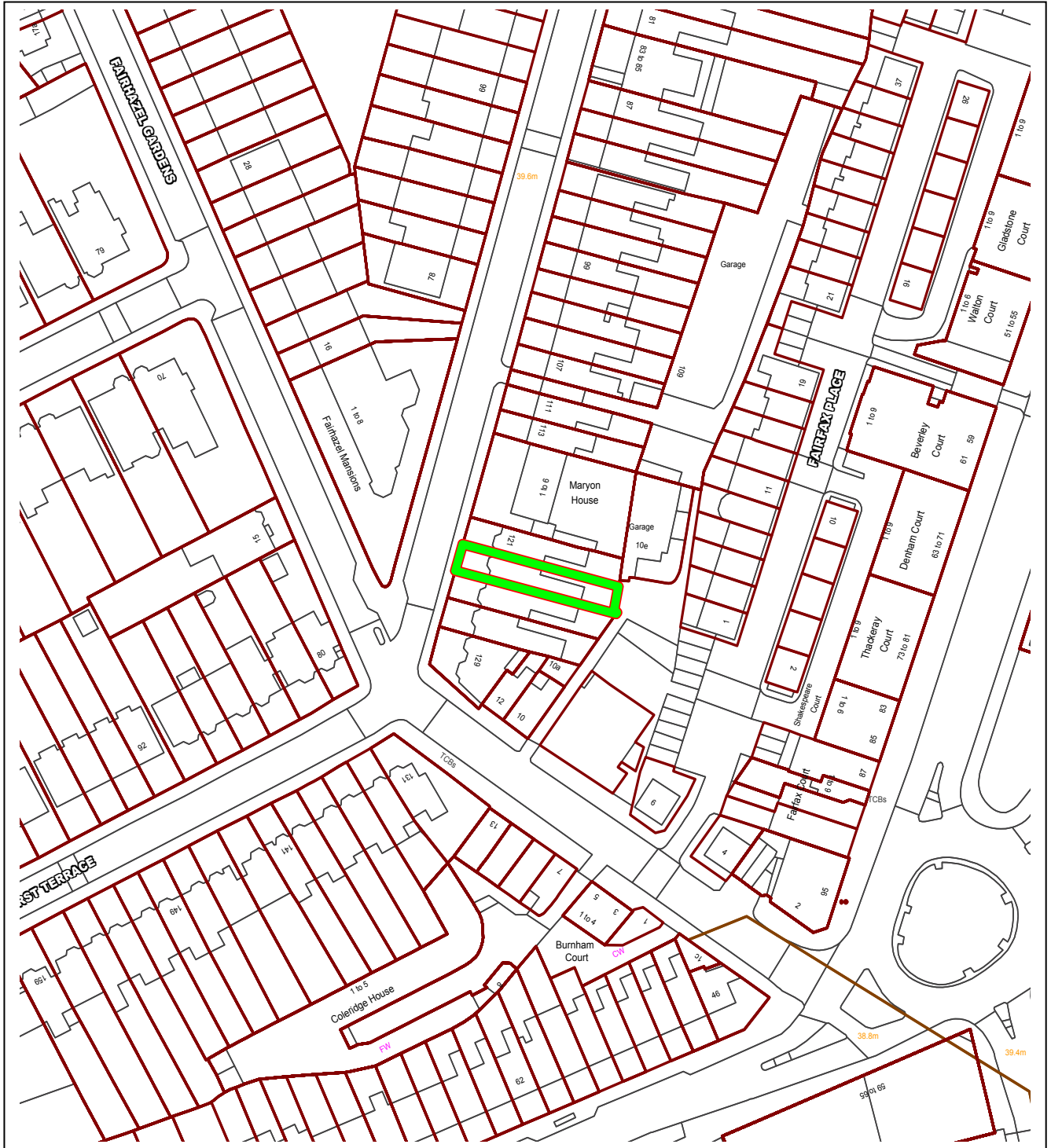


Flat 1, 123 Goldhurst Terrace, NW6 3EX  
2020/0293/P



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Fig 1. Front elevation



Fig 2. Rear elevation



Fig 3. Shared boundary with No. 121

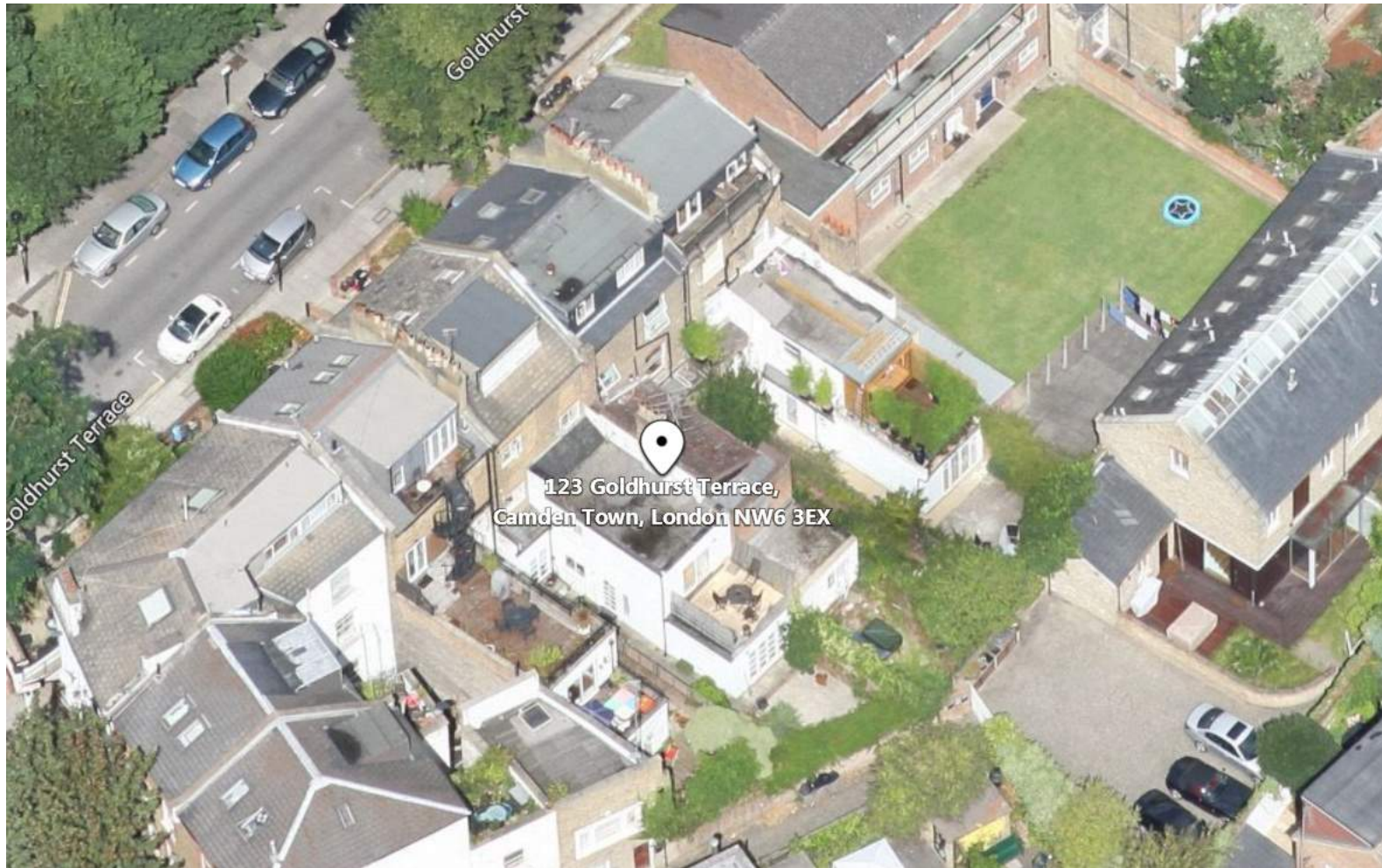


Fig. 4 Aerial view north



Fig 5. Aerial view west

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		17/03/2020	
		N/A		<b>Consultation Expiry Date:</b>		22/03/2020	
<b>Officer</b>				<b>Application Number(s)</b>			
Nathaniel Young				2020/0293/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Flat 1, 123 Goldhurst Terrace London, NW6 3EX				Please refer to draft decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Enlargement of the existing basement; installation of a front lightwell; erection of a single storey side infill extension and associated alterations to the rear elevation; erection of a bin store and trellis fence in the forecourt.							
<b>Recommendation(s):</b>		<b>Grant Conditional Planning Permission subject to S106 agreement</b>					
<b>Application Type:</b>		<b>Full Planning Application</b>					
<b>Conditions or Reasons for Refusal:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. of responses		<b>03</b>		No. of objections	
						<b>03</b>	
<b>Summary of consultation responses:</b>		<p>Press notice: published on 27/02/2020 Site notice: displayed from 26/02/2020</p> <p>Three objections were received from residents occupying nos. 121 and 123 (First floor) Goldhurst Terrace raising the following concerns:</p> <ol style="list-style-type: none"> <li>1. Harm to character and appearance of conservation area.