

APPENDIX E

REPORT BY CAMDEN FOR
THE PRE-PLANNING APPLICATION ADVICE (2016)



Date: 26/05/2016
Our ref: 2016/1426/PRE
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Dear Erica,

Re: 26 Christchurch Hill, London, NW3 1LG

Thank you for submitting a pre-planning application enquiry for the above property which was received on 14 March 2016 together with the required fee of £1,200.00. This pre-application advice was informed by a visit to the site on Monday 9th of May.

1. Drawings and documents

- Drawings (39 in total) by Erica Jong Architects
- Design & Access Statement by Erica Jong Architects
- Heritage & Planning Statement by CgMs
- Structural & Geotech Report by Price & Myers
- Arboricultural Report by Wassells Arboricultural Services

2. Proposal

- 2.1 Excavation of basement to provide additional accommodation to Grade II listed house and installation of secondary glazing.

3. Site description

- 3.1. 26 Christchurch Hill is an early 19th (c.1812) century grade II listed detached house situated within the Hampstead Conservation Area. It is constructed with multi coloured stock brick of two storeys under a slated roof with 20th century parapets. The entrance is flanked by 2 storey late 19th century red brick bays. Within the curtilage lies a single storey former garage in the garden fronting Well Road. The house received a substantial side extension in 1973, a rear extension was added to this in 2005.
- 3.2. There are a number of mature trees within the curtilage of the property, some of which are protected by Tree Protection Orders and provide a high amenity value to the local area.
- 3.3. The Council's registers identify the application site as featuring hydrological constraints as well as being within an Archaeological Priority Area (2010).

4. **Relevant planning history**

The planning history for the site has been included in your submitted Design and Access statement. For ease of reference this is summarised below:

D7/9/11/15983/R – Planning permission and listed building consent (LBC) was granted on 22nd June 1973 for the ‘erection of a 2 storey extension for a single family dwelling house.’

2005/0939/P – Planning permission and LBC was granted on 13th May 2005 for the ‘erection of a single storey rear extension to form a utility room for a single family dwellinghouse.’

2010/4767/P –and LBC was granted on 8th November 2010 for the ‘erection of a single storey rear orangery extension to dwelling house.’

2013/1740/P & 2013/2561/L –granted on 10th July 2014, subject to a S106 agreement, for the ‘use of building fronting Well Road as a garage ancillary to existing dwelling house at 26 Christchurch Hill. Installation of garage doors to front elevation and creation of vehicular access.’

2014/1386/PRE – Pre-Application advice was issued regarding the ‘Excavation of basement to provide additional accommodation to Grade II listed house’.

5. **Relevant policies and guidance**

5.1. The relevant policies that would apply to this proposal are taken from the London Borough of Camden Local Development Framework (Core Strategy and Development Policy documents) as adopted on 8th November 2010, The London Plan 2015 Consolidated with Alterations (2011) and the NPPF (2012). The following policies will be taken into consideration:

- **National Planning Policy Framework 2012**
- **The London Plan 2016**
- **LDF Core Strategy**
 - CS5 – Managing the impact of growth and development
 - CS13 – Tackling climate change through promoting higher environmental standards
 - CS14 – Promoting high quality places and conserving our heritage
- **LDF Development Policies**
 - DP2 – Making full use of Camden’s capacity for housing
 - DP16 – The transport implications of development
 - DP18 – Parking standards and limiting the availability of car parking
 - DP19 – Managing the impact of parking
 - DP20 - Movement of goods and materials
 - DP22 - Promoting sustainable design and construction
 - 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
- **Camden Planning Guidance 2011/2013**
 - CPG 1 – Design
 - CPG 3 – Sustainability

- CPG 4 – Basements and lightwells
- CPG 6 – Amenity
- CPG 7 – Transport
- CPG 8 – Planning Obligations

6. **Assessment**

Former Advice and Revisions to the Scheme:

