

56 DARTMOUTH PARK ROAD, LONDON NW5

CONSTRUCTION OF EXTENSION TO EXISTING BASEMENT

JOINT PLANNING STATEMENT AND HERITAGE STATEMENT

1 INTRODUCTION

- 1.1 The planning application seeks permission for the extension of the existing single-storey basement to form a family and leisure room.
- 1.2 The application property consists of a two-storey, detached Victorian house in a row of similar dwellings on the north side of Dartmouth Park Road. The property lies within a wholly residential area.
- 1.3 The site lies in the Dartmouth Park Conservation Area. The house is not a listed building and there are no listed buildings in the immediate vicinity.
- 1.4 The construction of a basement below the footprint of a dwelling would normally be permitted development under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015; permission is required in this case because of an Article 4 direction, made by the Council in June 2017, which removes permitted development rights for basement development.
- 1.5 This Planning Statement, which addresses the planning merits of the proposal in the context of the relevant local and national planning policies, should be read in conjunction with the Design Statement prepared by the project architects, Edwards Rensen Architects.
- 1.6 A Design Statement is not a legal requirement in this case (see Article 9(1) of the Town and Country Planning (Development Management Procedure) (England) Order

2015), but is provided in order to explain fully the design principles that have been applied to this proposal.

- 1.7 In view of the limited scale and impact of the proposed basement extension, in a position not visible from the road or any other public place, a specific Heritage Statement is considered unnecessary in this case; the relevant heritage issues are adequately addressed in the Design Statement and in this Planning Statement (see paragraph 012 of Planning Practice Guidance: Conserving and Enhancing the Historic Environment).

2 LEGAL FRAMEWORK

- 2.1 The application property is an unlisted building within the Dartmouth Park Conservation Area. The relevant legislative requirements are summarised below.
- 2.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with adopted development plan policies, unless material considerations indicate otherwise.
- 2.3 The site is in a designated conservation area and the Council will be aware of the duty imposed by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure that new development should preserve or enhance the character or appearance of the Conservation Area.
- 2.4 As noted at paragraph 1.4 above, the Council has made a direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which has the effect of removing permitted development rights in respect of basement development.

3 PLANNING POLICIES

3.1 The development plan consists of:

- . The London Plan 2016; and
- . Camden Local Plan 2017.

3.2 Also of relevance is the guidance in the following documents:

- . Camden Planning Guidance: Basements (March 2018);
- . Camden Planning Guidance: Design (2018);
- . Dartmouth Park Conservation Area Appraisal and Management Statement 2009 (the DPCAAMS); and
- . National Planning Policy Framework 2018 (the NPPF);

3.3 I set out below a summary of the local policies that I consider relevant to this proposal.

The London Plan

3.4 *Policy 7.4 – Local Character*

Policy 7.4 requires new buildings to provide a high quality design that has regard to the existing urban grain in terms of scale, proportion and mass, and makes a positive contribution to the character of the area.

3.5 *Policy 7.6 – Architecture*

This requires that buildings:

- . be of the highest architectural quality;
- . use design and materials that complement, not necessarily replicate, local character;
- . not cause unacceptable harm to the amenity of neighbouring buildings in relation to privacy and overshadowing;
- . provide high-quality indoor space and integrate well with surrounding streets; and
- . optimise the potential of sites.

3.6 *Policy 7.8 – Heritage Assets*

This policy seeks to sustain and enhance the significance of heritage assets, including conservation areas, and requires that new development should “conserve, restore, re-use and incorporate heritage assets” and be “sympathetic to their form, scale, materials and architectural detail”.

Camden Local Plan

3.7 *Policy A1 – Managing the Impact of Development*

This policy seeks to protect the quality of life of occupiers and neighbours taking into account factors such as privacy, outlook, sunlight, daylight, overshadowing, transport and noise.

3.8 *Policy A5 – Basements*

This policy relates specifically to the planning issues associated with the development of basements and light wells, and stresses that such proposals should not cause harm to:

- neighbouring properties;
- the structural ground or water conditions of the area;
- the character and amenity of the area;
- the architectural character of the building; and
- the significance of heritage assets.

The policy requires the submission of a Basement Impact Assessment (BIA) to address technical matters relating to drainage, flooding, groundwater and structural stability. The policy goes on to list, at items (f) to (u), criteria that must be satisfied by basement developments. A copy of policy A5 is attached to this Statement.

3.9 *Policy D1 – Design*

This policy states that the Council will seek to secure high quality design and requires new development to:

- respect local context and character;
- preserve or enhance heritage assets;
- be sustainable in its design and construction;
- include details and materials that complement local character;

- . incorporate high quality landscaping; and
- . incorporate outdoor amenity space.

3.10 *Policy D2 – Heritage*

This heritage policy reflects the guidance in the NPPF and, amongst other things, states that development that results in “less than substantial harm” will not be permitted unless the public benefits of the proposal convincingly outweigh the harm. The policy also seeks to preserve trees and garden spaces that contribute to the character and appearance of conservation areas.

Camden Planning Guidance: Basements (March 2018)

3.11 This supplementary planning guidance (which replaces previous basement guidance in Camden Planning Guidance 4: Basements and Lightwells – July 2015) seeks to provide detailed advice on the application of the criteria set out in policy A5 of the Camden Local Plan. The key points made in the planning guidance are that basement proposals should:

- . not harm neighbouring properties;
- . not harm structural, ground or water conditions;
- . not harm the character and amenity of the area;
- . not harm the heritage significance of the area;
- . be subordinate to the host building;
- . not be more than one storey; and
- . be accompanied by a BIA.

