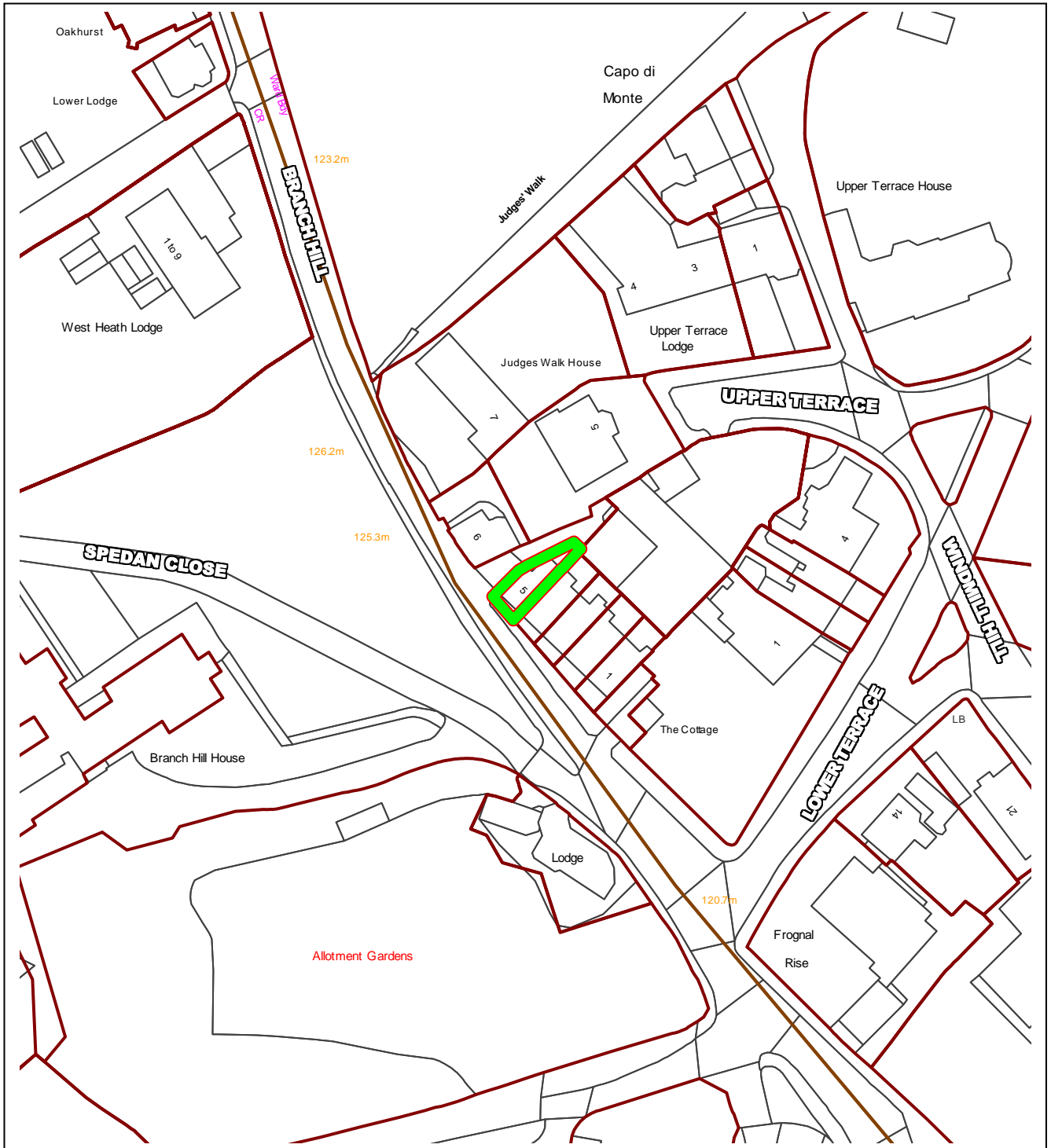


5 Branch Hill 2017/6899/P



5 Branch Hill - 2017/6899/P



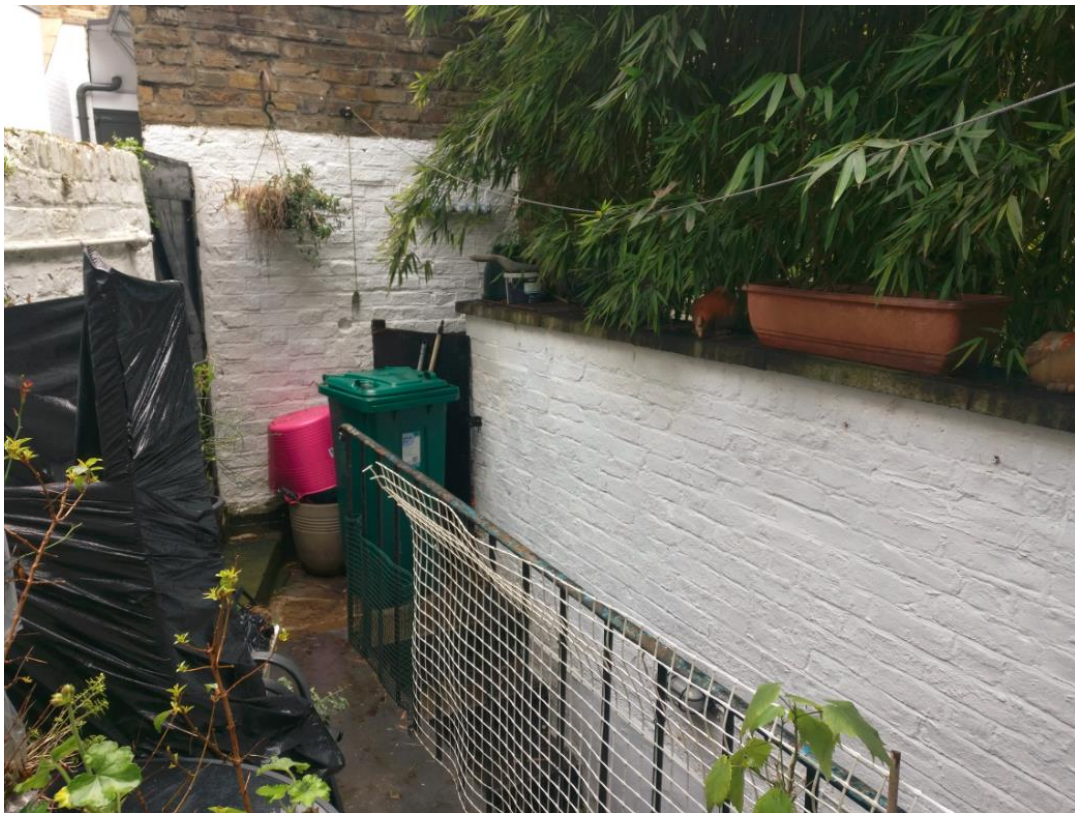
Entrance to Branch Hill Mews



View of rear and boundary wall of the application site – from Branch Hill Mews



View from rear of application rear ground floor level



View of ground floor level staircase down to basement floor level



View of basement floor level from staircase



View of basement floor level staircase up to ground floor level (wall and area alongside staircase to left in photo to be removed)

