

Delegated Report		Analysis sheet		Expiry Date:	08/03/2019
		N/A / attached		Consultation Expiry Date:	10/03/2019
Officer			Application Number(s)		
Sofie Fieldsend			2019/0158/P		
Application Address			Drawing Numbers		
190 Goldhurst Terrace London NW6 3HN			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Excavation of a basement to create a two bedroom flat.					
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	01	No. of objections	01
Summary of consultation responses:	<p><u>A site notice was displayed on 08/02/2019 and expired on 04/03/2019.</u> <u>A press notice was advertised on 14/02/2019 and expired on 10/03/2019.</u></p> <p>During the formal consultation period 1 objection was received from the occupiers of 188 Goldhurst Terrace and their objections are set out below:</p> <ol style="list-style-type: none"> 1. The huge subterranean front entrance will take away a significantly increased area to the front of the property and create a substantial ugly staircase and circulation area which is harmful to the appearance of the subject property as well as our property next door. This would be an overbearing feature and would ruin the design and “line” of the properties which are all similar as acknowledged in the plans. 2. Further, the significant changes to the front bay window so as to carry this down to the lower ground floor level will change the character of the property and damage it entirely. The features would be completely different. The design is to create an increased and massive light well and staircase. The revised external layout is materially different from “essentially that consented under recent planning application reference 2016/2689/P”. Not only does this create unnecessary additional excavation but, in taking a substantial area of land to the frontage goes beyond any reasonable reconfiguration and causes real harm to the front of the property and impacts on all of the adjoining properties and the street generally. 3. The proposed development is an even more significant footprint and development than the actual property. This is not some kind of additional or subordinate alteration but is a wholesale reconfiguration and would change the nature of the property, the nature of the properties in the vicinity and also would constitute an unacceptable precedent. 4. The proposal would harm the character and appearance of the location and the amenity of our property and other neighbouring properties. The proposal can in no way be described as a “not materially different” and rather than being supplemental would dominate and change the building completely as well as the area. 5. This would have a substantial impact on the street scene because of the huge and unsightly changes to create a substantial front light well, a new bay window and a staircase. The principal elevation of the property is to be changed substantially and will be a very obvious change that will be apparent from the street scene and by passers-by as well as neighbours. The property is not very far set back from the road and immediately adjoins our property and the other neighbouring property as terraced properties. 6. While there have been other basement developments in the area, no other basement development has a front entrance with a staircase as is proposed here. 7. We would add that the original architectural features will be obscured by the new metal guard and the railings. The architectural symmetry or integrity will be impaired by adding this front entrance. 					

8. Moreover, since the original planning application was granted in 2016, we have experienced significant and costly subsidence. We therefore believe that the Basement Impact Assessment is no longer valid because the ground conditions have changed substantially. Any basement excavation is likely to cause further serious impairment to our property which immediately adjoins the property in question.

Officer Response:

See section 5 for the points raised in 1-7 and section 3 for point 8.

Combined Residents' Associations of South Hampstead (CRASH) objected:

1. The huge subterranean front entrance will take away a significantly increased area to the front of the property and create a substantial ugly staircase and circulation area which is harmful to the appearance of the subject property as well as neighbouring properties. This would be an overbearing feature and would ruin the design and "line" of the properties which are all similar as acknowledged in the plans.
2. Further, the significant changes to the front bay window so as to carry this down to the lower ground floor level will change the character of the property and damage it entirely. The features would be completely different. The design is to create an increased and massive light well and staircase. The revised external layout is materially different from "essentially that consented under recent planning application reference 2016/2689/P". Not only does this create unnecessary additional excavation but, in taking a substantial area of land to the frontage goes beyond any reasonable reconfiguration and causes real harm to the front of the property and impacts on all of the adjoining properties and the street generally.
3. The proposed development is an even more significant footprint and development than the actual property. This is not some kind of additional or subordinate alteration but is a wholesale reconfiguration and would change the nature of the property, the nature of the properties in the vicinity and also would constitute an unacceptable precedent.
4. The proposal would harm the character and appearance of the location and the amenity of our property and other neighbouring properties. The proposal can in no way be described as a "not materially different" and rather than being supplemental would dominate and change the building completely as well as the area.
5. This would have a substantial impact on the street scene because of the huge and unsightly changes to create a substantial front light well, a new bay window and a staircase. The principal elevation of the property is to be changed substantially and will be a very obvious change that will be apparent from the street scene and by passers-by as well as neighbours. The property is not very far set back from the road and immediately adjoins the other neighbouring terraced properties.
6. While there have been other basement developments in the area, no other basement development has a front entrance with a staircase as is proposed here.
7. I would add that the original architectural features will be obscured by the new metal guard and the railings. The architectural symmetry or integrity will be impaired by adding this front entrance.
8. Moreover, since the original planning application was granted in 2016, the adjoining property has experienced significant and costly subsidence. This suggests that the Basement Impact Assessment is no longer valid because the ground conditions have changed substantially. Any basement excavation is likely to cause further serious impairment to the property which immediately adjoins the subject of the application.

