

Delegated Report		Analysis sheet		Expiry Date:		27/10/2017	
		N/A		Consultation Expiry Date:		28/09/2017	
Officer				Application Number(s)			
Obote Hope				2017/4684/P			
Application Address				Drawing Numbers			
123 Broadhurst Gardens London NW6 3BJ				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Excavation of the existing basement, including lightwells to the front and rear elevations, alteration to flank fenestration at ground floor level and relocation of the western external staircase.							
Recommendation(s):		Grant planning permission					
Application Type:		Full planning permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:				No. of responses	02	No. of objections	02
				No. electronic	02		
Summary of consultation responses:		<p>Site Notice 06/09/2017 – 27/09/2017. Press Notice: 07/09/2017 – 28/09/2017.</p> <p>The owner/occupier of No 121 Broadhurst Gardens have objected twice to the application on the following grounds:</p> <ol style="list-style-type: none"> 1. Increased Risk of Flooding/water damage; 2. Increased Structural Risk; 3. Application for planning permission has been piecemeal to disguise the size of the project and; 4. Loss of privacy of the first floor living room due to the ground floor terrace. <p><i>The officer's response are as follows:</i></p> <ol style="list-style-type: none"> 1. <i>The application was submitted with a BIA statement and the BIA statement was independently audited by Campbell Reith, the independent audit concluded that the Ground Investigation Report by Paddock Geo Engineering has demonstrated, that the excavation level is unlikely to be below groundwater level or impact on groundwater flows;</i> 2. <i>The BIA Audit confirmed that the settlement of the party wall has been modelled in the analytical software, which has demonstrated predicted damage category 1 to the neighbouring property on the Burland Scale. Movement monitoring has been suggested during demolition works and construction of the basement. A condition is accordingly attached to limit the impact to category 1 (Burland Scale) the during the construction stage the</i> 					

ground and water movement would also be monitored. Notwithstanding this, A Construction Management Plan submitted with the application sets out the principle of the mitigation measures proposed as part of the proposal. The CMP list the relevant timetable for construction activities that would help to minimise noise and road impact to and from construction site and;

3. The application is determined on its own merit and as submitted does not represent a piecemeal agreement to disguise its size;
4. The proposal was revised and include raised planter to the flank elevation, the green wall would extend the length of the raised platform to the flank elevation at ground floor level. Therefore, it is not considered that the proposal would have an impact that would be detrimental in regards to loss of daylight/sunlight to the window located at first floor level.

South Hampstead CAAC: N/A.

Site Description

The application site relates to a four storey plus basement semi-detached property, located to the east with the junction of Priory Road within the South Hampstead Conservation Area.

The site is not listed and the host building is identified as making a positive contribution to the conservation area.

Relevant History

123 Broadhurst Gardens (application site)

2016/4041/P – Planning permission was granted for: Conversion of the building from 2 x self-contained flats into a single family dwelling, erection of two storey rear extension, following the demolition of the existing between the lower and ground floor with a new first floor roof terrace, new dormer to the rear at roof level and new hard & soft landscaping arrangement to the front and rear elevation. Granted planning consent on 06/01/2017.

2017/0158/P - Planning permission was granted for: Variation of condition 3 (approved plans) of planning permission 2016/4041/P dated 06/01/2017 Conversion of the building from 2 x self-contained flats into a single family dwelling, erection of two storey rear extension, following the demolition of the existing between the lower and ground floor with a new first floor roof terrace, new dormer to the rear at roof level and new hard & soft landscaping arrangement to the front and rear elevation, namely, the installation of 2 x rooflight to rear extension and brick infill of ground floor window to flank elevation. Granted planning consent on 07/03/2017.

Other relevant sites

103 Broadhurst Gardens, London NW6

8600336 - The change of use including works of conversion to form two self-contained flats in conjunction with the erection of a single storey rear extension with a roof terrace over at ground floor level and the formation of a front basement lightwell. Granted planning permission on 03/06/1986.

