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By email

Dear Sir/Madam,

Re: 23 West Heath Road, London, NW3 7UU

Thank you for submitting a pre-planning application enquiry for the above property which was received on 12 May 2016 together with the required fee of £1200.00. This pre-application advice was informed by a visit to the site on 15 June 2016 with Rachael Parry, the Council's Conservation Officer.

1. Drawings and documents

Planning statement dated 11/05/2016, drawings numbered 191-011, 191-021, 191-031, 191-032, 191-101, 191-201, 191-301, and 191-302.

2. Proposal

- Excavation of a new basement beneath the existing garage and partially beneath the main house for access to provide additional ancillary staff quarters and utility space to the main house
- Subterranean extension beneath the rear garden – which would sit at a higher level than the basement beneath the garage
- Lightwell with metal grille to the front of the garage in the existing driveway

3. Site description

The site comprises a large detached part two/part three storey residential dwellinghouse located on the south eastern corner of the junction of West Heath Road and Platt's Lane, overlooking Hampstead Heath.

The building dates from c.1932 and was built for the artist Frank Salisbury. It was formerly occupied by the school of Economic Science before permission was granted for its change of use to a single dwellinghouse in August 2004.

The site is located within a predominantly residential area in the Redington/Frognaal Conservation Area. The building was Grade II listed in 1974.

4. Relevant planning history

2015/0313/P & 2015/0478/L - Retrospective application for the installation of 4 x rising bollards to the entrance and exit of property. Granted 28/05/2015.

2014/7790/L - Installation of 2 x rooflights to the grade II listed building. Granted 31/03/2015.

2011/3322/L - Installation of secondary glazing to existing windows at ground, first and second floor levels to dwelling house. Granted 06/09/2011.

2010/6002/L - Submission of details of approved railing pursuant to condition 4c of planning permission dated 15/10/2007 (ref: 2007/2253/L) for the enlargement of underground plant room and accommodation, alterations to windows, installation of railings and other minor alterations, all as a variation to planning permission and listed building consent dated 28/11/05 (ref: 2005/3763/P and 2005/3764/L) for the erection of a part single, part two storey side and rear extension to provide 3 new bedrooms and associated external alterations to dwelling house (Class C3). Granted 23/12/2010.

2010/1515/P & 2010/1516/L - Installation of CCTV cameras and security lighting to existing single residential dwelling. Granted 13/05/2010.

2009/3682/P & 2009/3682/L- Re-alignment of the west staircase, a new timber door; balustrade either side of main entrance and balustrade to first floor balcony as an amendment to planning permission dated 28/11/05 (ref. 2005/3763/P) for the erection of a part single, part two storey side and rear extension to provide 3 new bedrooms and external alterations to include the re-alignment of the existing front dormer window, the erection of two new rear dormer windows, construction of new outdoor pool, tennis court and summer house in rear garden area to single family dwelling house. Granted 21/05/2010.

2009/1416/L - Alterations to create a lowered level to the rear of the main entrance hall, excavation at basement level to provide a children's playroom and library, and installation of a under floor heating. Granted 06/10/2009.

2008/3433/P & 2008/3690/L - Demolition of the existing wall on the eastern boundary (with 21 West Heath Road) and the erection of a replacement wall varying in height from 1.9m to 3.5m and partial replacement of the eastern boundary fence (also on the boundary with 21 West Heath Road). Granted 18/11/2008

2007/2249/P & 2007/2253/L - Enlargement of underground plant room and accommodation, including relocation of steps and enlargement of terrace, plus associated installation of louvers to side elevation and alteration to window on the west elevation, installation of railings on existing first floor terrace to north elevation and other minor alterations, all as a variation to planning permission and listed building consent dated 28/11/05 (2005/3763/P & 2005/3764/L) for erection of a part single, part two storey side and rear extension to provide 3 new bedrooms and external alterations to include the re-alignment of the existing front dormer window, the erection of two new rear dormer windows, construction of new outdoor pool, tennis court and summer house in rear garden area to dwellinghouse. Granted 15/10/2007

2005/3763/P & 2005/3764/L - Erection of a part single, part two storey side and rear extension to provide 3 new bedrooms and external alterations to include the re-alignment of the existing front dormer window, the erection of two new rear dormer windows,

construction of new outdoor pool, tennis court and summer house in rear garden area to single family dwellinghouse. Granted 28/11/2005

2004/1877/P - Change of use from educational floorspace (class D1) to a residential dwellinghouse (class C3). Granted 18/08/2004.

