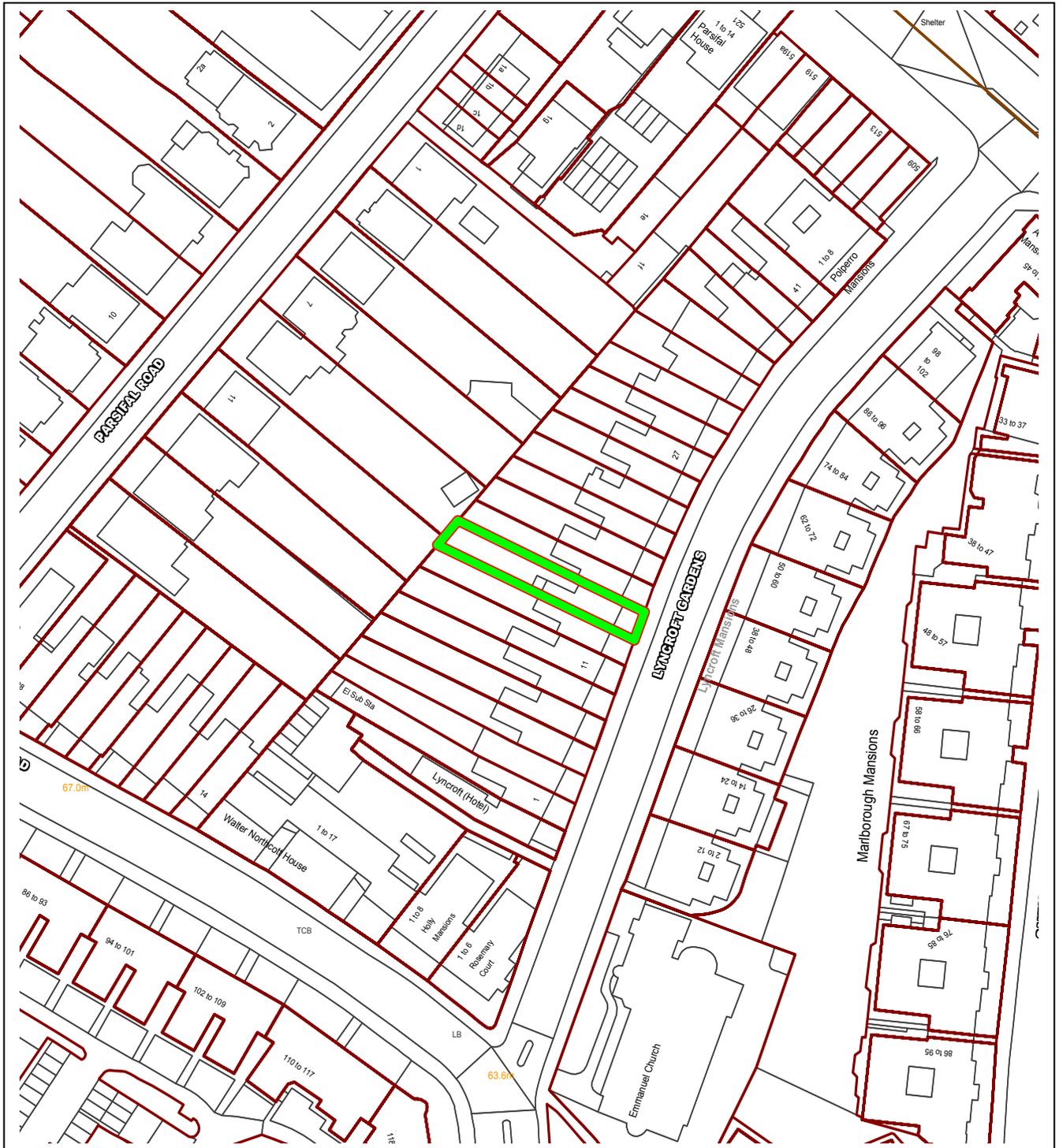
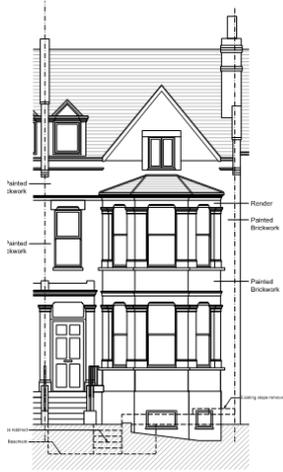


