

## 4 Vane Close, London: Heritage and Planning Statement

### Site Location

Number 4 Vane Close is a 3-storey townhouse located immediately to the southwest of Hampstead High Street and Greenhill.

Vane Close is a private road that 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 and is not recognised as having any conservation value.

Number 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 house currently contains 3 storeys of living accommodation with 3 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.

A certificate of lawfulness (**Ref No. 2016/2882/P**) has recently been granted to excavate a basement beneath the property. The Certificate and plan are attached at **Appendix 1**.

The Vane Close properties are nondescript red-bricked townhouses with mansard roofs. They date back to the 1970s and have no conservation value. The house has not been extended or altered substantially since it was built.

The property is located within the Fitzjohns/Netherhall Conservation Area.

### **Planning History**

A certificate of lawfulness (2016/2882/P) was granted for a full width basement underneath the property.

The proposed basement extends beneath the footprint of the existing building with a floor to ceiling height of 2.3 metres. The extended subterranean area would not extend the beyond the front/rear walls of the dwelling and there would be no natural light source.

The certificate was granted because it was deemed the proposed development is permitted under Class A of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 2015 No. 596).

Because the property is located on article 2(3) land, the proposed basement cannot be further extended to the rear or to the front without requiring planning permission.

There is no further planning history applicable to this property.

## **Proposal**

The proposal is to extend the permitted basement (2016/2882/P) into both the front and rear gardens. The basement would not be full width as it would contain two light wells to the outer edges.

Both light wells would be small in scale. The light well to the rear garden would measure approximately 2.6m by 0.9m. The light well to the front garden would measure approximately 1.1m by 2.5m. This alongside the walk on rooflights would provide sufficient natural light to improve the proposed and consented subterranean living environment. The light wells would contain plants and vegetation to improve the volume of landscaping contained within the property. The light wells would be protected by 1.1m height guarding.

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

The garden would 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.

Proposed examples of potential designs of the rooflights and lightwells are attached at **Appendix 2**. We would welcome LB Camden's input as to the design and finish.

## **Planning Policy Considerations**

### Fitzjohns/Nerthall Conservation Area

The property is within an area designated as the Fitzjohns/Netherhall Conservation Area. It is understood the designation of the sub area including Vane Close was adopted in 1984.

The Fitzjohns/Netherhall Conservation Area (herein referred to as FNCA) Statement (18) sets out the LPA's approach to the preservation and enhancement of the FNCA.

The FNCA is located on the southern slopes of Hampstead between Rosslyn Hill and Finchley Road. Three rivers ran down from the hill including tributaries of the Fleet, Tyburn and Westbourne. The urban grain is formed by large houses within generous garden plots surrounded by the denser areas of Hampstead Village, Belsize Village and Finchley Road.

It is understood the designation of Vane Close dates back to the original designation of the FNCA in 1984 and forms part of Sub Area 1.

Key overarching features of the Conservation Area include:

- hills and their gradients;
- long views along avenues combining with substantially scaled properties and generous grounds;
- and
- trees, vegetation and boundaries between properties and the street and rear gardens.

Other features are more localised.

The character assessment of Vane Close and Mulberry Close is as follows:

*“Built in the 1970s on the site of Vane House, raised above Rosslyn Hill are two developments of terraced houses, Mulberry Close faces Rosslyn Hill, set in part behind the original wall. In red brick and painted timber, its low height helps lessen the impact of the building. Vane Close is placed behind Mulberry Close and has two terraces one of three storeys plus mansard roof and the other two storeys plus mansard. To the west of this is the Royal School , which replaced the Solidiers Daughters Home in 1975. It is a six storey building in brick and glass, far higher than other*

*buildings in the area but sited away from public roads. Nevertheless it does not contribute to the character of the Conservation Area.”*

It is clear that the Royal School does not contribute to the character and there is no reason to believe that Vane Close adds any value to the area either. It is unclear why this area has been included in the Conservation Area at all given the neutral to negative heritage contribution.

**Policy DP25** concerns the conservation of Camden’s heritage. Of relevance to this proposal are criteria b) and e) as set out below:

Camden will:

*“b) only permit development within conservation areas that preserves and enhances the character and appearance of the area.” (WEA Planning emphasis).*

And seek to:

*“e) preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden’s architectural heritage.” (WEA Planning emphasis).*

### Basements and lightwells

**Policy DP27** addresses the LPA’s consideration to the construction of basements and lightwells.

The policy states:

*“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. (WEA Planning emphasis).*

*The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability.’ (WEA Planning emphasis).*

It is WEA Planning’s understanding that, because the basement extends beyond the footprint of the house, it would be considered a larger scheme and a screening exercise for a Basement Impact Assessment (BIA) should be agreed with the London Borough of Camden.

The policy goes on to state:

*“The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.” (WEA Planning emphasis).*

In determining applications for lightwells, the Council will consider whether:

- i) the architectural character of the building is protected;
- j) the character and appearance of the surrounding area is harmed; and
- k) the development results in the loss of more than 50% of the front garden or amenity area.

More detail on basement and lightwell development is provided in the form of the “Camden Planning Guidance (4): Basements and Lightwells” (July 2015).

Notable guidance includes **Paragraph 2.12** which alongside guidance in CPG1 (Design) requires the exposed area of basements (lightwells) to be:

“

- *subordinate to the building being extended;*

- *respect the original design and proportions of the building, including its architectural period and style; and*
- *retain a reasonable sized garden.”*

**Paragraph 2.13** states:

*“the width of any visible basement wall should not dominate the original building.”* (WEA Planning emphasis).