- 6.1. This request represents a follow-up up pre-application advice service following 2014/1386/PRE which provided guidance on a similar scheme. This previous scheme proposed a basement set at varying levels under the 1970's wing of the dwelling, the post war garage as well as a section of the garden.
- 6.2. This former advice established that the principal of the proposed basement would be acceptable subject to the demonstration that no impacts would be formed upon the historic fabric of the listed building as well as surrounding trees and the submission and satisfactory audit of a full Basement Impact Assessment and Construction Management Plan.
- 6.3. This former pre-app did however set out a number of concerns regarding:
- the design and impact upon the Hampstead Conservation Area and listed building;
 - the potential impact upon trees.
 - the standard of proposed self-contained residential accommodation;
 - the potential need for Archaeological analysis prior to excavation;
- 6.4. Following this advice the scheme has been amended in an attempt to address these concerns. A number of preliminary documents have also been prepared in accordance with the advice given. The revisions made to the scheme include:
- Removal of the provision of any self-contained accommodation. The entirety of the proposed basement and outbuilding is now proposed to be ancillary to the main dwellinghouse.
 - Reduction in the extent of external landscaping and hard surfacing proposed
 - Alterations to internal layout proposed
 - Glazed rooflight/floor panel relocated away from the frontage of the house
 - Removal of glazed floor panel and external stair and replacement with a sunken terrace
 - Proposed office now level with the main basement extension
 - A space would be created between the garage level and office to house thermal storage
- 6.5. Additionally this pre-app now also includes the proposed installation of secondary glazing to existing windows and doors of the dwellinghouse.
- 6.6. This advice will therefore now go through the remaining considerations in relation to the revised scheme and submitted documents.

Design and Impact upon the Listed Building and Hampstead Conservation Area

- 6.7. As aforementioned it is noted that under previous advice the principle of an extension was agreed, and that the follow-up pre-app is to cover detailing, design and technical issues. Comment is therefore not made regarding the principle of the proposed basement; however shall be made upon the impact to the significance, character, appearance and setting of the listed building and conservation area, specifically in relation to:

- The above ground detailing of the finishing of the basement
- The structural implications to the listed building
- Other aspects of the proposals including secondary glazing to the main house

Above ground detailing of the finishing of the basement

- 6.8. With regard to the above ground visual manifestations of the proposed basement, it is acknowledged that the scheme has been amended in an attempt to address previous concerns relating to the prominence of these features, however concerns remain and it is considered that further revisions would be required.
- 6.9. In relation to the proposed rooflight/glazed panel it is acknowledged that this has been relocated following advice during the previous pre-app, however the proposed size is still considered to be unacceptable and would have a negative impact upon the character, appearance and setting of the listed property. It is understandable that natural lighting is required for the rooms below, however this should not take priority over the impact on the listed building. Further exploration should be undertaken to provide lighting in to these rooms, which would have minimal impact upon the listed building. It would also be suggested that rotating the rooflight or breaking it up into small apertures may be less visually prominent.
- 6.10. With regard to the proposed sunken terrace it is acknowledged that the floor plan has been amended and the rooflight above the gym removed, however this has now been replaced by a sunken terrace. It is considered that this technically results in the same impact which (as highlighted during the last pre-app) 'would draw too much attention to the basement'. Albeit no longer glazed, there would still be a large open area within the garden which would appear out of context, the impacts from which are increased due to its location adjacent the neighbouring property, the insertion of glass balustrading and creating a large deep gap between the sites and buildings surrounding it.
- 6.11. The two above elements of the proposal should be further explored; any alteration above ground should be made as subtle as possible with minimal impact upon the significance of the listed building. When exploring the design of these elements in further detail, it is very important to note the following guidance taken from CPG4 (Basements):
- *2.3 - we need to ensure that basement schemes: ... do not harm the recognised architectural character of buildings and surrounding areas including gardens and nearby trees, and that conservation area character is preserved or enhanced*
 - *2.6 - The internal environment should be fit for the intended purpose, and there should be no impact on any trees on or adjoining the site, or to the water environment or land stability. Larger schemes ... will be expected to provide appropriate evidence to demonstrate to the Councils satisfaction that the development does not harm the building and natural environment or local amenity.*
 - *2.9 - In the case of listed building applicants will be required to consider whether basement and underground development preserves the existing fabric, structural integrity, layout, interrelationships and hierarchy of spaces, and any features that are architecturally or historically important.*
 - *2.12 - In general, [it is expected that] any exposed areas of basement to be: subordinate to the building being extended; respect the original design and proportions of the building, including its architectural period and style*