15 Lyncroft Gardens, GF flat, NW6 1LB



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

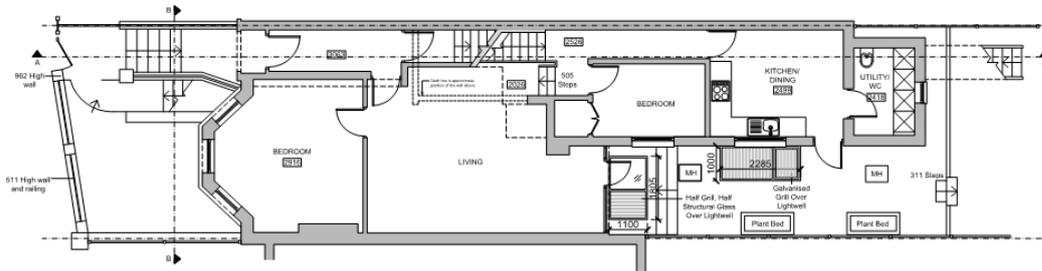


1 / Front Elevation

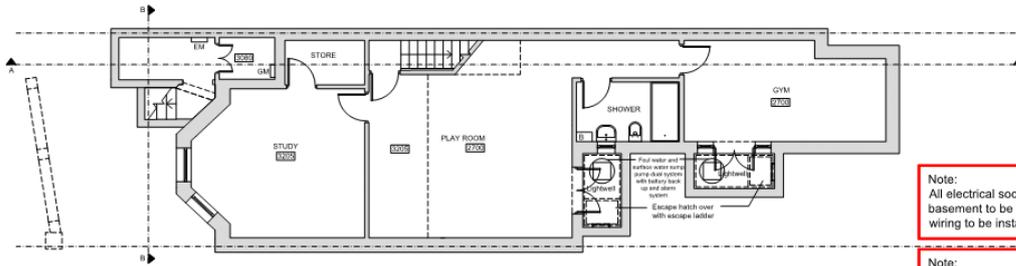


2 / Side Elevation

1. Proposed front & side elevation



1 / Ground Floor Plan

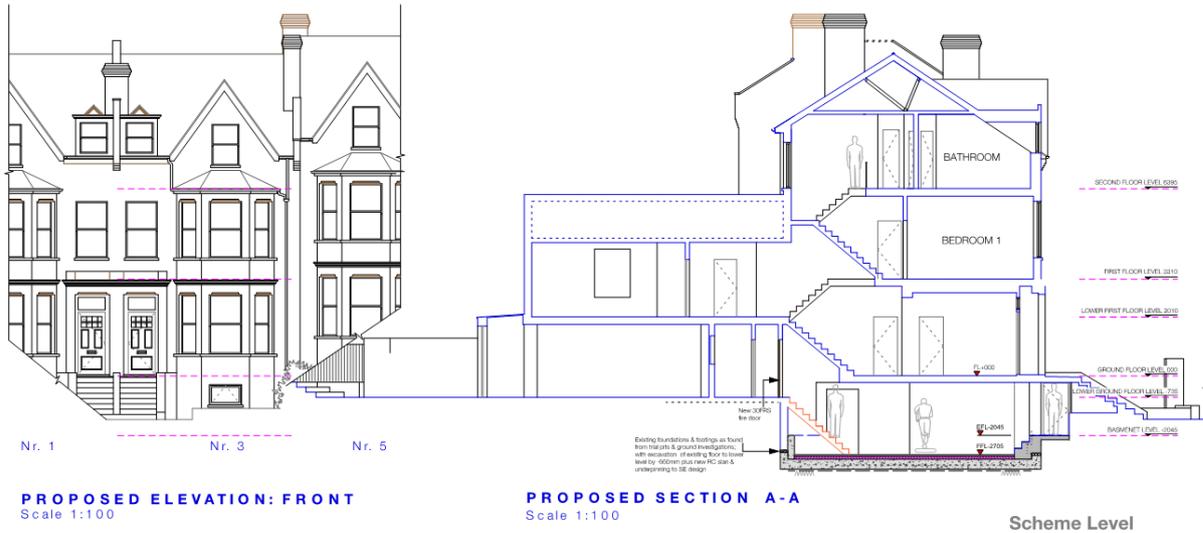