5. Relevant policies and guidance

National Planning Policy Framework 2012

The London Plan March 2015, consolidated with alterations since 2011

LDF Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

LDF Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP27 (Basements and Lightwells)

Camden Planning Guidance 2011/2015

CPG1 (Design)

CPG4 (Basements and Lightwells)

CPG6 (Amenity)

Redington and Frogna Conservation Area Statement (2003)

6. Assessment

The key planning issues are as follows:

- Design (the impact of the proposal on the special historic and architectural character of the host listed building and wider Redington and Frogna Conservation Area)
- Basement considerations
- Amenity
- Impact on trees

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. The following considerations contained within policies CS5, CS14 of the Core Strategy and policies DP24, DP25 and DP26 of the Development Policies Document are relevant to the application: development should consider the principle of the extension, the impacts of the development on the character, setting, context and the form and scale of neighbouring buildings, and the residential amenity impacts of the proposals.

Camden's Development Policies Document is supplemented by planning documents providing further detailed guidance, including CPG1 (Design), CPG4 (Basements and Lightwells) and CPG6 (Amenity), as well as the Redington/Frogna Conservation Area Appraisal and Management Strategy.

Design and impact on Listed Building

All development would be at basement level and there would consequently be limited visual impact. However, the host building is Grade II listed, and any future planning application must include a heritage statement which outlines how the proposal impacts the listed building. It must consider whether the basement and underground development preserves the existing fabric, structural integrity, layout, interrelationships and hierarchy of spaces, and any features that are architecturally or historically important.

Listed buildings form an intrinsic element of the character of conservation areas and therefore basement development which harms the special architectural and historic interest of a listed building is also likely to fail to preserve or enhance the character or appearance of the conservation area in which it is located.

The proposal includes the installation of a lightwell to the front of the garage covered with a metal grill. CPG7 (Basements) provides detailed design guidance regarding the installation of lightwells and states that where basements and visible lightwells are not part of the prevailing character of a street, new lightwells should be discreet and not harm the architectural character of the building, the character and appearance of the surrounding area, or the relationship between the building and the street. In situations where lightwells are not part of the established street character, the characteristics of the front garden or forecourt will help to determine the suitability of lightwells.

Although the garage is set back from the boundary, there would be views of the garage and the proposed lightwell through the entrance gates in front. The proposed size is considered to be unacceptable and would have a negative impact upon the character, appearance and setting of the listed property. It is understandable that natural lighting is required for the rooms below; however, this should not take priority over and result in impact upon the listed building. Further exploration should be undertaken to provide lighting into these rooms, which have minimal impact upon the listed building. Further detail should be provided to the proposed grille/cover and options explored for providing this lightwell elsewhere – or justification provided to why the proposed location has been put forward. It would be worth exploring varying sizes, types and treatment to establish the best solution with least impact..

No Structural Engineering Report has been submitted with this application providing clarification of how the basement is to be constructed, and there are no drawings showing the full basement construction and how it sits adjacent to the footings of the original house. Any future planning application would need to provide justification/clarification that any new works will not undermine or harm the existing historic fabric or foundations.

Basement Development

The development would comprise the excavation of two basement extensions. The basement extension below the garage would measure approximately 17m long, 7m wide and 3.3m deep. It would also involve excavating under the existing house to provide a new access staircase, measuring 3.7 x 3.1m, extending to the same depth. The games room extension beneath the garden would measure 6.3m x 8.9m, extending to a minimum depth of 5.6m below ground level (allowing for a minimum of 1m of soil above). The garden basement would be at a higher level than the garage basement due to the steep incline of the ground level towards the rear of the site.

Policy DP27 (Basements and Lightwells) provides guidance on basement proposals and states that:

- a basement development that does not extend beyond the footprint of the original building and is no deeper than one full storey below ground level (approximately 3 metres in depth) is often the most appropriate way to extend a building below ground;
- proposals for basements that take up the whole rear and/or front garden of a property are unlikely to be acceptable;
- sufficient margins should be left between the site boundaries and any basement construction to sustain growth of vegetation and trees;
- development should provide an appropriate proportion of planted material above the structure to mitigate the reduction in the natural storm water infiltration capacity of the site and/or the loss of biodiversity caused by the development.
- it will be expected that a minimum of 0.5 metres of soil be provided above the basement development, where this extends beyond the footprint of the building, to enable garden planting (paragraph 27.9).

