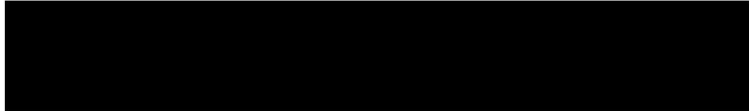


**From:**  
**Sent:**  
**To:**  
**Cc:**  
**Subject:**



Re: 3 Trinity Close, NW3 1SD; Application reference 2017/6506

Dear Mr Farrant:

Having attempted yesterday - unsuccessfully - to upload our objection to the above application, I am using email to reach out instead.

There are very clear legal reasons why this application should be refused and we note some of them below for your consideration.

Thank you,  
Andrew and Penny McSpadden

\*\*\*\*\*

We write as the owners/occupiers of 1 Trinity Close NW3 1SD to **object** to planning application reference 2017/6506, which is described as follows: *Excavation and extension of basement including installation of external staircase and lightwells.*

The inappropriate scale of the proposed basement development does not comply with Camden Local Plan Policy A5 (Basements) or Camden Policy Guidance 4 (CPG4) (Basement Development and Lightwells). The policy and its supporting guidance aim to safeguard the amenity and structural stability of neighbouring properties and the local area. Specifically, the policy aims to minimise the scale of basements, requiring that basements be subordinate to the host property. This proposal seeks an increase in basement floor-space to encompass the footprint of the existing property in its entirety - including the entirety of its only associated garden space. The proposal has not had regard for the small scale residential nature of the neighbouring area or the proximity of the basement to neighbouring properties and the public pavement. The proposed basement is not subordinate to the host property and encompasses 100% of the limited garden area associated with the property. The garden area is immediately adjacent to the public pavement and this proposal deprives the community of a planting amenity. **This proposal is therefore in clear conflict with planning policy and guidance.**

**Policy A5**

Policy A5 encourages basement development to follow a minimal approach to ensure adverse impact is negligible. The policy sets criteria for the acceptable siting, location, scale and design of basements to ensure they have minimal impact on, and be subordinate to, the host building and property.

Basement development should *inter alia*:

- h. not exceed 50% of each garden within the property;
  - j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;
  - k. not extend into or underneath the garden further than 50% of the depth of the garden;
  - l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building;
- and
- m. avoid the loss of garden space or trees of townscape or amenity value.

It is clear from criteria (h), (j), (k), (l) and (m) that the proposed basement is not supported by the policy. The policy

intends to ensure that basements are set back from the host property's boundaries to enable (*inter alia*) free movement of groundwater and to ensure that existing and future planting and development at adjoining properties is not compromised. The basement proposed here would compromise these matters, and should therefore be refused. The proposals for the basement extension are not minimal in consideration of the scale of the property and the surrounding environment. The proposals have not included any additional features such as SUDs or landscaping as required by Camden Local Plan Policy A5 (Basements) and Camden Policy Guidance 4 (CPG4) (Basement Development and Lightwells) -- nor is there any space left to incorporate such additional features.

#### **CPG4**

Camden Planning Policy Guidance 4 (CPG 4) (Basement Development and Lightwells) advises that proposals for basement development must consider an appropriate scale of development in relation to the host property and the local area.

The proposed basement is not set back from the boundaries of the existing property. The boundaries of the basement directly adjoin the boundaries of 2 Trinity Close to the rear and the public pavement to the front of the property. 'Policy A5 (Basements)' requires that developments should be set back from neighbouring property boundaries. The proposal here does not accord with guidance, which highlights the inappropriateness of the proposed basement extension.

CPG 4 further advises that the Council's preferred approach is for basements to not extend beyond the footprint of the original building.

The approval of this application would conflict with this guidance due to the basement development extending beyond the footprint of the original property, which as stated within CPG 4 results in over-development of the site.

The conflict with the Council's adopted policy and guidance has been borne out by the site's extensive planning history. There have been 4 previous applications for basements at this property, and all but one have been withdrawn because officers advised they would have been refused due to conflict with policy. One application was subject of an appeal against non-determination, where the Council resolved it would have refused permission. The resulting appeal was withdrawn.

It is clear that officers have resisted proposals to develop a basement at the property in the past, and the current proposal should be considered equally unacceptable.

The proposal opposes compliance to Policy A5 and ignores guidance provided in CPG 4. The policy and guidance were adopted to ensure there is no adverse impact on neighbouring properties and the natural environment surrounding the area.

The scale of the basement results in an over-development of the site which is exactly what Policy A5 and CPG 4 guidance aims to prevent. As a result, the neighbouring area is more vulnerable to adversely affecting the water environment and the structural stability of the host and neighbouring properties. The adverse impact to the neighbouring properties and the natural environment cannot be considered to be outweighed by the small additional space to one home.

**We therefore seek that the application is refused.**

We look forward to hearing from you and would welcome any update you can provide us on the progress of the application.

Yours sincerely,

Andrew and Penny McSpadden