2 / Basement Plan

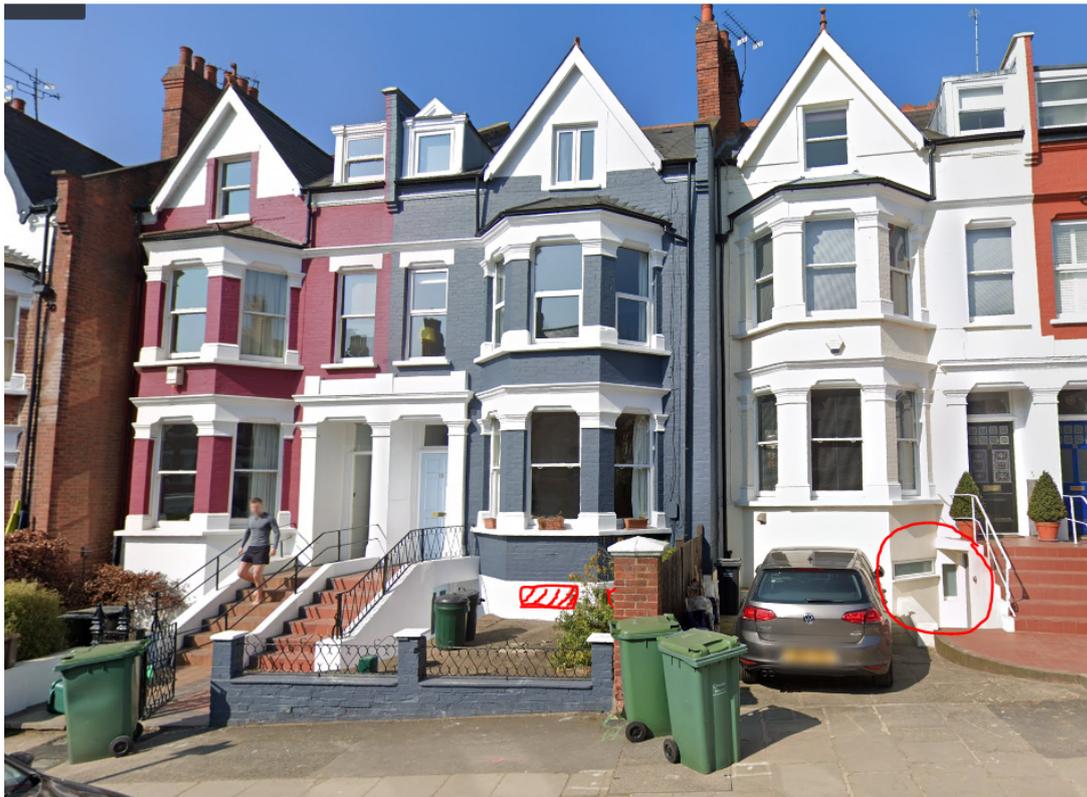
Note:
All electrical sockets in the basement to be raised and all wiring to be installed at high level

Note:
Waterproofing of walls and floor to be installed by specialist contractor as per Delta Membrane Manufacturer details.