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. 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.

Given the site's location in the Frognaal and Fitzjohn's ward which has previously been prone to surface water flooding on occasion, you are advised to thoroughly examine the requirements as per DP27 and CPG4 prior to submission. Furthermore, the site sits within an area with a number of constraints impacting underground development including:

- Hydrological constraints – Bagshot beds
- Surface water flow and flooding
- Subterranean (groundwater) flow
- Slope stability.

You are advised to submit a comprehensive and accurate Basement Impact Assessment demonstrating no significant harm to the application site, neighbouring sites or those surrounding.

The BIA will include the following stages:

- Stage 1 - Screening;
- Stage 2 - Scoping;
- Stage 3 - Site investigation and study;
- Stage 4 - Impact assessment; and
- Stage 5 - Review and decision making.

Further detail on BIAs can be found in Camden Planning Guidance 2013 (CPG4 Basements). At each stage in the process the person(s) undertaking the BIA process should hold qualifications relevant to the matters being considered. The Council will only accept the qualifications set out in paragraph 2.11 of CPG4.

Independent verification of Basement Impact Assessments, funded by the applicant, is now also required (since CPG4 was updated in September 2013) in the following situations:

- Where a scheme requires applicants to proceed beyond the Screening stage of the Basement Impact Assessment (i.e. where a matter of concern has been identified which requires the preparation of a full Basement Impact Assessment);

- Where the proposed basement development is located within an area of concern regarding slope stability, surface water or groundwater flow; or
- For any other basement applications where the Council feels that independent verification would be appropriate (e.g. where conflicting evidence is provided in response to a proposal).
- A full scoping study is required as part of any application, identifying the potential impacts for each of the matters of concern.

Please note that the Council's preferred provider for the audit service is Campbell Reith. When an audit is required, Campbell Reith charge a fixed fee dependant on the category of basement audit, outlined in [appendix A](#) of Camden's BIA audit service terms of reference.

It is likely that the BIA will need to proceed beyond the scoping stage as the host building is Grade II listed and due to the underground development constraints identified previously.

Camden Planning Guidance CPG4 provides specific guidance on basements and lightwells. It should be noted sufficient margins should be left between the site boundaries and any basement construction to enable natural processes to occur and for vegetation to grow naturally. The garage basement would sit approximately 1.5m from the site boundary with no.21 which is considered a sufficient distance, particularly as the side passage is largely hardstanding at present, and the development is unlikely to impact the growth of vegetation or trees.

However, the basement excavation would be in close proximity to a nearby protected tree to the front on the boundary with no.21 (Please see the separate tree section below).

The second basement would extend out into the rear garden. Although Camden Planning Guidance generally recommends the construction of basements below the existing footprint, the application building sits within a very large garden and would provide sufficient soil depth above to ensure sufficient water infiltration and planting depth.

Construction Management Plan

It is important that effective measures are taken during demolition and construction works to ensure that damage is not caused to the host building, neighbouring buildings or the surrounding highways.

The Council will generally require a construction management plan for basement developments to manage and mitigate the greater construction impacts of these schemes. Construction management plans will be required for schemes on constrained sites, in conservation areas, on sites adjacent to a listed building, or in other areas depending on the scale of the development and the conditions of the site.

The main highways issue in this case is the potential impact of construction / delivery vehicles associated with the basement excavation on the local highway network. A draft Construction Management Plan (CMP) would be required to be submitted with any application setting out how construction matters would be dealt with, for example deliveries, how material will be stored and construction waste removed from site etc.

A draft (based on the Camden [pro-forma](#) found online) should be submitted with the application, with the full CMP to be secured via S106 legal agreement. Chapter 4 of CPG4 (Basements and lightwells) provides more information [here](#).

