

**4 Vane Close, London NW3 5UN:  
Extend permitted basement into front and rear gardens.**

**Planning Statement**

Planning portal ref: PP-06268578  
Client: Jimeet Patel  
4 Vane Close, London NW3 5UN

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# **4 Vane Close, London NW3 5UN: Extend permitted basement into front and rear gardens.**

## **Introduction**

WEA Planning is instructed by Jimeet Patel to submit a planning application to extend the permitted basement at 4 Vane Close into the front and rear gardens.

In June 2016, a Certificate of Lawfulness was granted (ref. 2016/2882/P) to excavate a basement beneath the property. The permitted basement would not extend beyond the existing footprint of the building. The current proposal is to extend the permitted basement into the front and rear gardens. Pre-application advice has been sought on this application, and the proposal takes this into account.

This planning statement supports the planning application and sets out the justification for granting planning permission in accordance with the relevant development plan policies.

## **Application Site**

4 Vane Close is a three-storey, mid-terrace townhouse located immediately to the southwest of Hampstead High Street and Greenhill. Vane Close is a private cul-de-sac of 21 residential dwellings of modern design that was developed in the latter half of the 20th century. The road wraps around two terraced blocks of townhouses (north west and south east in orientation). In the middle of the terraced blocks is a communal garden shared between the residents (this is referred to as the front). To the southwest is the North Bridge House Senior School (formerly Royal School, Hampstead) and an additional residential area to the north east which faces the High Street. This area of development dates back to the 1970s. To the west is the Greenhill Estate that is a large housing development.

4 Vane Close has an enclosed rear garden which backs onto the private road and the front of the property faces the communal gardens. The house is abutted by two townhouses immediately to the north and south.

The property is a single-family dwellinghouse. It currently contains three storeys of living accommodation with three bedrooms. The property benefits from a front (19.5 sqm) and rear (16.5 sqm) garden. The rear garden is screened by a 2-metre tall brick wall which encloses the garden to three sides. The front garden is paved and the rear garden is carpeted in astroturf. There is some border planting to the front but the overall value of the natural landscaping is limited.

The site is within the Fitzjohns Netherall Conservation Area, although the Conservation Area Statement (2001) classifies the Close as forming a neutral contribution to the character of the Conservation Area. There are no listed buildings on the Close.

The site is not within any flood risk area but the Council have advised that it is subject to a number of underground development constraints including: Slope Stability; Subterranean (ground water) flow; and Hydrological (Bagshot Beds) constraints. The site is also situated within the Hampstead Archaeological Priority Area.

## **Planning History**

The Camden planning applications database shows only one previous application on the site: the application for a Certificate of Lawfulness for "excavation of a new basement room below the footprint of the existing house" (ref. 2016/2882/P). This was granted on 30 June 2016.

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### **Pre-application Advice**

The applicant also applied for formal pre-application advice on a draft scheme to extend the basement to the front and rear. The advice provided by a letter dated 28 October 2016. In summary, the advice was as follows:

- The Council would be likely to consider the principle of a basement acceptable, subject to submission of a Basement Impact Assessment (BIA) Report, Arboricultural Report, Landscaping Report and draft Construction Management Plan.
- The basement should be reduced in scale to allow for a front margin that could sustain mature vegetation, and the front rooflight should be redesigned to appear as a modest addition and relate better to the front façade of the property.

The full list of documents recommended by the LPA to fully assess the proposals is as follows:

- BIA report, with completed BIA audit instruction form (Basement Impact Assessment)
- Draft CMP (Construction Management Plan)
- Arboricultural Report
- Landscaping Report
- Correspondence from GLAAS regarding archaeological desk based survey requirements

All of the above have been collated as part of this submission and are included with the application.

In preparing this application, the advice has been followed. The application is accompanied by all the requested reports. The proposed basement has been reduced in scale and the design advice has been followed (discussed further in next section).

### **Proposal**

The proposal is to extend the permitted basement into both the front and rear gardens. The scheme presented for pre-application advice showed lightwells at both the front and rear. In accordance with pre-application advice, the lightwell to the front has been removed, reducing the length of the proposal at the front by around 1 metre.

The light well to the rear garden will be small in scale, measuring approximately 2.6m by 0.9m. There will also be walk-on rooflights at both the front and rear, measuring approximately 0.95m by 2.3m (rear) and 0.9m by 2.6m (front). At the front, planting has been added to screen the rooflight, as per the pre-application advice.

The light well and rooflights will provide sufficient natural light to improve the proposed and consented subterranean living environment. The light well will contain plants and vegetation to improve the volume of landscaping contained within the property, and will be protected by 1.1m height guarding.