2. Proposed plans



3. Previous approval at No. 3 (ref: 2019/0718/P) inc. front window inserted at basement level



4. View of front, front window position marked – similar existing circled next door



5. View of front stairs (to be retained as existing)



6. View of rear



7. Existing cellar



8. Aerial view

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		10/02/2020	
		N/A		Consultation Expiry Date:		16/02/2020	
Officer				Application Number(s)			
Nathaniel Young				2019/6236/P			
Application Address				Drawing Numbers			
Flat Ground Floor 15 Lyncroft Gardens London NW6 1LB				Please refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Enlargement of existing cellar and excavation of basement extension under the footprint of the property and associated lightwells at the side and rear of the property; and installation of 2 x windows to front of property.							
Recommendation(s):		Grant Conditional Planning Permission subject to S106 agreement					
Application Type:		Full Planning Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. of responses		08		No. of objections	
						08	
Summary of consultation responses:		<p>Press notice: published on 23/01/2020 Site notice: displayed from 23/01/2020</p> <p>Eight objections were received from residents occupying Nos. 5, 9, 13, 15 (upper floors flat) Lyncroft Gardens and other unknown addresses raising the following concerns:</p> <ol style="list-style-type: none"> 1. Harm to the character and appearance of conservation area. 2. Noise and disturbance caused by construction work. 3. Detrimental impact to structural stability/physical harm to neighbouring properties 4. Damage to pavement caused by heavy vehicles. <p><i>Officer response:</i></p> <ol style="list-style-type: none"> 1. <i>The front lightwell has been removed from the proposal and instead two small windows would be installed, similar to what exists at Nos. 3, 17, 23, 35 and 41 These windows are not considered to be visually</i> 					

obtrusive features within the street scene. The remainder of the works would be entirely subterranean and contained to the rear of the property, and as such, are not considered to cause harm to the character and appearance of the wider conservation area. See section 2.3 (Design and conservation).

- 2. 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.*
- 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. Contributions are to be secured via a legal agreement to allow the Council to repair any damage done to the highway in the general vicinity of the site on completion of development.*

Site Description

The application site contains, a three-storey, mid-terrace, residential building with cellar, situated on the north-western side of Lyncroft Gardens. The application specifically relates to the ground floor flat.

The application site is located within the West End Green Conservation Area, it is not statutorily listed but is identified as making a positive contribution to the character of the conservation area. It is also located within the Fortune Green and West Hampstead Neighbourhood Area.

Relevant History

Site

None

No. 3

2019/0718/P: Excavation and alterations to existing basement and installation of 1x front window at basement level to dwelling house (use C3). Approved 24/06/2019.

No. 23

2018/3377/P: Extension and lowering of the existing basement floor below the whole footprint of the building; installation of new window to front elevation at lower ground floor level; replacement of the rear infill extension roof with a new pitched roof and replacement aluminium sliding doors; replacement rear patio doors with new aluminium sliding doors. Approved 05/09/2019.

No. 35

2007/3446/P: Excavation of basement with front lightwell, erection of rear ground floor level extension and erection of rear first floor level balcony all in connection with existing single-family dwellinghouse (Class C3). Approved 27/09/2007.

No. 41

8804070: Alterations and excavation in connection with the extension of the existing basement ground

and first floor maisonette into the internal basement area. Approved 01/03/1989.

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016

The New London Plan intend 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

Fortune Green and West Hampstead Neighbourhood Plan 2015

Policy 2 Design & Character

Policy 3 Safeguarding and enhancing Conservation Areas and heritage asset

West End Green Conservation Area Statement 2011

Assessment

1 PROPOSAL

1.1 Planning permission is sought for:

- Enlargement of existing cellar and excavation of basement extension under the footprint of the property and associated lightwells at the side and rear of the property; and
- Installation of 2 x windows to front of property at basement level.

Revisions

1.2 During the course of the application the applicant has submitted revised drawings showing the removal of the front lightwell and associated railings, the retention of the front stairs and the installation of two new front windows (in place of the front lightwell).

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 enlarge the existing cellar and excavate a basement which would largely sit within the footprint of the existing building and the creation of two rear lightwells and two front windows. The basement is fully compliant with Local Plan policy A5 criteria in terms of its location, scale and size. The basement would comprise a single storey, would not be built under an existing basement, and would be less than 1.5 times the footprint of the host property. The rear lightwells would be situated in the rear patio to the side and to the rear of the existing outrigger and take less than 50% of its area; and given that the area they would occupy what is currently a hard surfaced patio, it would not be harmful to the character, biodiversity or permeability of the site.

2.24. A Basement Impact Assessment (BIA) has been submitted as part of this application. This document has been independently audited by Campbell Reith (engineering consultants). The Audit reviewed the Basement Impact Assessment for potential impact on land stability and local ground and surface water conditions arising from basement development in accordance with the Council's adopted policies and technical procedures. After amendments to the detail of the report, it has been satisfactorily demonstrated that structural stability would be maintained for the subject property, neighbouring properties and adjacent highway and that the proposed development would not impact the hydrogeological environment.