**Paragraph 2.14** considers:

*“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. On the street elevation, and on certain rear elevations where there is a distinguishable pattern to the fenestration, the width and height of windows should be no greater than those above.”*

**Paragraph 2.15** deems:

*“Proposals for basement development that take up the whole front and/or rear garden of a property are very unlikely to be acceptable.”*

The paragraph advises sufficient margins are left between the site boundaries and any basement construction to enable vegetation to grow naturally. In specifying the requirements, the guidance states:

*“These margins should be wide enough to sustain the growth and mature development of the characteristic tree species and vegetation of the area. The Council will seek to ensure that gardens*

*maintain their biodiversity function for flora and fauna and that they are capable of continuing to contribute to the landscape character of an area so that this can be preserved or enhanced.”* (WEA Planning emphasis).

In regards to front gardens. **Paragraph 6.31** states planning permission is unlikely to be granted for development which erodes the character of existing garden spaces and their function in providing wildlife habitat.

**Paragraph 2.16** suggests Green roofs and detention ponds are good methods for mitigating the loss of biodiversity.

SUDS is sought in all basement developments that extend beyond the footprint of the original building.

**Paragraph 2.22** states *“excessively large light wells will not be permitted in any garden space”*.

**Paragraph 2.23** suggests rear light wells are often the most appropriate way to provide light to a new basement. Lightwells should be set away from the boundary to a neighbouring property.

**Paragraph 2.24** recognises the building regulation standard to secure a light wells by either a railing (1,100mm high) or a grille). Preference is specified for front light wells to be secured by a grille which sits flush with the natural ground level, rather than railings. It is recommended that the rear garden should be graded rather than secured by railings.

**Paragraph 2.27** states:

*“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.”*



## **Planning Justifications**

In considering this application, LB Camden will consider whether:

- The proposed development and/or works would preserve or enhance the character and appearance of the FNCA;
- the proposal's impact on the character and appearance of the host property;
- the effect of the proposal on the local amenity;
- the proposal's impact on the local environment with specific regard to biodiversity and Sustainable Urban Drainage (SUDs); and
- whether the proposed development would make adequate provision in respect of a Basement Construction and/or Construction Management Plan.

### **The proposed development's impact on the Fitzjohns/Netherhall Conservation Area**

As stated above, the property is located within the FNCA. The terraced town houses to Vane Close are not selected as being of any conservation value.

The proposal itself is predominantly underground with the installation of two modest roof lights and lightwells. The integrity of the property remains with no extended areas to the roof or above ground levels.

The proposal would preserve the character and appearance of the FNCA. All the features listed in the Conservation Area appraisal remain intact.

*Therefore, the proposal would accord with Policy CS14 of the Camden Core Strategy 2010-2025 (LDFCS) and Policies DP24 and DP25 of the Camden Development Policies 2010-2015 (CDP) which seek to ensure that consent is only granted when the development does preserve the character and appearance of conservation areas.*

### **Impact on the Character and appearance of the host property**

The design of the basement windows takes account of Paragraph 2.14 which advises the number, form, scale and pane size of the basement windows should related to the facade above.

The window to the lightwell to the front will match the width and height of the ground floor window and width of the upper floor window. The result will be a fenestration, which is no greater than those above. The design of the fenestration is unobjectionably modern with full glazing panels to create a full light slot and create the basement's own identify.

The window will be well shielded from long views of the property from the communal garden area. The long views will maintain the same view of the front facade.

The rear lightwell window will be more modest in width and will be screened from the streetview by the c. 2 metre tall wall. The proposed window treatment would clearly be subordinate to the upper level window treatment. The overall view of the front and rear of the property will not be harmed by the proposed basement extension.

### **The effect of the proposal on the local amenity**

It is considered the main impacts on local amenity would be the potential loss of garden area and overlooking.

The property already benefits from total existing garden area of approximately 37 sqm which is well in excess of the London Plan standards for external amenity space. The basement would extend underneath both the front and rear garden. However, the total outdoor space would not be greatly reduced. The creation of two inaccessible lightwells will only reduce the total garden area by approximately 5 sqm, which will result in a remaining garden area of over 30 sqm. The loss of garden space to light wells will be significantly over the desired minimum threshold of 50% of garden to be lost to buildings. The lightwells will result in the retention of 86% of the total garden area and the lightwells themselves will act as a green space at a different level.

There would be no direct overlooking issues as the property is self-contained and not split into flats above ground. The view from adjacent windows is partially obscured by the boundary walls or hedge screening. The view of the garden space would remain largely unchanged. These light wells will be openable for servicing and plant maintenance but not large enough to be used as an external social space therefore there would be minimal impact from noise. The light wells will be well screened by 1.1m tall guarding which is in compliance with building regulations.

The walk on roof lights are confined to the space immediately next to the rear patio doors and front porch. The front rooflight will be partially obscured by the overhang to the front porch. The location and size of the rooflights will mean the minimal illumination and light spill from the skylights will not harm the appearance of a garden setting or cause light pollution. The appearance would be more reflective of a landscaping led garden uplighting feature.

The proposal would not result in a materially harmful impact on the living conditions of nearby occupiers. It would therefore accord with Policy CS5 of the LDFCS and Policy DP26 of the CDP.

## Impact on the local environment

In considering the impact of building a basement, it is important to assess the impact on the characteristic tree species and vegetation of the area. The applicant's intention is to enhance the appearance of the character of the area both to the front and rear.

The frontage is unusual as it does not follow the classical pattern of a London streetscene with a road, pavement and terraced house set back from the public highway. The rear fronts a private road but is contained within a courtyard to create a private, enclosed space which is deliberately hidden from the streetscene.

### Front view



The front view shows a paved communal pathway which is bordered by raised brick borders. The ground outside the front of the property gradually slopes downwards to the north east. The paved garden to the property itself is level. There is some border planting though this is not mature or does it serve any significant biodiversity function.

