally.

1.35 In addition, the proposed works could potentially lead to the public highway directly adjacent to the site being damaged by construction vehicles and construction related activity, particularly the highway. The Council would need to repair any such damage to the public highway. A financial contribution for highway works shall be secured by Section 106 planning obligation.

1.36 The proposal would not create any additional residential dwellings. Our car free and cycle parking policies are therefore not applicable to this case.

1.37 Within this context, the proposal would be in accordance with Core Strategies CS11 and CS19 and Development Policies DP18, DP19 and DP21.

Land use:

1.38 Policies CS6 and DP2 of the LDF seek to protect existing housing by resisting development that would involve the net loss of two or more homes. As the proposal would not result in the net loss of residential floorspace and would only involve the loss of one residential unit to form a single family dwellinghouse, it is considered to comply with these policies.

CONCLUSION:

Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Demolition and Construction Management Plan
- Financial contribution for highway works of £5,239.85

*Decision route to be decided by nominated members on Monday 25th April 2016.
For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.*