Camden Planning Guidance 1: Design (July 2015)

3.12 Whilst there is nothing in this guidance on design that relates specifically to basement developments, the general advice (at section 4), in relation to extensions and alterations, that works should respect the character and design of the property and its surroundings, applies to any parts of a basement and light well proposal that might affect the external appearance of a building.

Dartmouth Park Conservation Area Appraisal and Management Statement (2009)

- 3.13 This statement includes general advice on basement development and indicates that the provision of light wells, with their associated railings and grilles, can harm the appearance of the building and the streetscape, and can occupy an excessive proportion of the front garden (see page 48 of the DPCAAMS).

National Planning Policy Framework (2018)

- 3.14 The new NPPF was issued in July 2018. Those parts of the NPPF that are relevant to this application are:
- . Chapter 11 Making effective use of land (and especially the advice at paragraph 123(a));
 - . Chapter 12 Achieving well designed places (and especially the guidance at paragraph 127); and
 - . Chapter 16 Conserving and enhancing the historic environment (and especially the guidance at paragraphs 189 to 196).

Planning assessment

- 3.15 The Camden Local Plan indicates that planning permission for basement developments will be granted provided the proposal satisfies the relevant requirements of policy A5. There is no general presumption against the construction of basements.
- 3.16 The house already has a small basement, extending to about 24 square metres (see drawing P-03) and the proposal is to extend this under the south-west corner of the dwelling to create a basement of 34 square metres, providing a family room, served by a small light well, together with a small store (see drawing BP-15).
- 3.17 The key policy affecting the proposal is policy A5 of the Camden Local Plan (see paragraph 3.8 above), supported by the detailed guidelines in Camden Planning Guidance: Basements (see paragraph 3.11 above). Having regard to the provisions of these documents, together with other relevant planning factors, the principal arguments in support of the proposed basement are set out at paragraphs 3.18 to 3.23 below.

- 3.18 A Basement Impact Assessment has been carried out (by Conisbee Consulting Engineers), which indicates that the development would give rise to no difficulties with respect to drainage, flooding risk, groundwater conditions, structural stability or physical impact on neighbouring properties (see sections 10 and 11 of the BIA).
- 3.19 Since, with the exception of the front light well (which would have no railings or grille), no part of the basement development could be viewed from the public domain, the proposal would cause no harm to the character or appearance of the Dartmouth Park Conservation Area.
- 3.20 The only element of the development that would affect the external appearance of the house (the light well) would be sensitively designed and discreetly located and would have no adverse impact on the design of the dwelling.
- 3.21 The enlarged basement would not extend beyond the footprint of the existing house and would occupy only 30% of that footprint (see drawing BP-15).
- 3.22 The form of light well that has been designed, which is compliant with the Building Regulations, requires neither a grille nor railings, thereby minimising its visual impact and addressing the concerns expressed in the DPCAAMS.
- 3.23 The distance between the proposed light well and the front boundary of the site would be in excess of five metres so that the ability to park a car on the driveway would not be comprised (see drawing BP-14).
- 3.24 It is clear that the proposed basement would satisfy all the relevant criteria in policy A5 (and the supporting Camden Planning Guidance: Basements), but for the avoidance of doubt, I set out below the position in relation to each of the requirements at items (f) to (u).
- (f) The basement would be one storey only, as is the existing.
 - (g) The basement enlargement would not be built under the existing basement.
 - (h) The basement would not extend under the garden.
 - (i) The basement would not exceed 1.5 times the footprint of the house; it would occupy only 30% of the footprint.
 - (j) The basement would not extend under the garden.
 - (k) The basement would not extend under the garden.
 - (l) The basement would not extend beyond the side walls of the house.
 - (m) The basement would result in no loss of garden space or trees.

- (n) The BIA demonstrates that the proposal would not harm either of the neighbouring houses.
- (o) The BIA shows that the proposal would not adversely affect drainage, surface water run-off or other aspects of the water environment.
- (p) The proposal would not give rise to cumulative impacts.
- (q) The proposed basement would not harm the amenities of neighbouring houses.
- (r) The proposal requires no landscaping.
- (s) The basement would not harm the appearance of either the house itself or the surrounding area.
- (t) The proposal would not affect any archaeological remains.
- (u) The basement development would have no impact on any trees in the area.

3.25 For the reasons explained in this Planning Statement, the proposed basement development would meet all the requirements of Local Plan policy A5 and the Council is requested to grant planning permission subject to any appropriate planning conditions.

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Policy A5 Basements

The Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- a. neighbouring properties;
- b. the structural, ground, or water conditions of the area;
- c. the character and amenity of the area;
- d. the architectural character of the building; and
- e. the significance of heritage assets.

In determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment and where appropriate, a Basement Construction Plan.

The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Basement development should:

- f. not comprise of more than one storey;
- g. not be built under an existing basement;
- h. not exceed 50% of each garden within the property;
- i. be less than 1.5 times the footprint of the host building in area;
- j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;
- k. not extend into or underneath the garden further than 50% of the depth of the garden;
- l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and
- m. avoid the loss of garden space or trees of townscape or amenity value.

Exceptions to f. to k. above may be made on large comprehensively planned sites.

The Council will require applicants to demonstrate that proposals for basements:

- n. do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';
- o. avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- p. avoid cumulative impacts;
- q. do not harm the amenity of neighbours;
- r. provide satisfactory landscaping, including adequate soil depth;
- s. do not harm the appearance or setting of the property or the established character of the surrounding area;
- t. protect important archaeological remains; and
- u. do not prejudice the ability of the garden to support trees where they are part of the character of the area.