</li> <li>2. Loss of light to rear windows of No. 121 Goldhurst Terrace.</li> <li>3. Detrimental impact to structural stability/physical harm to neighbouring properties/increased floor risk to local area/contrary to Policy A5 parts a) &amp; n).</li> <li>4. Basement not compliant with Policy A5 (Basements), more than 1.5 times size of host building.</li> <li>5. Removal of vegetation along shared boundary would be contrary to Policy A5 part q).</li> <li>6. Noise and disturbance caused by construction work.</li> <li>7. Request for case to go to planning committee and to speak at committee.</li> </ol>					

8. Request for condition restricting working hours, noise, vibration, dust management/mitigation.

*Officer response:*

1. *The front lightwell would be of an appropriate design, scale and siting, flush with the ground and would not be visually obtrusive feature within the street scene. The remainder of the works would be subterranean or contained to the rear of the property at ground level, and as such, are subject to private views and are not considered to cause harm to the character and appearance of the wider conservation area. See section 2.3 (Design and conservation).*
2. *The side infill extension has been reduced in height to 2.5m along the shared boundary with No. 121, it would be no deeper than what has been established by the existing rear extension and would incorporate a courtyard next to the rear elevation of the main building. See section 2.4 (Residential amenity) for more detail.*
3. *The applicant has submitted a basement impact assessment which has been reviewed by Campbell Reith, an external engineering consultant, who, after amendments, are satisfied that the proposed development would not detrimentally impact the structural stability of the neighbouring properties. It was also concluded that there will be no impacts to the wider hydrological and hydrogeological environments.*
4. *The proposed basement complies with all criteria (a to g) set out in Policy A5 (Basements). The total basement floor, including both external lightwells, would measure approximately 100.7 sqm in area. The existing footprint of building measures approximately 95.3 sqm in area and as such would be less than 1.5 times the size of the footprint of the host property in area.*
5. *Removal of vegetation along the shared boundary within the subject property's boundaries is not considered to cause to harm to residential amenity and would not require planning permission. Residential amenity would typically refer to sunlight/daylight, outlook, privacy, overlooking, noise or disturbance as opposed to the presence of vegetation.*
6. *See section 2.4 (Residential amenity) of this report.*
7. *This is a matter for the Director to decide whether to proceed with delegated powers or refer to committee following Members Briefing.*
8. *Such concerns would be considered within the Construction Management Plan (CMP). Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. Any building works that can be heard at the boundary of the site must be carried out 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. If this is breached, residents are advised to report this to the Council's noise team for investigation.*

Combined Residents' Associations of South Hampstead

Objection. Concern regarding increased flood risk to local area.