Delegated Report		Analysis sheet		Expiry Date:	21/02/2018
(Members Briefing)		N/A / attached		Consultation Expiry Date:	25/01/2018
Officer			Application Number(s)		
Gideon Whittingham			2017/6899/P		
Application Address			Drawing Numbers		
5 Branch Hill London NW3 7LT			OS2 (07.12.2017); E01 (06.12.2017); E02 (06.12.2017); P01 Revision B; P02 06.12.2017); P03 (06.12.2017); Basement Impact Assessment, prepared by LBH Wembley, dated July 2018 (LBH4523 Ver 2.0), Construction Statement (October 2018).		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of rear 2 storey extension at basement and ground floor level.					
Recommendation(s):		Grant conditional Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	06	No. of objections	06
Summary of consultation responses:	<p>Multiple site notices were displayed from 03/01/2018 (expiring on 24/01/2018) and a public notice was displayed in the local press from 04/01/2018 (expiring on 04/01/2018).</p> <p>The following addresses raised objection - Branch Hill Mews; Branch Hill; Reddington Road:</p> <p>Basement:-</p> <ul style="list-style-type: none"> • <i>The location is unsuited to a basement extension: proximity to other homes and buildings;</i> • <i>Soil conditions.</i> • <i>Structural concerns</i> • <i>Concerns re assumptions of BIA and potential stability impact to 5 Upper Terrace</i> • <i>Retaining walls not shown</i> • <i>Damage caused by construction works</i> <p>Remaining considerations:-</p> <ul style="list-style-type: none"> • <i>Door opening onto highway</i> • <i>Drainage: surface water, access to man hole cover, potential relocation?</i> • <i>Waste management: lack of bins</i> <p>Officer comment: With regard to all basement works, these matters have been assessed within the report at parts 4.1 – 4.7 and explicitly assessed as part of the Campbell Reith audit. With regard to the remaining considerations, the door now opens onto the applicant’s land, there would be no impact on drainage (see paragraph 4.7) and no additional bin storage is required as a result of this proposal.</p>					
CAAC/Local groups comments:	<p>The Hampstead CAAC were notified of this application directly. No comment has been received.</p> <p>The Heath and Hampstead Society objected:</p> <p><i>The basement and ground floor extensions would occupy 100% of the site area, leaving no open space for garden or green area. This amounts to gross overdevelopment. (Officer response - see 4.2)</i></p> <p><i>The drawings are unclear and incomplete, in particular showing no contextual relationship with neighbouring houses. Such architectural information that is shown is minimal, of poor quality, and indicating a lack of interest in the character of the house or its neighbours in our Conservation Area.</i></p> <p><i>The section drawings are ludicrously inaccurate, and indicate nothing of the proposed structure of the proposals; especially the thickness, dampproofing or detail of the basement walls.</i></p> <p><i>No BIA is presented. Although the extension at this level is small, it could have structural implications on adjoining houses.</i></p> <p>Officer comment: The submitted details are considered clear and appropriate to demonstrate the proposal.</p>					

Site Description

The application site is located on the north-east side of Branch Hill, adjacent to the entrance to Branch Hill Mews.

The building is separated into 3 flats, with this application relating to the Flat 1, at lower ground and ground floors. The property is not listed but is located in the Hampstead Conservation Area.

Relevant History

[PWX0202619](#)

Full Planning Permission

The change of use from a single family dwellinghouse to three self-contained flats, including works of conversion and alteration comprising a reduced terrace at rear ground floor level and the erection of a new bin store. Grant Full Planning Permission (conds) 04-11-2002

[2011/2031/P](#)

Full Planning Permission

Conversion from 2x two bedroom and 1x three bedroom self-contained flats to 1x one bedroom flat at basement level and 1x four bedroom dwelling at ground, first, second and third floor level (Class C3). Grant Full Planning Permission (conds) 20-06-2011. This permission has since expired unimplemented.

Relevant policies

National and Regional Policy

National Planning Policy Framework (NPPF) 2018
London Plan 2016

Camden Local Plan 2017

Policy G1 Delivery and location of growth
Policy H1 Maximising housing supply
Policy H3 Protecting existing homes
Policy H4 Maximising the supply of affordable housing
Policy H6 Housing choice and mix
Policy C5 Safety and security
Policy A1 Managing the impact of development
Policy A4 Noise and vibration
Policy A5 Basements
Policy D1 Design
Policy D2 Heritage
Policy CC1 Climate change mitigation
Policy CC2 Adapting to climate change
Policy CC3 Water and flooding
Policy CC5 Waste
Policy T3 Transport infrastructure
Policy T4 Sustainable movement of goods and materials
Policy DM1 Delivery and monitoring

Hampstead Neighbourhood Plan (2018)

Camden Planning Guidance

Adopted March 2018:
CPG Housing (interim)
CPG 2 Housing, May 2016 (updated March 2018)
CPG Amenity
CPG Basements

Adopted Prior:
CPG 1 Design (July 2015)
CPG 3 Sustainability (July 2015)
CPG 7 Transport (September 2011)

Assessment

1. Proposal

1.1 The proposal in more detail includes:

- The erection of a 2 storey glazed rear extension located at basement floor level (5.3m in height; 3.5m in width; 2.5m in length). This element would rationalise the rear amenity space, replacing the concrete stairway from basement to ground floor level and concrete slab platform at ground floor level.
- The creation of a lightwell at the end of the amenity space requires the excavation of an area, approximately 4sqm, at rear basement floor level.
- Increase in height of boundary wall (brick to match) with No.5 Branch Hill up to 2.2m, currently 1m in height
- Increase in height of boundary wall (brick to match) with Branch Hill Mews up to 2.2m, currently 2m in height
- The extensions and alterations would provide additional accommodation to the existing flat.

