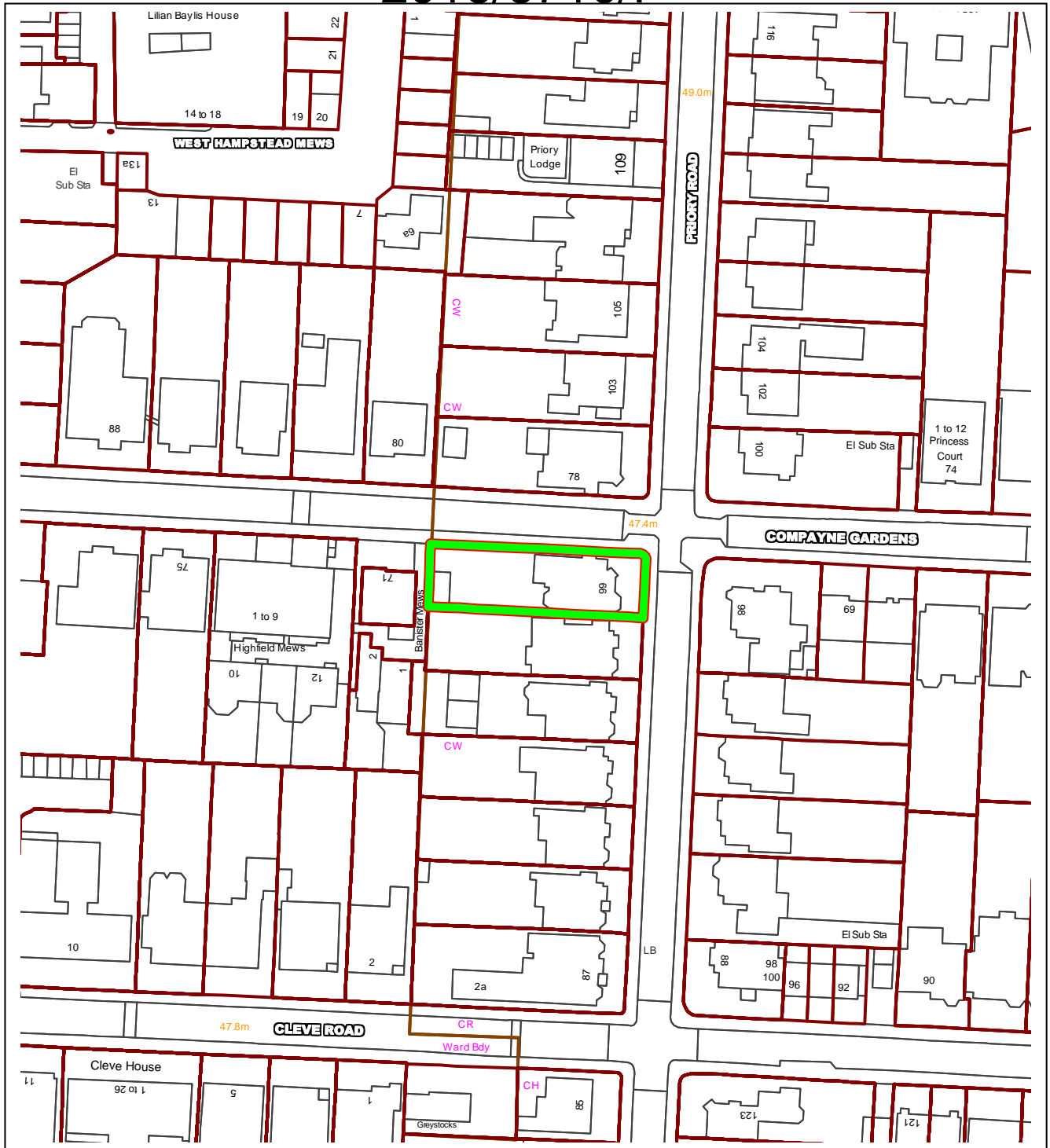


# 99 Priory Road, NW6 3NL 2016/6710/P



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Photo 1- Compayne Gardens Elevation



