Appendix 6

Camden Planning Guidance

Basements and lightwells

CPG 4

London Borough of Camden

July 2015

Camden

2 Basements and lightwells

KEY MESSAGES

The Council will only permit basement and underground development that does not:

- cause harm to the built and natural environment and local amenity;
- result in flooding; or
- lead to ground instability.

We will require applicants to demonstrate by methodologies appropriate to the site that schemes:

- maintain the structural stability of the building and neighbouring properties;
- avoid adversely affecting drainage and run-off or causing other damage to the water environment; and
- avoid cumulative impacts upon structural stability or the water environment in the local area.

Applicants will be required to submit information relating to the above within a Basement Impact Assessment (BIA) which is specific to the site and particular proposed development.

In certain situations we will expect an independent verification of Basement Impact Assessments, funded by the applicant.

2.1 This guidance gives detailed advice on how we will apply planning policies when making decisions on new basement development or extensions to existing basement accommodation.

2.2 Policy DP27 Basements and lightwells of Camden's Local Development Framework requires applicants to consider a scheme's impact on local drainage and flooding and on the structural stability of neighbouring properties through its effect on groundwater conditions and ground movement. Section 3 of this guidance document sets out how basement impact assessments need to provide evidence on these matters.

Planning and design considerations

2.3 We recognise that there can be benefits from basement development in terms of providing additional accommodation, but we need to ensure that basement schemes:

- do not cause undue harm to the amenity of neighbouring properties;
- do not have a detrimental impact on the groundwater environment, including ponds and reservoirs;
- do not have any effects on surface water run-off or ground permeability;

- do not harm the recognised architectural character of buildings and surrounding areas, including gardens and nearby trees, and that conservation area character is preserved or enhanced;
- conserve the biodiversity value of the site;
- achieve sustainable development; and
- do not place occupiers at risk or have any effects on the stability or bearing capacity of adjacent land generally.

Size of development

2.4 Often with basement development, the only visual features are lightwells and skylights, with the bulk of the development concealed wholly underground, away from public view. However, just as overly large extensions above the ground level can dominate a building, contributing to the over-development of a site, an extension below ground can be of an inappropriate scale. There may be more flexibility with the scale of a development when it is proposed underground, but there are a number of factors that would mean basement development would be overdevelopment.

SKYLIGHT
A window, dome, or opening in the roof or ceiling, to admit natural light.

LIGHTWELL
An opening within or next to a building that allows natural light to reach basement windows, that would otherwise be obscured.

2.5 Larger basement developments, such as those of more than one storey in depth or which extend outside of the footprint of the building, can have a greater impact than smaller schemes. Larger basement developments require more extensive excavation resulting in longer construction periods, and greater numbers of vehicle movements to remove the spoil. These extended construction impacts can have a significant impact on adjoining neighbours through disturbance through noise, vibration, dust, and traffic and parking issues. Larger basements also can have a greater impact on the water environment by reducing the area for water to runoff and soak away. Basement development that extends below garden space can also reduce the ability of that garden to support trees and other vegetation leading to poorer quality gardens and a loss in amenity and the character of the area.

2.6 The Council's preferred approach is therefore for basement development to not extend beyond the footprint of the original building and be no deeper than one full storey below ground level (approximately 3 metres in depth). The internal environment should be fit for the intended purpose, and there should be no impact on any trees on or adjoining the site, or to the water environment or land stability. Larger schemes, including those consisting of more than one storey in depth or extending beyond the footprint of the above ground building, will be expected to provide appropriate evidence to demonstrate to the Council's satisfaction that the development does not harm the built and natural environment or local amenity.

2.7 The Council recognises that in the case of larger buildings in central London and on large comprehensively planned sites (for example on large sites that occupy an urban block) the impacts of basements will differ to basement schemes in primarily residential neighbourhoods and in such circumstances larger basements are likely to be appropriate.

Habitable rooms

2.8 Development Policy DP27 (Paragraph 27.6) states that the Council will not allow habitable rooms and other sensitive uses for self-contained basement flats and other underground structures in areas at risk of flooding. Outside of these areas, where basement accommodation is to provide living space (possibly for staff), it will be subject to the same standards as other housing in terms of space, amenity and sunlight. Suitable access should also be provided to basement accommodation to allow for evacuation. Further guidance is contained in CPG2 Housing (refer to section 4 on residential development standards).

Conservation areas and listed buildings

2.9 In the case of listed buildings applicants will be required to consider whether 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. Where the building is listed, new basement development or extensions to existing basement accommodation will require listed building consent, even if planning permission is not required. The acceptability of a basement extension to a listed building will be assessed on a case-by-case basis, taking into account the individual features of the building and its special interest. Applicants should contact the Council at the earliest opportunity to discuss such proposals.

LISTED BUILDING CONSENT
Legally required in order to carry out any works to a Listed Building which will affect its special value. This is necessary for any major works, but may also be necessary for minor alterations and even repairs and maintenance. Listed Building Consent may also be necessary for a change of use of the property.

2.10 As with all basement schemes, we will need to be satisfied that effective measures will be taken during demolition and construction works to ensure that damage is not caused to the listed building and any buildings it directly adjoins. Poor demolition and construction methods can put neighbouring properties at risk and so can have considerable effects on the character and appearance of heritage buildings and conservation areas.

2.11 We will seek the submission of a management plan for demolition and/or construction where basement works are proposed in conservation areas or adjacent to a listed building. Further guidance on this is contained within CPG6 Amenity (refer to section 8 on construction management plans).

Basement walls, windows, and doors

2.12 The development of a basement and the introduction of light wells will result in an area of exposed basement wall and will usually mean new window or door openings. Any exposed area of basement development to the side or rear of a building will be assessed against the guidance in CPG1 Design (refer to section 4 on extensions, alterations and conservatories). In general, this expects that any exposed area of basement 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.

2.13 The width of any visible basement wall should not dominate the original building.

2.14 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.

FAÇADE
The face or front of a building

FENESTRATION
The arrangement of windows in a building.