- *2.14 - In number, form, scale and pane size, basement windows should relate to the façade above. They should normally be aligned to the openings above and be of a size that is clearly subordinate to the higher level openings so as not to compete with the character and balance of the original building.*
- *2.19 Where basements and visible lightwells are not part of the prevailing character of a street, new lightwells should be discreet and not harm the architectural character of the buildings.*
- *2.22 Excessively large lightwells will not be permitted in any garden space*
- *2.23 A lightwell to the side or rear of a property is often the most appropriate way to provide a means of providing light to a new or extended basement development, and can often provide a link to the rear garden. Lightwells to the side or rear of a property should be set away from the neighbouring property.*
- *2.27 Where a basement extension under a part of the front or rear garden is considered acceptable, the inclusion of skylights designed within the landscaping of a garden will not usually be acceptable as illumination and light spill from a skylight can harm the appearance of a garden setting and cause light pollution*

6.12. The proposed above ground finishings in their current form (rooflight and sunken terrace) are considered to cause harm to the significance of the designated heritage asset, and the applicants have not brought forward any public benefits which can be out-weighted by such harm, as per para 134 of the NPPF. It is advised that these elements are further explored, with perhaps alteration to the layout at basement level to ensure that any natural light provided is done so with minimal impact upon the listed building, and can be have maximum utilisation from the openings.

6.13. It should however be noted that the revisions made since the previous pre-application to the level of hard surfacing and alterations to landscaping have addressed previously raised concerns and the marginal increase to the patio area hereby proposed would likely be found acceptable.

Secondary glazing to the main house

6.14. In terms of the proposed secondary glazing, it is considered that the installation of the 'Selectaglaze' system will be temporary, transitional, will involve no intervention with or removal of historic fabric, and is therefore likely to be acceptable. However, this is not considered the case with the windows to the bay.

6.15. These windows retain exceptional curved sashes with shutters; these shutters would become redundant following the installation of the secondary glazing. The addition would also jar with the character and appearance provided by the detailing of the window and the bay of this section of the building, and therefore impact upon the proportions and character of the adjacent rooms. During the site visit it was discussed that the desire to upgrade windows was due to energy conservation measures purposes. The following recent guidance note by Historic England; <https://historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/> states that 'Well fitted external or internal wooden shutters dramatically decrease heat loss from both draughts and conduction through the window. It is therefore advised that these bay windows are upgraded, repaired and draught proofed to upgrade their performance, and the shutters used as historically intended.

Structural implications to the listed building

- 6.16. Concerning the structural implication to the listed building, the Structural Engineering Report submitted with this application provides further clarification to how the basement is to be constructed however there are no drawings submitted which show the full basement construction in relation to how it sits adjacent the footings of the original house. It is proposed to be built under the modern extension, but there will be building up to or adjacent the existing underground structure. This needs to be better understood, and clarification/justification provided that any new works will not undermine the existing structure/fabric and should be included alongside any formal submission.

Trees

- 6.17. Following the previous pre-app, an arboricultural report has been prepared by Wassells Arboricultural Services Ltd. which has been submitted alongside this advice request. Due to the proximity to and quality of nearby trees; it is considered that the acceptability of the scheme as a whole during a formal application will heavily rely on the thoroughness and fastidiousness of any submitted report. It should be reiterated and stressed that the scheme will not be found acceptable unless it can be irrefutably demonstrated that no harm will be caused to any of the surrounding protected trees.
- 6.18. After several deliberations with trees officers it is considered that with the adequate provision of protection measures; it is likely that trees T3, T4, T5 and T6 (as labelled on drawing no. 0036.P.00.004) could be protected both during and as a result of the proposed works. To fully ensure that these trees will not be damaged as a result of works, it is likely that an Arboricultural Method Statement & Tree Protection Plan would be required to evidence this. Notwithstanding this, it should be stressed that there is significant concern in relation to the impacts caused to the mature Lime tree (hereafter referred to as T2) at the top of the site. T2 is perhaps the most prominent from outside of the site and provides significant amenity value to the local area. The retention and protection of this tree is essential.
- 6.19. Observations received from tree officers state that the arboricultural report submitted is not considered to demonstrate that the proposed basement under T2, a mature lime tree that is subject to tree preservation measures, will not be adversely affected by the scheme. It is discussed that the 'pipe jacking' technique and depth of 1.8m described by Price & Myers have been selected in order to minimise impacts upon this tree, however these impacts are in no way quantified or substantiated by this report.
- 6.20. The report also states that the tree will be monitored after works have been completed for a three year period. It is not considered that monitoring after works would represent a reasonable demonstration of impacts; and it would be expected that you would instead need to demonstrate that the tree will not be affected by the scheme both through physical damage and changes to hydrology which could adversely affect the tree *prior to commencement* in order for the proposals to be considered acceptable.
- 6.21. Due to the complexities of possible effects on the tree as a result in changes of hydrology in the rooting area, this section of an arboricultural report would need to be detailed and comprehensive, it may be the case that it is actually not possible to demonstrate. Notwithstanding the requirement for protection of all other trees as discussed, it should be noted that if it is not possible to effectively demonstrate that T2 will not be affected, the scheme may need to be reduced by removing the proposed cinema room element.

