

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	31/01/2018
		N/A		Consultation Expiry Date:	11/01/2018
Officer			Application Number(s)		
Thomas Sild			2018/0423/P		
Application Address			Drawing Numbers		
Flat A 10 Elsworthy Road LONDON NW3 3DJ			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of single storey ground floor rear and side extensions; Excavation of basement extension including formation of front and rear lightwells					
Recommendation(s):		Grant conditional planning permission subject to s106 agreement			
Application Types:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Initial site notice 22/03/2018 – 12/04/2018 Press notice – 22/03/2018 – 12/04/2018</p> <p>Objections made on the following grounds:</p> <ol style="list-style-type: none"> 1. Vibration and noise from the rail tunnel will impinge on the extension 2. Basement extension will impact on flooding <p>Officer response:</p> <p style="text-align: center;"><i>All reasons for objection covered under section 6 (Basement excavation)</i></p> <p><u>Network Rail</u></p> <p>Response indicates that no objection is made to the original larger extent basement excavation. Plans have now been revised to reduce the area of excavation.</p>			
CAAC/Local groups* comments:	<p><u>Elsworthy Residents and BCAAC</u></p> <ol style="list-style-type: none"> 1. Basement extension will be too close to network rail tunnel 2. Basement extension will impact on flooding 3. Neighbouring property collapsed during basement excavation <p>Officer response:</p> <p style="text-align: center;"><i>All reasons for objection covered under section 6 (Basement excavation)</i></p>			

Site Description

No 10 is a three-storey house (dating from the 19th Century), divided into three units and sited on the north-west side of Elsworthy Road within the Elsworthy Conservation Area. This application relates to Flat A which occupies the entire ground floor, and existing non-habitable basement level.

The site sits above the Primrose Hill fast line route rail tunnel which runs underneath the back garden at an approximate depth of 8m.

Relevant History

1971: 10612 granted permission to convert the house into three self-contained flats and to erect a double garage in place of the existing garage in the rear garden

Relevant policies

Statutory Framework

The Planning (listed building and conservation area) Act 1990

Statutory provision under section 72 of the Planning Act requires special attention to be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In line with the above statutory duties and recent case law, considerable importance and weight has to be attached to the impact of the heritage assets and their setting.

National Planning Policy Framework 2012 London Plan 2016

Camden Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

A4

A5 Basements

CC3 Water and flooding

Other Planning Policies / Guidance

Camden Planning Guidance (CPG) 2015 – CPG 1 (Design)

Camden Planning Guidance (CPG) 2011 – CPG 6 (Amenity)

Camden Planning Guidance (CPG) 2018 – CPG (Basements)

Assessment

1. Proposal

- 1.1. The proposal is to excavate (2m lower) the existing (non-habitable) basement space to facilitate the provision of habitable space, including the formation of front (1.7m x 8m) and rear (2.9m x 4.6m) lightwells. The existing staggered shaped part-width ground floor rear additions and raised rear terrace would be demolished and replaced with a contemporary style part-width 4.7m (d) x 4.8m (w) x 3.2m (h) extension at ground floor level (the basement would also extend below the proposed addition), and additional terrace area at raised ground level. Proposals include the provision of a replacement bin and cycle store of 4.6m (w) x 1.2m (h) x 1.2m (d) to the front garden.
- 1.2. **Revisions**
- 1.3. Proposals were amended to omit an extension to the existing rear garden outbuilding due to concerns that it would unacceptably impact the rear garden's existing character and openness and result in detriment to the character of the surrounding conservation area.
- 1.4. Following advice that the basement size would not comply with Local Plan Policy A5 by reason of it being greater than 1.5 X the existing footprint of the building with lightwells included, the basement footprint was reduced to achieve compliance with policy.
- 1.5. Following concerns over preserving a distinct impression of separation between no. 10 and no. 8, proposals were amended to set back the infill by a distance of 2.0m.

2. Assessment

- 2.1. Design and heritage
- 2.2. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 2.3. *Rear extension*
- 2.4. Local Plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area
- 2.5. The proposed rear extension would replace an existing staggered shaped rear extension at ground floor level. The extension would match the building line of no. 8's extension.
- 2.6. The extension is proposed in a contemporary style with aluminium cladding and large elements of glazing and would have a green roof. The proposed aluminium cladding would be similar to that at no. 8's adjoining extension.
- 2.7. Overall the extension's scale and massing are considered to remain subordinate to the host building and overall, both the proposed form and the detailed design is considered appropriate for the host building and surroundings.
- 2.8. *Side extension and additional side window and door*
- 2.9. The proposed side extension replaces an existing part depth side extension, and part infills the side passageways between no. 10 and no. 8. Following concerns that this addition would further compromise the impression of a distinct space between the houses and compete with the principal frontage, it was revised to be set back 2m within the passageway. The overall bulk, mass and height is now considered subordinate and the timber cladding of the front face

creates the impression of a side garden gate, appropriate to the host building's character.