Trees, landscape, and biodiversity

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

GREEN ROOF
A roof that has vegetation growing on it, which can help improve visual appeal, reduce the environmental impact of the building and create habitat for native flora and fauna.

DETENTION POND
A stormwater management facility that is designed to protect against flooding by storing water for a limited period of a time.

2.16 The basement development should provide an appropriate proportion of planted material to allow for rain water to be absorbed and/or to compensate for the loss of biodiversity caused by the development. This will usually consist of a green roof or detention pond on the top of the underground structure. It will be expected that a minimum of 1 metre of soil be provided above basement development that extends beyond the footprint of the building, to enable garden planting and to mitigate the effect on infiltration capacity. The use of SUDS is sought in all basement developments that extend beyond the footprint of the original building. For further guidance on SUDS, see CPG3 Sustainability (section 7 on water efficiency).

2.17 Consideration should be given to the existence of trees on or adjacent to the site, including street trees and the required root protection zone of these trees. CPG1 Design, (refer to section 6 on landscape and trees) sets out the evidence that the Council requires with respect to the protection of trees, including tree surveys and arboricultural method statements.

ROOT PROTECTION ZONE
The area around the base or roots of the tree that needs to be protected from development and compaction during construction to ensure the survival of the tree.

Lightwells

2.18 The building stock in Camden is varied. Some areas contain basements developments that include front lightwells taking up part, or all, of the front garden. Other areas do not have basements or lightwells that are visible from the street. The presence or absence of lightwells helps define and reinforce the prevailing character of a neighbourhood.

2.19 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. 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.

2.20 In plots where the depth of a front garden is quite long, basement lightwells are more easily concealed by landscaping and boundary treatments, and a substantial garden area can be retained providing a visual buffer from the street. In these situations new lightwells that are sensitively designed to maintain the integrity of the existing building may be acceptable, subject to other design requirements and environmental considerations.

2.21 In plots where the front garden is quite shallow, a lightwell is likely to consume much, or all, of the garden area. This will be unacceptable in streets where lightwells are not part of the established character and where the front gardens have an important role in the local townscape.

2.22 Excessively large lightwells will not be permitted in any garden space.

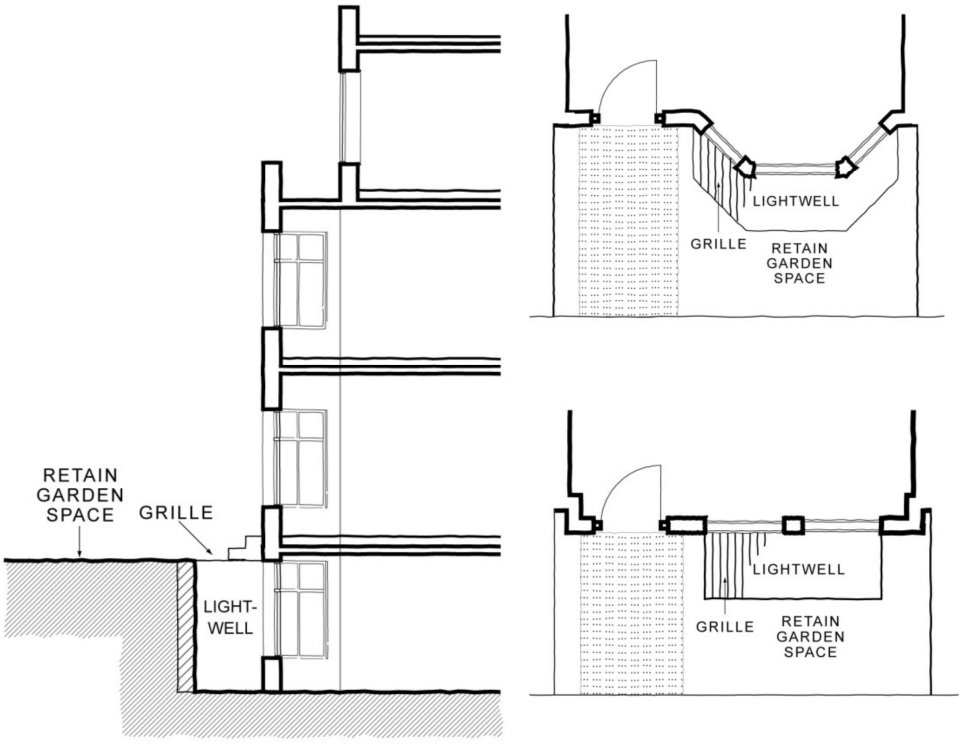
2.23 A lightwell to the side or rear of a property is often the most appropriate way to provide a means of providing light to a new or extended basement development, and can often provide a link to the rear garden. Lightwells to the side or rear of a property should be set away from the boundary to a neighbouring property.

Railings, grilles and other lightwell treatment

2.24 In order to comply with building regulation standards, light wells should be secured by either a railing (1,100mm high) or a grille. In gardens that front a street, railings can cause a cluttered appearance to the front of the property and can compete with the appearance of the front boundary wall, or obscure front windows. This is particularly the case in shallow gardens. Where front light wells are proposed, they should be secured by a grille which sits flush with the natural ground level, rather than railings (refer to **Error! Reference source not found.** on the following page). In certain publicly accessible locations grilles should be locked to prevent lightwells being misused for casual sleeping and drug use.

2.25 Railings will be considered acceptable where they form part of the established street scene, or would not cause harm to the appearance of the building.

Figure 1. Lightwells and railings



2.26 The lowering of the natural ground level to the rear of the property should be minimised as much as is practicable. It is recommended that the rear garden should be graded rather than secured by railings.

2.27 Where a basement extension under part of the front or rear garden is considered acceptable, the inclusion of 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.

