

Date: 13/07/18

Your ref:

Our ref: 2018/1290/PRE

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Planning Solutions Team

Planning and Regeneration

Culture & Environment Directorate

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Cordelia Hanel

By e-mail

Dear Ms Hanel,

Town and Country Planning Act 1990 (as amended)

Re: The Coach House, 6 Kidderpore Avenue, NW3 7SP

Thank you for your enquiry received 13/03/2018, regarding excavation of the building footprint to create new lower ground floor level; erection of dormer window in place of existing roof light, new car lift, and associated alterations.

Supporting Information

Pre-planning application statement, 10-103 A, 10-101 A, 10-100 C, 20-107 K, 20-108 K, 20-101 F, 20-104 C, 20-106 K, 20-102 K, 20-105 G, 20-106 K, Construction Management Plan Draft February 2018, Basement Impact Assessment, Basic Geotechnical Ground Investigation Report to Supplement a BIA, Tree Implications Plan, Tree Constraints Plan, Tree Protection Plan, Tree Report revised 24 Jan 2018, Heritage Statement, Ground Movement Assessment, Covering Letter.

Site Description

The proposal relates to a 1 ½ storey single dwellinghouse on the north side of Kidderpore Avenue. The property is the former Coach House to no. 6, and occupies a constrained site set back from the highway by a tree-lined driveway. The west elevation of the building borders Croft Way, a pedestrian right of way.

The site is within Sub Area 5 of the Redington / Frogna Conservation Area and is defined as a positive contributor. The site is also within the Redington and Frogna Neighbourhood Area. Other development constraints include: claygate beds, slope stability, surface water flow and flooding and ground water flows.

Relevant Planning History

The following planning history is relevant to this site:

9005370 – Addition of a pitched roof extension with dormer window to provide additional residential accommodation to coach house building and alterations to the front elevation – **Refused 07/03/1991** – **Appeal Allowed 28/06/1991**.

9210020 - Approval of details of facing materials pursuant to condition 02 of Planning Permission granted on appeal dated 28th June 91 (Ref: PL/9005370/9070879) for addition of a pitched roof extension with dormer window. – **Granted 09/07/1993**

Policies

The most relevant policies are listed below:

National Planning Policy Framework 2012

London Plan 2016

Camden Local Plan 2017

Policy D1 Design

Policy D2 Heritage

Policy A1 Managing the impact of development

Policy A3 Biodiversity

Policy A4 Noise and vibration

Policy A5 Basements

Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car-free development

Camden Planning Guidance

CPG 1 Design (2015 updated 2018)

CPG Basements (2018)

CPG Amenity (2018)

CPG 7 Transport (2011)

CPG 8 Planning Obligations (2015 updated 2018)

Redington / Froggnal Conservation Area Statement (2004)

Proposal

Advice is requested in relation to the following proposed developments:

- Excavation below the existing building footprint to create a basement level with light wells;
- Erection of dormer window to replace existing roof light;
- Replacement conservatory;
- Installation of car lift;
- Associated alterations.

Assessment

The key considerations in the assessment of this proposal are:

- Principle of basement development;
- Design and impact on the character and appearance of the conservation area;
- Impact on the residential amenity of neighbouring occupiers;
- Impact on the parking and the highway network;
- Impact on trees;
- Planning obligations

Principle of basement development

Policy A5 of the Camden Local Plan states that: "the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property." The layout of the site is unconventional, and for the purposes of this assessment, the side-facing garden will be assumed to represent the property's private 'rear' garden. The proposed basement has been assessed against the policy requirements as follows:

Basements should:

f. not comprise of more than one storey;

The proposed basement would form a single storey.

g. not be built under an existing basement;

The existing property has no basement or underground floor space.

h. not exceed 50% of each garden within the property;

The development under the rear garden complies with the policy. The existing rear garden measures approximately 24.4 sq m. The proposed basement would be constructed beneath 7.4m of the garden, leaving 17 sq m of garden, which is less than 50% of the existing.

The development under the front garden does not comply with the policy. The existing front garden measures approximately 42.6 sq m. The proposed basement would be built under 36.6 sq m, which exceeds 50% of the front garden.

i. be less than 1.5 times the footprint of the host building in area;

The footprint of the host building is 82 sq m; therefore the total basement excavation should not exceed 123 sq m. The proposed basement would measure 127 sq m, which slightly exceeds the maximum allowed under the policy.

j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;

As measured from the property's rear (side) elevation, the maximum extension into the garden would be approximately 4m. The proposed basement complies.

k. not extend into or underneath the garden further than 50% of the depth

The depth of the side/rear garden varies between 3.8m and 6.8 due to the irregular boundary of the site. The proposed basement would exceed 50% of the depth of the parts of the rear garden that are less than 5.4m. The area of the proposed basement should be reduced accordingly.