2. Assessment

2.1 The principal considerations material to the determination of this application are summarised as follows:

- Design (and impact on the Conservation Area)
- Basement
- Impact on neighbouring amenity
- Transport

3. Design (and impact on the Conservation Area)

3.1 Within the short terrace of Nos. 1-5 Branch Hill, the rear elevations are characterised with two storey outriggers at basement and ground floor level of a shallow depth. The rear gardens are relatively open, terminating with the flank wall of the commercial premises at Branch Hill Mews. Where Nos. 1 – 4 Branch Hill consist of generously sized gardens, No.5 features a garden less than half the size of its neighbours, as a result of the entranceway to Branch Hill Mews.

3.2 The application site's rear amenity space is all hardstanding, and the proposal would require the removal and replacement of a concrete stairway from basement to ground floor level and concrete slab platform at ground floor level. In its place would sit a flat topped glazed extension set behind the raised adjoining boundary walls and a rear lightwell. Based upon the officer's site visit, this area is presently considered to be a relatively inefficient and unsympathetic arrangement of amenity space, particularly when compared with its neighbours; and although the proposal would enclose a significant portion of the rear, the resulting space would be a visual improvement to both the occupiers and those viewing the property.

3.3 Whilst no pattern has been set in terms of rear extensions at basement or ground floor level within this terrace, the application site's individual character and tapered site lends itself to this form of development for the betterment of its appearance and amenity value. The rear extension would sit below raised brick boundary walls (up to 2.2m in height) and would appear, when viewed from surrounding upper floor levels, as a lightweight and subordinate structure to the host building.

3.4 Beyond the rear extension would sit a platform/terrace which would significantly screen the lightwell and any perception of depth or 'underground development'.

3.5 With regard to detailed design, the proposed brick stock for the raised boundary walls, glazing for the rear extension and would appropriately match or be sympathetic to the style and appearance of the main building.

3.6 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of 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.

3.7 Hampstead is a Conservation Area of considerable quality and variety. A range of factors and attributes come together to create its special character. These are principally; its topography; the Heath; the range,

excellence and mix of buildings; the street pattern and Hampstead's historical association with clean water and fresh air. The Branch Hill / Oak Hill area is principally woodland on the western slopes of Hampstead in which buildings play a subordinate role. The scale and materials proposed forming part of this scheme would preserve such a character and appearance of the Conservation Area. The proposal would therefore comply with Policies D1 and D2 of the Local Plan and DH1: Design of the Hampstead Neighbourhood Plan.

4. Basement

4.1 The application was submitted on 29/12/2017 without a robust Basement Impact Assessment, contrary to the requirements of the Camden Local Plan policies, supplementary guidance and Policy BA1 of the Hampstead Neighbourhood Plan. A significant portion of those whom objected on the scheme, including the Heath and Hampstead Society, also noted this failing. The applicant subsequently provided a robust Basement Impact Assessment prepared by LBH Wembley on 20/07/2018 for review.

4.2 The BIA has confirmed that the proposed basement extension will be over a very small area (in the order of 1m x < 2m) and will require an excavation of around 4m from existing ground level. This proposal is slightly different from a typical 'basement' whereby it would result in the removal of a retaining wall. Although it would remove a portion of the site at basement floor level, this must be understood in the context of the site, which comprises a very small hardstanding garden of limited value. Within this context, the proposal would not be contrary to parts f – m of policy A5.

4.3 The BIA states underpinning to be the method for basement construction. Temporary works information is provided. Damage impact to neighbouring structures is assessed to be Category 0 (Negligible) in accordance with the Burland Scale.

4.4 In response to consultation responses, the Engineer has confirmed that stability of the carriageway and the adjoining structures will be maintained.

4.5 It is accepted that the development will not impact on the wider hydrogeological or hydrological environments, will not impact upon slope stability and is not in an area subject to flooding.

4.5 The BIA meets the criteria of CPG Basements, policy A5 of the Local Plan and BA1 (1 & 2) of the Hampstead Neighbourhood Plan.

4.6 Campbell Reith have not recommended that a Basement Construction Plan be secured, but the standard condition requiring details of a relevantly qualified basement engineer overseeing the development will be attached.