2.3 Design and conservation

2.3.1 Local Plan policies D1 (Design) and D2 (Heritage) and Neighbourhood Plan policies 2 (Design & Character) and 3 (Safeguarding and enhancing Conservation Areas and heritage asset) are aimed at achieving the highest standard of design in all developments. Policies D1 and 2 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policies D2 and 3 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 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.

2.3.3 After amendments, the proposal would no longer include a lightwell to the front of the property and the existing stairs would be retained. Instead two small windows would be inserted into the lower section of the existing front bay similar to what exists at the neighbouring properties No. 17, 23, 35 and 41 and what was approved at No. 3 under application ref: 2019/0718/P.

2.3.4 The rear lightwells would be appropriately positioned to the rear and side of the outrigger, sit flush with the ground with galvanised steel grilles over the top and would not occupy an excessive proportion of the rear garden. The new basement level fenestration would be of an appropriate scale, siting, design and materials and in keeping with what has been established within the surrounding area. All other works would be subterranean in nature and not visible. As such, it is considered that the character and appearance of the subject property, terrace grouping and wider conservation area would remain preserved.

2.3.5 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 and policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood 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 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 newly created windows and lightwells would not afford new views into any neighbouring habitable windows while also providing adequate levels of light to the newly created study, playroom and gym within the subject property. The front windows would be sited marginally above ground level and would face the street. The remainder of the proposed works would be entirely subterranean in nature and as such is not considered to cause any harm to residential amenity.

2.5 Highways and Transport

2.5.1 A construction management plan (CMP), construction impact bond of £7,500 and monitoring fee of £3,136 would be secured via 106 legal agreement in order to manage the impact of the proposed basement excavation (see para 2.4.2 for CMP details).

2.5.2 An 'approval in principle' (AIP) and associated costs of £1,863.53 would also be secured in order to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations. The AIP report would be submitted to the Council's Highways Structures & Bridges Team within Engineering Services as a pre-commencement planning obligation. This is a requirement of British Standard BD2/12. The AIP report would include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also include an explanation of any mitigation measures which might be required.

2.5.3 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 submitted BIA and Hydrogeology, land stability and ground movement assessment which has been reviewed by Campbell Reith indicates that the proposed development would not impact the hydrogeological environment.

2.6.3 The basement rooms of this proposal are considered ancillary to the main residential living space at ground floor level. They include a study, playroom, gym and shower. All of the existing flat would remain as existing with all primary rooms (living room, kitchen/dining room and bedrooms) on the ground floor. 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 staircase to the ground floor and escape hatches are available in both lightwells. 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.

3.0 Recommendation:

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

- Construction Management Plan and associated Implementation Support Contribution of £3,136.
- Construction impact bond of £7,500
- Approval in Principle and associated costs of £1,863.53

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 7th December 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 and search for 'Members Briefing'

Application ref: 2019/6236/P
Contact:
Tel: 020 7974
Date: 1 December 2020

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Advantage Basement & Cellar Company Ltd
95 East Hill
Wandsworth
SW18 2QD

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 Ground Floor
15 Lyncroft Gardens
London
NW6 1LB

DECISION
Proposal: Enlargement of existing cellar and excavation of basement extension under the footprint of the property and associated lightwells at the side and rear of the property; and installation of 2 x windows to front of property.

Drawing Nos: 01, 02, 03, 04, 05 Rev A, 06 Rev B, 07 Rev B, 08 Rev B, SM-20 Rev 1, BIA Ref: 190906 Rev 2 dated 21.07.20, Hydrogeology, land stability and ground movement assessment ref: MGC-BIA-19-29-V3

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 03, 04, 05 Rev A, 06 Rev B, 07 Rev B, 08 Rev B, SM-20 Rev 1, BIA Ref: 190906 Rev 2 dated 21.07.20, Hydrogeology, land stability and ground movement assessment ref: MGC-BIA-19-29-V3

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 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.

- 5 The development hereby approved shall be carried out strictly in accordance with the methodologies, flood mitigation measures and recommendations of the Basement Impact Assessment Ref: 190906 Rev 2 dated 21.07.20, Hydrogeology, land stability and ground movement assessment ref: MGC-BIA-19-29-V3 and other supporting documents hereby approved.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and 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, CC3 and A5 of the Camden Local Plan 2017.

- 6 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 London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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.
- 2 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.

- 3 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).
- 4 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