Photo 2- Compayne Gardens Elevation



Photo 3- Rear Elevation

<b>Delegated Report</b> (Members Briefing)		<b>Analysis sheet</b> N/A	<b>Expiry Date:</b> 14/02/2017
			<b>Consultation Expiry Date:</b> 17/02/2017
<b>Officer</b> Tessa Craig		<b>Application Number(s)</b> 2016/6710/P	
<b>Application Address</b> Flat 1, 99 Priory Road London NW6 3NL		<b>Drawing Numbers</b> See decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>
<b>Proposal(s)</b> Excavation of basement level, erection of single storey rear extension and erection of a side entrance porch. Addition of white render surrounds to windows in existing three storey addition on Compayne Gardens elevation.			
<b>Recommendation(s):</b>	Grant Conditional Permission Subject to Section 106 Legal Agreement		
<b>Application Type:</b>	Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	A site notice was displayed 24/01/2017-14/02/2017 and a press notice was advertised on 27/01/2017. No responses were received from neighbours.					
<b>CAAC/Local groups* comments:</b> *Please Specify	<p>CRASH (Combined Residents' Associations of South Hampstead) have raised objection on the following grounds:</p> <ul style="list-style-type: none"> <li>Unclear how deep basement excavation will be; <i>Officer's comment: The proposed basement is to be 3m beneath ground level;</i></li> <li>Damage to neighbouring buildings could result; <i>Officer's comment: The applicant has submitted a Basement Impact Assessment which has been externally audited by Campbell Reith and it has been concluded that the development will be acceptable in terms of damage category (negligible or very slight) and that adequate mitigation is proposed.</i></li> <li>Disruption caused by earth removal; <i>Officer's comment: A Construction Management Plan will be required and secured via s106 legal agreement to manage the construction impact.</i></li> <li>Removal of shrubs and potential damage to tree outside property; <i>Officer's comment: The proposal shall not result in the loss of any trees and the front hedge is to be retained.</i></li> <li>New entrance does not enhance building; <i>Officer's comment: The side entrance has been revised since it was originally submitted and is now considered to be of an appropriate design.</i></li> <li>Light spill generated by new lightwell. <i>Officer's comment: The level of light from a domestic building is unlikely to cause significant harm to neighbouring properties sufficient to warrant a refusal. The lightspill shall be largely contained within the lightwells.</i></li> </ul>					

### Site Description

The site is located at the junction of Priory Road and Compayne Gardens. The building is a large detached 3 storey Victorian residential property with a modern three storey rear extension. It comprises 5 self-contained flats. This application relates to Flat 1 at ground floor.

The site is located in the South Hampstead Conservation Area.

## **Relevant History**

None

## **Relevant policies**

### **National Planning Policy Framework (2012)**

### **London Plan 2015 consolidated with alterations**

#### **Camden Local Plan 2017**

G1 Delivery and location of growth

H1 Maximising housing supply

H3 Protecting existing homes

A1 Managing the impact of development

D1 Design

D2 Heritage

T1 Prioritising walking, cycling and public transport

T2 Car-free development and limiting the availability of parking

T4 Promoting the sustainable movement of goods and materials

#### **Camden Planning Guidance (CPG)**

CPG1 Design (2015)

CPG2 Housing (2015)

CPG3 Sustainability (2015)

CPG4 Basements and Lightwells (2015)

CPG6 Amenity (2011)

CPG7 Transport (2011)

CPG8 Planning Obligations (2015)