It should be noted that in February 2016, Camden's Cabinet agreed to the introduction of a £60/hour formal charge to support the review and approval of submitted draft Construction Management Plans (CMPs) and verification of the operation of approved CMPs, to be secured as part of Section 106 agreements. The £60 hourly rate will allow the Council to set charges that address the specific impacts and issues of each development scheme. However, indicative standard charges per development type are set out below to provide an indication of the levels of charges that can be expected:

Construction/ Demolition Management Plans: Implementation Support Contribution: indicative charging rates	
Small/ less complex (0-10 homes/ 0-1999sqm other uses)	£1,140
Medium size and complexity (10-50 homes, 2000-4999sqm other uses)	£3,240
Major and complex applications (50-499 homes/ 5,000-9,999sqm other uses)**	£7,620

The CMP Implementation Support Contribution will be used to fund the specific technical inputs and sign off that are required to ensure that the obligation is complied with and ensure that the planning objectives we are seeking to secure are actually achieved.

Amenity

The Council must also consider any potential impacts of the development on the amenity of neighbouring residents in terms of their privacy, daylight and outlook. Many of the potential impacts to the amenity of adjoining neighbours are limited by underground development; however, the demolition and construction phases of a development can have an impact on amenity and this is a particular issue for basements. The Council will seek to minimise the disruption caused by basement development and will require a Construction Management Plan to be submitted to ensure development does not damage nearby properties of the amenity of neighbours. Chapter 8 of [CPG6](#) (Amenity) provides more information.

We would advise entering into consultation with local residents and the Redington/Frogna Conservation Area Advisory Committee (CAAC) at this stage, in order to fully understand and address their concerns before an application is made.

Trees

Consideration should also be given to the existence of trees on or adjacent to the site, including street trees, and the root protection zones needed by these trees. As the proposed development would be in close proximity to a number of mature trees, including a protected cherry tree in the front garden on the boundary with no.21, the Council would require an arboricultural report to be submitted as part of any future planning application. This will need to provide information about:

- species, spread, roots and position of trees,
- which trees you are proposing to fell,
- which trees will be affected in any way by the proposed development, and
- the measures that will be used to protect them during construction.

You will need to provide the information in the form of the documents and plans listed below in line with BS5837:2012 (trees in relation to design, demolition and construction):

- a pre-development tree survey
- a tree constraints plan
- an arboricultural impact assessment

- an arboricultural method statement including a tree protection plan

Archaeology

The application site is located within an identified Archaeological Priority Area. Thus it may be that an archaeological desk based survey is required to be submitted for consideration as part of the application given that excavation is proposed. Historic England (Greater London Archaeology Advisory Service - GLAAS) would be formally consulted on any future planning application and would provide comments to the Council, possibly recommending conditions or further studies to be undertaken. As such, it is advised that in advance of the submission of any planning application you contact GLAAS to discuss the proposals further, with a view to ascertaining whether a desk based assessment should be undertaken and when.

7. Conclusion

Although the proposals at this stage are indicative, they are considered acceptable in principle, subject to confirmation that the proposals will not impact upon historic foundations, amendment to the proposed lightwell, the demonstration that there would be no impact on the surrounding trees, and the submission and satisfactory audit of a full Basement Impact Assessment and Construction Management Plan.

If there is no impact to and the works will be set away from historic foundations, the lightwell is re-positioned or amended, and there is no important historic fabric being removed by way of accessing the basements, then the significance of the building will remain unaltered.

It is strongly recommended neighbours are approached with the proposed plans and consulted prior to submitting an application.

8. Planning application information

If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following for a valid planning application:

- Completed form – full planning permission and listed building consent
- The appropriate fee (£172.00)
- An Ordnance Survey based location plan at 1:1250 scale denoting the application site in red.
- Floor plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Elevation drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Section drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Design and access statement
- Basement Impact Assessment
- Tree survey and arboricultural statement
- Construction Management Plan Pro Forma
- Structural method statement
- Heritage statement/Historical assessment
- Floor plans and elevations to show the phasing of construction
 - to identify location of modern construction/extensions/basements
 - where the proposed basements would be in relation to those existing
 - to assess the impact on the historic fabric

- Construction/structural drawings to show location of new foundations/basement walls and those existing
- Please see [supporting information for planning applications](#) for more information.

We are legally required to consult on applications with individuals who may be affected by the proposals. We would notify neighbours by letter, put up a notice on or near the site and, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers. For more details click [here](#).

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document please do not hesitate to contact me on the phone number/email address above.

Thank you for using Camden's pre-application advice service.

Yours faithfully,

Laura Hazelton
Planning Officer
Planning Solutions Team