Archaeology

- 6.22. As the application site is located within an identified Archaeological Priority Area, the former pre-application advice highlighted the need to contact the Greater London Archaeology Advisory Service (GLAAS) to discuss the proposals further with view to ascertaining whether a desk based assessment should be undertaken and when.
- 6.23. Page 5 of your submitted Design and Access Statement states that correspondence has been received from GLAAS which confirms that no further assessment or conditions are required to mitigate damage to archaeology as the site is located away from the main area of archaeological interest and the proposed works are considered too small to be likely to cause impact.
- 6.24. This confirmation from GLAAS would mean that the Council would no longer consider the potential impact upon local archaeology within the site to be a major consideration, however it is recommended that the email confirmation that you refer to is included within the appendices of your D&A statement alongside any formal submission and the Council may still consult this body during the formal submission if necessary.

Basement Construction

- 6.25. The previous pre-app note established that a Basement Impact Assessment (BIA) would need to be submitted with a formal application in accordance with local policies. This, alongside a Construction Method Statement and Services Strategy Report, would need to be assessed and found acceptable by the relevant bodies in order for the planning department to grant approval for the scheme.
- 6.26. Your submitted D&A statement confirmed these documents would be submitted alongside a subsequent planning application and so it should be highlighted again that this site is subject to a number of underground development constraint (slope stability and groundwater flow). As a result, the submitted BIA will be independently audited by a third party, at the applicant expense (secured by s106), to satisfy the Council and neighbouring groups that the development would not lead to any unacceptable impacts on the groundwater flows, land stability and surface flows of the area should the development be granted.
- 6.27. For completeness please ensure that the report details the author's own professional qualifications. Note that CGP4 requires the following qualifications for the different elements of a BIA study or review:

Surface flow and flooding

A Hydrologist or a Civil Engineer specialising in flood risk management and surface water drainage, with either:

- The "CEng" (Chartered Engineer) qualification from the Engineering Council; or a Member of the Institution of Civil Engineers ("MICE"); or
- The "C.WEM" (Chartered Water and Environmental Manager) qualification from the Chartered Institution of Water and Environmental Management.

Land stability

A Civil Engineer with the "CEng" (Chartered Engineer) qualification from the Engineering Council and specialising in ground engineering; or

A Member of the Institution of Civil Engineers (“MICE”) and a Geotechnical Specialist as defined by the Site Investigation Steering Group with demonstrable evidence that the assessments have been made by them in conjunction with an Engineering Geologist with the “CGeol” (Chartered Geologist) qualification from the Geological Society of London.

Subterranean (groundwater) flow

A Hydrogeologist with the “CGeol” (Chartered Geologist) qualification from the Geological Society of London.

- 6.28. As the BIA will require a third party audit, it will be expected that your report is in line with the Council’s Pro Forma. A Basement Impact Assessment AUDIT: Instruction form will be sent across with these notes, please see Section B for a full list of items to be included in your Basement Impact Assessment (BIA). You will need to fill out this section of the form and return to us alongside any formal submission.
- 6.29. Please also note that the Council’s preferred provider for the audit service is Campbell Reith. When an audit is required, Campbell Reith charge a fixed fee dependant on the category of basement audit. These categories and the relevant fixed fees are set out below:

Category A - £997.50

Residential or commercial development with single storey basement where the Screening Stage of the Basement Impact Assessment indicates no matters of concern which need further investigation.