*Officers response: As stated above, the applicant has submitted a basement impact assessment which has been reviewed by Campbell Reith, an external engineering consultant, who concluded that the proposed development would not result in any detrimental impacts to the wider hydrological and hydrogeological environments. Details regarding water efficiency, SuDS and*

*flood prevention measures are secured by way of a condition.*

### **Site Description**

The application site is 123 Goldhurst Terrace, a three-storey, mid-terrace, residential building with cellar, situated on the eastern side of Goldhurst Terrace. The application specifically relates to Flat 1 which occupies the ground and basement floors of the property.

The application building is located within the South Hampstead Conservation Area, it is not statutorily listed but is identified as making a positive contribution to the character of the conservation area.

### **Relevant History**

P9602338R1 - The erection of a single storey rear extension to the existing ground floor flat, as shown on drawing number 96/06/231 R1. Granted planning permission 13/12/1996.

2014/4565/P - Erection of roof terraces at 2nd and 3rd floor levels to rear. Granted planning permission 10/10/2014.

### **Relevant policies**

#### **National Planning Policy Framework 2019**

#### **The London Plan March 2016**

#### **The New London Plan intended to publish 2019**

#### **Camden Local Plan 2017**

A1 Managing the impact of development

A5 Basements

D1 Design

D2 Heritage

T4 Promoting the sustainable movement of goods and materials

CC3 Water and flooding

#### **Camden Planning Guidance 2018-2019**

CPG Design

CPG Amenity

CPG Basements

CPG Transport

CPG Developer contributions

CPG Altering and extending your home

#### **South Hampstead Conservation Area Statement 2011**

### **Assessment**



## **1 PROPOSAL**

1.1 Planning permission is sought for:

- Enlargement of existing basement;
- Installation of front lightwell;
- Erection of a single storey side infill extension and associated alterations to the rear elevation;
- Erection of a bin store and trellis fence in the forecourt (retrospective).

### Revisions

1.2 During the course of the application the applicant has submitted revised drawings showing the reduction in height of single storey side infill extension.

## **2 ASSESSMENT**

2.1 The material considerations for this application are as follows:

- Basement development;
- Design and conservation;
- Residential amenity;
- Highways and transport; and
- Flooding

### **2.2 Basement development**

2.2.1 It is proposed to extend the existing utility room at lower round floor level to include three bedrooms, a gym and a family bathroom. The excavation will be for the full footprint of the existing building, a sizeable proportion of the new side/rear extension and a lightwell to the front. It is noted that the site is subject to underground development constraints including a local flood risk zone and surface water flow and flooding.

2.2.2 The basement is fully compliant with Local Plan policy A5 criteria in terms of its location, scale and size. The basement would comprise of one storey, not be built under an existing basement, and would be less than 1.5 times the footprint of the host property. The rear lightwell would be situated in the rear garden to the side of the existing outrigger and take less than 50% of its area; and given that the area it would take up is currently a hard surfaced patio, it would not be harmful to the green character or reduce the biodiversity or permeability of the site.

2.2.3 The basement would provide all the bedrooms of the property. Although the bedrooms would have limited daylight/ sunlight and outlook, it is an existing property with several other habitable rooms that benefit from good levels of amenity. Furthermore, ADF values have been calculated for the room that demonstrate it would comply with the minimum target value of 1% for bedrooms.

2.2.4. A Basement Impact Assessment (BIA) has been submitted as part of this application. This document has been independently reviewed by Campbell Reith with a subsequent revision to the BIA provided by an additional author during the course of the application. Campbell Reith has now confirmed that the BIA is in accordance with CPG guidelines. The final audit report concludes:

- The qualifications of the authors of the reports are in accordance with CPG guidelines.
- In the revised submission, the risk of significant damage to underground infrastructure has been assessed as very low. Asset owners should be consulted and appropriate protection measures implemented, as required.
- There will be no impacts to the wider hydrological and hydrogeological environments.

- Considering the revised submissions, the BIA meets the criteria of CPG Basements.