### Rear Views

As can be seen in the photos above, the rear of the property has no biodiversity value.

The landscape environment will be improved in a number of ways. Each lightwell will contain tall planting which will eventually rise to ground level. The garden level will be raised by 400mm to front and 300mm to the rear which will provide a soil layer for planting above the basement. This will enhance the biodiversity function to support flora and fauna. This is particularly relevant at the rear where there is currently no planting. It is therefore deemed suitable to extend to the boundary margins.



In accordance with Policy DP27, the proposed basement would preserve and enhance the biodiversity of the area.

The scope for a Sustainable Urban Drainage system is to be discussed with LB Camden and a suitable strategy is to be agreed prior to submission of the formal planning application.

## **Basement Construction and/or Construction Management Plan**

The Basement Guidance states the LPA will only permit basements where the applicant can demonstrate it will not cause harm to the built and natural environment and local amenity, including to the local water environment, ground conditions and biodiversity.

The property is identified as being within an area of Subterranean (groundwater) flow and slope stability constraint. In accordance with the LPA's guidance on Basement Impact Assessments (BIA), the applicant will appoint a suitably qualified Civil Engineer to undertake a screening of the impacts of the development in accordance with the flowcharts set out in the guidance. This is subject to the principle of the basement extension being agreed with the LPA. The applicant is aware there may be s106 obligations to fulfill as part of any planning approval.

**Appendix 1**

**Photo 1: Slim lightwell with bamboo planting.**



**Photo 2: Lightwell with wooden rendered finish.**





**Photo 3: Lightwell with subtle downlighter and planting.**



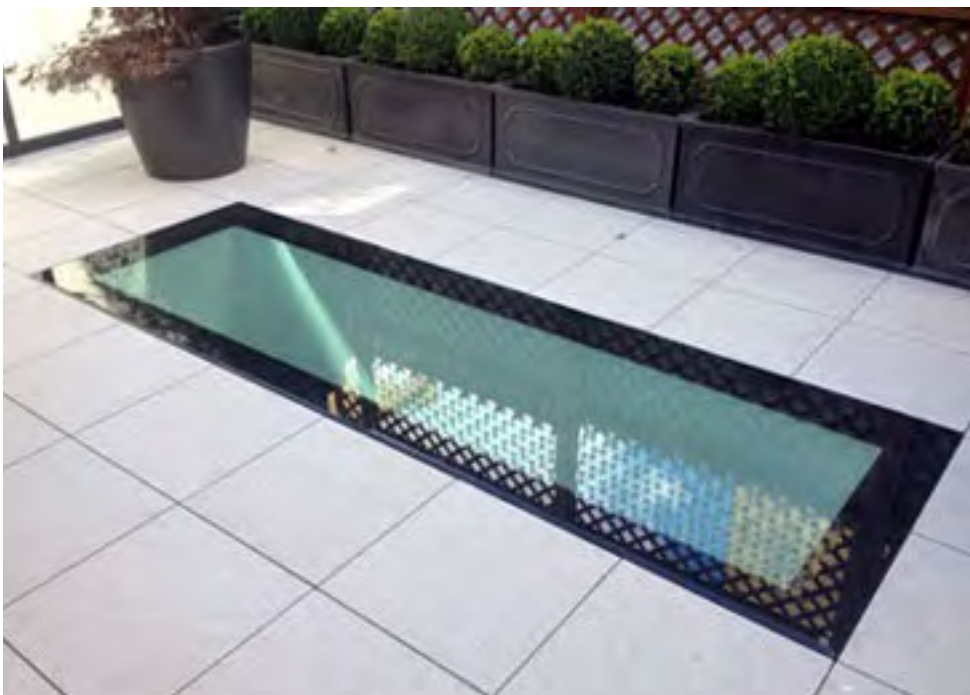
**Photo 4: Walk on roof lights from below.**



**Photo 5: Walk on roof lights on patio v1.**



**Photo 6: Walk on roof lights on patio v2.**



**Photo 7: Sun pipe from above.**



**Photo 8: Sun pipe from below.**



**Appendix 2**

Joe Wright Architects Ltd  
14 Manchester Road  
London  
N15 6HP

Application Ref: **2016/2882/P**  
Please ask for: **Ian Gracie**  
Telephone: 020 7974 **2507**

30 June 2016

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990

### Certificate of Lawfulness (Proposed) Granted

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

First Schedule:

Excavation of a new basement room below the footprint of the existing house.

Drawing Nos: 1604-02\_LD\_000; 1604-02\_LD\_001; 1604-02\_LD\_002; 1604-02\_LD\_003;  
1604-02\_LD\_101; 1604-02\_LD\_102; 1604-02\_LD\_103.

Second Schedule:

**4 Vane Close**

**London**

**NW3 5UN**

Reason for the Decision:

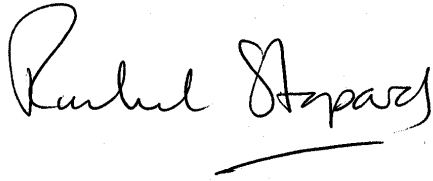
- 1 The proposed development is permitted under Class A of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 2015 No. 596).

