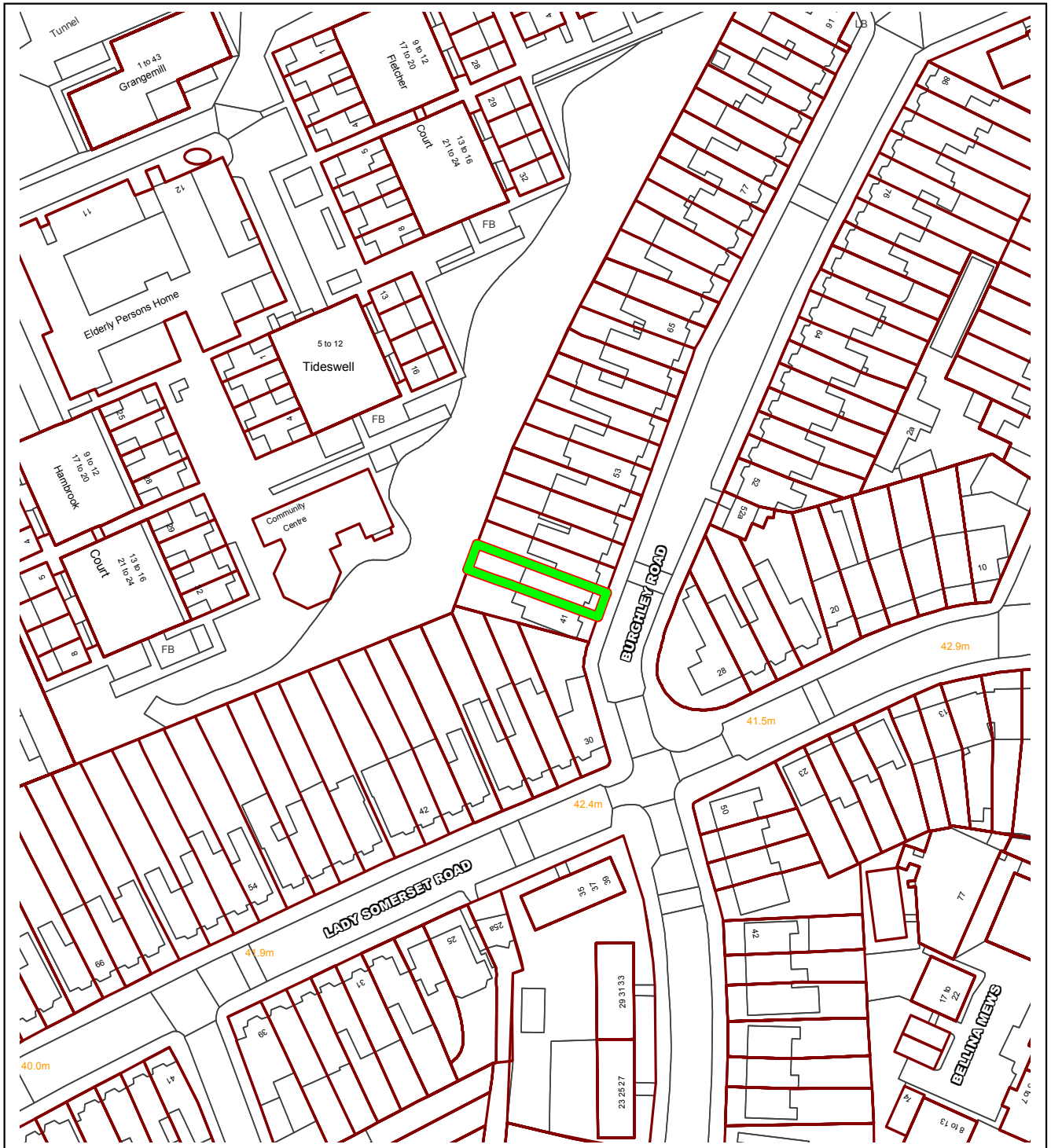


2015/6385/P – 43 Burghley Road, NW5 1UH



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Photos



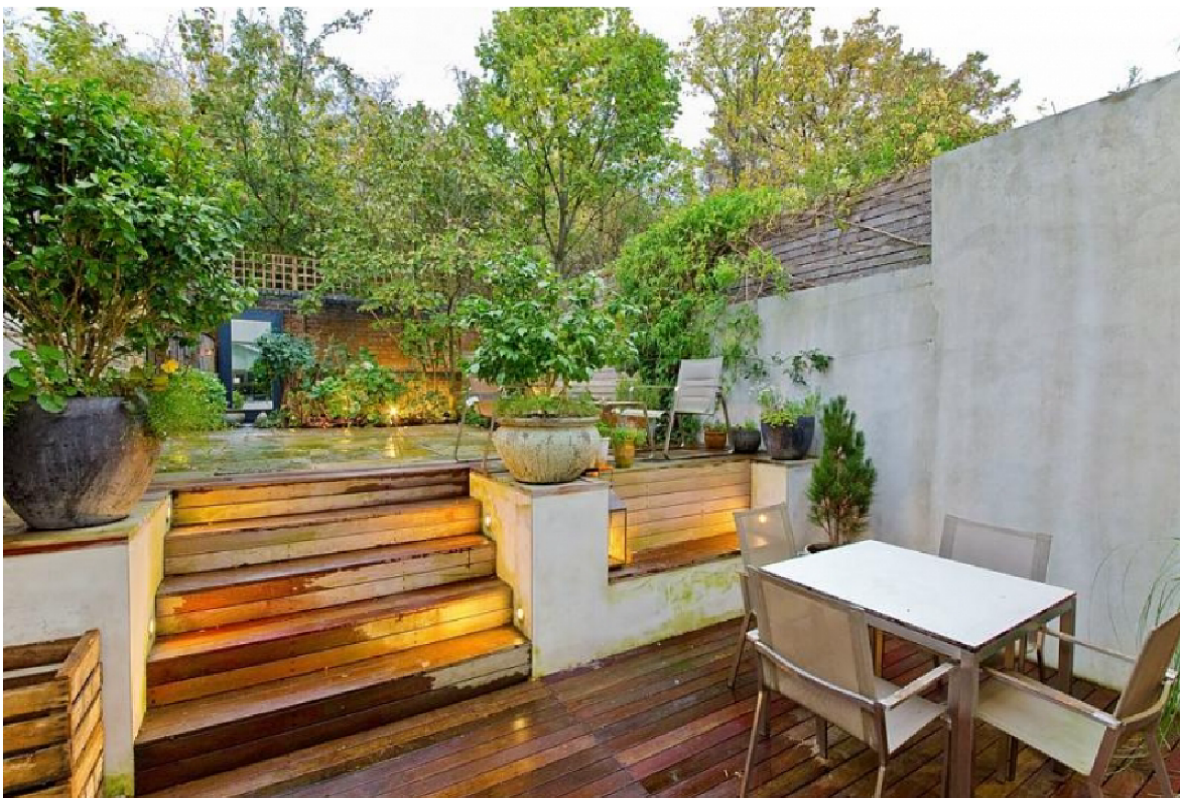
1. View of the front elevation



2. View of the rear elevation



3. View from kitchen to rear garden



4. View of rear garden from kitchen

Delegated Report (Members Briefing)		Analysis sheet N/A		Expiry Date: 08/01/2016		Consultation Expiry Date: 14/01/2016	
Officer			Application Number(s)				
Jaspreet Chana			2015/6385/P				
Application Address			Drawing Numbers				
43 Burghley Road London NW5 1UH			See decision notice				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Excavation of single storey basement with front and rear lightwells							
Recommendation(s):		Grant Planning Permission Subject to s106 Legal Agreement					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	26	No. of responses	03	No. of objections	03
				No. electronic	03		
Summary of consultation responses:		<p>Notification by post was sent to surrounding neighbours and a site notice was displayed 24/12/2015-14/01/2016.</p> <p>Letters of objection have been received from neighbours at 41, 45 and 47 Burghley Road. The objections relate to:</p> <ol style="list-style-type: none"> 1. Subsidence; 2. Parking and disruption from construction; 3. Changes to façade not in keeping with the streetscene; 4. Impact on trees; 5. Loss of front garden area. <p><u>Officers' comments:</u></p> <ol style="list-style-type: none"> 1. Please refer to section 4 Basement impact below 2. Please refer to section 7 Transport below 3. Please refer to section 3 Design below 4. Please refer to section 4.4 and 8 Trees below 5. Please refer to section 3 Design below 					
CAAC/Local groups* comments: *Please Specify		N/A					

Site Description

The subject site is located on the west side of Burghley Road. The property is not within a conservation area and nor is it a listed building. The building is a three storey terraced brick property which is a single dwellinghouse (Use Class C3).

