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Date: 18/05/2018
Our ref: 2018/1754/PRE
Contact: Samir Benmbarek
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Ms Holly Au
 Jonathan Freegard Architects
 5 Tredegar Square
 Bow
 London
 E3 5AD
By email

Dear Ms Au

Re: 1 St. Mark's Crescent, London, NW1 7TN

Thank you for submitting a pre-planning application enquiry for the above property which was received on 12 April 2018 together with the required fee of £432.69.

1. Drawings and documents

1SMC- DE- 00	Location Plan
1SMC-DE-01	Site Plan
1SMC-DE-02	Existing Plans (Lower Floors)
1SMC-DE-03	Existing Plans (Upper Floors)
1SMC-DE-04	Existing Elevations
1SMC-DE-05	Existing Section
1SMC-DE-10	Proposed Plans
1SMC-DE-11	Proposed Elevations
1SMC-DE-12	Proposed Sections
	Draft Design and Access Statement

2. Proposal

Excavation of a basement storey to dwelling house with new front and rear lightwells plus alterations to existing rear conservatory

3. Site description

The site comprises of a four storey mid-terrace dwelling house located on the northern side of St. Mark's Crescent. The building is located within the Primrose Hill Conservation Area and is described as a building which makes a positive contribution to the conservation area. It is not a listed building. To the immediate north of the application site is the Regent's Canal which is also within a conservation area.

4. Relevant planning history

No planning application history.

5. Relevant policies and guidance

[National Planning Policy Framework 2012](#)

[The London Plan March 2016](#)

[Camden Local Plan 2017](#)

- G1- Delivery and location of growth
- A1- Managing the impact of development
- A3- Biodiversity
- A4- Noise and vibration
- A5- Basements
- D1- Design
- D2- Heritage
- CC1- Climate change mitigation
- CC2- Adapting to climate change
- CC3- Water and flooding
- T4- Sustainable movement of goods and materials
- DM1- Monitoring and delivering

[Camden Planning Guidance](#)

CPG Amenity (2018)

CPG Basements (2018)

CPG1 (Design) (2011; Updated March 2018)

CPG7 (Transport) (2011)

CPG8 (Planning Obligations) (2015; Updated March 2018)

[Primrose Hill Conservation Area Statement \(2000\)](#)

6. Introduction

This written response is based on the drawing submitted in the “Drawings and Documents”. This is general and informal planning officer response to the proposal and development in relation to the submitted drawings and documentation. Should the pre-application scheme be altered, some of the advice given may become redundant as a result of this. The advice may not be considered relevant if adopted planning policies at national, regional or local level are changed or amended. Other factors such as case-law and subsequent planning decisions may affect this advice.

7. Assessment of Proposed Basement Excavation

The proposed basement excavation would be required to meet the following criteria outlined in CPG Basements in order to be considered acceptable in principle:

- Does not cause harm to the built and natural environment and local amenity;
- Does not result in flooding;
- Does not lead to ground instability

It would be expected that a Basement Impact Assessment (BIA) would be submitted addressing the particular issues above. The information contained within the BIA should be specific to the site and the particular proposed development. The BIA should include the following stages:

- Stage 1- Screening;
- Stage 2- Scoping;
- Stage 3- Site investigation and study;
- Stage 4- Impact Assessment; and
- Stage 5- Review and decision making.

The purpose of the BIA is to enable the Council to 'assess whether any predicated damage to neighbouring properties and the wider environment is acceptable or can be satisfactorily ameliorated by the developer' as stated in policy A5 of the Camden Local Plan.

The Council's records show that No. 1 St. Mark's Crescent appears to have the following underground constraints. The submitted BIA should address the following:

- Subterranean (groundwater) flow;
- Slope stability
- Surface water flow and flooding

A BIA report would be required as part of the application submission which would provide the Council with the relevant information to determine whether an excavation of a basement is acceptable. The BIA will be independently checked at the applicant's expense by Campbell Reith. Depending on the outcome of the audit and sensitivities of the site, the excavation methodology may need to be subject to a Basement Construction Plan, subject to S106 legal agreement.

Scale and Character

Section 2.4 of CPG4 (Basements and Lightwells) states "just as overly large extensions above the ground level can dominate a building, contributing to the over-development of a site, and 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".

The Council will only permit basement developments in accordance with criteria points A-M of policy A5 of the Local Plan (p.190) as listed in the table below. This is accompanied by comments on its likelihood of complying based on the submitted drawing(s).