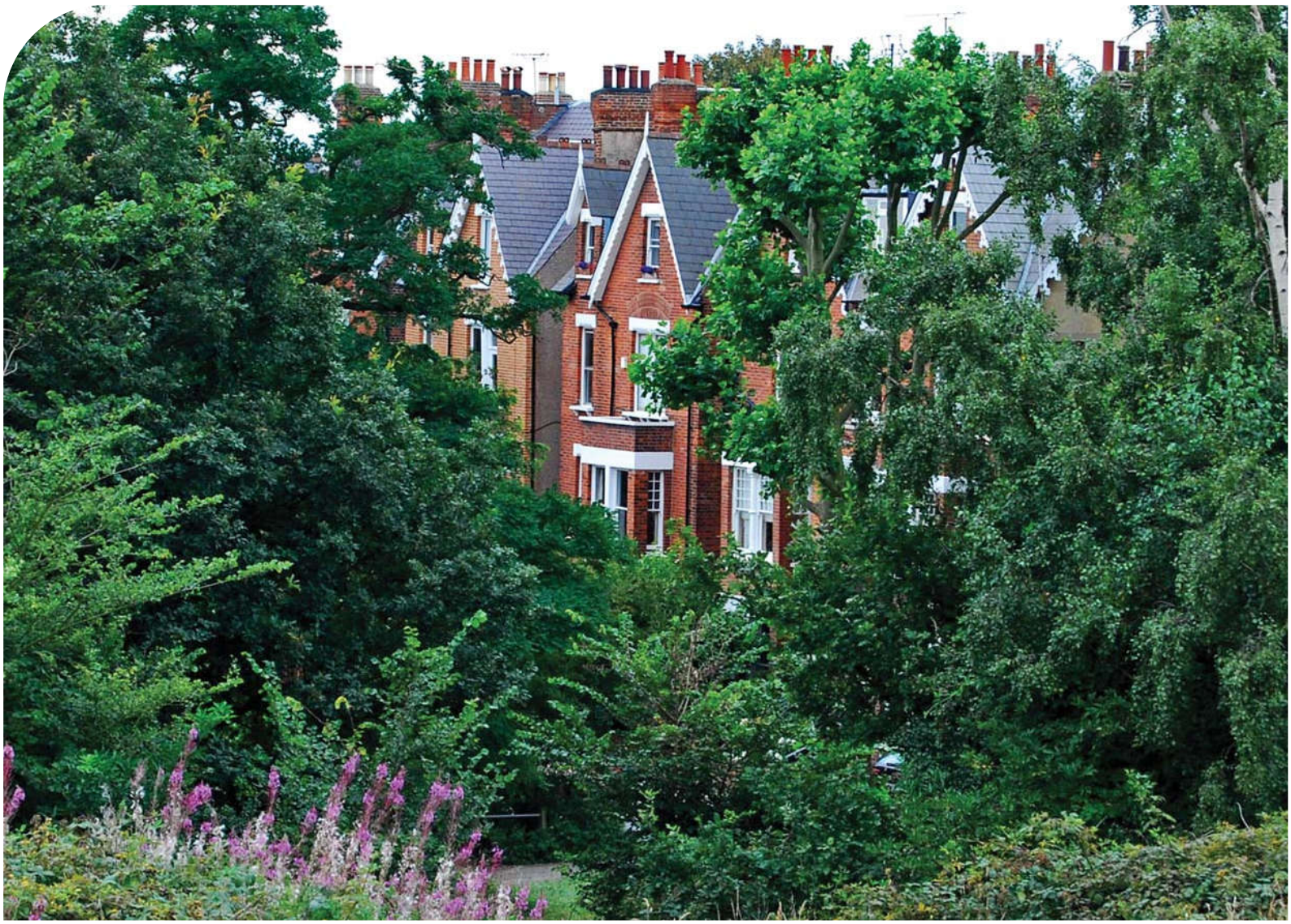
Appendix 7

Camden Planning Guidance

Amenity

CPG 6

London Borough of Camden



Camden

6 Daylight and sunlight

KEY MESSAGES:

- We expect all buildings to receive adequate daylight and sunlight.
- Daylight and sunlight reports will be required where there is potential to reduce existing levels of daylight and sunlight.
- We will base our considerations on the Average Daylight Factor and Vertical Sky Component.

6.1 Access to daylight and sunlight is important for general amenity, health and well-being, for bringing warmth into a property and to save energy from reducing the need for artificial lighting and heating. The Council will carefully assess proposals that have the potential to reduce daylight and sunlight levels for existing and future occupiers.

6.2 This guidance relates to:

- Camden Core Strategy policy CS5 - *Managing the Impact of Growth and Development*;
- Core Strategy policy CS14 - *Promoting high quality places and conserving our heritage*; and
- Policy DP26 – *Managing the impact of development on occupiers and neighbours* of the Camden Development Policies.

DP26 sets out how the Council will protect the quality of life of building occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

When will a daylight/sunlight report be required?

6.3 The Council expects that all developments receive adequate daylight and sunlight to support the activities taking place in that building.

6.4 A daylight and sunlight report should assess the impact of the development following the methodology set out in the most recent version of Building Research Establishment's (BRE) "Site layout planning for daylight and sunlight: A guide to good practice". Reports may be required for both minor and major applications depending on whether a proposal has the potential to reduce daylight and sunlight levels. The impact will be affected by the location of the proposed development and its proximity to, and position in relation to, nearby windows.

WHAT DOES THE COUNCIL REQUIRE?

The Council will require a daylight and sunlight report to accompany planning applications for development that has the potential to reduce levels of daylight and sunlight on existing and future occupiers, near to and within the proposal site.

Daylight and sunlight reports should also demonstrate how you have taken into consideration the guidance contained in the BRE document on passive solar design; and have optimised solar gain. Please refer to the BRE guidance on daylight and sunlight.

6.5 While we strongly support the aims of the BRE methodology for assessing sunlight and daylight we will view the results flexibly and where appropriate we may accept alternative targets to address any special circumstances of a site. For example, to enable new development to respect the existing layout and form in some historic areas. This flexible approach is at the Council's discretion and any exception from the targets will assessed on a case by case basis.

Daylight

6.6 We will aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers and ensure sufficient daylight to occupiers of new dwellings taking in account overall planning and site considerations. If your proposal will have an unreasonable impact on amenity the planning application will be refused. When assessing daylight issues, we will use the guidelines and methods contained in the BRE's *Site layout planning for daylight and sunlight: A guide to good practice*.