The depth of the front garden is approximately 6.8m. The basement excavation would extend into the front garden more than 50% of its depth, and must be reduced significantly.

l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building;

The excavation would extend beyond the footprint of the host building within the front and rear gardens. The basement should be set back from the boundary along the sides of the conservatory, and within the front garden where it adjoins boundary with no. 6. It is not necessary for the basement to be set back where it adjoins the public footpath.

m. avoid the loss of garden space or trees of townscape or amenity value.

The proposal's impact on trees is considered to be acceptable, as described in the Trees section below. The development would result in a loss of part of the forecourt, to be replaced by lightwells. The reduction of the size of the front lightwell, along with a possible landscaping condition, are considered sufficient to meet the requirements of the policy.

Policy A5 of the Local Plan states that: “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.”

Further guidance on the processes and recommendations for Basement Impact Assessments is set out within CPG4 (Basement and Lightwells 2015) and associated Camden geological, hydrogeological and hydrological study 2010 (the ‘Arup report’).

This site is subject to a number of underground development constraints, which trigger the requirement for the submitted BIA and its conclusions/ recommendations to be independently verified by a third party. The BIA audit is to be undertaken 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. Please note the varying author qualification requirements within CGP4 for the different elements of a BIA study; these qualifications should be detailed within the report.

The Council’s approved single provider for the audit service is Campbell Reith, whose fees are charged in accordance with the Heads of Terms found on the [Basement](#) section of the Council’s website. Campbell Reith will confirm the basement category following completion of the audit instruction form. Fees are recovered by the council following completion of the audit report.

Officers have no objection in principle to the works, subject to the details of the Campbell Reith report and revisions to the overall scale of the excavation as described above. Camden has produced a [‘BIA pro forma’ and a help note on ‘Defining the Scope of Engineering input to preparing BIAs’](#) in order to help applicants who are preparing planning applications for basement development.

Impact on character and appearance of the host building and the conservation area

Dormer

The proposal seeks to erect a single dormer window in the south east roof slope to replace an existing chimney stack and roof light. The existing roof form of the building and most external detailing are not original to the building, but were added recently in a sympathetic style to the main building, no. 6 Kidderpore Avenue, and are considered to make a positive contribution to the architectural character of the conservation area. Given that the chimney stack is not an original architectural feature and does not have heritage value, its replacement with a dormer window is acceptable in principle.

The dormer would feature a hipped roof and timber casement windows, reflecting the detailing of the main building. There are limited views of this roof slope from the public highway due to its distance from Kidderpore Gardens and screening from mature trees/hedges. The proposed dormer addition would be

acceptable in terms of its scale, siting, materials and detailed design, subject to amenity impacts as discussed below.

Front lightwells

The proposal seeks two lightwells at the front of the property, one to the side of the entrance porch with an opening approximately 0.8m x 2.8m, and a sunken garden in the left side of the forecourt measuring approximately 4.75 long and a variable width of 2.3- 1.4m. Both lightwells would extend 2.8m below natural ground level.

Camden Planning Guidance (Basements) states that: “visible lightwells must be discreet and not harm the architectural character of the host building, or the character and appearance of the surrounding area.” Railings securing a lightwell will only be acceptable where they would not cause harm to the appearance of the building or the surrounding area. Glass balustrades are largely unacceptable within conservation areas, and would not be appropriate at the front of a building, including at no. 6a where they would be visible from the public highway.

The garden of no. 6 immediately adjoining the site has a lowered passage surrounded by a masonry wall, and therefore a lightwell opening adjoining the porch would not appear out of keeping. However, the proposed glazed balustrade would not be supported due to its visual impact.

The proposed sunken garden would result in a substantial opening within the forecourt that is not characteristic of the wider area. The scale of the opening would also emphasize the additional storey of the building created by the basement, which would impact the building’s character as a former outbuilding. Although the site is approximately 17m from the highway, the lightwell would be visible and would impact the character of the area. The opening should be made smaller to reduce its visual impact on the host building and the conservation area. The use of hedges to screen the opening may also be necessary.

Conservatory

The proposed conservatory would replace an existing conservatory extension measuring 4.95m wide, 2.8m long, 2.3m high at the eaves and 2.9m at the ridge. The replacement conservatory would have the same dimensions as the existing, apart from being slightly wider at 5.9m. The replacement structure would have a simpler, more contemporary design.