### **South Hampstead Conservation Area Character Appraisal and Management Strategy (February 2011)**

## Assessment

### 1. Proposal

- 1.1. Planning permission is sought for excavation of a single storey basement, part-width rear extension and the erection of a side elevation entrance porch. The proposed basement would measure 231sqm at 13.7m wide, 19.6m long and 3m deep beneath ground level and shall include a part-width rear lightwell, small side lightwell and a front lightwell (revised since initial submission to reduce size).
- 1.2. The proposed rear extension would project 2m beyond the existing 1980s squared off part width three storey bay addition and would be 6.7m wide (1.2m wider than existing) and 3m high. The rear extension would be brick to match the main property with three glazed sliding doors.
- 1.3. The proposed side porch has been revised since it was originally submitted to be a lightweight glazed sloping canopy with a steel door inset into the boundary wall (a large brick, double door entrance was initially proposed to match the existing entranceway). The windows on the side elevation within the 1980s extension are to be altered to match the main part of the property to include white render decorative lintel detail.
- 1.4. The principal consideration material to the determination of this application are summarised as follows:
  - Design and impact on the Conservation Area;
  - Basement Impact;
  - Impact on Amenity;
  - Transport;
  - Trees and Landscaping;
  - Other matters.

### 2. Assessment

#### Design and Impact on the Conservation Area

- 2.1. Policy D1 seeks the highest standard of design. Camden Planning Guidance 1 (Design) paragraphs 4.10-4.15 states that extensions should be designed proportionally in relation to the existing buildings and groups of buildings and in particular should be secondary to the building being extended in terms of form, scale and proportions.
- 2.2. The proposed ground floor extension is considered modest in size (projecting 2m from the original dwelling) and subordinate to the main three storey property. The proposed stock brick is sympathetic to the main property and preserves the character of the building. Whilst the glazed sliding doors in the rear extension are large, they sit at the rear of a 1980s projection which is already out of keeping with the rest of the Victorian part of the property and are therefore considered acceptable.
- 2.3. The basement level shall have a rear part-width lightwell, a small side lightwell and a front lightwell with a stair access to the front garden level. The property includes a high side elevation boundary wall and fence along Compayne Gardens and a low brick front boundary wall with a hedge behind and therefore the external manifestations of the basement would not be visible and are not considered harmful to the conservation area or the character of the building.
- 2.4. The proposed side entranceway would be a modest glass sloped canopy and would include a single steel door within the existing boundary wall. The sloped canopy would not be overly

prominent and is considered to be acceptable in terms of its design and impact on the streetscene.

2.5. Overall, the proposed development is considered acceptable in design terms and would preserve the character and appearance of the host property and the wider Conservation Area.

#### Basement Impact

2.6. In accordance with Policy A5 and CPG4, the Basement Impact Assessment (BIA) submitted by the applicant has been subject to independent verification by Campbell Reith. Jomas have prepared a Geotechnical Ground Investigation & Basement Impact Assessment and Barrett Mahony have prepared a further Basement Impact Assessment on behalf of the applicant and are considered to have suitable qualifications for the assessment. The BIA documents have been independently assessed by Campbell Reith in line with the requirements of CPG4.

2.7. Campbell Reith requested additional information, which has been further assessed with Campbell Reith concluding: The proposed underpinning will be designed to resist lateral earth pressures, lateral water pressure due to a head of water, and surcharge pressures. This is an acceptable methodology using established techniques. It is accepted that the surrounding slopes to the development site are stable. It is accepted that the site is not located within the catchment area of the Hampstead Heath pond chain. It is accepted that the development will not impact on the wider hydrogeology. The proposed mitigation recommendations within the flood risk strategy appear appropriate. A Flood Risk Assessment carried out by Jomas Associates as part of the Ground Investigation has confirmed the recommendations proposed within the flood risk strategy.

2.8. As such, officers consider that based on the expert advice from Campbell Reith 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.

#### Amenity

2.9. Policy A1 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'.

2.10. The proposed basement is not considered harmful in terms of neighbour's amenity given that it is underground and loss of light or overlooking would not occur. Similarly, the lightweight side entrance canopy would not be harmful in terms of amenity. The rear extension is part width and set off both boundaries, and is single storey, therefore it is not considered to result in loss of light for neighbours. Although the extension includes glazing on all three sides, the existing development already has glazing on these sides too and therefore there would be no increase in overlooking beyond the existing situation.