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>



Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

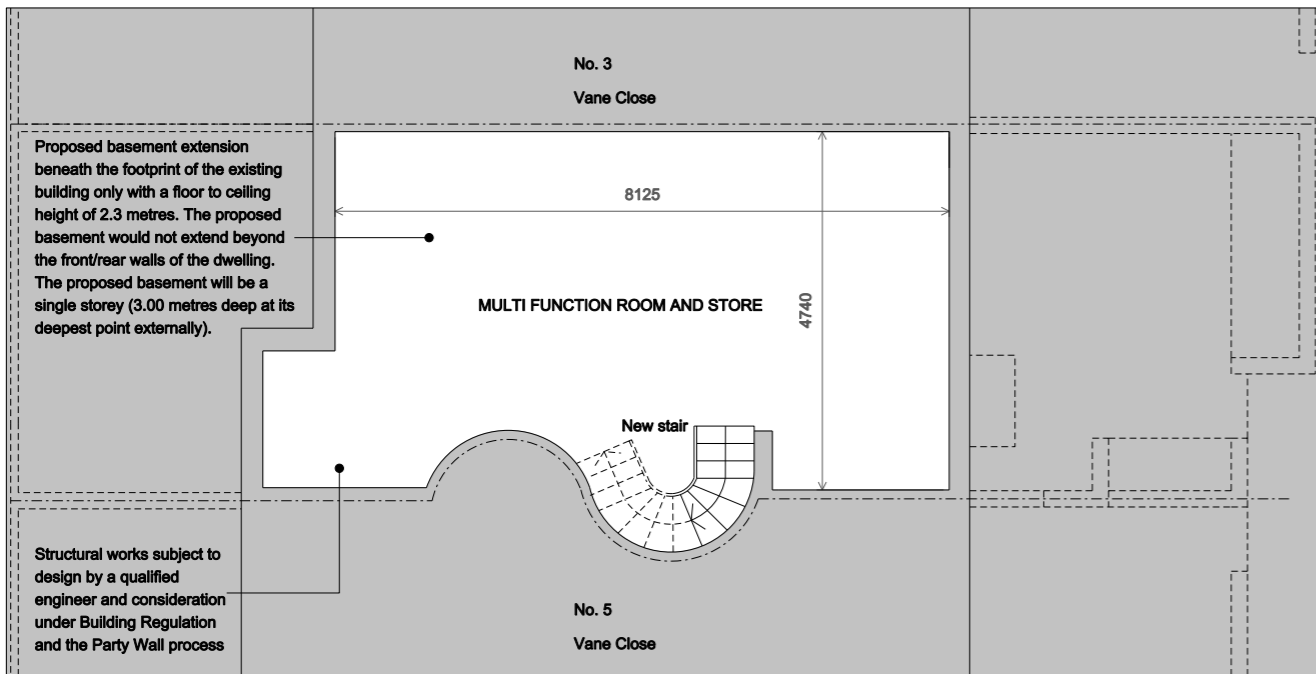
Rachel Stopard  
Executive Director Supporting Communities

#### Notes

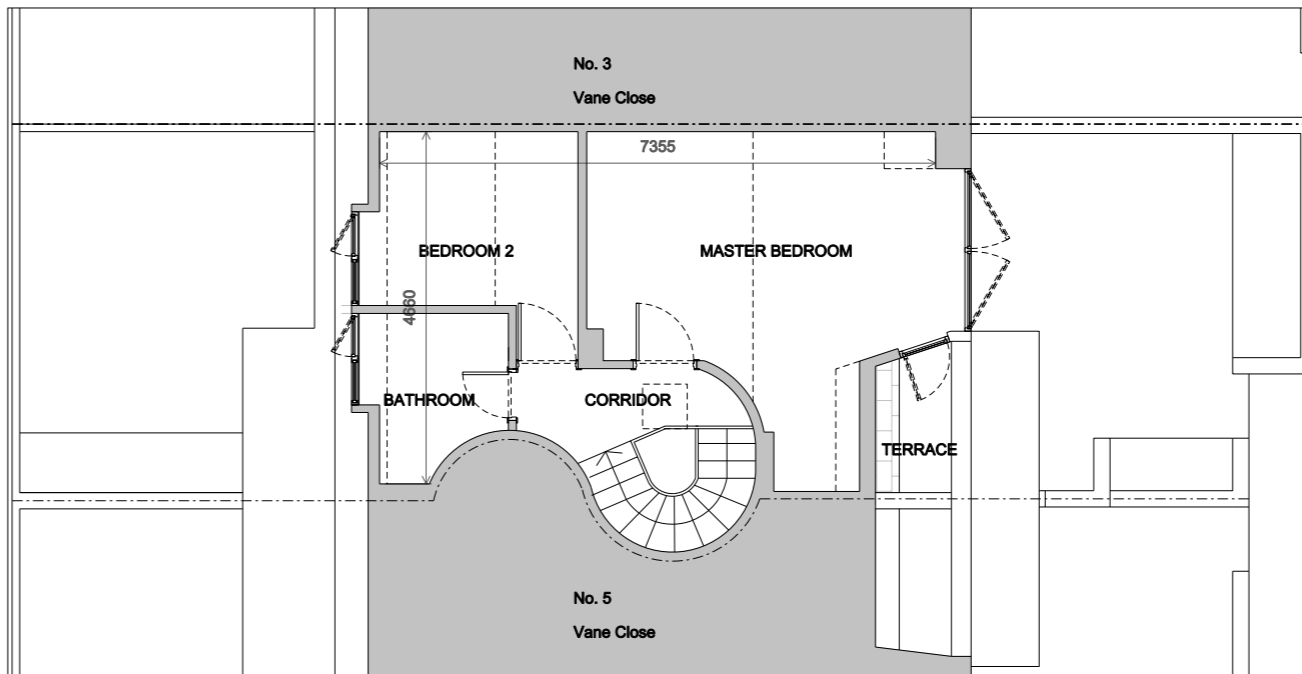
1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use\*/operations\*/matter\* specified in the First Schedule taking place on the land described in the Second Schedule was\*/would have been\* lawful on the specified date and thus, was not\*/would not have been\* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use\*/operations\*/matter\* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use\*/operations\*/matter\* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Proposed basement extension beneath the footprint of the existing building only with a floor to ceiling height of 2.3 metres. The proposed basement would not extend beyond the front/rear walls of the dwelling. The proposed basement will be a single storey (3.00 metres deep at its deepest point externally).