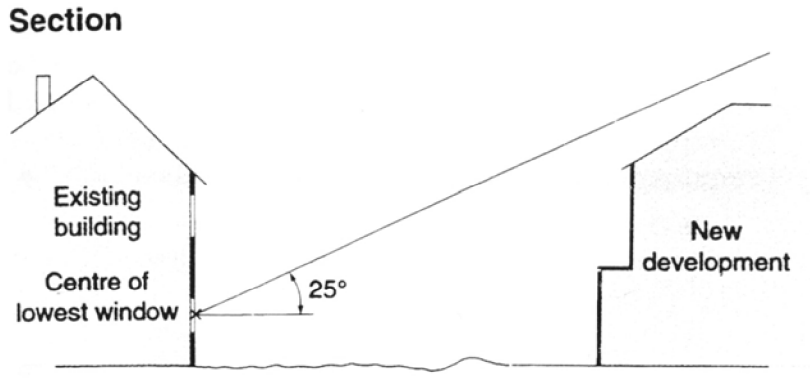
6.7 There are two quick methods that can be used to assess access to daylight:

Daylight to new development

- project a 25 degree line, starting 2m above ground level from a wall of your proposed development;
- if none of the existing surrounding buildings extend above this line, then there is potential for good daylighting to be achieved in the interior of your new development.

Daylight to existing development

- project a 25 degree line from the centre of the lowest window on the existing building;
- if the whole of your new development is lower than this line then it is unlikely to have a substantial effect on the daylight enjoyed by occupants in the existing building.



Source: BRE, Site layout planning for daylight and sunlight: A guide to good practice.

6.8 For either test, if buildings extend above the 25 degree line a more detailed test needs to be carried out to fully assess either the loss of daylight in existing buildings or the level of daylight achievable in the new development. The two most common measurements of daylight of the more detailed test are the Vertical Sky Component (VSC) and the Average Daylight Factor (ADF).

Vertical Sky Component
The amount of light striking the face of a window

6.9 The Vertical Sky Component is expressed as a ratio of the maximum value of daylight achievable for a completely unobstructed vertical wall. The maximum value is almost 40%. This is because daylight hitting a window can only come from one direction immediately halving the available light. The value is limited further by the angle of the sun. This is why if the VSC is greater than 27% enough sunlight should be reaching the existing window. Any reduction below this level should be kept to minimum.

6.10 Windows to some existing rooms may already fail to achieve this target under existing conditions. In these circumstances it is possible to accept a reduction to the existing level of daylight to no less than 80% of its former value. Any greater reduction than this is likely to have a noticeable affect on amenity. If this occurs then applications may be refused.

Average Daylight Factor
Average Daylight Factor is a measure of the level daylight in a room. It can be used to establish whether a room will have a predominantly daylit appearance. It provides light levels below which a room should not fall even if electric lighting is provided.

6.11 The Average Daylight Factor can be used as a measure to determine whether a room will receive adequate daylight (expressed as a percentage). The ADV takes into account the:

- net glazed area of windows;

- the total area of the room surfaces (ceiling, floor, walls, and windows);
- the average reflectance; and
- the angle of visible sky.

6.12 If a predominately daylit appearance is required, then the daylight factor should be 5% or more if there is no supplementary electric lighting, or 2% or more if supplementary electric lighting is provided. This figure should be as high as possible to enable occupiers to rely on as much natural light and not use artificial lighting, but as a minimum for dwellings the figures should be 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

6.13 These minimum figures may not be applicable when measuring the impact of new buildings on existing dwellings as the simple preservation of minimum ADFs will not necessarily be seen as an indication of acceptability, especially if the VSC demonstrates a significant worsening in daylight levels. For existing dwellings the Council will consider the overall loss of daylight as opposed to the minimum acceptable levels of daylight. As the BRE guidance suggests, the readings will be interpreted flexibly as their aim is to support rather than constrain natural lighting. However, daylight is only one of the many factors in site layout design. Therefore, when applying these standards in Camden, we will take into consideration other site factors and constraints.

6.14 The calculation of the VSC and the ADF is complex. For full details on how these calculations are carried out you should refer to the most up to date version the BRE's "Site layout planning for daylight and sunlight: A guide to good practice". For more complex and larger developments we will expect a daylight study to be submitted with the planning application showing the windows that will be affected and provide before development and post development figures for VSC and ADF.

6.15 Other methods can be used to measure daylight and these can be incorporated in daylight and sunlight reports, where necessary, as a supplement to VSC and ADF measurements, such as the No Sky Line (NSL) test contained within BRE guidance.

Sunlight

6.16 The design of your development should aim to maximise the amount of sunlight into rooms without overheating the space and to minimise overshadowing.

WHAT DOES THE COUNCIL EXPECT?

New developments should be designed to provide at least one window to a habitable space facing within 90 degrees of south, where practical.

This window should receive at least 25% of Annual Probable Sunlight Hours, including at least 5% of Annual Probable Sunlight Hours between 21 September and 21 March, where possible.

Annual Probable Sunlight Hours
The annual amount of sunlight a window receives in an average year.

6.17 The BRE's "Site layout planning for daylight and sunlight: A guide to good practice" provides guidance on access to sunlight in relation to:

- site layout, building orientation and overshadowing for new buildings;
- protecting sunlight to existing buildings, and
- new and existing gardens and open spaces.

6.18 Design for access to sunlight will be specific to the orientation of your site, and the specific design and uses within your proposed development. You should follow the detailed design requirements recommended in the "Sunlighting" section of the BRE document. The Council recognises that not all of the guidance contained within the BRE document, particularly orientation, can be adhered to in all developments due to the dense and constrained urban nature of Camden.

Other considerations

Right to Light

6.19 The right to light is a legal right which one property may acquire over the land of another. If a structure is erected which reduces the light to an unobstructed property to below sufficient levels this right is infringed. A right to light can come into existence if it has been enjoyed uninterrupted for 20 years or more, granted by deed, or registered under the Rights of Light Act 1959. Planning permission does not override a legal right to light, however where a right to light is claimed, this is a matter of property law, rather than planning law. The Council will have no role or interest in any private dispute arising and it will be for the owner or occupier affected to seek a legal remedy.