- 2.10. The proposed side facing window and door at ground floor level, are contemporary in style, but would not be visible to either the front or rear. As such they are not considered to significantly impact the perceived character of the house of the surrounding conservation area.
- 2.11. *Lightwells*
- 2.12. A front lightwell is proposed across a large proportion of the frontage. The front lightwells would be covered in metal grilles to reduce their visual prominence, and a 6m depth of front garden beyond the lightwells to the front boundary further mitigates their visibility and impact on the streetscene. Similar lightwells can be seen at other comparably properties along Elsworth Road including the adjoining neighbour (8 Elsworth Road).
- 2.13. *Front bin and cycle store*
- 2.14. The front garden of no. 10 is approximately 7.5m deep and contains an existing brick 1.1m high brick built bin store area. Given the garden's generous size, and the similar timber clad bin store at no. 8, the replacement of the existing store with a wider structure at a comparable height would not significantly harm the character or appearance of the host building or streetscene.
- 2.15. Amenity
- 2.16. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight.
- 2.17. *Impact on no. 8*
- 2.18. The proposed rear extension would extend at ground floor level to the same projection as the existing extension directly alongside at no. 8. As such there would be no amenity impact. A 1.8m high fence would screen the raised patio area from direct overlooking into no.8.
- 2.19. The proposed side infill extension would part infill the separating gap between the houses. No. 8 enjoys one single side facing door and a window at ground floor level. Plans of no. 8 indicate that these serve a pantry and a store room, and as such are not habitable rooms. The proposed side window and door at ground floor level would be obscure glazed below 1.8m and would serve the stairwell and cloakroom of no. 10, themselves not principal habitable rooms.
- 2.20. Overall, therefore the side infill and addition of a side door and window would not result in unacceptable harm to amenity to occupants of no. 8 by way of loss of daylight, outlook or visual privacy.
- 2.21. *Impact on no. 12*
- 2.22. Given that the extension sits entirely towards no. 8 and no extension above the existing boundary alongside no. 12 is proposed, there would not be any amenity impact on occupants of this property.
- 2.23. Basement excavation
- 2.24. Local Plan Policy A5 states that the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property.
- 2.25. A Network Rail tunnel (Primrose Hill fast line rail route) is located below the rear garden which is approximately 10m in diameter running in a northeast to southwest direction. The crown of

the tunnel is understood to be approximately 8m below the rear garden level with a 5m horizontal exclusion zone from the edge of the tunnel.

- 2.26. The host building has an existing basement or cellar level with a limited head height of approximately 1.5m. The proposals are to excavate beneath this to an additional depth of 2m, creating habitable space within the basement with a floor to ceiling height of between 3.0m and 3.1m and a maximum storey depth of 3.6m below the ground floor level. Overall this height is acceptable and complies with Local Plan Policy A5 which states that basement development should not exceed one storey in height.
- 2.27. The excavations include the extension of basement space beyond the rear face of the host building, underneath what is currently a raised platform and what will become the ground floor rear extension. Lightwells are to be created at the front and rear. Following initial assessment which confirmed that the proposed area exceeded 1.5 x the host building footprint, the area was reduced by bringing in the extent of excavation from the rear. The neighbouring properties (no. 8 and no. 12) have both undergone basement developments to a comparable or larger extent than that proposed by this application.
- 2.28. The proposal includes subterranean development which will contain further habitable space including bedroom space. There is potential for occupants to experience noise and vibration disturbance from the adjacent rail tunnel. The Camden Local Plan states that consideration will need to be given to noise sensitive developments that are proposed in areas which are, or expected to become, subject to levels of noise likely to have an adverse effect. As such a planning condition would be added as part of the permission, requiring approval of an acoustic assessment to demonstrate compliance with the acceptable noise / vibration levels as detailed in Appendix 3 of the Local Plan.
- 2.29. The applicant has supplied a Basement Impact Assessment and this has been audited by the Council's consultant. The proposed basement development has been found to comply with all necessary requirements in relation to its impact on surroundings. The audit states that consultations have been undertaken with Network Rail regarding the proposed works and agreement has been reached that the proposed basement extension will only cause negligible ground movement to the crown of the Network Rail Tunnel. It should be noted that this comment was based on the initial footprint which extended some 1.5m deeper into the rear garden.
- 2.30. Elsworthy Road is within a Critical Drainage Area (Group 3-005) but is at very low risk of surface water flooding. It is noted that the proposed scheme will increase the proportion of impermeable area at the site, affecting water run-off and as such a sustainable drainage system (SuDS) should be provided and details of which will be secured by condition. The audit determined that there would be no further impact to the wider hydrological environment.
- 2.31. A Construction Management Plan (CMP) for the development would be secured by section 106 agreement.
- 2.32. Trees
- 2.33. The proposals include the removal of three trees. An arboricultural impact assessment has been provided and reviewed by the Council's tree and landscape officer. The proposed tree protection outlined in the assessment is considered adequate to protect the trees to be retained during the implementation of any approval.
- 2.34. The trees proposed for removal are not considered to be of significance, given their small size and lack of noteworthy features and a number of higher quality trees will be retained. However, to ensure that the development contributes to the visual amenity and character of the area a replacement tree will be secured by planning condition. Details of which must be submitted to and approved by the Council.

3. Recommendation

3.1. Grant conditional planning permission subject to s106 agreement

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 25^h June 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.