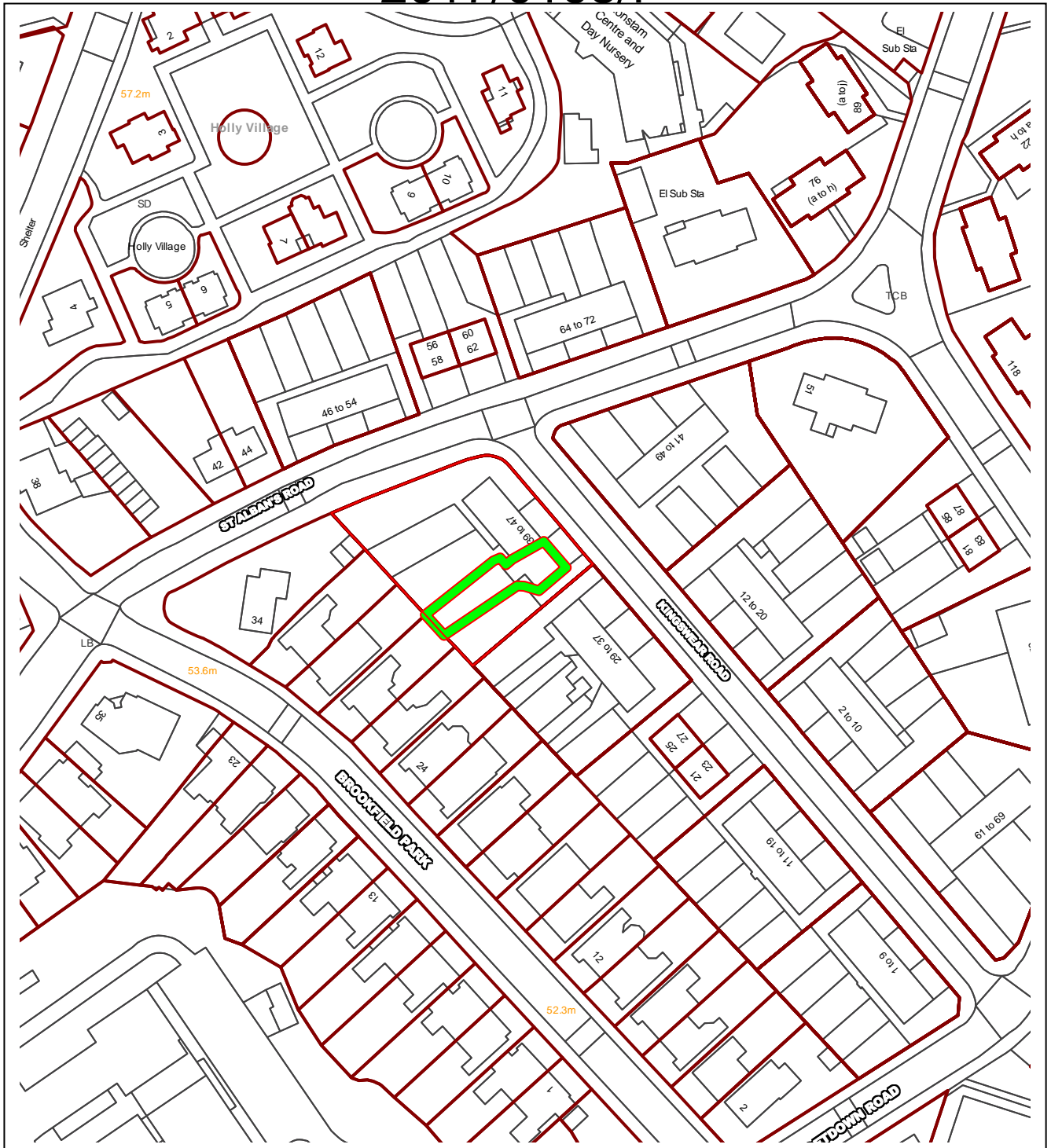


41B Kingswear Road, NW5 1EU- 2017/0195/P



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Photo 1- Front Elevation



Photo 2- Rear Elevation



Photo 3- Rear Elevation (rear lightwell to be located where coal store is currently)