Relevant History

None.

Relevant policies

National Planning Policy Framework (2018)

The London Plan March (2016)

Camden Local Plan (2017)

- G1 Delivery and location of growth
- A1 Managing the impact of development
- A4 Noise and vibration relevant?
- A5 Basements
- D1 Design
- CC3 Water and flooding
- T4 Promoting the sustainable movement of goods and materials

Camden Planning Guidance

- CPG 1 – Design
- CPG 4 – Basements
- CPG 6 – Amenity
- CPG 7 – Transport

Assessment

1. Proposal

1.1. This application seeks planning permission for the formation of a basement level with lightwells to the front and rear elevations. The basement excavation would extend the existing basement floor to cover the whole footprint of the building (an additional 83.5sqm), with a floor to ceiling height of 2.55m. Two timber sash windows would be added to the front and large glass opening doors to the rear. The proposed extension of the existing basement would provide; a bedroom, two bathrooms, a cloak and utility room and multi-purpose room.

1.2. The basement shall be 3m deep, 17.2m from the front to the rear including the lightwell space and 5.6m wide (full width of property).

2. Assessment

2.1. The main issues for considerations are:

- Design;
- Basement impact;
- Impact on the neighbouring amenity;
- Trees;
- Transport

3. Design

- 3.1. Policy D1 aims to ensure the highest design standards for developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. The external manifestation of the basement are the front and rear lightwells. The rear lightwell shall be partially covered by toughened glass. The lightwells shall not be widely visible as they are at ground level and below. The front of the property has a low brick boundary wall with a hedge to be retained. The development is not considered to harm the character of the property or the surrounding area.
- 3.2. Policy A5 Basements of the Camden Local Plan 2017 includes a number of stipulations for proposed basement development within the Borough, including upper limits to the acceptable proportions of proposed basement extensions in comparison to the original dwelling. Policy A5 states that 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.
- 3.3. Policy A5 also states that the siting, 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.
- 3.4. The proposed development would have a fairly minor impact on the overall character and appearance of the host building. The basement extension would not extend beyond the side building lines of the existing dwelling but would extend slightly beyond the front and rear elevations incorporating modest lightwells which do not exceed 50% of the front or rear gardens. As such there will be no impact on the usability of the private open space in the rear garden or the front driveway and no impact would be had on the appearance of the host dwelling or character of the surrounding area.
- 3.5. A front lightwell and rear lightwell and rooflight are proposed adjacent to the building lines of the existing dwelling. The finish of these lightwells would be fairly open with toughened glass over the top. The front lightwell would be covered by a white painted render wall & coping and the rear lightwell will also face onto a white painted render wall & coping but with a steel balustrade around the top which would be at garden level. Although this design of lightwells would not generally be considered, given that they are to be set away from the street and away from neighbouring boundaries, it is not considered they would be seen from any public views and therefore would not be detrimental to the subject dwelling or the surrounding area. The basement would not appear as an incongruous addition and would not be visible from the street due to the boundary wall and hedge used as screening and the host dwelling being set back another 2m from the front boundary wall.

3.6. It is therefore considered that the proposed basement would comply with Policy A5 and is considered acceptable on design grounds.

4. Basement impact

4.1. Policy A5 (Basements) states that basements will only be permitted where it is demonstrated there would be no harm to neighbours, structural, ground and water conditions. Policy A5 further states applicants are required to provide a Basement Impact Assessment demonstrating risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight' and no damage to the water environment including drainage and run-off. Camden Planning Guidance 4 (Basements and lightwells) provides specific guidance for the level of information required by the applicant along with the process for Basement Impact Assessment audits. The site is in an area of constraints including hydrological, and slope stability constraints.

4.2. The applicants submitted a Basement Impact Assessment and Ground Investigation Report, Land Stability Report which have been independently audited by Campbell Reith in accordance with basement policy A5. After assessment further information was required from the auditors in relation to ground movement and this was later provided and the BIA and GIR were amended and a Building Damage Assessment was submitted. The assessments indicate that if settlement and horizontal movements of the party walls are limited to 5mm, damage to neighbouring properties should not exceed Burland Category 1. This is accepted as reasonable provided there is good control of work construction.

4.3. Outline structural calculations were presented in the documents these are accepted, although they require to be developed as part of detailed design and should consider the ground model presented in the BIA. The Structural Feasibility Report provides an outline monitoring strategy which should be developed as part of detailed design.

