

Delegated Report		Analysis sheet		Expiry Date:		12/12/2018	
		N/A		Consultation Expiry Date:		09/12/2018	
Officer				Application Number(s)			
Alyce Keen				2018/5036/P			
Application Address				Drawing Numbers			
Flat A, 36 Gaisford Street London NW5 2ED				Refer to decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of a single storey rear extension at lower ground level and increase the width and height of the existing ground floor level rear extension.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Site Notice – 15/11/18 – 09/12/18. Press Advert – 14/11/18 – 08/12/18. No comments were received from local residents during the public consultation.					
CAAC/Local groups comments:		The relevant CAAC and Forum were consulted however no comments were received.					
		- Bartholomew Estate CAAC - Kentish Town Neighbourhood Forum					

Site Description

The site is located on the northern side of Gaisford Street and contains a four-storey terrace property.

The dwelling is not a listed building however it is designated as making a positive contribution in the Bartholomew Estate Conservation Area. The site falls within the Kentish Town Neighbourhood Plan area.

Relevant History

There is no relevant planning history.

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy A5 Basements

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance

CPG – Design (March 2019);

CPG – Altering and extending your home (March 2019);

CPG – Amenity (March 2018).

CPG - Basements (March 2018)

Bartholomew Estate Conservation Area Statement 2000

Kentish Town Neighbourhood Plan 2016

Assessment

Proposal

The proposal is for the erection of a single storey rear extension at lower ground level and increase the width and height of the existing ground floor level rear extension.

The key planning issues are as follows:

- Design & Character
- Amenity
- Basement

Design & Character

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. The Local Plan policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. Camden's Local Plan Document is supported by CPG Altering & Extending Your Home. Policy D2 (Heritage) states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.

The proposed lower ground floor extension would be full-width, and extend approximately 4m to the rear of the host building and require the excavation of land at the rear of the property to a depth of 1.34m (however the drawings are not entirely clear in this respect). The extension would not alter any significant architectural features of note and given the rear garden is approximately 15m deep, the development would still allow for the retention of a reasonably sized and usable garden space. The proposed first floor extension would be half-width, and extend approximately 4m to the rear of the host building as well.

The extensions are of a small scale in relation to the building's overall size, and are considered subordinate in terms of its height, bulk and massing. The extensions would have limited visibility from the street and would not cause any harm to the character of the surrounding conservation area. The extension would be faced in brick to match the existing building. If the proposal were considered to be acceptable on the basement ground then revisions would have been requested including to revise ground floor rear window to be in keeping with size and alignment with the above windows.

Impact on the Bartholomew Estate Conservation Area

Considerable importance and weight has been attached to the harm and 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Para 196 of the NPPF (2019) states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Bartholomew Estate Conservation Area Statement notes that extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings.

As discussed above, the extension is of a small scale and is considered subordinate in terms of its height, bulk and massing.

The proposal is thereby not considered to constitute harm to this positive contributor building within the Bartholomew Estate Conservation Area. The proposal is therefore considered to be in accordance with the NPPF and to Policies D1 and D2 of the Camden Local Plan.

Amenity

Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. Camden's Local Plan Document is supported by CPG (Amenity).

The proposed lower ground floor extension sits within the boundary walls at lower ground and therefore would not impact on residential amenity. While the proposed first floor extension is considered modest in depth and height and is unlikely to have a negative impact on the amenity of either adjoining neighbouring dwellinghouse.

Therefore, the proposed scheme is considered to be in accordance with policy A1 of the Camden Local Plan 2017 and CPG Amenity.

Basement

Policy A5 stipulates that the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. In accordance with Policy A5, any proposed basement development at the site should not comprise of more than one storey; not be built under an existing basement; not exceed 50% of each garden within the property; be less than 1.5 times the footprint of the host building in area; extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation; not extend into or underneath the garden further than 50% of the depth of the garden; be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and avoid the loss of garden space or trees of townscape or amenity value.

The proposed lower ground floor extension is not set back from neighbouring property boundaries where it extends beyond the footprint of the host building and does result in the loss of a small portion of garden space. However in these circumstances it is considered that the overall siting and scale of the basement is subordinate to the host building and property.

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. In order to provide the Council with greater certainty over the potential impacts of proposed basement development, we expect an independent verification of Basement Impact Assessments funded by the applicant.

The applicant has submitted a BIA which only includes a desk study and screening stage.

Campbell Reith have reviewed the Screening Assessment prepared by the agent and noted a number of outstanding matters on the Basement Impact Assessment Audit Checklist. A number of the responses in the screening assessment are either inadequately evidenced, not fully assessed or incorrect. Where Screening elicits a 'Yes' response, Scoping is required. By definition, within the Council's Terms of Reference, this would classify the proposed development as Category B for BIA audit purposes, requiring a full BIA to be presented. This has not been provided.

The proposals are inconsistently presented (between the BIA text and the drawings) and as such it cannot be demonstrated that assessment of impacts has been completed. The marked up drawings state that new foundations will be a minimum of 75cm below ground level. However, the Screening text states that the structural design has not been completed yet, but in principal the new foundations will be 300mm to 500mm below existing neighbouring foundations.

There are inconsistencies between the BIA text and drawings regarding the final formation level, total depth of excavation required and underpinning. The proposed excavation immediately adjacent to Party Wall foundations raises concerns. The drawings indicate undermining of adjacent foundations, even if underpinning is stated not to be required. It is noted that Section D indicates creation of retaining walls approximately 1.5m lower than the neighbouring garden levels / boundary wall foundations.

It is stated that battered excavation will be utilised, but the feasibility of achieving this along the Party Walls has not been demonstrated and is not considered to be a plausible option.

The BIA states that the proposed foundations will be formed on London Clay. Assessment of shrink / swell susceptibility in relation to potential impacts to neighbours / Party Wall should be presented.

The supporting text for Policy A5 states that a Basement Impact Assessment is required to be prepared by appropriately qualified professionals (paragraph 6.114). Basement Impact Assessments must be prepared according to the specifications set out in Camden's supplementary planning document Camden Planning Guidance 'Basements and lightwells'.

The qualifications of the author are not demonstrated to be in accordance with LBC guidance. Authors with the qualifications CGeol FGS and CEng MICE are required, with appropriate experience in hydrogeology, ground engineering and hydrology. More specifically, a chartered civil engineer should have made the assessment and it appears that a structural engineer was only involved in the second half of the document. Officers require assurance that someone has competently assessed the risk as there are concerns that basement excavation could affect the projecting structure and party walls of the neighbouring property.

Policy A5 states the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to neighbouring properties and the structural, ground, or water conditions of the area. As BIA fails to demonstrate this and this would be a grounds for refusal.

Conclusion

In the absence of a basement impact assessment (BIA) prepared by appropriately qualified professionals and in the absence of sufficient and consistent information in the BIA, the applicant has failed to demonstrate the development will not cause harm to the built and natural environment including the local water environment, ground conditions and the structural stability of neighbouring properties contrary to policy A5 (Basements) of the London Borough of Camden Local Plan (2017).

Recommendation: Refuse planning permission