Policy A5 Criteria	Response	Complies Yes/No
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;	See 'Neighbour amenity' section below.	
b) the structural, ground, or water conditions of the area;	<p>Any future planning application for a basement development on this site would need to include a Basement Impact Assessment (BIA) which has been prepared in accordance with the processes and procedures as set out within CPG Basements. Furthermore, the site is subject to underground constraints (subterranean groundwater flow, surface water flow and flooding, and slope stability).</p> <p>The BIA should include the following stages:</p> <ul style="list-style-type: none"> • Stage 1 – Screening; • Stage 2 – Scoping; • Stage 3 – Site investigation and study; • Stage 4 – Impact assessment; and • Stage 5 – Review and decision making. <p>Further details on BIAs can be found in CPG Basements. For completeness, please ensure that the report details the author's</p>	

	<p>own professional qualifications, noting the varying qualification requirements within CPG Basements for the different elements of a BIA study.</p> <p>The submitted BIA will be required to be independently assessed by a third party, at the applicant's expense, to satisfy the Council that the development would not lead to any unacceptable impacts on the land stability, groundwater flows and surface flows of the area should the development be granted.</p> <p>Please note that the Council's preferred provider for the audit service is Campbell Reith. When an audit is required, Campbell Reith charges a fixed fee dependent on the category of basement audit, outlined in Appendix A of Camden's BIA audit service terms of reference.</p> <p>As the BIA will require a third party audit, it will be expected that your report is in line with the Council's Pro Forma. You will need to complete the Basement Impact Assessment Audit Instruction Form on Camden's website; please see Section B for a full list of items to be included in your BIA. You will need to fill out this section of the form and return to us alongside any formal submission.</p>	
c) the character and amenity of the area;	See 'Design' section below.	
d) the architectural character of the building; and	See 'Design' section below.	
e) the significance of heritage assets.	See 'Design' section below.	
Basement development should:		
f) not comprise of more than one storey;	The proposed basement would be single storey in depth.	Yes
g) not be built under an existing basement;	The proposed basement would not be constructed beneath an existing basement	Yes
h) not exceed 50% of each garden within the property;	The proposed basement and lightwell beneath the rear garden would occupy approximately 29.2sqm (29%) of the rear garden of the property (approximately 100sqm).	Yes
i) be less than 1.5 times the footprint of the host building in area;	The proposed basement excavation would have a total area of approximately 87sqm, which would increase the footprint of the building by 50% (from approximately 58sqm), and would be 1.5 times the footprint of the host building.	Yes
j) extend into the garden no further than 50% of the depth of the host	The depth of the host building measured from the principal rear elevation would be 9.5m, 50% of which would be 4.75m. The proposed basement would extend into the rear garden to a maximum	Yes

building measured from the principal rear elevation;	depth of approximately 5.2m (54.7%), which would fail to comply by 0.45m (9.4%). However, the majority of the excavation would be underneath the building and the existing conservatory and an additional 1.5m depth of undeveloped garden space would be excavated to provide a lightwell for the proposed basement level. Therefore, in this instance, this is considered acceptable.	
k) not extend into or underneath the garden further than 50% of the depth of the garden;	The proposed basement and lightwell within the rear garden would not extend into the garden by more than 50% of the depth of the rear garden.	Yes
l) be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and	To ensure that there is sufficient space to sustain the growth of vegetation and trees and to enable water drainage, the proposed basement would need to be amended to ensure that it is set in from all neighbouring boundaries where it extends beyond the main building. The lightwell within the rear garden would need to be set in by approx 1m from the boundary shared with No. 2 St. Mark's Crescent, to match the setback on the other side.	No- can be amended.
m) avoid the loss of garden space or trees of townscape or amenity value.	The proposal would not lead to the loss of a disproportionate amount of garden space and, provided that existing trees are adequately protected throughout the works, would not result in the loss of any trees of townscape or amenity value.	Yes

Criteria points N-U (see p.190 of the Camden Local Plan) are required to be demonstrated within the submission and Basement Impact Assessment (BIA).

Overall, the proposed basement extension meets most of the criteria of policy A5 as discussed in the table above. However, as noted in criteria l above, the lightwell would need to be set in from the boundary with No. 2 St. Mark's Crescent to allow the growth of vegetation and to enable water drainage.

The associated front and rear lightwells are considered modest and appropriate in its scale and will not harm the character of the streetscene and conservation area.