4.4. An arboricultural assessment submitted confirms the basement will encroach marginally into the root protection zone of a tree at the front of the property, but it is considered no effect would be had upon the existing tree which would be detrimental. Furthermore, measures to protect the highway are recommended in the BIA. It is accepted that no other significant impact to land stability exist.

4.5. The hydrology and hydrogeology screening and scoping identify no significant impacts on the local and wider water environment. It is therefore confirmed that the revised documents submitted confirm the basement proposals to be in accordance with the requirements of CPG: Basements and Policy A5.

4.6. Overall, the basement works are considered to be acceptable, subject to a highways contribution and an approval in principle secured via s106 legal agreement (as the works are adjacent to the public highway).

5. Accommodation

5.1. The quality of the proposed residential accommodation is considered acceptable as the multi-purpose room to the rear would receive adequate daylight and sunlight from the lightwell and rooflight and shall have ample headroom. The front room is a bedroom and given the accommodation is surplus to the large existing dwelling the standard of accommodation in the front of the basement is also considered acceptable.

6. Impact on the neighbouring amenity

6.1. The proposed basement floor is not considered harmful in terms of amenity given it is beneath ground level where it would not cause loss of light, outlook or privacy. The proposal would not result in a reduction of sunlight, daylight, outlook or privacy to the neighbouring properties. The

proposal is therefore considered to be acceptable in this respect and compliant with Policy A1 Managing the impact of development.

7. Transport

7.1. Policy T3 (Transport Infrastructure) advises the Council will protect existing transport infrastructure. A financial contribution for highway works (repaving the footway) directly adjacent to the site on Burghley Road would also be required to be secured via a Section 106 planning obligation if planning permission were granted (£3,343.87). This would allow for any damage caused during construction of the proposed development to be repaired. An approval in principle (£1,800) secured via s106 legal agreement is also necessary given the works are adjacent to the public highway.

8. Trees

8.1. The applicant has submitted an Arboricultural Report in accordance with policies A1 Managing the impact of development and A3 Biodiversity, to support the proposal. The arboricultural report has been reviewed and is considered acceptable to address the impact on trees from the development and the management strategy to avoid adverse impact during construction. No trees are to be removed and tree protection measures shall be used throughout the construction (secured via condition).

9. Recommendation

9.1. Grant planning permission subject to s106 legal agreement for highways contribution and approval in principle.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on 19th November 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'.

Martin Evans Architects
18 Charlotte Road
London
EC2A 3PB
United Kingdom

Application Ref: **2015/6385/P**

14 November 2018

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
43 Burghley Road
London
NW5 1UH

Proposal:

Excavation of single storey basement with front and rear lightwells

DECISION
Drawing Nos: BRL-PL-EX-01, BRL-PL-EX-02, BRL-PL-EX-03, BRL-PL-EX-04, BRL-PL-EX-05, BRL-PL-EX-06, BRL-PL-GA-01, BRL-PL-GA-02, BRL-PL-GA-03, BRL-PL-GA-04, BRL-PL-GA-05A, BRL-PL-GA-06, BRL-PL-GA-07C, Arboricultural Impact Assessment MEA/43BGR/AIA/01 8th November 2017, Design and Access Statement October 2015, Slope Analysis October 2016, Structural Feasibility Report REV E August 2018, Basement Impact Assessment Audit September 2018, Basement Construction Method Statement Rev E August 2018, Basement Impact Assessment and Ground Investigation Report September 2018.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 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:

BRL-PL-EX-01, BRL-PL-EX-02, BRL-PL-EX-03, BRL-PL-EX-04, BRL-PL-EX-05, BRL-PL-EX-06, BRL-PL-GA-01, BRL-PL-GA-02, BRL-PL-GA-03, BRL-PL-GA-04, BRL-PL-GA-05A, BRL-PL-GA-06, BRL-PL-GA-07C, Arboricultural Impact Assessment MEA/43BGR/AIA/01 8th November 2017, Design and Access Statement October 2015, Slope Analysis October 2016, Structural Feasibility Report REV E August 2018, Basement Impact Assessment Audit September 2018, Basement Construction Method Statement Rev E August 2018, Basement Impact Assessment and Ground Investigation Report September 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 and A5 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 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.
- 4 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).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

DRAFT

DECISION