Delegated Report (Members Briefing)		Analysis sheet N/A	Expiry Date: 25/04/2017
			Consultation Expiry Date: 30/03/2017
Officer Tessa Craig		Application Number(s) 2017/0195/P	
Application Address 41B Kingswear Road London NW5 1EU		Drawing Numbers See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature
Proposal(s) Excavation of a single storey basement under existing ground floor flat including front and rear lightwells.			
Recommendation(s):	Grant Conditional Planning Permission Subject to Section 106 Legal Agreement		
Application Type:	Full planning permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	02	No. of objections	02
Summary of consultation responses: <i>(Officer response in Italics)</i>	<p>A site notice was displayed 02/03/2017-23/03/2017 and a press notice was advertised on 09/03/2017. Two responses were received from occupiers of 26 and 28 Brookfield Park which are properties on the road at the rear of the site. The following issues were raised.</p> <ul style="list-style-type: none"> • Disruption caused by the proposed work will be very severe and the road surface will be deteriorated; <i>Officer's comment: Disruption during construction shall be short term and is able to be controlled by a Construction Management Plan (see 2.7 and 2.8).</i> • Proposed rooms will have very poor natural lighting, so that increased use of electricity will be incurred. Not 'sustainable' development, sub-standard quality; <i>Officer's comment: The proposal would result in additional accommodation for the existing one bedroom flat creating a second bedroom and an additional living area. Two bedroom flats are considered a priority in the borough and given the accommodation is ancillary to the ground floor, the standard is considered acceptable. The bedroom would have adequate daylight.</i> • Flat has already been extended into the garden, adversely affecting the block's design; <i>Officer's comment: The existing flat includes a modest rear extension, however the only external manifestation of the proposed basement at the rear would be a modest 2sqm lightwell.</i> • Ground movement and structural impact for neighbours; <i>Officer's comment: The applicant has submitted a Basement Impact Assessment which has been externally audited by Campbell Reith who have concluded the development to be acceptable in terms of ground movement and structural stability (see 2.3 and 2.4).</i> • Impose an increased buildings insurance premium on my house; <i>Officer's comment: This is not a material planning consideration.</i> • The proposed works may set a precedent; <i>Officer's comment: Each planning application is assessed on its merits and therefore the proposal would not set a precedent.</i> • Discomfort the occupants will suffer during the works. <i>Officer's comment: A CMP is considered adequate to manage the impact of a development of this size. Noise from construction is managed by the Control of Pollutions Act 1974, noise from construction is limited to 8am to 6pm on Monday to Friday, and 8am to 1pm on Saturday. No noisy work should take place on Sundays or bank holidays.</i> 			

Dartmouth Park CAAC:

Object in principle to any new basement excavations and note the article 4 direction coming into force in June 2017. These excavations would set a dangerous precedent for the whole of this estate. It probably also constitutes over development of the site.

CAAC/Local groups* comments:

Officer's comment: The proposal is considered a modest sized addition with minimal external manifestation which would provide additional space to the existing one bedroom flat. The applicant has provided a Basement Impact Assessment which has been externally audited and deemed to be acceptable. Applications are assessed on a case by case basis and therefore it is not considered this development would set a precedent.

Site Description

The subject site is located on the west side of Kingswear Road within the Dartmouth Park Conservation Area. The property is a ground floor flat with rear garden within a brick end of terrace property. There are no site constraints with regards to stability, surface or ground water.

The London Borough of Camden is the freeholder of the block.

Relevant History

None.

Relevant policies**National Planning Policy Framework (2012)****London Plan 2015 consolidated with alterations****Camden Local Plan 2017**

H3 Protecting existing homes

A1 Managing the impact of development

A4 Noise and vibration

A5 Basements

D1 Design

D2 Heritage

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)

Dartmouth Park Conservation Area Appraisal and Management Strategy 2009

Assessment

1. Proposal

1.1. Planning permission is sought to excavate a single storey basement level beneath the existing ground floor flat which would include a front and rear lightwell. The basement would be 39sqm, 4.5m wide by 7.9m long and excavated to a depth of 2.9m. The front and rear lightwells are to be 2sqm. The basement would provide a living room, additional bedroom and a store.

