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London Borough of Camden
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London N1C 4AG

21 April 2017

Dear Charlotte,

Application Number: 2017/0705/P

Site Address: 20 Albert Terrace Mews London NW1 7TA

Additions and alterations to include excavation of single storey basement under existing house and part of front car port with rear lightwell and basement courtyard; erection of front entrance canopy and bin store; installation of 1 x front window, replacement of rear and side doors.

Further to our discussions in relation to the above application. Having reviewed the representations received in relation to the application, the various objections appear to fall into 4 main areas:

1. Basement Impacts incl. issues of flooding, heave, land stability etc
2. Impact on character / appearance of area
3. Noise / Dust / Disturbance / Construction impacts
4. Flooding in the street

Basement Impact

On the first issue, as the Council have sought to confirm the acceptability of the proposals and the Basement Impact Assessment submitted through an independent technical assessment, I would suggest that these matters are best dealt with through this process.

I note the recommended Section 106 agreement to ensure the highway is not affected by the development and can confirm we would not be in disagreement with this suggestion.

Character of the area

On the second issue, apart from re-instatement of the kitchen window and canopy above the front door to the front elevation, the proposed design will only be visible from the rear of the property. The proposal will therefore have minimal impact on the streetscene, neither will it be visible from any of the surrounding or neighbouring properties. I understand from your previous emails that matters relating to the appearance of the development have been discussed with your conservation officer and senior planning officers and have led to an acceptance of the design proposals.

Noise, dust and disturbance; Scale of Development

Control of noise/dust/disturbance are clearly something of a matter of judgement on a case by case basis. The submitted Construction Management Plan has considered these issues carefully and detailed how impacts can be mitigated. However, I note that the Primrose Hill CAAC objection does refer to what they regard as a similar case which was dismissed at appeal and I would wish to make comment on this below.

The CAAC refer throughout their objections to the Inspectors decision dated 12 October 2009, in relation to appeals for construction of new single family dwelling and the demolition of the existing single family dwelling at 34 Kingstown Street, London, NW1 8JP

It should be pointed out that at the time of this appeal decision, planning policies were contained in saved policies of the Council's UDP and various National Planning Policy Statements.

The current Policy regime has evolved considerably since that time and comprises the Camden Core Strategy and Development Policies (November 2010) and the Camden Planning Guidance CPG4 Basements and Lightwells (July 2015) and CPG6 Amenity (2011). I refer to the CAAC main points of concern.

It is clear that what was proposed at 34 Kingstown Street at this time involved a complete demolition of the existing dwelling and rebuilding on a greater footprint together with a double storey basement. This was of a wholly different scale, character and form to the existing building whereas the single level basement extension, the subject of the current application at 20 Albert Terrace Mews will be imperceptible to any of its neighbours or passers by.

In considering the appeal the Inspector stated:

But what is proposed is a large volume increase in the building here, (albeit with 2 floors below ground) and a radically different design concept which would be much more strident and dominant in the street scene. (Para 6)

Referring to the appellant's architect's design at no. 45 obliquely opposite the appeal site, it states;

While 1 uncompromisingly prominent building can be absorbed into the street scene, I am concerned that 2 would be just too much and would result in 2 'landmark' buildings competing visually (para 8).

No. 34 would appear as an over-large building, filling its plot and without a curtilage commensurate with its size. It would be a strident, visually arresting building cramped onto a tight, urban corner site and visually competing with another similar, starkly modern, building nearby. No. 34 cannot help but have an appearance of over-development because of these design characteristics (Para 10)

It is clear that the overdevelopment related to the filling of the plot with a new building, as well as the additional 2 floors below ground level and that the principal concerns related to the impact of the form, scale and design of the building upon the character and appearance of the Conservation Area.

As with the basement at No 11 Albert Terrace Mews, there would be no change to the character and appearance of the Conservation Area in respect of this application for 20 Albert Terrace Mews.

Neighbours' amenities during construction

We note that the Inspector referred to this issue in his appeal decision for 34 Kingstown Street. He states;

I am at a loss to know how the considerable amount of excavated materials will be loaded into lorries; where those lorries would be able to wait without blocking the narrow street; where the machinery would be placed; to where materials would be delivered and stored and the sheer practicalities of the excavation of 2 basement floors on a site with no part where it is not proposed to work/build/excavate upon it. In the absence of any information on this, I find it difficult to imagine how the works might be carried out. Without doubt, the proposals will impinge on the lives of the other residents in the street hugely (Para 15)

I do not have a construction or demolition/excavation method statement but, given the limited nature of the site, I do not see that major disruption could be avoided (Para 16).

It should be noted that the proposals at 34 Kingstown Street were for a double storey basement of a far greater floorspace than is proposed at 20 Albert Terrace Mews and with a far greater consequential amount of spoil and traffic movements.

Since the date of this decision, the Camden Planning Guidance (CPG4) has been produced in order to provide greater guidance for proposals for basement extensions.

As a matter of course a Construction Management Plan (CMP) is now required to accompany such applications. Such a requirement did not exist in 2009 and it is clear that the Inspector at this time was not provided with any information to consider what the effects of construction or how these effects would be mitigated (see underlined sections above).

The application for 20 Albert Terrace Mews includes a detailed CMP which outlines the way in which construction will take place including and how spoil will be stored and removed from the site. The site will be wholly enclosed to minimise noise and dust pollution during this stage of the works and the usual mechanisation for spoil removal will be avoided. It envisages that underpinning existing walls and formation of the Basement will be a 20 week process.

During the ground floor and stairwell construction and fit out, it is anticipated there will be deliveries twice per week, each delivery taking up to 40 minutes to unload.

The report provides an estimated programme of works, details of site hoarding, deliveries & vehicular movement; Spoil & Waste Management; Access & Traffic management.

The CMP stipulates that the contractor will appoint a Neighbourhood Liaison Manager who will act as the focal point of all communication with neighbours. It is anticipated that planning conditions can ensure the implementation of the CMP to ensure the effects upon neighbours' amenity from construction activity is adequately mitigated.

Each planning application should be dealt with on its own particular merits and as illustrated above there are significant differences between the two cases. We would therefore question the validity of the objections raised by the CACC, and the reference to the historic appeal case in particular. We would be more than happy to meet with CAAC to run through and explain the detail of the design and construction methods proposed and discuss any further mitigation they might like us to consider.

Flooding in the street

I am conscious that several of the objectors mentioned that the roadway is prone to flooding and that this development would lead to a greater risk of flooding to other homes. A specific reference was made to a recent flood in the roadway as an example. Mr Cowan and his family were at the house that day and have no recollection of any collection of water in the roadway beyond small puddles which cleared quickly in the usual way. Nor is Mr Cowan aware of any flood in the road over his period of occupancy in the last 2 ½ years and no incident of flooding was found during all searches made prior to the purchase of the house or in preparation of this application.

I trust these comments are of assistance.

Yours sincerely

Jonathan Morley