4.7 In response to consultation responses, the BIA states that access to the sewer will be maintained.

5. Impact on neighbouring amenity

5.1 Given the development would be set behind and below the surrounding boundary walls; and its facing elevation would be onto a commercial building (Branch Hill Mews), the detrimental amenity impact of the extension itself is very limited in terms of overlooking, loss of sunlight /daylight or enclosure.

5.2 The main impact would result from the raised boundary wall alongside No.4 Branch Hill, which will see the existing brick wall, currently 1m in height (but with bamboo screening from the neighbours side rising up to approximately 2.5m) raised up to 2.2m in height. The adjacent outrigger of No.4 Branch Hill features an inset window at ground floor level and could see a potential loss of daylight (CPG amenity – 45 degree test), however this would be limited and impacting a subsidiary window to a dwelling house.

5.3 Within this context and with no issues of amenity raised in the consultation summary, it is considered that the proposed extension and alterations, would not harm the amenities of adjoining occupiers at Branch Hill and Branch Hill Mews, in terms of access to sunlight, daylight, visual bulk, sense of enclosure or privacy.

6. Construction Impacts

6.1 Policy BA3: Local Requirements for Construction Management Plans (CMP) of the Hampstead Neighbourhood Plan states that proposals for basement development should be accompanied by a Construction Management Plan (CMP), including adequate information to assess the impact of the construction phase such as: the disturbance arising from construction and demolition such as noise, vibration and dust; traffic and construction activity; and the safety of pedestrians, cyclists and other road users. The supporting text

to this policy states that the more complex the proposed basements, the more detailed the levels of information which should be provided at the application stage.

6.2 The proposed basement extension is modest in scale and would not result in significant impacts on highway safety or amenity in the area. The application has therefore been supported by a Construction Statement, which gives a sufficient level of details of the vehicles to be used during construction and how they will access the site, the timing and sequencing of deliveries/removals, storage of materials on site, excavation of ground and how this would be removed from the site, hours of working, noise and dust mitigation measures and a local complaints procedure. This has been reviewed by the Council's Transport Planning and Environmental Health departments who have no objections to the construction management details, which would not result in significant impacts on local highway or pedestrian safety.

6.3 On this basis the proposal complies with Policy BA3 of The Hampstead Neighbourhood Plan as well as policy A1 of the Local Plan, as commensurate construction details have been provided as part of the application that sufficiently demonstrate that the construction phase of the development would be in accordance with policy objectives. The Construction Statement would be secured as part of the planning permission.

7. Conclusion

7.1 Overall, the proposed extensions and alterations would preserve the character and appearance of the building and conservation area, would not harm the amenity of neighbouring properties and the basement and construction impacts of the development are considered to be acceptable, all in accordance with the Camden Local Plan, the Hampstead Neighbourhood Plan and Hampstead Conservation Area Statement.

Recommendation: Grant conditional Planning Permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 29th October 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'.

Application ref: 2017/6899/P
Contact: Gideon Whittingham
Tel: 020 7974 5180
Date: 12 October 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

AD Architecture & Visualisation
1 Pelham Road
LONDON
SW19 1SU

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**5 Branch Hill
London
NW3 7LT**

Proposal:

Erection of rear 2 storey extension at basement and ground floor level.

Drawing Nos: OS2 (07.12.2017); E01 (06.12.2017); E02 (06.12.2017); P01 Revision B; P02 (06.12.2017); P03 (06.12.2017); Basement Impact Assessment, prepared by LBH Wembley, dated July 2018 (LBH4523 Ver 2.0), Construction Statement (October 2018).

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans [OS2 (07.12.2017); E01 (06.12.2017); E02 (06.12.2017); P01 Revision B; P02 06.12.2017); P03 (06.12.2017); Basement Impact Assessment, prepared by LBH Wembley, dated July 2018 (LBH4523 Ver 2.0), Construction Statement (October 2018)]

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 5 The basement works as approved shall be carried out in accordance with the recommendations and methodologies of the Basement Impact Assessment, prepared by LBH Wembley, dated July 2018 (LBH4523 Ver 2.0), Basement Impact Assessment Audits rev D1 (August 2018) and F1 (October 2018), Construction Statement (October 2018).

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1 and A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework.

DRAFT

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

DECISION