105 Broadhurst Gardens NW6

The excavation of two areas below front windows to provide lightwells for the lower flat together with the provision of new windows to the front elevation at lower ground floor level. Granted planning permission on 25/05/1995

109 Broadhurst Gardens, London NW6

8905145 - The proposed basement excavation would have an adverse effect on the appearance of the building and the visual amenity of the conservation area. Planning permission refused on 13/09/1989.

Reason for refusal: The proposed basement excavation would have an adverse effect on the appearance of the building and visual amenity of the conservation area.

PWX0103826 - Change of use from a single dwellinghouse to 5 self-contained flats, including excavations in the front garden to create a lightwell and the insertion of new windows at basement level, alterations to the fenestration on the side and rear elevations and alterations to the form of the roof at the rear. Granted planning permission on 25/02/2002.

119 Broadhurst Gardens, London NW6

8702736 - Conversion of the ground floor/basement maisonette to three flats. Refuse planning permission on 10/12/1987

121 Broadhurst Gardens, London NW6

8501590 - Change of use and works of conversion to form two self- contained flats in the basement as shown on five unnumbered revised on 19th December 1985. Granted planning permission on 04/04/1990.

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

The Camden Local Plan 2017

A1 Managing the impact of development

A4 Noise and vibration

A5 Basement

CC1 Climate change

CC2 Adopting to climate change

D1 Design

D2 Heritage

G1 Delivery and location of growth

H1 Maximising housing supply

H3 Protection existing homes

H6 Housing choice and mix

H7 Large and small homes

T1 Prioritising walking, cycling and public transport

T4 Sustainable movement of goods and materials

DM1 Delivery and monitoring

Camden Planning Guidance (2015 to 2017)

CPG1 Design

CPG3 Sustainability

CPG6 Amenity

CPG8 Planning Obligations

South Hampstead Conservation Area Appraisal and Management Strategy 2011

Assessment

1.0 Planning consent was granted in 2016 (2016/4041/P) for: conversion of the building from 2 x self-contained flats into a single family dwelling, the erection a two-storey rear extension with first floor roof terrace, following the demolition of the existing 2 storey rear addition, erection of a new dormer extension and hard and soft landscaping to the front and rear. The application was varied in 2017 under application number 2017/0158/P. Which granted planning permission for the installation of 2 x rooflights to rear extension and brick infill of ground floor window to flank (west) elevation.

2.0 Planning consent is now sought for the conversion of the existing cellar into ancillary residential floor space by lowering the existing basement under the footprint of the host building; it is also proposed to create new front and rear lightwells with a sunken patio area to the rear. To the flank (west) elevation, it is proposed to relocation the existing door and external staircase.

2.1 Revisions

- The depth of the high planters at ground floor level have been revised;

2.3 The key considerations material to the determination of this application are summarised as follows:

- Design and appearance
- Trees
- Planning obligations
- Residential amenity

2.4 Design and appearance

2.5 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.

2.6 CPG4 (Basements) states that the Council will only permit basement development where it does not cause harm to the recognised architectural character of buildings and surrounding areas, including gardens and nearby trees. With regard to proposed lightwells, CPG states that any exposed area of basement should remain 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. 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, or the character and appearance of the surrounding area, or the relationship between the building and the street.

2.7 The proposed basement consists of a single storey construction and is formed by lowering an existing lower ground floor area under the entire footprint of the building. The rear at basement level would be extended by approximately 3.0m under the existing paved area at garden level for a shrunken patio area. It is also proposed create front lightwells to the east and west elevation. The proposed basement would measure approximately 3.0m in wide and 4.0m deep (when measured externally) and provide additional residential floorspace.

2.8 The applicant has submitted a Basement Impact Assessment supplemented by a Structural Design Philosophy and a construction method statement. The BIA considers that the impact on neighbouring structures is likely to be category 1 (very slight) on the Burland scale in line with CPG4. The author of the structural design philosophy is referred to as having Chartered Engineer qualifications and is a Member of the Institute of Structural engineers, which is consistent with the CPG recommendation. Given the scale of the proposal works, it is considered appropriate for a suitably qualified engineer to monitor the proposed works, and the applicant has provided confirmation from Paddock Geo Engineering that they will oversee all critical aspects of the development.