Supporting documents

6.20 For further information on daylight and sunlight please refer to:

Building Research Establishment (BRE). Site layout planning for daylight and sunlight: A guide to good practice.

Copies of this are available directly from BRE.

BRE Bookshop, 151 Roseberry Avenue, London, EC1R 4GB
020 7505 6622
brebookshop@emap.com
www.constructionplus.co.uk

Appendix 8

Justin Bolton • Barry Hood
• Andrew Cartmell • Chris Skelt •
Nick Lane • Liam Dunford

Point 2 Surveyors Ltd
17 Slingsby Place, London WC2E 9AB

tel: 0207 836 5828

92 Fleet Road,

Camden, London

Internal Daylight

Amenity Report

Overshadowing

• Daylight & Sunlight • Light Pollution •

Solar Glare • Daylight Design

Director: Barry Hood

Client: Robert and Anna Steinhouse

Date: September 2017

Version: Planning

Project: P1466

Contents

Appendices

1 Executive Summary

1.1 This report relates to the proposed redevelopment of the lower ground floor level at 92 Fleet Road, London NW3 2QX, to provide habitable living occupation, with particular focus on its retained internal daylight amenity.

1.2 There is full technical analysis contained in this report, however, in summary, the level of internal daylight amenity within the one studio room (bedroom/living area) assessed will exceed the BRE and British Standards minimum requirement of 1.5% ADF.

2 Methodology

2.1 To quantify the levels of daylight amenity within the proposed residential accommodation we have constructed a three-dimensional computer model of the site and relevant neighbouring properties.

2.2 Using this 3D model and the standard ADF daylight assessment method we have undertaken technical analysis to measure the levels of daylight amenity within each of the habitable rooms within the proposed accommodation.

2.3 Each room is identified with an average daylight factor (ADF) which is a ratio or percentage of daylight which can be experienced outside the room under an unobstructed sky.

2.4 The BRE and British Standard provide for minimum levels of average daylight factor (ADF) being:

- Bedroom - 1%
- Living room - 1.5%
- Kitchen 2%

2.5 Large multi-function rooms, which contain a kitchen element, would normally have a target value of 2% ADF. In reality, however, the kitchen element within these types of rooms is, in most cases, located at the rear of the room with the intention of it being artificially lit. BRE guidance accepts this situation may exist, stating at paragraph 2.1.14 that *"If the layout means that a small galley-type kitchen is inevitable, it should be directly linked to a well daylit living room."* A 1.5% ADF target is, therefore, appropriate to most of these room types.

3 Planning Overview

3.1 The Local Authority, LB Camden, will be informed in relation to daylight amenity within proposed residential accommodation by both the BRE document entitled Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice 2011 (the BRE Guidelines) and British Standard BS8206:2.

3.2 The above documents are not mandatory, though local planning authorities and planning inspectors will consider the suitability of a proposed scheme for a site within their context. Consideration will be given to the urban context within which a scheme is located and the daylight within the proposed accommodation will be one of a number of planning considerations which the local authority will weigh.

4 Sources of Information

Site Photographs	Point 2 Surveyors (July 2017)
Site Survey	OS Map
Proposed Scheme Drawings	Nagan Johnson Architects FLE_P_110.dwg FLE_P_120.dwg FLE_P_122.dwg FLE_P_111_Proposed dng 24 July 17.dwg

5 The Site

5.1 The site is located in North West London in the London Borough of Camden and comprises 1 storey of residential accommodation below ground floor level.

6 Proposed Accommodation

6.1 The quality of daylight within the proposed residential accommodation has been undertaken using the standard ADF daylight assessment method described above. The analysis results can be found at Appendix A.

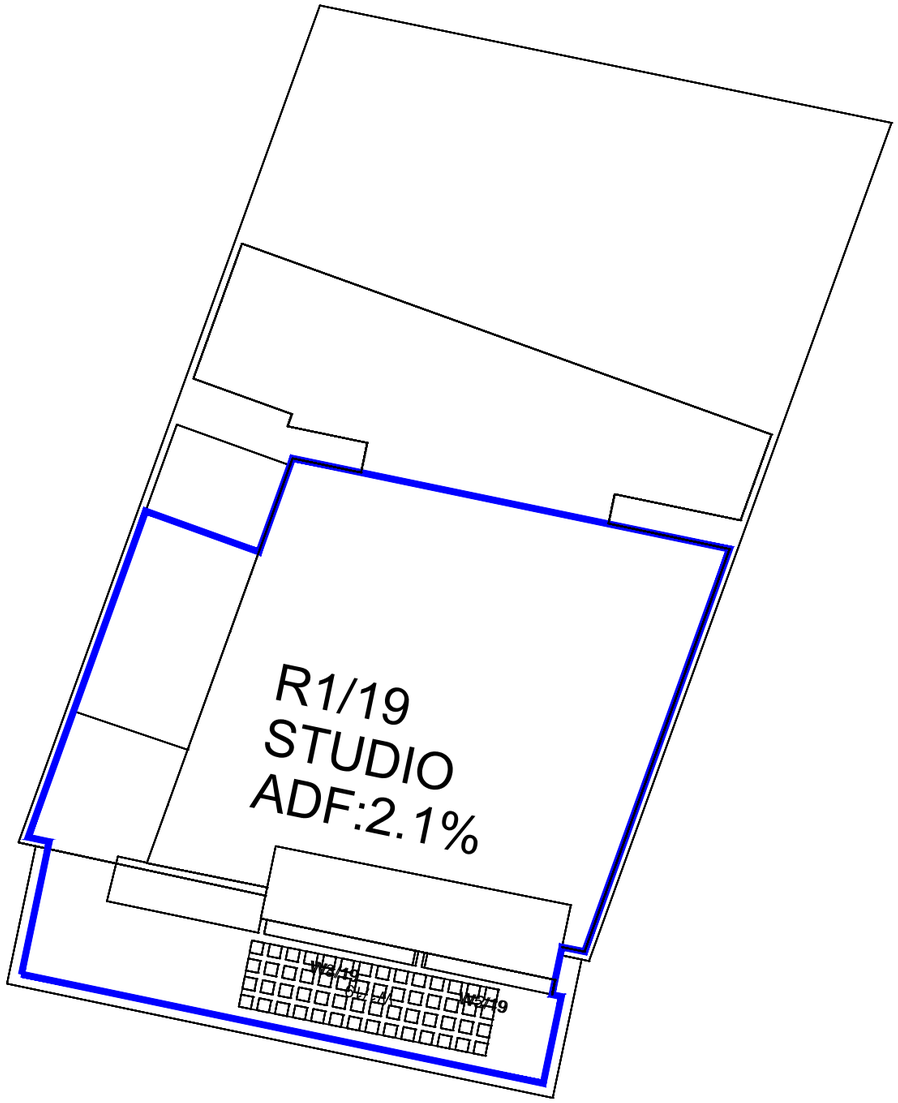
6.2 The one studio room included for assessment (R1/19) has been identified with an average daylight factor (ADF) which is a ratio or percentage of daylight which can be experienced outside the room under an unobstructed sky. It achieves an ADF of 2.1% compared to the recommended 1.5% as set out by the BRE.