Officer Response:

See section 5 for the points raised in 1-7 and section 3 for point 8.

CAAC/Local groups comments:

Site Description

The application site is a three storey, plus semi-basement level, mid-terrace house on the North side of Goldhurst Terrace which is located in the South Hampstead Conservation area.

The building has been subdivided into three self-contained flats (Use class C3) with one flat occupying each floor and is set back from the street behind existing metal electronic gates.

The property is identified as a positive contributor to the appearance and character of the conservation area.

Relevant History

190 Goldhurst Terrace:

2016/2689/P - Excavation of a basement to form an independent two bedroom dwelling – **Granted 04/01/2019**

8700456 – Enlargement of the existing single-storey rear addition as shown on drawings No.8711.01-04 inclusive. – **Granted 29/04/1987**

P9602187 – Construction of conservatory at rear, as shown on drawing no. 748.1. – **Refused 09/08/1996**

Relevant policies

National and Regional Policy

National Planning Policy Framework 2019

London Plan 2016

Draft London Plan 2017

Camden Local Plan 2017

- G1 Delivery and location of growth
- A1 Managing the impact of development
- A3 Protection, enhancement and management of biodiversity
- A4 Noise and vibration
- A5 Basements and Lightwells
- D1 Design
- D2 Heritage
- H1 Maximising housing supply
- H3 Protecting existing homes
- H6 Housing choice and mix
- H7 Large and small homes
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- T1 Prioritising walking, cycling and public transport
- T2 Parking and car-free development
- T3 Transport Infrastructure
- T4 Sustainable movement of goods and materials

Camden Planning Guidance

- CPG Design (2019)
- CPG2 Housing (2016 updated 2019)
- Interim CPG Housing (2018)
- CPG Altering and extending your home (2019)
- CPG Energy efficiency and adaptation (2019)

- CPG Basements (2018)
- CPG Amenity (2018)
- CPG Transport (2019)
- CPG Water and Flooding (2019)
- CPG Developer contributions (2019)

South Hampstead conservation area character appraisal and management strategy (SHCACAMA) (2011)

Camden Geological, Hydrogeological and Hydrological Study

Assessment

1. Proposal

1.1 This application proposes the excavation of a new basement level to the existing ground floor flat to create one additional 2 bed unit. The proposed basement excavation would measure 18.5m x 7.4m width excavating 2.6m below natural ground level. The proposed new 2 bed unit would be 98.8sqm. The development would also include a front lightwell (2.5m deep) and 1x rear sunken terrace (15sqm) incorporating full length patio and bi-folding doors and windows to provide outlook, ventilation and daylight to newly formed additional accommodation.

1.2 The main issues for consideration therefore are:

- Basement
- Flood Risk
- Conservation and Design
- Provision and quality of additional residential accommodation
- Neighbour Amenity
- Transport
- Trees