## **2.3 Design and conservation**

2.3.1 Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.3.2 The side infill extension and alterations to the rear elevation are considered to be subordinate and would respect and preserve the original design and proportions of the host building. In addition, the side infill extension preserves the existing two storey rear element as it can still be perceived to be a legible architectural element as a result of the side infill being setback from the rearmost elevation. The side infill extension and alterations to the rear elevation are not considered to adversely impact the character of the conservation area as they are positioned at ground floor level and to the rear of the property and will be constructed of materials in keeping with the existing.

2.3.3 CPG Basements provides detailed design guidance regarding the installation of lightwells, and states that where basements and visible lightwells are not part of the prevailing character of a street, new lightwells should be discreet and not harm the architectural character of the building, the character and appearance of the surrounding area, or the relationship between the building and the street. In situations where lightwells are not part of the established street character, the characteristic of the front garden or forecourt will help to determine the suitability of lightwells.

2.3.4 The proposal includes the creation of a new lightwell to the front of the property beneath the south-west ground floor window, to facilitate ventilation and enable light to enter the proposed basement bedrooms. Due to differences in levels along Goldhurst Terrace many buildings benefit from existing lightwells beneath the front bay windows which are obscured from the streetscene by existing low boundary walls and planting. The proposed front lightwell would have a horizontal depth of approximately 0.8m and would follow the shape of the canted bay window it would surround and would be secured with a metal grille fitted flush at natural ground level, in order to prevent a cluttered appearance to the front of the property. The design of the glazing to the proposed bay window at basement level would appropriately match the existing glazing above in terms of size, scale, style and materials.

2.3.5 It was also noted from a previous site visit that the front garden contains a black storage cabinet and fence. These are considered to be of an appropriate design, siting, scale and materiality and would not cause harm to the character and appearance of the subject property or wider conservation area.

2.3.6 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, scale, design and location of the proposed alterations, would ensure no harm is caused to the character of the host building and surrounding conservation area, in accordance with policies D1 and D2 of the Camden Local Plan.

## **2.4 Residential amenity**

2.4.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. The quality of life of occupiers and neighbours are protected by only granting permission for development that would not harm the amenity of neighbouring residents. This includes factors such as light, outlook, privacy, noise and disturbance.

2.4.2 It is noted that neighbours have raised concerns in relation to the nuisance caused by the construction works as part of basement excavations, due to numerous such developments taking place

along the street in the recent past. The resulting noise, dust and air pollution from construction works would be managed by a Construction Management Plan (CMP) secured via s106 legal agreement. As a legal live document the agreement would ensure that the construction works would take into account any other construction near to the application site, and ensure smooth management of the construction traffic and parking. As such the CMP would ensure that the construction of the proposed scheme would minimise the harmful impacts of construction on the building and on local amenities. In line with CPG Basements the applicant should engage with the neighbouring occupiers as part of preparing the CMP to ensure that their needs have been considered during the construction process.

2.4.3 The CMP would be subject to a monitoring fee of £3,136 for the Council to review and monitor the CMP and the construction of the development.

2.4.4 The proposed side infill extension would be no deeper than the existing outrigger and extension, would incorporate a large courtyard adjoining the neighbours rear doors and windows, and after amendments, the height would be not be significantly higher than the existing boundary wall shared with No. 121. The alterations to the rear elevation/ existing rear extension would involve no change in the depth and height. Therefore, the proposed side extension and alterations to the existing rear extension are not considered to cause harm to the privacy of neighbouring properties in terms of increased overlooking, outlook and sunlight/daylight.

## **2.5 Highways and Transport**

2.5.1 A construction management plan (CMP), CMP bond and monitoring fee of £3,136 would be secured via 106 legal agreement in order to manage the impact of the proposed basement excavation.

2.5.2 In relation to car free development and cycle and waste storage, as the proposal represents extensions to the existing flat and no new units are created, the development would not be required to be car-free nor required to provide additional waste or cycle storage.