7 Conclusion

7.1 Detailed technical analysis has been undertaken to quantify the quality of daylight within the proposed residential accommodation at 92 Fleet Road.

7.2 Based on the results of our assessment, the daylight amenity to the proposed lower ground floor studio room is in excess of the BRE and British Standard target value for bedrooms and living areas and therefore will therefore be suitable for habitable occupation in this respect.

Appendix A – ADF Analysis and Plot



Sources: Point 2 Surveyors
Site Photos

74494167_os-detail-12-month-licence.dwg

NAGAN JOHNSON ARCHITECTS
FLE_P_110.dwg
FLE_P_120.dwg
FLE_P_122.dwg
FLE_P_111_Proposed dng 24 July 17.dwg

Key:

Project: 92 Fleet Road,
London

Title: ADF Result
92 Fleet Road
Lower Ground Floor

Point 2 Surveyors Ltd,
3rd Floor,
17 Slingsby Place,
London WC2E 9AB
0207 836 5828
www.point2surveyors.com

Scheme Confirmed: Date :

Drawn By: MB | Scale: 1:50 @ A3 | Date: July 17 | Dwg No: **P1466/INT/01** | Rel: 01

Appendix 9

Camden

Date: 06 December 2017
Application No: 17/2/08904

Building Control
Place Management
Supporting Communities
London Borough of Camden
5 Pancras Square
London
N1C 4AG

DX 161055 KINGS CROSS 4

Telephone: 020 7974 2363
Facsimile: 020 7974 5603
Textphone: 020 7974 6866
building.control@camden.gov.uk
www.camden.gov.uk/buildingcontrol

Naganjohnson Architects
ATTN Mr Michael Johnson
2 Pontypool Place
London
SE1 8QF

EMAIL: michael@naganjohnson.co.uk

Dear Mr. Johnson,

The Building Act 1984 and the Building Regulations

CONDITIONAL PASSING OF PLANS

Site Address: **Basement Flat, 92 Fleet Road, London, NW3 2QX**
Plan numbers: FLE – 020, 022, 110, 120, 121

Proposed building work or material change of use:

> **Refurbishment and minor works to existing basement flat including: Lowered floor slab to increase headroom; Installation of new damp proofing; Enlargement of existing glazed stall riser to increase light levels within basement; New layout with partitions and required fire prevention.**

The plans submitted in respect of this work have been examined and passed as complying with the Building Regulations subject to the following condition(s):

That the deposited plans shall be modified as specified in schedule 'A' attached and/or in red on the plans herewith.

That further plans shall be deposited as specified in schedule 'B' attached.

The passing of the plans operates only for the purposes of the requirements of the Building Regulations and the relevant sections of the Building Act. It is not an approval under any other statutory provision, including the Town and Country Planning Acts.

PTO

For Director of Supporting Communities

Camden Building Control is committed to improving the services it provides to its customers. To do this, we need to take account of the views of those who use these services. We should be grateful if you would indicate your views; whether or not you are happy with the service you received. Please fill in the survey online (using the link contained in the covering email). All answers are completely confidential and the results will be published periodically on our website.

Yours sincerely,

Mr Bakhtawer Beg **Phone: 020 7974 2374 / 07977282835 (9am to 5pm Mon to Fri only)**
Email: Bakhtawer.Beg@camden.gov.uk

Enc. Schedule(s)

Camden

SCHEDULE A:

Date:	**06 December 2017**
Application No:	**17/2/08904**
Site Address:	**Basement Flat, 92 Fleet Road, London, NW3 2QX**
Work:	**Refurbishment and minor works to existing basement flat including: Lowered floor slab to increase headroom; Installation of new damp proofing; Enlargement of existing glazed stall riser to increase light levels within basement; New layout with partitions and required fire prevention.**

[13-I-45] I have described in this letter/schedule a number of contraventions of the requirements of the Regulations as indicated on the plans submitted. However, I cannot be sure that every such contravention has been identified.

Provide construction details for the shower area.

[13-A1] **A1 – Structure**
[13-A1-2] Provide structural plans and calculations

[13-BN1] **Means of warning and escape**
Forward details and specification of the proposed mist system.

Provide details for the proposed fire rated glazing to the kitchen.

[13-BN1-18] **Means of escape from flats**
[13-BN1-33] The internal hallway should be protected with half-hour fire-resisting construction and have FD20 fire doors. Fire doors are required to any cupboard in the hallway (2.16, table A1 Appendix A and table B1 Appendix B)

[13-BN3] **B3 – Internal fire spread (structure)**
[13-BN3-1] The load bearing elements of the structure are required to have a fire resistance of at least 60 minutes. Appendix A of Approved Document B provides guidance (7.2)

[13-C2] **C2 – Resistance to moisture**
[13-C2-2] A damp proof membrane is required, and should be continuous with the DPC in walls. Polythene sheeting is acceptable providing it is at least 1200 gauge and laid with joints sealed, on a bed of materials that will not cause damage.