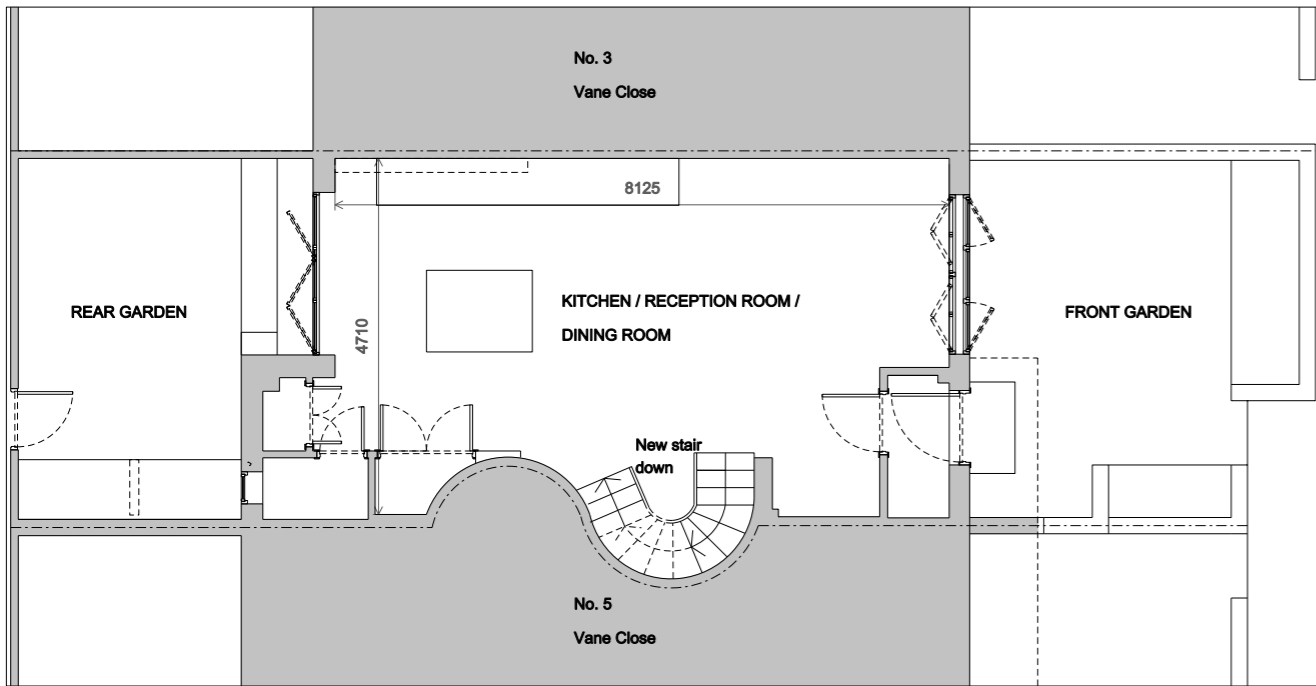
Structural works subject to design by a qualified engineer and consideration under Building Regulation and the Party Wall process