2.9 The proposed basement would not extend below the surface of the water table and would not increase the amount of hard surfacing on site. The site is not close to any watercourses, and the BIA does not consider the proposal to have an impact on ground water movement. The applicant has submitted a flood risk strategy, which confirms that the site is within an area of constraint for surface water flow. In addition, the submitted BIA assessment maintains that the basement is founded on London Clay and the engineer maintains that due to the basement foundation being London Clay SUDS based soakaway would not be suitable. There will not be an increase in impermeable area as the basement will be predominately beneath the footprint of the existing building. Details of existing surface water drainage to demonstrate change in discharge to the sewer system remains outstanding as part of the audit undertaken by Campbell Reith. In light of the above, a condition is attached for the details of the surface water and drainage details to be submitted.

3.0 The creation of a lightwell to the front of the property beneath the south facing windows. The Camden planning guidance is relevant here. There are examples of front lightwells within close proximity of the host building. Notwithstanding this, the proposed lightwell would be discreet and would not harm the architectural character of the building, the character and appearance of the surrounding area nor detract from the overall characteristic of the conservation area and as such, the proposal would be acceptable in this instance.

3.1 To the front, approximately 68 percent of the properties along Broadhurst Gardens consist of front lightwells the proposed development would be constructed in accordance with planning guidance and would be constructed with grills, which would be flushed and shielded with planting bed as well as reinstating planters to either side boundary after the completion of works. The proposed front rooflight would be positioned and scaled in a manner, which related to the ground floor fenestration. As the opening would be covered (walk-on), this feature would not require any guardrail which might project above ground level ensuring that it would be visually recessive.

3.2 To the rear it is proposed to create a shrunken patio area with rear lightwell, the proposed lightwell would project by approximately 4.0m and would retain 75% of the amenity space to the rear. Overall, the proposed alterations to the rear are considered to preserve the character of the dwelling and the rear lightwell would have limited visibility from the private views to the rear elevation. As such, the harm to the conservation area would be less than detrimental. Furthermore, given the quality of the materials would be softened in the limited private views afforded.

3.3 It is proposed to install a raised platform to the rear at ground floor level, following the installation of metal balustrade. No objection is raised in regards to its design and appearance. The external staircase would be relocated along the flank west elevation along with a new door opening created replacing the existing window and no objection is raised in regards to its design and settings.

4.0 Trees and landscaping

4.1 The agent maintains that no special footings are needed from the arboricultural perspective the arboricultural report maintains that all the trees to be retained and would be can be adequately protected. Minimal encroachment on the RPA forms the basis of the assessment. John Cromar's Arboricultural argued that, no significant trees within the host site or adjacent neighbours would be loss as a result of the proposed scheme. A condition would be attached to ensure the retention and protection of the mature trees.

4.2 The contents of the tree report are considered acceptable. The trees to be removed are of little consequence and their loss will not impact on the character of the area. The method statement adequately demonstrates how the trees to be retained will be protected in line with BS5837:2012.

5.0 Planning Obligations

5.1 The proposals would not introduce any new parking stress in the area and as no additional residential units are being created, s106 legal agreement for "car free" housing is not required in this instance. A construction management plan was submitted with the proposal, the highways team were consulted and the proposal is considered acceptable. As such, there is no requirement for a s106 legal agreement.

6.0 Amenity

6.1 The Local Plan Policy A1 seeks to ensure that the amenities of existing and future occupiers are not unduly impacted by development in terms of privacy, outlook, sense of enclosure, loss of daylight/sunlight, noise and vibration.

6.2 The nature of the proposal would not result in an alteration rising above the adjacent neighbouring boundary walls. The impact of the two storey rear extension has been assessed under planning application 2016/4041/P dated 06.01.2017 as varied under 2017/0158/P dated 07.03.2017. The proposed lightwells would be set away from adjacent neighbouring windows and behind boundary walls with raised planter.

6.3 The area proposed for the lightwell and the terrace to the rear would not allow new or greater views or activities externally, which could not take place within the existing arrangement. Within this context, the proposal would not result in materially detrimental harm to the amenity levels (outlook and privacy) enjoyed by the neighbouring occupiers.

Recommendation

Grant planning permission subject to conditions