See Diagram 8 and 9 of the Approved Document C.

For Director of Supporting Communities

[13-C2-3] Floors and walls subject to water pressure should be designed and constructed in accordance with BS8102: 2009 code of practice for protection of structures against water from the ground.

Please provide the BBA certification for the proposed tanking system confirming that it is suitable for use in accordance with the Requirement C2.

[13-F1] **F1 – Means of Ventilation**
Provide details of proposed ventilation for the store room.

[13-F1-33] **Replacement windows.**
[13-F1-35] In order to improve air quality and help control condensation it is advisable to fit suitable trickle ventilators in all replacement windows. (3.4)

[15-H] **Approved Document H, 2015**
To meet the requirements H1 and H3 the sanitary pipe work and drainage must comply with the relevant clauses of Approved Document H or BS EN 12056 and BS EN 752

[13-H-2] The sanitary pipe work and drainage details should specify the following:

a) Type of materials to be used
b) Gradient and size of pipe work and drains
c) Trap size and depth of seal

[13-H1-11] The length and size of branch pipe should not exceed those shown in Table 2 and Diagram 3 (1.19)

[13-H1-17] Air admittance valve should comply with BS EN12380:- 2002 (1.33)

[13-H1-18] The pipes, fittings and joints should be capable of withstanding an air test (1.38)

[13-K1] **K1 – Stairs, ladders and ramps**
Steepness of stairs
[13-K1-3] The geometry of the stair/ladder should comply with Table 1.1.

Landing for stairs
[13-K1-15] A 1200mm clear landing should be provided at the top and bottom of all flights (1.22 & 1.23)

[13-K1-16] In dwellings a clear space of 400mm should be maintained between the leading edge of a door and the bottom riser of the stair (1.24)

Guarding of stairs

[13-K1-24] Stairs with open risers or open guarding should be designed so that children cannot be held fast by it, fall through it or readily climb it. (1.39)

[13-K4] **K4 – Protection against impact with glazing**

[13-K4-1]Glazing in "critical" locations should break safely or resist impact or be protected from impact. Please submit details. (5.2)

Provide details for the operation of the stall riser windows.

[13-L1B] L1B – Conservation of fuel and power in existing dwellings

[13-L1B-2] The newly constructed thermal element(s) should have U-values not less than those shown in Table 2 of the Approved Document L1B. Please provide evidence showing compliance.
New floor construction should meet a U-value of 0.22.

[13-L1B-3] To demonstrate your proposals comply with Requirement L1, please submit appropriate evidence.

[13-M] M – Access to and use of buildings

[13-M-4] Material alteration

5-M-5] The building work proposed must not make access to or use of the dwelling any less compliant with M4(1) than it was prior to the building work taking place (0.11)

[13-P1] P1 – Electrical safety

[13-P1-1] A person or firm registered with a part P competent person's scheme should carry out the electrical work. When those parts of the works are complete they should submit a declaration to us through their competent person's scheme, that compliance with the Building Regulations has been achieved. Please note that we are not able to issue a completion certificate until we have received the declaration.

[13-P1-2] A copy of the Electrical Installation Certificate or the Minor Works Electrical Installation Certificate(s) should be forwarded to this office; please note we are not able to issue a completion certificate until we have received the appropriate electrical certificate.

General

[15-I-4] Your proposals may require permission under the Town and Country Planning Acts. | suggest that you consult the Development Management team of this Department at 5 Pancras Square, London, N1C 4AG, tel. 020 7974 4444.

[13-I-16] The Party Wall etc. Act 1996 deals with party wall matters, including the rights of building and adjoining owners. In particular it imposes conditions regarding excavations below foundation level, including a requirement for the building owner to serve notice on the adjoining owner(s) up to two months before starting work, The Council does not become involved in such matters; you may wish to consult with a suitably qualified Party Wall Surveyor.

[13-I-18] Any information that we provide regarding compliance or otherwise with the requirements of the Building Act and Regulations does not obviate the need to comply with any requirements of the freeholder and any restrictive covenants affecting the property.

[13-I-55] Compliance with the requirements of the Building Acts and the Building Regulations is determined during surveys from time to time during the progress of any work. Any omission from the drawings submitted or unforeseen conditions on site may necessitate alterations to your proposals.

[13-I-56] Please note and act upon the requirements of regulation 16 regarding notice of commencement and completion of certain stages of work.

[13-I-62] In order to obtain a completion certificate in accordance with regulation 17(2), the person carrying out building work should, not more than five days after that work has been completed, give the Council written notice of completion.

[13-I-63] Before issuing a completion certificate, I need to be satisfied that:

- The building work complies with the Building Regulations, as set out in regulation 4, and
- The statutory fees have been paid, and
- We have received all required reports, information, test, installation, and commissioning certificates

PTO

Camden

SCHEDULE B:

Date:	**06 December 2017**
Application No:	**17/2/08904**
Site Address:	**Basement Flat, 92 Fleet Road, London, NW3 2QX**
Work:	**Refurbishment and minor works to existing basement flat including: Lowered floor slab to increase headroom; Installation of new damp proofing; Enlargement of existing glazed stall riser to increase light levels within basement; New layout with partitions and required fire prevention.**

Please provide details of how the upper floors are accessed.

Forward existing plans showing current use of rooms.

For Director of Supporting Communities

Appendix 10

View looking north-west along Fleet Road (Source: Google)

View of the existing shopfront at the appeal site (Source: Google)

View of the appeal site ("Thai Heath") and neighbouring shopfronts (Source: Google)

View of additional shopfronts to the north west (Source: Google)

Appendix 11

Delegated Report	Analysis sheet	Expiry Date:	08/11/2017
	N/A / attached	Consultation Expiry Date:	19/10/2017

Officer	Application Number(s)
Oluwaseyi Enirayetan	2017/5028/P
Application Address	**Drawing Numbers**
92 Fleet Road LONDON NW3 2QX	Refer to draft decision notice

PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature

Proposal(s)

Alterations to front elevation comprising residential door replacement and additional windows within existing shopfront stallriser.