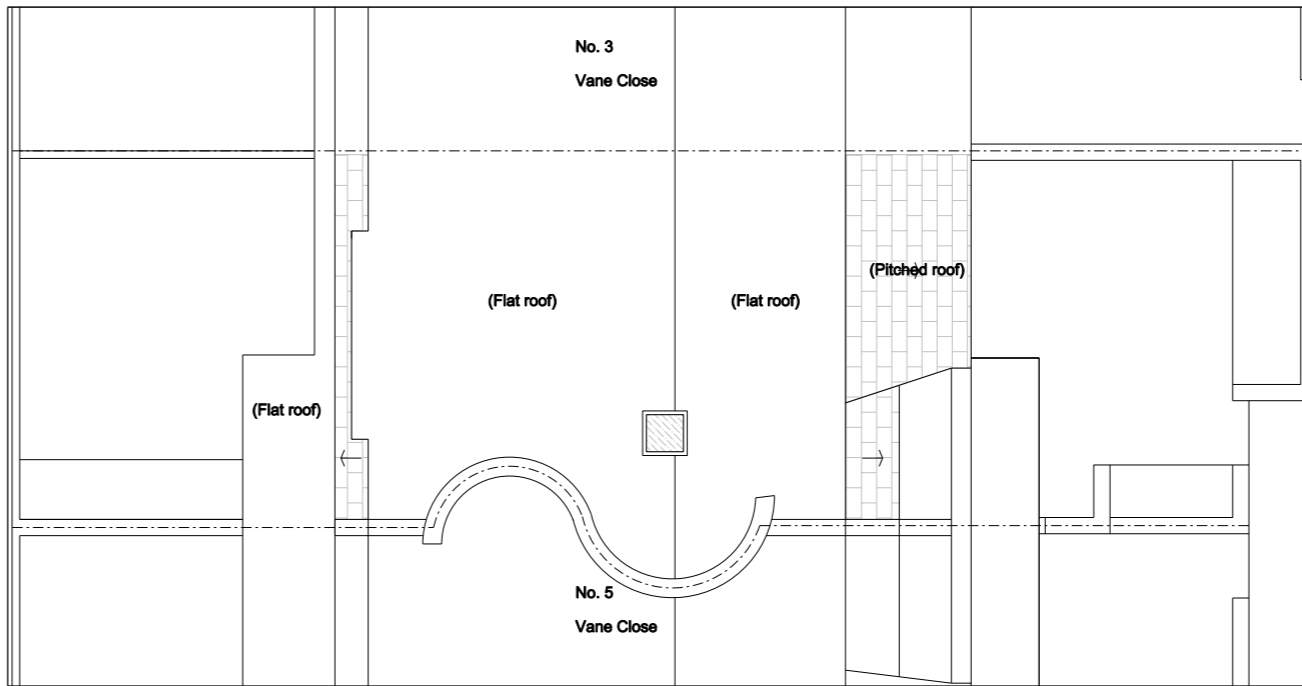
BASEMENT



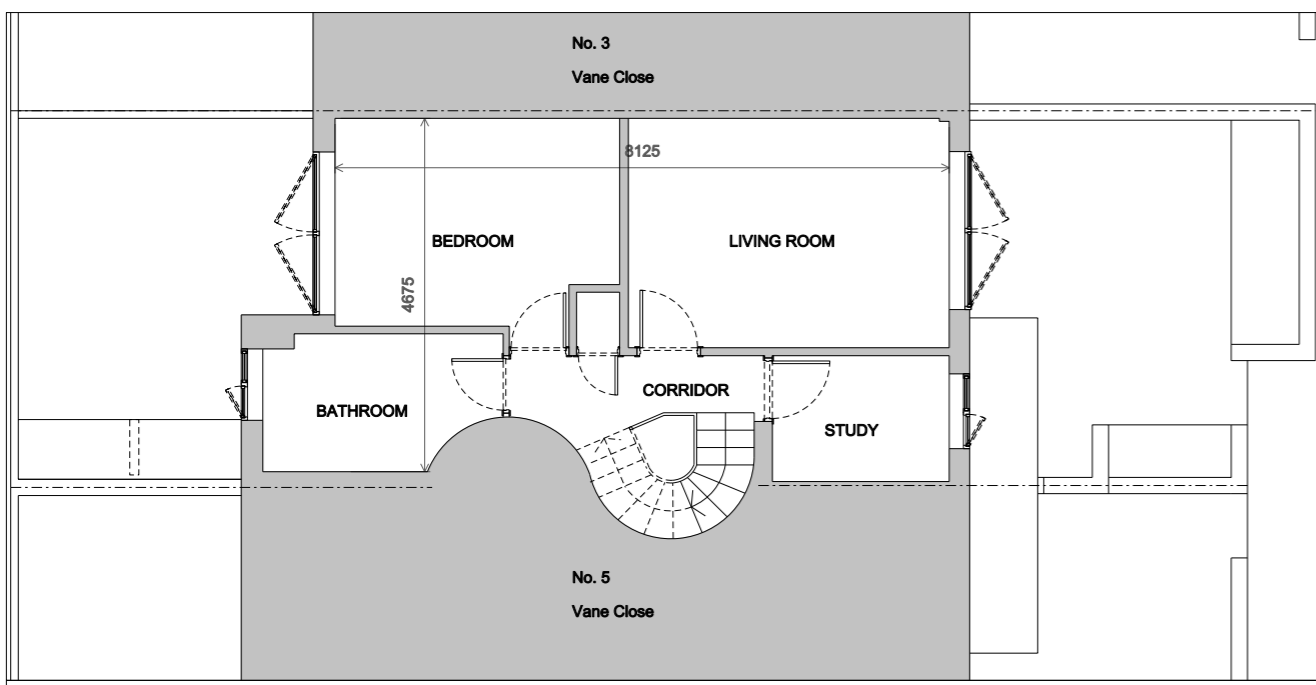
SECOND FLOOR PLAN



GROUND FLOOR PLAN



ROOF PLAN



FIRST FLOOR PLAN

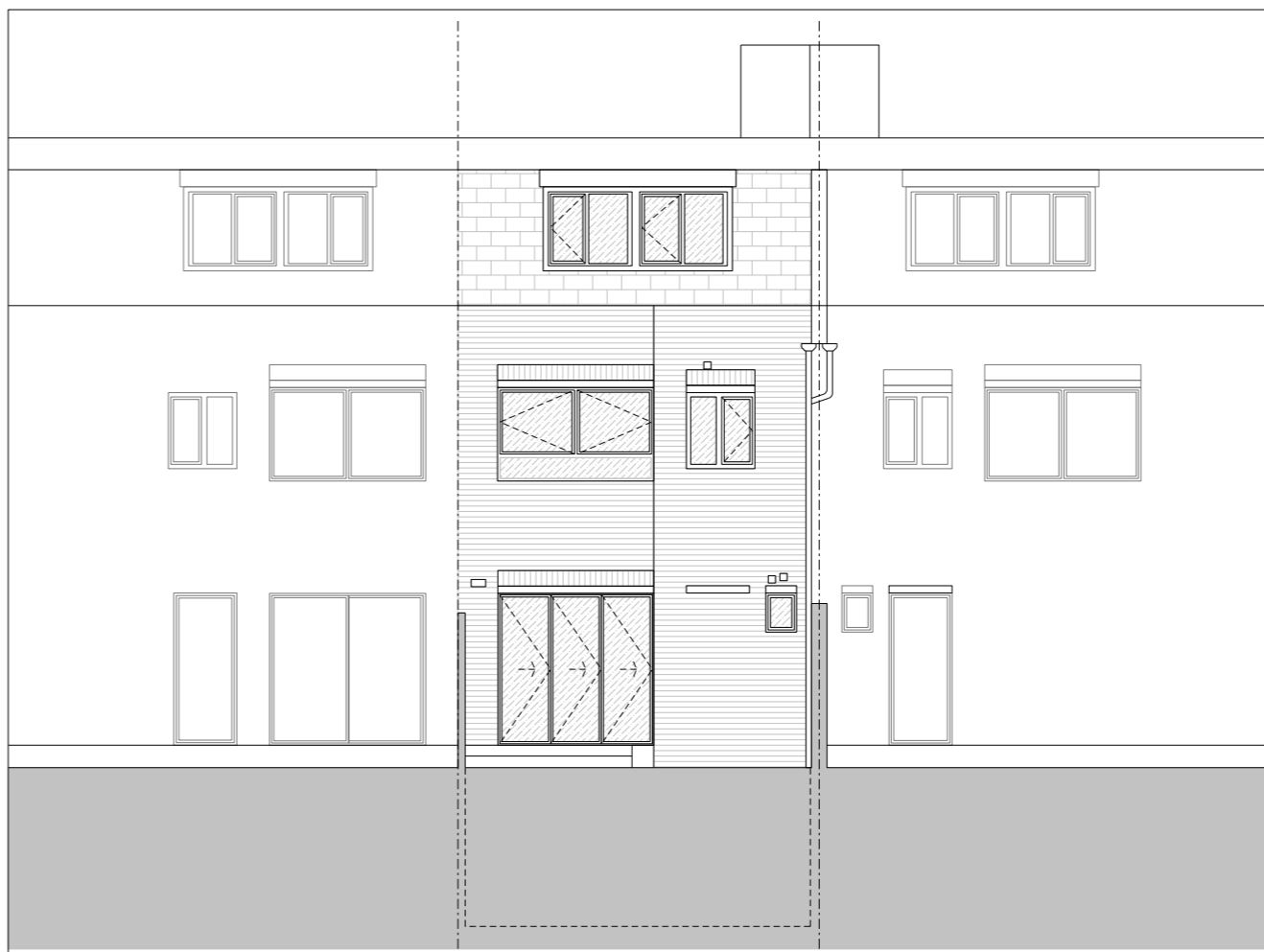
Notes:  
 Unless stated otherwise, all dimensions are in millimetres.  
 All dimensions to be checked and confirmed on site by contractor and as such are to be his responsibility.  
 Any errors, omissions or discrepancies on this drawing are to be reported to the architect.