Submitted BIA anticipates no significant impact relating to:

- land stability or impacts, buildings or infrastructure;
- groundwater flow or surface water flooding and underground tunnels

Category B - £3045

Residential single basement or commercial development with single or double basement where the Screening Stage of the Basement Impact Assessment identifies matters of concern which need further investigation

Submitted BIA anticipates potential impact:

- to a listed building;
- on land stability;
- on groundwater flow;
- on potential for surface water flooding ;
- on underground tunnels or infrastructure; and
- cumulative impact on ground stability and the water environment

Category C

Exceptional development (in terms of geometry, area, depth or complexity) which may be a single or double basement with potential complications. This category would be charged at an agreed rate on a case by case basis taking consideration of the complexity.

Submitted BIA anticipates potential for significant impact:

- to a listed building;
- on other buildings and or with land stability issues;
- to groundwater flow and potential for surface water flooding ;
- underground tunnels or infrastructure; cumulative basement impacts;
- relating to significant technical issues raised by third parties

Planning Obligations

- 6.30. As a result of the proposed basement development, a Construction Management Plan, as well as highways and streetworks contribution, will be required as part of a Section 106 Legal Agreement. The highways contribution can be refunded provided that, as a result of the works, the adjacent highway is left in a good state of repair. The Construction Management Plan will be necessary due to the restricted access to and constraints within the site.
- 6.31. It should also be noted that in February 2016 Camden's Cabinet agreed to the introduction of a £60/hour formal charge to support the review and approval of submitted draft Construction Management Plans (CMPs) and verification of the operation of approved CMPs, to be secured as part of Section 106 agreements. The £60 hourly rate will allow the Council to set charges that address the specific impacts and issues of each development scheme. However, indicative standard charges per development type are set out below to provide an indication of the levels of charges that can be expected:

Construction/ Demolition Management Plans: Implementation Support Contribution: indicative charging rates	
Small/ less complex (0-10 homes/ 0-1999sqm other uses)	£1,140
Medium size and complexity (10-50 homes, 2000-4999sqm other uses)	£3,240
Major and complex applications (50-499 homes/ 5,000-9,999sqm other uses)**	£7,620

- 6.32. The CMP Implementation Support Contribution will be used to fund the specific technical inputs and sign off that are required to ensure that the obligation is complied with and ensure that the planning objectives we are seeking to secure are actually achieved.

7. Conclusion

- 7.1. The previous pre-application advice established that the principle of the proposed basement would be acceptable subject to the demonstration that no impacts would be formed upon the historic fabric and setting of the listed building, surrounding trees as well as the submission and satisfactory audit of a full Basement Impact Assessment and Construction Management Plan.
- 7.2. Overall it is considered that the revisions made to the visual manifestations of the proposed basement mark an improvement to the previous scheme, however concern is retained regarding their visual prominence. It is therefore not considered that these amendments have overcome previous concerns and it is advised that the size and design of these elements are further explored.
- 7.3. In terms of the proposed secondary glazing it was found that, whilst the installation might be considered acceptable on the majority of windows on the property; the loss of the curved bay windows to the side of the dwelling would not be considered acceptable.
- 7.4. With regard to the impact upon the surrounding trees, it was found that the evidence submitted has not overcome concerns, particularly in relation to the mature Lime tree (T2). It is recommended that unless the impacts upon this tree can be quantified and shown to not be significant within a comprehensive report, it is likely that the lower section of the basement would need to be removed from the scheme.

8. Planning application information

- 8.1 If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the documents outlined in your previous pre-application advice note.
- 8.2 We are legally required to consult on applications with individuals who may be affected by the proposals. We would notify neighbours by letter, put up a notice on or near the site and, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.
- 8.3 It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers. For more details click [here](#).

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document please do not hesitate to contact [name/telephone]

Thank you for using Camden's pre-application advice service.

Yours sincerely,

John Diver

Planning Officer
Planning Solutions Team