The basement will house a multi function room and store. It will not form the main living room but a supplementary room to the main function of the house.

The garden will be raised by 400mm to the front and 300mm to the rear to allow for greater head height for the basement conversion and sufficient depth of soil for planting.

As requested by the Council, the application is now accompanied by the following:

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### ***Basement Impact Assessment (BIA) (June 2017)***

This study was prepared by Ashton Bennet Consultancy. It considers a wide range of potential impacts of the development and makes recommendations for the excavation/construction phase. It also includes an outline structural design for the basement based upon the findings of the site intrusive investigation and monitoring as reported in the BIA.

### ***Arboricultural Impact Assessment (May 2017)***

This was prepared by Wood Consulting. It concludes that *“There are no trees on the site and the proposed development is outside the RPAs of the retained trees on the adjoining land, therefore the trees are at sufficient distance that they should be unaffected by the proposed scheme assessed. The trees on the adjoining land should be sufficiently unaffected that there should be no material reason to warrant refusal of the scheme on detrimental tree impact grounds”* (para. 9.1).

### ***Landscape Assessment (July 2017)***

This was prepared by Greenlight. It concludes that the area is judged as able to accommodate the proposal, and sets out mitigation planting.

### ***Construction Traffic Management Plan (June 2017)***

This was prepared by Haig Construction Management Ltd. It provides an overview for both the excavation and construction works, its phasing, logistics, and traffic management proposals and the management of health, safety and environmental issues on and around the development.

In conclusion, none of the above reports found any reason for the proposal not be approved. The Basement Impact Assessment and Landscape Assessment both made recommendations to ensure that any potential impact of the development is avoided or mitigated. If planning permission is granted, these recommendations will be followed. The Construction Management Plan sets out traffic management proposals and the proposals for the management of health, safety and environmental issues on and around the development. These will also be followed during the excavation and construction works, should the application be permitted.

## **Policy Compliance**

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

The National Planning Policy Framework (NPPF, March 2012) sets out the presumption in favour of sustainable development at para. 14. It states that:

*“For decision-taking this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted.”*

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**Para. 17** sets out core planning principles, of which the following is relevant to this proposal:

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

The proposal is of a high quality design and will provide a good standard of amenity.

### ***Camden Core Strategy (2011)***

**Policy CS5:** Managing the impact of growth and development states that new development should be of a high quality design and should protect the amenity of residents. The design suggestions provided as part of the pre-application advice have been followed, reducing the scale of the proposal at the front so that the green character of the close will not be affected.

**Policy CS14:** Promoting high quality places and conserving our heritage requires development to be of the highest standard of design that respects local context and character, preserves and enhances heritage assets and promotes high quality landscaping. The proposal has been well designed, following officer advice, and will respect the character of the Conservation Area. A Landscaping Plan has been submitted with the application.

### ***Camden Development Policies (2011)***

**Policy DP24:** Securing high quality design requires all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and to consider character, setting, context, the form and scale of neighbouring buildings and the existing building, and landscaping. These elements have been considered and the proposal has been redesigned accordingly.

**Policy DP25:** Conservation Areas states that development within conservation areas will only be permitted where it preserves and enhances the character and appearance of the area and preserves trees and garden spaces, which contribute to character. The proposal will preserve the character of the Conservation Area; albeit that Conservation Area Statement (2001) classifies the Close as forming a neutral contribution to character. The reduction in scale at the front means that the garden space will be preserved, and proposed planting will enhance it.

**Policy DP26:** Managing the impact of development on occupiers and neighbours, states that the Council will only grant permission for development, which will not affect amenity. The redesigned proposal will not have any impact on neighbours, and will provide a high standard of amenity for occupiers, increasing the living space in the house.

**Policy DP27:** Basements and lightwells states that “In determining proposals for basement and other underground development, the Council will require an assessment of the scheme’s impact on drainage, flooding, groundwater conditions and structural stability, where appropriate.” These assessments accompany the application.

The policy also states that basements should not harm the amenity of neighbours, or lead to loss of open space or trees of townscape or amenity value. They should provide satisfactory landscaping, should not harm the appearance or setting of the property or the established character of the surrounding area and should protect important archaeological remains. The proposed basement will not harm neighbor amenity, or the appearance or setting of the property. With regard to trees, an Arboricultural Assessment is included with the application. With regard to

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archaeology, correspondence with English Heritage (Greater London Archaeology Advisory Service – GLAAS) accompanies the application.