Rev:	
<b>JOE WRIGHT ARCHITECTS</b>	
t: www.joewrightarchitects.co.uk e: info@joewrightarchitects.co.uk	
Client:	
Project: 4 Vane Close	
New basement	
Drawing Title: Proposed Drawing	
Plans	
Scale: 1:100 @ A3	Date: 23.05.16
Dwg No: 1604-02_LD_101	Rev: /



FRONT ELEVATION 01



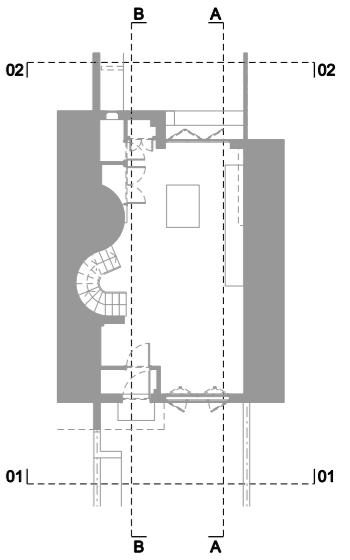
REAR ELEVATION 02

Notes:

Unless stated otherwise, all dimensions are in millimetres.

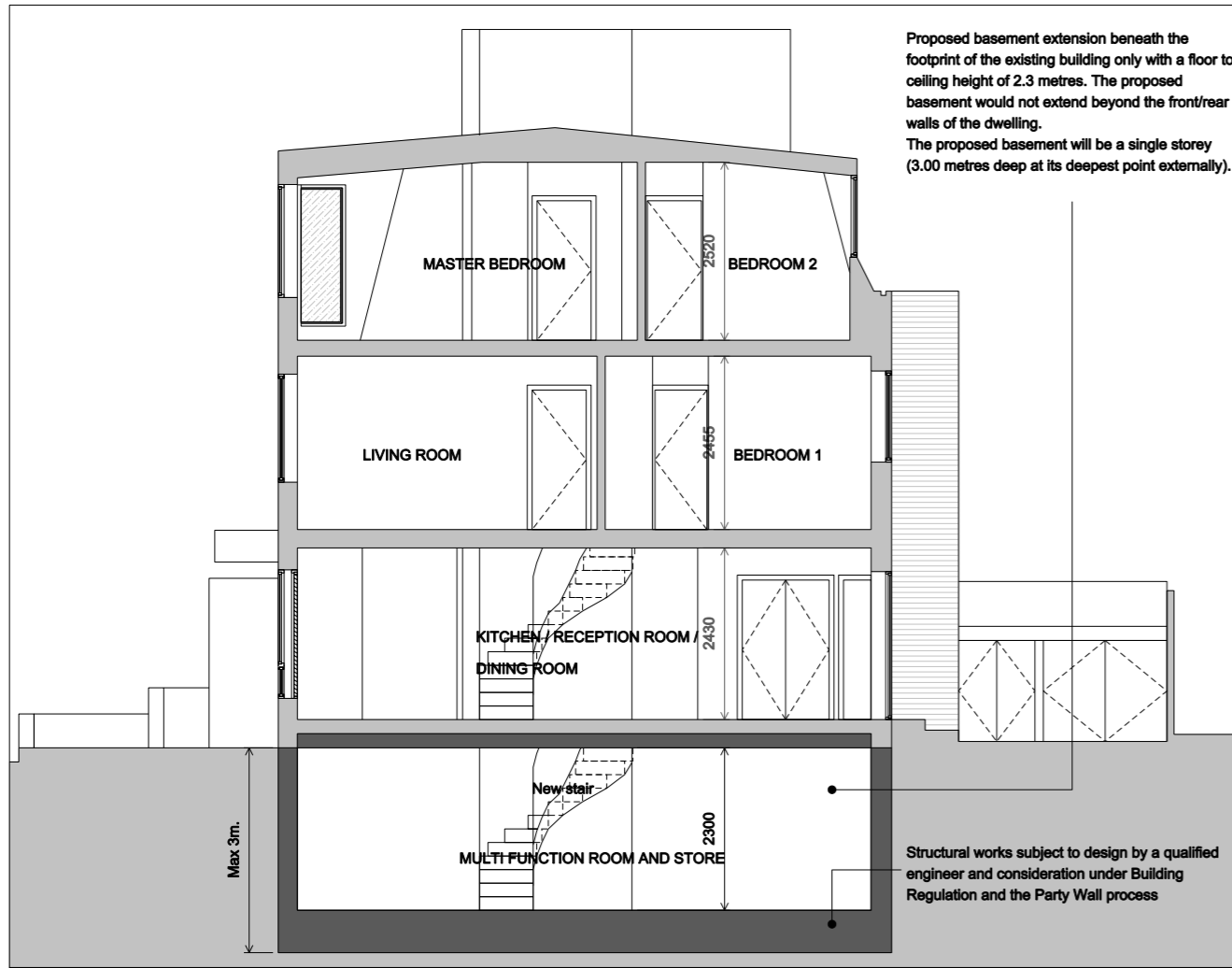
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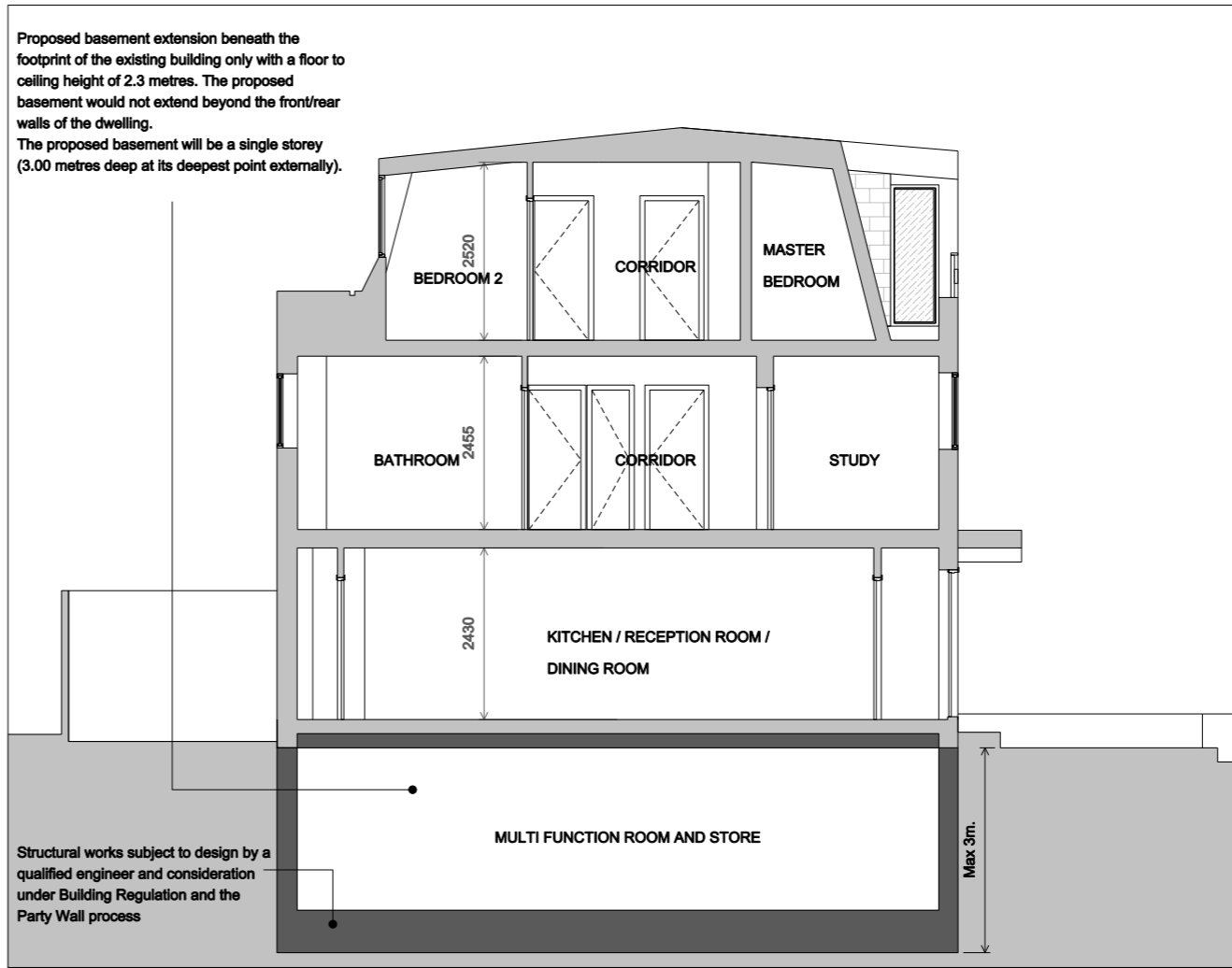


VANE CLOSE

KEY PLAN



SECTION AA



SECTION BB

Rev:

**JOE WRIGHT ARCHITECTS**

t: www.joewrightarchitects.co.uk e: info@joewrightarchitects.co.uk

Client:

Project: 4 Vane Close  
New basement

Drawing: Proposed Drawing  
Title: Elevation and Sections

Scale: 1:100 @ A3

Date: 23.05.16

Drwg No: 1604-02\_LD\_102

Rev: /