Impact on Trees/Biodiversity

The proposed basement will need to take into account the presence of trees located in close proximity within the rear garden. The proposed excavation would need to provide evidence that the root protection zone of trees within the host garden and adjoining gardens would not be harmed. An arboricultural report will also need to be submitted as part of a planning application in line with British Standard 5837:2012. The site is located within the Primrose Hill Conservation Area and as such, all trees over 75mm in diameter at 1.5m in height are afforded legal protection by default.

Design

Alterations to the front elevation as result of the proposed lightwell include the installation of sash window to the same scale and pane arrangement as the existing front window at lower ground floor level. This is considered to have no impact upon the character and appearance of the building by virtue of its location beneath the existing lower ground floor level and its

highly limited views from the street. The associated grille installed at the existing lower ground level is considered appropriate in its design.

At the rear elevation, alterations include the installation of French doors with a side window on either side for access to the rear lightwell. A glazed bridge would be installed at lower ground level for access from the existing conservatory over the lightwell into the garden with some of the garden lowered around the proposed development. The alterations are considered acceptable as they are of a minimal scale and would not be visible in public views due to its location at lower ground floor level at the rear of the building. As with the front lightwell alterations, the additional storey and glazing would have no harmful impact upon the character and appearance of the building by virtue of its location beneath the existing garden level and its highly limited views from the garden and neighbouring properties.

Host Residential Amenity

No.1 St. Mark's Crescent contains a sizeable garden which will not be reduced as a result of the proposal. CPG Basements expects exposed areas of basements to not impact on the amenity and garden sizes in a similar manner to rear extensions.

The proposed basement plan shows a playroom and a storage room to occupy the new basement. It is considered that the habitable room (the playroom) would have sufficient access and enjoyment of daylight, sunlight, and ventilation.

8. Neighbouring Residential Amenity

Policy A1 of the Local Plan seeks to ensure that the amenity of occupiers of neighbouring properties are protected. It states that planning permission will not be granted for development that causes harm to the amenity of neighbours in regards to daylight, sunlight, outlook and privacy. Due to its subterranean location and the minimal scale of the associated works above ground, it is generally considered that the basement and associated works would result in an adverse impact on neighbouring amenity. The changes to the rear conservatory, removing the balcony stairs and providing new stairs to the basement, would not cause any loss of amenity through overlooking.

9. Transport and Servicing

A financial contribution may be required for repaving any footways around the site, as these may be damaged during the construction of the proposed development. This would be secured via a S106 legal agreement.

Policies A1 and T4 of the Local Plan state that Construction Management Plans (CMP) should be secured to demonstrate how the development would minimise impacts from the movement of goods and materials during the construction process (including demolition works). The policies also relate to how development is connected to the highway network. For some developments, this may require control over how the development is implemented (including demolition and construction) through a CMP.

While the development is considered to not be a large-scale development, due to the sensitive location of the site and the size and nature of a basement excavation, a CMP must be secured through a S106 planning obligation should permission be granted. A CMP (in the Council's pro-forma) will need to be submitted once the principal contractor has been appointed, and would need to be approved by the Council prior to any works commencing on site.

A CMP Implementation Support Contribution of £3,136 would also need to be secured as a S106 planning obligation if planning permission is granted. The pro forma and an advice note on providing further information on this financial contribution is available on the below:

<https://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/construction-management-plans.en>

10. Community Infrastructure Levy

As the additional footprint of the building will be under 100sqm, the proposal will not be liable for either the Mayoral or Camden CIL.

11. Conclusion

The proposed basement excavation is generally considered to be acceptable by the Council subject to revisions made to the scheme (setting in of the lightwell to allow vegetation) to address point L of policy A5 of the Camden Local Plan. The proposed lightwells and other external alterations to the building is considered appropriate in design principles. Should the proposal be approved, it would be subject to a S106 legal agreement as discussed in section 10.

12. Planning application information

8.1 If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following for a valid planning application:

- Completed form – Householder Application
- An Ordnance Survey based location plan at 1:1250 scale denoting the application site in red.
- Floor plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Roof plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Elevation drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Section drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Design and access statement
- Basement Impact Assessment
- Arboricultural Report at British Standard 5837:2012
- The appropriate fee £206.00
- Please see [supporting information for planning applications](#) for more information.

We are legally required to consult on applications with individuals who may be affected by the proposals. We would put up notices on or near the site and, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers. For more details click [here](#).

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document please do not hesitate to contact Samir Benmbarek on 020 7974 2534.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Samir Benmbarek

Planning Officer
Planning Solutions Team