

Delegated Report		Analysis sheet	Expiry Date:	10/03/2022
		N/A / attached	Consultation Expiry Date:	13/02/2022
Officer			Application Number(s)	
Sofie Fieldsend			i) 2021/5916/P ii) 2022/0144/L	
Application Address			Drawing Numbers	
27 Jeffrey's Street London NW1 9PS			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
i) Erection of single storey rear lower ground floor extension. ii) Erection of single storey rear lower ground floor extension. Internal alterations.				
Recommendation(s):	i.) Refuse Householder Planning Permission ii.) Refuse listed building consent			
Application Type:	i.) Householder planning permission ii.) Listed building consent			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	03	No. of objections	02
Summary of consultation responses:	<p>Site notices were displayed on the 19/01/2022 and the consultation period expired on the 12/02/2022. Press notices were advertised on 20/01/2022 and expired on 13/02/2022.</p> <p>2 objections and 1 comment were received during public consultation from neighbouring properties.</p> <p>Their responses can be summarised as follows:</p> <p>1) Basement:</p> <ul style="list-style-type: none">– BIA shows basement exceeds category 1 of the burland scale contrary to CPG basements. It states category 2. Concern about structural damage– BIA incorrectly labelling the ‘garden wall’ referred to between 25 and 27 when it is really the rear wall of 25's brick built outbuildings and does not mention the listed rear terrace wall and chimney stacks connecting 27 to neighbouring properties.– exceeds point 2.4, criterion j, CPG Basements 2021, that a proposed basement extension should not exceed 50% of the depth of the host building footprint <p>2) Flood risk:</p> <ul style="list-style-type: none">- street has been flooded in 1975 and 2002.- Extension and patio/steps hard surface also reduce permeability.- Cumulative risk from basements at No.23 and 29. <p>3) Character/Heritage:</p> <ul style="list-style-type: none">– Harm to CA and listed building, original and historic features should be preserved– removal of closet wing’s cast iron leg and altering original proportions by extending it downwards destroys the context and original structure of the listed closet wing. <p>4) General:</p> <ul style="list-style-type: none">- No consultation from the applicant to the neighbours					

Site Description

The application site relates to a grade II listed three storey (plus basement) dwelling house on the northern side of Jeffrey's street, NW1. No.27 sits within the grade II listed terrace of 12 houses and dates to the early 19th century. The terrace is constructed from yellow stock brick of three storeys with basement and a 2 window range (bar the end and centre houses). No.27 is finished in stucco at ground and lower ground, and has a 6/6 sash window within the lightwell which is bounded by cast iron railings; 1st floor tall windows have cast iron balconies. The rear has a brick chimney stack running from ground to attic, and a brick closet extension at first floor level; supported on iron columns to ground floor level.

The property is located within the Jeffrey's Street Conservation Area. The Jeffrey's Street conservation area appraisal and management strategy (2002) regards each property within the row as making an individual contribution to the Georgian character and rhythm of Jeffrey's Street; with narrow basement areas enclosed with iron railings, they have decorative fanlights, first floor balconies and a strong parapet, which unifies the terrace at roof level.

Relevant History

Application site

2021/1077/P - Erection of single storey rear ground floor extension. Internal alterations. – **Refused 14.6.21**

Reason for refusal:

- 1) The proposed rear extension, by reason of its scale, siting, detailed design and materials, would harm the special architectural and historic interest of the Grade II listed building, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan (2017).

2021/1756/L - Erection of single storey rear ground floor extension. Internal alterations. – **Refused 14.6.21**

Reason for refusal:

- 1) The proposed alterations, by reason of the scale, siting, detailed design and materials, together with the loss of historic fabric, would harm the special architectural and historic interest of the Grade II listed building, contrary to policy D2 (Heritage) of the Camden Local Plan (2017).

2016/6273/PRE - Lower ground floor rear extension with sunken terrace and steps to rear of GII listed dwellinghouse (C3). Internal alterations including reconfiguration of basement and access. – **Advice issued 01/02/2017**

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden's Local Plan (2017)

- A1 Managing the impact of development
- A4 Noise and vibration
- A5 Basements
- CC2
- CC3 Water and flooding
- D1 Design

- D2 Heritage
- T1 Prioritising walking, cycling and public transport
- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials

Supplementary Guidance

- CPG Design (2021)
- CPG Home improvements (2021)
- CPG Amenity (2021)
- CPG Basements (2021)
- CPG Water and Flooding 2019
- CPG Transport (2021)
- CPG Developer contributions 2019

Jeffreys Street conservation area statement (2002)

Assessment

1. Proposal

1.1 The proposal is for the following works:

- Erection of single storey rear lower ground floor extension.
- Internal alterations.