The policy states that the Council will not permit basement schemes that include habitable rooms and other sensitive uses in areas prone to flooding. The proposal site is not in any flood risk area. Finally, the policy states that in determining applications for lightwells, the Council will consider whether the architectural character of the building is protected, the character and appearance of the surrounding area is harmed and the development results in the loss of more than 50% of the front garden or amenity area. The development will not result in the loss of more than 50% of the garden. With regard to character and appearance, the Council's pre-application advice has been followed.

### ***Camden Planning Guidance 4: Basements and Lightwells (2015)***

**CPG4** states that the Council will only permit basement development where it does not cause harm to the recognized architectural character of buildings and surrounding areas, including gardens and trees. With regard to lightwells, the CPG states that any exposed area of basement should remain subordinate to the building being extended and should respect the original design of the building and retain a reasonable sized garden. Lightwells should be discreet.

The proposal will not cause harm to the surrounding character or the garden. The lightwell proposed at the rear will be subordinate to the existing building. It is small scale and discreet. The rooflights will also be discreet, with the front rooflight being screened by planting.

The proposal will not cause harm to the surrounding character or the garden. The lightwell proposed at the rear will be subordinate to the existing building by only being the width of the bi-fold doors. The lightwell to the rear will be discreet by only measuring 0.87m in width and being well screened by planting. The rooflights will also be discreet, with the front rooflight being screened by planting. The overall intention is to have a neutral/positive impact on the visual amenity versus what exists and for the basement to not be noticeable. Examples of successful lightwell treatment are attached at **Appendix 1**.

### **Comparable Developments**

The table below details some recent examples of planning permissions for basement extensions. Many have lightwells to the front and rear. The examples are shown at **Appendix 2**.

***Table 2: Comparable planning permissions***

<b><i>Reference</i></b>	<b><i>Address</i></b>	<b><i>Proposed development</i></b>	<b><i>Decision date</i></b>
2016/4136/P	9 Maresfield Gardens	Excavation of basement extension to existing semi-basement to create four new dwellings comprising 1x 2 bed and 3 x1 bed units and ground floor rear extensions with roof lantern to allow rearrangement of existing dwellings to provide 2 x 3 bed units with rear balcony/terrace and staircases.	July 2017
2016/2033/P	Flat 1, 154 Iverson Road	Formation of basement extension with front and rear light wells.	Feb 2017

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2016/1489/P	7 Greville Place	Excavation of a basement extension beneath the front hard standing of the property including the introduction of a front lightwell and independent access to the basement.	May 2017
2016/0358/P	76 Fleet Road	Conversion of 1 x 2 & 1 x 1 bedroom dwellings to 1 x studio, 1 x 1 bedroom maisonette & 1 x 2 bedroom maisonette. Erection of ground and first floor infill side extension, mansard roof extension, single storey basement extension with rear lightwell and rear roof terraces on the first & second floors.	Sept 2016
2016/0320/P	29 Compayne Gardens	Excavation of existing basement to lower floor by 1.2m including basement extension and rear lightwell.	June 2016
2015/5333/P	57 Cotleigh Road	Excavation of single storey basement extension with rear & front lightwells and the erection of single storey ground floor rear infill extension	May 2016
2015/2802/P	81 Fordwych Road	Single storey basement extension (part retrospective) including light wells to front and rear and ground floor rear extension.	May 2016

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### **Pre-submission Consultation**

The applicant informed his neighbours of the pending proposals on the 29<sup>th</sup> June (2017) and invited comments and suggestions for the proposed basement.

An email was sent on the 4<sup>th</sup> July (2017) to the Hampstead and Heath Society and John-Mallet Bates who is chair of Fitzjohn/Netherhall Conservation area advisory committee on 4th July. To date, no objections have been received.

### **Community Infrastructure Levy**

The applicant is aware of their potential CIL liability. In accordance with Community Infrastructure Levy (CIL) Regulations 2010 (as amended), the applicant hereby submits the CIL additional questions form.

### **Conclusion**

This statement sets out the detailed case for the application. In conclusion:

- The design of the proposal follows pre-application advice, with the scale of the basement reduced at the front and planting introduced.
- As such the proposal will not have any adverse impact on the character or appearance of the area, or on neighbour amenity.
- The application is accompanied by all the supporting documents required by the Council.

The proposal responds to the spirit of **NPPF Paragraph 58** by:

- Functioning well and adding to the overall quality of the area;
- Establishing a strong sense of place;
- Optimising the potential of the site to accommodate development; and
- Responding to the local character and history and reflects the identity of local surroundings and materials;

The proposal comprises sustainable development, as well as complying with national and local planning policy. It should therefore be approved.