## **2.6 Flooding**

2.6.1 Policy A5 Basements also states 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”.

2.6.2 The basement rooms of this proposal are considered ancillary to the main residential living space at ground floor level. They include four bedrooms and associated bathrooms. In this instance the basement level accommodation would be an ancillary part of the ground floor flat and would not be a self-contained unit. Internally the basement level is linked by a central stairwell to the ground floor. It is therefore considered that the proposals would include sufficient means of escape to ensure that the risk to the inhabitants would be minimised. Ancillary use of the basement level is to be secured by way of a condition.

2.6.3 The Council’s flood risk officer has reviewed the application and is satisfied with the proposal subject to details regarding water efficiency, SuDS and flood prevention measures are secured by way of a condition.

## **3.0 Recommendation:**

3.1 Grant conditional planning permission subject to s106 legal agreement with the following heads of terms:

- CMP, CMP bond and monitoring fee of £3,136

**DISCLAIMER**

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 17<sup>th</sup> August 2020, 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](http://www.camden.gov.uk) and search for 'Members Briefing'***



ApplicationNumber  
**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Application ref: 2020/0293/P  
Contact:  
Tel: 020 7974  
Date: 13 August 2020

Telephone: 020 7974 **OfficerPhone**

RUSSIAN FOR FISH  
Unit 16  
Durham Yard  
Teesdale Street  
London  
E2 6QF  
United Kingdom

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:

**Flat 1**  
**123 Goldhurst Terrace**  
**London**  
**NW6 3EX**

**DECISION**  
Proposal: Enlargement of the existing basement; installation of a front lightwell; erection of a single storey side infill extension and associated alterations to the rear elevation; erection of a bin store and trellis fence in the forecourt.

Drawing Nos: 141 001 P01, 141 002 P01, 141 003 P02, 141 004 P01, 141 005 P01, 141 006 P01, 141 012 P01, 141 013 P03, 141 014 P03, 141 015 P01, 141 016 P01, 141 017 P01 & Construction Method Statement ref: MBP-7879 Rev 3.0 dated 15.06.2020

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 D2 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 141 001 P01, 141 002 P01, 141 003 P02, 141 004 P01, 141 005 P01, 141 006 P01, 141 012 P01, 141 013 P03, 141 014 P03, 141 015 P01, 141 016 P01, 141 017 P01 & Construction Method Statement ref: MBP-7879 Rev 3.0 dated 15.06.2020

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, D2 and A5 of the Local Plan 2017.

- 5 Prior to commencement, full details demonstrating how the development would minimise water consumption, pressure on the combined sewer network and risk of flooding, shall be submitted to and approved in writing by the local planning authority. The details shall include the following measures:

- a) the incorporation of water efficient features and equipment and capturing, retaining and re-using surface water and grey water on-site;
- b) the limitation of the amount and rate of run-off and waste water entering the combined storm water and sewer network through the methods outlined in part a) and other sustainable urban drainage methods to reduce the risk of flooding; and
- c) the reduction of the pressure placed on the combined storm water and sewer network from foul water and surface water run-off and ensuring developments in the areas identified as being at risk of surface water flooding are designed to cope with the potential flooding.

The submitted details shall demonstrate how the methods outlined in a), b) and c) will be incorporated to ensure there is no additional strain on adjoining sites or the existing drainage infrastructure and how the development will resist flooding and cope with being flooded.

The development shall be carried out in accordance with the details thus approved.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 6 The development hereby approved shall be carried out strictly in accordance with the methodologies and recommendations of the Basement Impact Assessment (Construction Method Statement ref: MBP-7879 Rev 3.0 dated 15.06.2020) and other supporting documents hereby approved.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the Camden Local Plan 2017.

- 7 The floorspace at basement level hereby approved shall only be used in connection with, and ancillary to, the ground floor flat as a residential dwelling. The basement accommodation shall not be occupied as a self-contained flat.

Reason: The use of the basement level as a self-contained flat, separate from the use of the remainder of the application property as an independent dwelling, would raise materially different planning considerations that the Council would wish to consider at that time, in accordance with Policies CC2, CC3, A1 and H3 of the Local Plan 2017.

#### Informative(s):

- 1 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).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at

<https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319>  
or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square  
c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 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.
- 5 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.

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

Supporting Communities Directorate