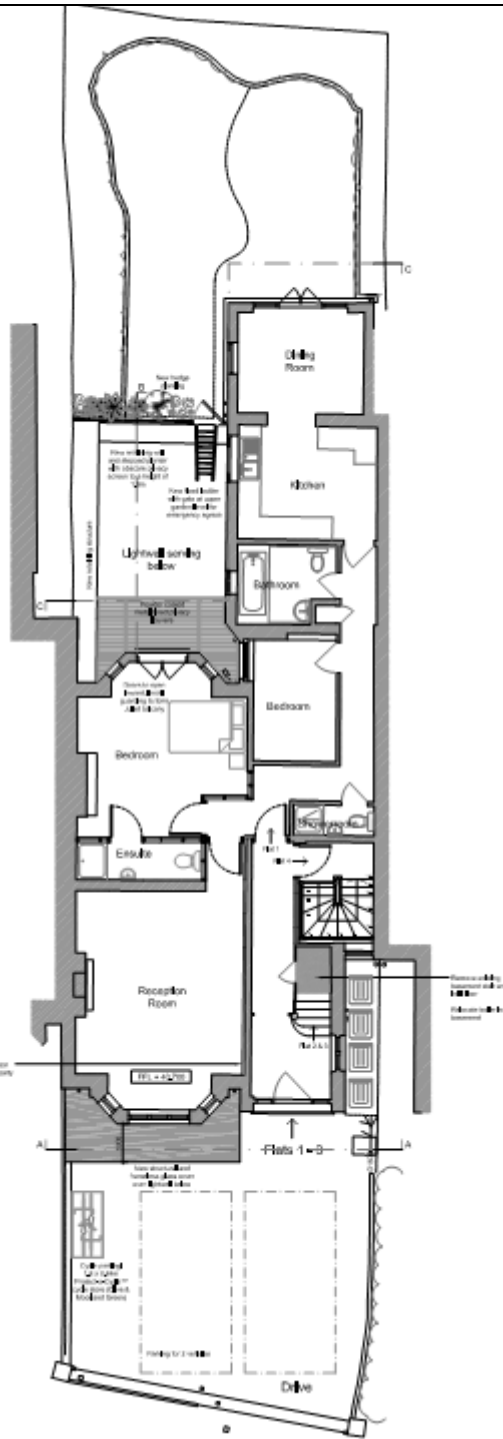
2. Background

2.1 During the previous application ref. 2016/2689/P, revisions were negotiated to remove the external staircase (separate access), railings, reduce the depth of the front lightwell and include a rear escape ladder in the garden. The ground floor plan of the originally proposed and granted scheme of 2016/2689/P and the current proposal of this application are shown below.

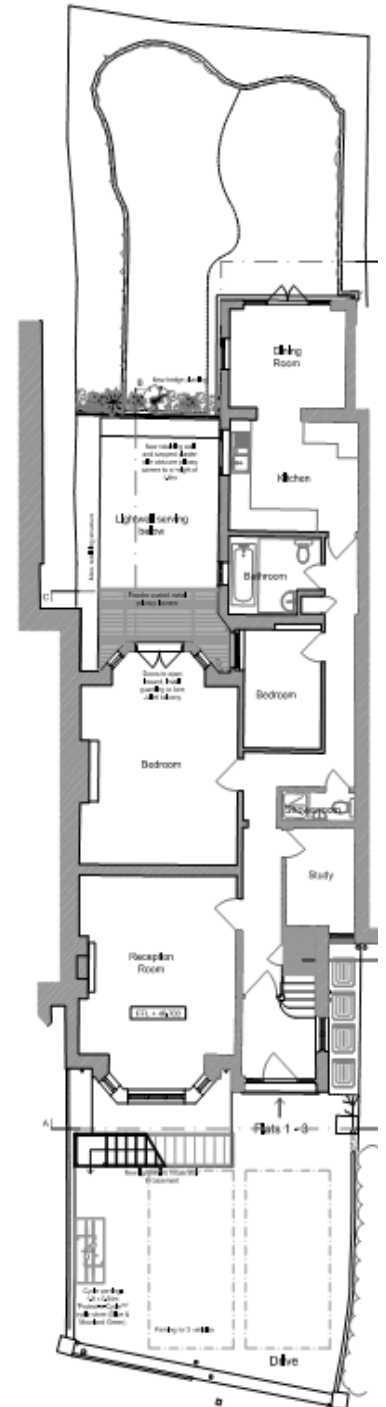


Site Plan
Ground Floor Plan

2016/2689/P (Original proposal)



2016/2689/P (Granted)



Current application



Section A-A

2016/2689/P (Original proposal)



Section A-A

2016/2689/P (granted)



Section A-A

Current application

3. Basement

3.1 A Basement Impact Assessment (BIA) was submitted in the previous application ref. 2016/2689/P which reviewed the impacts of the proposed basement structure and construction methods in terms of its impact upon drainage, flooding, groundwater conditions and structural stability in accordance with the requirements of policy A5. The same BIA was submitted with updated information to reflect the increase in size of the front lightwell. Campbell Reith had carried out an external audit on the previous version and it was acceptable and complied with the requirements of policy A5 / CPG4. It is considered that as this current application extended only the front lightwell and it is not contained within the host property's footprint that it would be unreasonable for the application to go through the audit process again if the development would not be supported in principle.