2. Assessment

2.1. 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.

Design and impact on the Conservation Area

2.2. The proposal is to include two modestly sized lightwells (one at the front and one at the rear); these are the only external manifestations of the basement. The front lightwell would not be overly visible from the street given the boundary treatment (a thick hedge) and that the lightwell is not overly large. The proposed rear lightwell would not be visible from the streetscene either and overall, the proposal is not considered harmful to the host building nor the conservation area.

Basement Impact

2.3. 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. LMB Geosolutions Ltd and Space Basements London have prepared a Basement Impact Assessment on behalf of the applicant and are considered to have suitable qualifications for the assessment.

2.4. Following submission of further information by LMB Geosolutions Ltd in May 2017, Campbell Reith have been able to conclude suitable site specific ground conditions, factual ground investigation information and determined geotechnical parameters are detailed in the submitted information. Outline structural stability calculations have been provided in the supplementary information for the proposed basement retaining walls. A detailed Basement Method Statement outlines temporary works and propping arrangements. The screening stage of the BIA highlights that a differential foundation depth between adjacent properties will exist on completion of the development. A suitable GMA and damage impact assessment for buildings within the zone of influence have been presented based on CIRIA C580. Damage Category 0 (Negligible) and 1 (Very Slight) is predicted. Suitable structural monitoring proposals during construction have been outlined. There will not be a significant alteration to the inflows being received by the sewer network. It can be concluded the requirements of CPG4 have been met.

Impact on Amenity

2.5. The proposed development is not considered harmful to neighbouring amenity given the only external manifestations are the modestly sized front and rear lightwells and therefore, overlooking, loss of daylight and outlook would not occur.

Transport

Construction Management Plan

- 2.6. Camden Local Plan Policy T3 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 T4 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).
- 2.7. Whilst construction traffic flows are likely to be fairly low, due to the amount of excavation required for the basement and the sensitive nature of the local streets, a CMP must be secured. Our 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. A CMP Implementation Support Contribution of £1,140 would also need to be secured as a Section 106 planning obligation if planning permission is granted.

Highway and Public Realm Improvements directly adjacent to the site

- 2.8. The Council will expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces following development.
- 2.9. We would therefore need to secure a financial contribution for highway works (repaving the footway) directly adjacent to the site on Kingswear Road 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. An estimate request has been submitted to our Highways team and will form part of the S106 Agreement if planning permission is granted.

Trees and Landscaping

- 2.10. No trees would be lost as a result of the proposed works. The boundary treatment and soft landscaping in the forecourt area shall remain the same.

3. Recommendation

- 3.1. Grant conditional planning 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 31st 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 and search for 'Members Briefing'.

The Smith Hotchen Partnership
8 Berkely Mews
29 High Street
Cheltenham
GL50 1DY

Application Ref: **2017/0195/P**

01 August 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:
41 B Kingswear Road
London
NW5 1EU

Proposal:
Excavation of a single storey basement under existing ground floor flat including front and rear lightwells
Drawing Nos: 2016. 22.101, 2016. 22.102 A, 2016. 22.103 A, 2016. 22.104 A, Design and Access Statement and Basement Impact Assessment February 2017.

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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

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

2016. 22.101, 2016. 22.102 A, 2016. 22.103 A, 2016. 22.104 A, Design and Access Statement and Basement Impact Assessment February 2017.

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 D1, D2 and A5 of the London Borough of 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 LMB Geosolutions Ltd dated 23/05/2017 hereby approved, including but not limited to the monitoring requirements on Page 1 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 that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 3 You are reminded that notwithstanding this decision you would still need to get permission from the freeholder: the 'London Borough of Camden'. You should contact leaseholder services.
<https://www.camden.gov.uk/ccm/content/contacts/council-contacts/housing/contact-leaseholder-services/>

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

DECISION

Supporting Communities Directorate