Recommendation(s):	**Refuse planning permission**
Application Type:	**Full Planning Permission**
Conditions or Reasons for Refusal:	**Refer to Draft Decision Notice**
Informatives:	

Consultations

Adjoining Occupiers:	No. notified	**0**	No. of responses No. electronic	**0** **0**	No. of objections	**0**
Summary of consultation responses:	The application was advertised in the local press on 28/09/2017 (expiring 19/10/2017) and a site notice was displayed on 22/09/2017 to 13/10/2017. No response received following statutory consultation					
CAAC/Local groups* comments:	Mansfield CAAC was notified by email on 11/10/2017. No response received.					

Site Description

The application site is a four storey terraced property with a basement located on the northern side of Fleet Road near the intersection with Cressy Road. The ground floor is currently used as a shop (Class A1) and the basement and upper floors are residential (Class C3). The property is located within the Mansfield Conservation Area however it is not a Listed Building.

Relevant History

2016/0287/P - Use as a 1-bed self-contained flat at basement floor level. Certificate granted 18/04/2016.

2008/1638/P - Installation of an extraction unit at the rear of the existing retail unit (Class A1). Planning permission granted 28/10/2008

2006/4308/P - Change of use from the existing 2 x flats at first and second floors to 2 x 2 bed flats at first floor and 2 x 3 bed maisonettes at second and third floors, including the erection of a two storey rear and side extension, and the creation of a new floor at roof level. (Amendment to approved application 2005/3918/P dated 12/01/06 for 2x1-bed flats at first floor and 2x3-bed maisonettes at second and third floors). Planning permission granted 10/05/2007

2005/3918/P (nos. 90/92) - Change of use from the existing 2 x flats at first and second floors to 2 x 1 bed flats at first floor and 2 x 3 bed maisonettes at second floor and above, including the erection of a two storey rear and side extension, and the creation of a new floor at roof level. Planning permission granted 12/01/2006

2004/4304/P (nos. 90/92) - Change of use and works of conversion of upper parts from 1 x 2 bed maisonette and 1 x 3 bed maisonette to provide four self-contained flats (2 x 3 bed maisonette, 1 x 2 bed, 1 x 1 bed) including first floor rear extension, roof extension and associated alterations. Planning permission refused 16/12/2004

9201240 - Erection of an extension at lower ground, ground, first and second floors; change of use of basement to self-contained flat conversion of first and second floors to two bed flats erection of rear fire escape and excavation of front basement area and provision of front access steps and railings. Planning permission refused 18/02/1993

9005246 - Change of use and works of conversion of the 1st and 2nd floors to 2 self-contained, 2-bedroom flats and the extension of the ground floor offices at the rear; including the erection of a new 3-storey rear extension. Planning permission refused 13/08/1992

20064 - The erection of a rear extension at basement and ground floor level to extend shop facilities, and self-containment of first and second floors as a maisonette. Planning permission granted 04/03/2017.

19425 - Change of use of basement, first and second floors to three self-contained one-bedroom flats, including the erection of a new three storey extension. Planning permission refused 28/11/1974

19226 - Change of use of upper floors to two self-contained, one-bedroom flats and the erection of a new two-storey rear extension comprising sitting room extension/bathroom, over store/toilet for ground floor shop. Planning permission refused 04/10/1974.

Relevant policies

National Planning Policy Framework 2012

The London Plan 2016

Local Plan 2017
A1 – Managing the impact of development
D1 – Design
D3 – Shopfronts

Camden Planning Guidance
CPG1 Design 2015
CPG6 Amenity 2013

Mansfield area appraisal and management strategy December 2008

Assessment

1. Proposal

1.1 The proposal seeks permission for the alteration of the existing shopfront within the stallriser section in order to provide daylight into the basement flat below.

1.2 It is also proposed to replace the front door leading to the residential flats.

2. Background

2.1 Whilst the reason for the proposed works is to gain more natural light into the basement flat, to achieve this, alterations is proposed to the shopfront stallriser at front ground floor level.

2.2 The most recent Certificate of lawfulness application ref: 2016/0287/P was approved on 18/04/2016 for the use of the basement level as a 1-bed self-contained flat. In 2008 (ref. 2008/1638/P), the officers delegated report referred to the existing use of the basement floor level as being in residential use, so affirming the use in 2008 and supporting the applicant's assertion for the 2016 application. The Council did not have any evidence to contradict this, hence certificate of lawfulness was approved. However, it should be noted that the application would have been refused if planning permission was sought, as it fails to comply with Council's standards of accommodation and the Housing Act, due to very little natural light gained from a front glazed paving light and no windows.

3. Revision

3.1 A sketch revision was received during the course of the application and also the residential door to be retained as is. The revision was still considered unacceptable.

4. Assessment of design impact

4.1 Policy D3 (Shopfronts) of the Camden Local plan states that the Council will expect a high standard of design in new and altered shopfronts. CPG1 provides guidance on the design of shopfronts and advises that insensitive shopfront design can cause harm to the appearance and character of buildings and shopping areas.

4.2 The application site currently has a stallriser with an existing window element and slate hanging. The applicant is proposing to install windows to the stallriser section. CPG1 states

that stallrisers consist of solid elements below shop windows forming a base to the shopfront display and the materials should be traditional materials such as timber, stone and render. Further stating existing glazed brickwork or tiling should be retained.

4.3 The replacement residential door would be glazed panelled. The materials proposed is contrary to the traditional timber/aluminium front door for residential.

4.4 It is considered that the proposed design and materials of the stallriser and panelled glazed door are contrary to guidance and policy. Therefore, they would cause harm to the host property, the Mansfield Conservation area and would be out of keeping with the surrounding row of commercial units.

4.5 It is considered that the proposal is contrary to Policy D1 of the Camden Local Plan which seeks to secure high quality design in development and similarly would be contrary to policy D3 which expects a high standard of design in shopfronts.

Recommendation: Refuse planning permission