3.2 Concerns were received that the adjoining property at No.188 Goldhurst Terrace had experienced subsidence following the application being granted in 2016. It is noted that ref. 2016/2689/P was only granted in Jan 2019 not in 2016 and when a site visit was conducted on the 26/2/19 after the objection was received there was no evidence that works had started at the property.

4. Flood Risk

4.1 Policy A5 and CPG Basements outline that the Council will not allow habitable rooms and other sensitive uses for self-contained basement flats and other underground structures in areas at risk of flooding. Although no parts of the borough are currently identified by the Environment Agency as being prone to flooding from waterways, Goldhurst Terrace is identified in the Council's Flood Risk strategy as subject to a history of localised surface water flooding.

4.2 Local Plan policy CC3 paragraph 8.70 (Vulnerable development) states that basements can affect the ability of the ground to absorb rain when soil is replaced by an impervious structure and can be particularly susceptible to flooding.

4.3 The proposed flat is now proposed to have its own separate entrance at basement level accessed through the front light well rather than accessed via a communal entrance ground floor level and internal staircase as previously granted. This is no longer considered to be akin to the arrangement in a duplex arrangement where, in the event of a flood occurrence, occupants can exit the lower level to the ground floor level and still be within the main building. The proposal also has removed an escape ladder granted in the previous application that was included to access ground level so there is no longer a secondary means of escape. It is considered in this instance that the proposals for a self-contained unit at basement level is unacceptable and contrary to policies CC3 and A5.

5. Conservation and Design

5.1 Policy D1 requires extensions to consider the character, setting, context and the form and scale of neighbouring buildings; the quality of materials to be used; and the character and proportions of the existing building. Policy D2 additionally states that the Council will only permit development within conservation areas that preserves or enhances the character and appearance of the area.

5.2 SHCACAMA states that 'a basement development that is modest in size such that it does not extend beyond the footprint of the original building and is no deeper than one full storey below ground level (approximately 3 metres in depth) is often the most appropriate way to extend a building below ground'.

5.3 It is noted that that this end of Goldhurst Terrace is very uniform in its character and design, the houses although they form a continuous terrace are designed to appear as pairs. It is considered that this uniformity of materials and building form contributes strongly to the character and appearance of the streetscape and concomitantly to that of the South Hampstead conservation area as well.

5.4 The Council agree with the points raised about conservation and design from the neighbouring property and CRASH. It is noted that there are only a small number of small scale, proportionate and discreet lightwells which are covered and flush along Goldhurst Terrace. There are no precedents of open or large lightwells which provide a separate entrance to the basement below. The use of railings to enclose the lightwell is also not found within this street in the properties of the uniform design in this

terrace, they would therefore appear as an alien feature within the streetscene. It is also considered that the use of metal railings would increase the lightwell's prominence in a street where the character strongly reflects small discreet lightwells where they exist.

5.5 The inclusion of an exposed large front lightwell and staircase undermines the relationship of the building with the plot and it breaks up the uniformity of the appearance of the terrace. It is noted that the aesthetic importance of a terrace is in the repetition of identical units. It would have a detrimental effect on the existing proportions and symmetry of the host property and the terrace. This proposal has the potential to undermine the architectural significance of this building and the terrace, harm would be caused to the character and appearance of the host property, streetscene and South Hampstead Conservation Area. The Council's Conservation Officer objects to front lightwell aspect of this development.

5.6 Concerns were raised about the front lightwell creating a new separate access to the basement flat in the previously approved application ref. 2016/2689/P as well, although amendments were received in that application reducing down the scale of the lightwell and removing the external staircase. The entrance was relocated to within the existing communal entrance at ground floor. In this current application the applicant does not wish to make these revisions again. Therefore it is considered that the scale of the front lightwell appears dominant and inclusion of the separate entrance staircase makes it appear overbearing and does not respect the design of this row of terrace houses.

5.7 In the previously approved application ref. 2016/2689/P, the basement was proposed to be located entirely underneath the existing ground floor and it was considered to be compliant with current and emerging basement policies and the SHCACAMA and was not considered to constitute overdevelopment. However this current proposal incorporates a large prominent front lightwell which provides a separate entrance to the new unit and is considered to be an incongruous addition to the site which would be highly visible from the street and conservation area. The front lightwell in the previous application was small and close to the building and so the basement would not have been prominent from the street. Therefore the works would harm the character and appearance of the building and the conservation area of which is forms a part.