This element of the proposal would represent a modest change to the building and is considered to preserve and enhance the character and appearance of the conservation area.

Transport

Car Parking

The proposal seeks to install a car lift on the existing forecourt of the dwelling. The site can currently accommodate one standard vehicle parking space measuring 2.4m x 4.8m. The proposed car lift would provide parking for 1 vehicle, in addition to the existing space at ground level.

Policy T1 of the Local Plan states that the Council aims to promote sustainable transport by prioritising walking, cycling and public transport in the borough. Limiting the opportunities for parking within the borough can reduce car ownership and use and therefore lead to reductions in air pollution and congestion and improve the attractiveness of an area for local walking and cycling

The installation of a car lift to create additional capacity on the property for private vehicles would not promote the use of sustainable transport modes in the borough, and would instead encourage the use of private vehicles, contrary to Policy T1. This element of the proposal would not be acceptable and should be omitted from any future planning application.

Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The council will not issue on-street parking permits in connection with new development and will use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits. The revised transport CPG, currently under consultation, clarifies that all developments will be secured as 'car-free' unless the current occupant provides evidence that they intend to return to the property following development. Evidence includes: a signed affidavit and supporting bills/statements confirming current and intended future occupation and evidence of a current parking permit in the occupant's name. This is not a validation requirement, but it is recommended that it is provided at an early stage.

Managing the impacts of construction on the surrounding highway network

Policies A1 and T4 state that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process. 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 Construction Management Plan (CMP).

Due to the nature of the works, a CMP would need to be secured as a Section 106 planning obligation if planning permission is granted. A CMP will need to be submitted once a Principal Contractor has been appointed, and would need to be approved by the Council prior to any works commencing on site. The draft CMP submitted with the pre-application complies with the Council's pro forma, as required.

A CMP Implementation Support Contribution of £3,136 would need to be secured through a Section 106 planning obligation, if planning permission is granted. The pro forma and an advice note providing further information on this financial contribution is available on the below webpage:

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

The development would be subject to a Highways contribution of approximately £1,000, to be secured by S106 agreement. This estimate is subject to change.

Residential Amenity

Subject to the BIA audit finding an acceptable impact on the immediate area, the proposed basement development and formation of lightwells would not adversely impact the residential amenity of neighbours.

The proposed dormer would look over the narrow strip of rear garden associated with the flats at no. 6, and the side passage associated with 1 Kidderpore Gardens. The existing roof light measures approximately 1m high x 0.70m wide, and is set low in the roof slope, which allows views over the neighbouring garden and of the roof terraces on the neighbouring flats.

The proposed dormer window would be sited 1m nearer to no. 6, at the same height as the existing rooflight, and would have a similar, or less, area of glazing. Due to the oblique angle between the proposed dormer and existing windows of no. 6, the proposed dormer is unlikely to result in material harm to residential amenity as compared with the existing situation on site.

The replacement conservatory would be similar in scale to the structure it is proposed to replace, and would be unlikely to have a material impact on the amenity of neighbours.

Trees

Policy A3 of the Local Plan states that the Council will protect, and seek to secure additional, trees and vegetation.

We will:

- resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation;
- require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout;
- expect developments to incorporate additional trees and vegetation wherever possible.

The proposed development includes the removal of a Holly tree within the forecourt to facilitate excavation of the front light well. The loss of one or two of the hollies will not have a significant impact on the character of the area, and no objection is raised to these works.

As part of a formal planning application, the tree survey will need to include trees on adjacent sites that could be affected by the proposed development. Tree protection measures during construction would be secured by a planning condition attached to any approval.

Conclusion

Officers have no objections in principle to the proposed basement excavation, subject to the BIA audit confirming that impacts on the surrounding area would be minimal and/or sufficiently mitigated, in accordance with Local Plan Policy A5. The scale of the basement and the lightwells may be acceptable subject to amendments to the design being undertaken in line with the advice above.

The proposed dormer window and conservatory are acceptable in terms of their appearance and impact on the host building and surrounding area. Amenity impacts are likely to be acceptable, subject to consideration of any objections/comments received during the statutory consultation period.

Planning application information

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 form
- 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'
- Heritage statement
- Basement Impact Assessment
- Arboricultural Report – including relevant trees on adjoining sites
- The appropriate fee - £206
- 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](#).

Please note that the information contained in this letter represents an officer's opinion and is without prejudice to further consideration of this matter by the Development Control section or to the Council's formal decision.

I trust this information is of assistance. Should you have any further queries please do not hesitate to contact me by telephone on 020 7974 2362.

Yours sincerely,

Emily Whittredge