2.0 Assessment

2.1 The main considerations in relation to this proposal are:

- Design and heritage Impacts
- Basement
- Flood Risk
- Amenity
- Transport

3.0 Design and heritage

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of Camden's Local Plan outlines that the Council will require all developments to be of the highest standard of design and will expect developments to consider character, setting, context and the form and scale of neighbouring buildings and the character and proportion of the existing building. In addition it should integrate well with the surrounding streets and contribute positively to the street frontage. Policy D2 states that Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. It adds that the Council will resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building.

3.2 CPG Home Improvements states that extensions should:

- Be subordinate to the building being extended, in relation to its location, form, footprint, scale, proportions, dimensions and detailing;
- Be built from materials that are sympathetic to the existing building wherever possible;
- Respect and preserve the original design and proportions of the building, including its architectural period and style;
- Respect and preserve existing architectural features, such as projecting bays, decorative balconies, cornices and chimney stacks;
- Be carefully scaled in terms of its height, width and depth;
- Allow for the retention of a reasonably sized garden;

3.3 It further adds that extensions should 'Respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space'

Assessment

3.4 Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under s.16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013.

3.5 Special regard has been given to the desirability of preserving or enhancing the character and appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

3.6 The site currently benefits from a part-width first-floor rear extension raised from the ground on an iron leg. This arrangement is of some historic interest in its own right but is not an original feature. The proposal will erect a full-width rear extension below this at lower ground floor. It will be constructed of yellow stock brick with metal capping along the top of the wall and metal crittal style full width fenestration. A green roof is proposed.

3.7 The depth of the extension dominates the rear elevation, adding bulk to the back of the house and obscuring its relationship with its garden. This would obscure the rear of the ground floor of the house, significantly altering its character and being full width is considered insubordinate. The design is heavy, with a brick surround including a tall parapet and bargeboard, plus a glazed screen employing a steel Crittall window system with an industrial appearance reminiscent of windows and doors found in warehouse buildings, not in late Georgian small-scale townhouses. The heavy appearance will screen the existing configuration at the rear of the property more than the earlier scheme ref. 2021/1077/P (refused on 14.6.21), and its detailed design clashes in an unacceptable way with the architectural appearance of the existing building and fails to respond to the historic context. It is not considered to be a sensitive addition to the listed terrace. However, it does retain sufficient rear garden space as the site has a long garden.

3.8 This proposed structure would crowd the kitchen window at ground floor. The windows at the rear, instead of looking on to a garden, will instead look on to this large rooftop with a green roof. It is considered that while maintaining the existing window is welcomed this design and proximity harms the character and appearance of the rear elevation.

3.9 The development will also block the bathroom window in the basement, which will result in loss of fabric and will lead to a knock-on requirement for mechanical ventilation. At ground-floor level, it will

demolish the brickwork around the back door and replace it and the back door with full width glazing. This loss of historic fabric is not acceptable.

3.10 The extension internalises the rear room. Whilst the retention of the existing external wall is desirable as it avoids loss of historic fabric, the internalisation of the wall and window is somewhat peculiar with the accommodation in the extension turning itself away from them at much lower level, being accessed via a flight of steps with an unnecessary and unwelcome change of level which harms the internal hierarchy and legibility of the listed building. Furthermore, the rear room will be internalised by the extension, which is not considered to be desirable for the character of the listed building. The subdivision of this room into two, although at lower ground floor level is also considered to detract from the spatial qualities of the listed building.

3.11 The development would constitute less-than-substantial harm to the designated heritage asset, as per paragraph 196 of the NPPF. The development would also detract from the character and appearance of the Jeffreys Street Conservation Area. There are no demonstrable public benefits to the proposal to consider that would outweigh the harm to the significance of the listed building.

3.12 Overall it is considered that the erection of a full width extension at lower ground floor and the loss of historic fabric would harm the character and appearance of the listed building, listed terrace and wider conservation area. The development would fail to preserve or enhance the heritage asset and would cause harm to its special architectural and historic interest.

3.13 A green roof is proposed and while no details have been provided it is acknowledged that these details could be secured by condition if the development was acceptable.

4.0 Basement Impact

4.1 Policy A5 requires basements, by way of their siting, location, scale and design, to have minimal impact on and be subordinate to a host property.

4.2 A number of criteria is set out in the policy:

- f. not comprise of more than one storey;
- g. not be built under an existing basement;
- h. not exceed 50% of each garden within the property;
- i. be less than 1.5 times the footprint of the host building in area;
- j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;
- k. not extend into or underneath the garden further than 50% of the depth of the garden;
- l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and
- m. avoid the loss of garden space or trees of townscape or amenity value.