5.8 SHCACAMA further adds that in recent years, South Hampstead Conservation Area has seen a proliferation of basement developments and extensions to existing basement accommodation, together with excavation of associated lightwells at the front and rear of properties. Some of these (e.g. on Aberdare Gardens) are overly large, spilling into and resulting in a loss of verdant front and rear gardens, detracting from the serene, leafy character of the rear gardens in the CA. This application is an example of development would have an adverse impact on the Conservation Area as identified in this document.

6. Provision and quality of additional residential accommodation

6.1 The basement floor level would provide approximately 98.7sqm of additional floor space to create 1x two bedroom additional unit. This exceeds the minimum floor space standards set out in the London Plan, which outlines that a minimum of 70sqm is required for 2B4P unit.

6.2 The applicant has submitted a daylight report to demonstrate that all habitable rooms will receive sufficient daylight in accordance with Policy A1. In terms of outlook bedroom 1 and the lounge will face onto the rear sunken terrace and bedroom 2 will look on the front lightwell. Although the outlook from this bedroom is not ideal it will still receive adequate daylight, on balance considering the majority of the habitable rooms have sufficient outlook the layout is considered acceptable.

6.3 The enlarged flat would provide a good standard of residential accommodation in terms of layout, room sizes, sunlight, daylight, ventilation and outlook. The proposal complies with the Residential Development Standards contained in the London Plan.

7. Neighbour Amenity

7.1 Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacted upon by virtue of noise or vibrations.

7.2 The nature of the proposal would not result in an alteration rising above the adjacent neighbouring boundary walls. Once constructed, the proposed basement extension would not cause any loss of outlook, privacy or natural light to any adjoining occupier. Due to the location, size and orientation of the proposed lightwell glazing, the basement would similarly not result in any detrimental levels of light spill towards neighbouring properties that might cause harm. As such, it is accepted that *once constructed*, the proposed development would not cause harm to neighbouring amenity.

7.3 The proposed lightwells would be set away from adjacent neighbouring windows and would again be set behind boundary walls and existing vegetation. The area proposed for the lightwells would not allow new or greater views or activities externally which could not take place within the existing arrangement. A fixed metal louvre at the rear between basement and ground level is considered to provide sufficient privacy to each flat from the sunken terrace.

7.4 The proposed development is not considered to lead to a significant adverse impact upon the amenities of any neighbouring residents. The development is thus considered to be in accordance with planning policies A1 and A4 of the Camden Local Plan

8. Transport issues

8.1 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 site is located in the controlled parking zone Swiss Cottage: West End Lane CA-R(a) which operates between 0830 and 1830 hours on Monday to Friday. The proposal would provide a car free development. The area is within a highly stressed Controlled Parking Zone with 110 permits for every 100 spaces available. In addition, the site has a PTAL rating of 4. A car free development would be secured as a S106 agreement if the development was acceptable. In absence of this agreement it forms a reason for refusal.

8.2 Where the implementation of development has the potential to cause damage to the adjacent public highway or footway, the Council may seek to secure a Highways contribution in case of damage. The Council would need to repair any such damage to the public highway. A financial contribution for highway works is therefore recommended to be secured by S106 Legal Agreement if the development is acceptable. In absence of this agreement it forms a reason for refusal.

8.3 Highways officers were consulted and determined that this proposal would not require a CMP as there are single and double yellow lines adjacent to the property which can be used for loading/unloading, and it is noted that there is on-site parking spaces for any construction materials/vehicles.

8.4 Policy T1 of the new Camden Local Plan requires developments to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and the design requirements outlined in CPG7. This proposal provides two parking spaces located in front driveway which complies with this guidance. Further details of the proposed cycle storage would be secured by condition if the development was acceptable.

9. Impact on trees/landscaping

9.1 No trees are proposed to be removed or pruned in order to facilitate development. No excavation is proposed within the root protection areas of trees to be retained on site or on neighbouring sites. As

such the scheme is considered acceptable from an arboricultural perspective. If the scheme was acceptable a condition would be attached requesting details of tree protection 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 Camden Local Plan 2017.

10. Recommendation

10.1 Refuse planning permission