#### Transport

##### *Highway and Public Realm Improvements directly adjacent to the site*

2.11. Policy T3 seeks to protect existing transport infrastructure. It is therefore necessary to secure a financial contribution for highway works (repaving the footway) directly adjacent to the site on Compayne Gardens as a Section 106 planning obligation if planning permission is granted.



This would allow for any damage caused during construction of the proposed development to be repaired and enable the proposal to comply with Development Policy T3. An estimate request has been submitted to the Highways team and will form part of the S106 Agreement if planning permission is granted.

#### *Construction Management Plan*

- 2.12. Whilst construction traffic flows are likely to be fairly low, due to the amount of excavation required for the basement extension and the sensitive nature of the local streets, a CMP must be secured. The primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, temporary loss of parking, etc.). 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 CMP must therefore be secured as a Section 106 planning obligation if planning permission is granted.
- 2.13. In order to minimise traffic congestion and road safety issues during development works, construction vehicle movements are acceptable between 9.30am to 4.30pm on weekdays and between 8.00am and 1.00pm on Saturdays. If there is a school in the vicinity of the site or on the proposed access and/or egress routes, then deliveries must be restricted to between 9.30am and 3pm on weekdays during term time. However, specific details would need to be agreed with Camden during development of the CMP. The CMP would need to be approved by Camden prior to works commencing on site. A CMP Implementation Support Contribution of £1,140 would also need to be secured as a Section 106 planning obligation

#### *Approval in Principle for excavation works adjacent to public highway*

- 2.14. The proposal involves basement excavations within close proximity to the Compayne Gardens footway directly adjacent to the site. We have to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations.
- 2.15. The applicant shall be required to submit an 'Approval In Principle' (AIP) report to the Highways Structures & Bridges Team within Engineering Services as a pre-commencement obligation. This is a requirement of British Standard BD2/12. The AIP would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP and an associated assessment fee of £1,800 would be secured as a section 106 planning obligations if planning permission is granted.

#### *Trees and Landscaping*

- 2.16. The proposal does not result in any removal of trees and nor is it considered to harm trees outside of the site. The front boundary hedge is to be retained.

### **3. Recommendation**

- 3.1. The applicant has adequately demonstrated that the basement excavation works will be acceptable in terms of stability, ground and surface water. Overall, the rear extension, side entrance porch and render surrounds to the existing windows are considered acceptable in design terms and their impact on amenity.
- 3.2. Grant conditional permission subject to s106 legal agreement.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 31<sup>st</sup> July 2017, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

JAA  
Studio Six  
38-50 Pritchards Road  
London  
E2 9AP

Application Ref: **2016/6710/P**

27 July 2017

Dear Sir/Madam

**DRAFT**

**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**Flat 1**  
**99 Priory Road**  
**London**  
**NW6 3NL**

Proposal:

**DECISION**

Excavation of basement level, erection of single storey rear extension and erection of a side entrance porch. Addition of white render surrounds to windows in existing three storey addition on Compayne Gardens elevation.

Drawing Nos: Design + Access Statement, OS plan, 001, 002 Rev A, 003 Rev A, 010 Rev D, 011 Rev C, 012 Rev D, 013 Rev I, 014 Rev D, 015 Rev B and 015 Rev B.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 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 policies D1 and D2 of the Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design + Access Statement, OS plan, 001, 002 Rev A, 003 Rev A, 010 Rev D, 011 Rev C, 012 Rev D, 013 Rev I, 014 Rev D, 015 Rev B and 015 Rev B.

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 policies A1 and A5 of the Camden Local Plan 2017.

- 5 The development shall not be carried out other than in accordance with the methodologies, recommendations and requirements of the BIA by Barrett Mahony dated 12/05/2017 and Jomas Geotechnical Ground Investigation & Basement Impact Assessment for 99 Priory Road, London, NW6 3NL .Report Status: Final v1.0 dated 26/04/2017 hereby approved, including but not limited to the monitoring requirements in section 5.4 Page 23 and 10.4.5 Page 39 respectively and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 0.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies A1 and A5 of the Camden Local Plan 2017.

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.

Yours faithfully

Supporting Communities Directorate

**DECISION**