4.3 The host property is 7m deep and the basement would project to the rear another 4.3m, which is more than 50% of the depth of the host property and given its large footprint of 20sqm it would also more than 1.5times the footprint of the host property. It would also not be set back from neighbouring property's boundaries. Therefore, the basement would be contrary to parts I, J and L of the criteria above.

4.4 A letter from Barry Parry Town Planning Ltd was received during the course of the application acknowledging that the basement does indeed fail criteria 'i' as they believe it would have been more reflective of the depth and style of the neighbouring properties lower ground extension to ensure a coherence between the two properties. The letter is unclear which properties this refers too and no block plan showing the neighbouring basements has been submitted for comparison. However, any larger basements present are likely to have been done some time ago likely before the terrace was listed and basement policies have also since been strengthened by the local plan 2017. So they are unlikely to be accepted for precedents.

4.4 While a BIA and associated information was submitted the applicant would not agree to sign the BIA audit form and pay the associated fee for an external audit by Campbell Reith to take place despite several requests from the Council. However, it is noted that their BIA (para. 7.3.5) that:

'the damage to the garden wall would fall into Category 2. However, this check is limited to assigning damage based on an estimated strain induced across the existing structure profile. Given the nature of the structure in this case, the assessment is considered conservative and, as such, the damage category is not expected to exceed Category 1 for the adjacent structure, particularly if the garden walls are propped during the works.'

4.5 In absence of an independent audit as required by Policy A5 and CPG Basements this and its scale would form a reason for refusal.

5.0 Flood Risk

5.1 Policy CC3 'Water and Flooding' seeks to ensure that development does not increase flood risk and reduces the risk of flooding where possible. Policy A5 requires basements to demonstrate that they would not adversely affect drainage and run-off or causing other damage to the water environment;

5.2 Several objections highlighted that the street has been flooded historically, in 1975 and 2002. This claim was reviewed by the Council's LLFA team. Jeffrey's Street does appear on the list of flooded streets in 2002 within Appendix 4 of Floods in Camden Report of the Floods Scrutiny Panel June 2003. On that basis the Council would acknowledge this to be a historically flooded street and should be assessed in line with Policy CC3. To understand and assess the flood risk within the development, a flood risk assessment (FRA) would be required.

5.3 In line with this policy the proposed basement development should not increase flood risk and reduce the risk of flood wherever possible and should consider the risk of surface water flooding. As outlined above this street is considered to be at risk of surface water flooding and several objections highlight that this street was previously flooded. And as a flooded street historically, it is considered that there is a potential flood risk that needs to be assessed.

5.4 This assessment should identify how a development will be designed to cope with flooding and how the risk will be mitigated without increasing the risk elsewhere. Recommendations in any FRA would have been secured by planning condition.

5.5 Policy CC3 states that a BIA should demonstrate that the impacts of the proposed development are acceptable, or that appropriate mitigation measures will be adopted. The submitted BIA mentions that the site has not been subject to historic flooding and outlines that there is a very low risk of

surface water and sewer flooding. The submitted drainage report again does not explore this risk. Therefore the development does not address the flood risk on a historically flooded street.

5.6 Given the concerns about flooding for the site, and management of surface water run off and as the Council haven't seen a detailed FRA addressing these concerns or if mitigation measures are required then it is considered that the development has the potential for a detrimental impact on increased flooding and flood risk contrary to policies A5 'Basements' and CC3 'Water and flooding' of the London Borough of Camden Local Plan (2017).

5.7 It is noted that there is an existing bedroom at lower ground floor with no means of escape at this level in the event of a flood, the Council would encourage this not be used as a bedroom to avoid risk if a future flood event occurs.

6.0 Amenity

6.1 Local Plan Policy A1 and Camden CPG Amenity seeks to ensure that the amenity of neighbours is protected including visual privacy, outlook, sunlight, daylight and overshadowing.

6.2 Given its siting at lower level and as it does not project above the existing side boundaries, it is not considered to harm the amenity of either neighbouring residential property in terms of loss of light, privacy, overlooking or a sense of enclosure.

7.0 Transport

7.1 Construction vehicles would be able to load and unload within the parking bays on Jeffreys Street. There is an existing traffic restriction on Prowse Place between Ivor Street and Bonny Street. We recently consulted on the Prowse Place scheme where one of the new proposals is to make Jeffreys Street/ Wilmot Place, between Prowse Place and St Pancras Way, two-way for motor vehicles. A decision has been made, therefore construction vehicles would be able to arrive and leave via the two-way Jeffreys Street.

7.2 However, due to the amount of excavation, and that the site is located within a residential neighbourhood, a Construction Management Plan (CMP) would need to be secured to minimize the impact on the highway infrastructure and neighbouring community. If the development was acceptable the Council would secure a CMP implementation support contribution of £3,920 and a Construction Impact Bond of £7,500 as section 106 planning obligations in accordance with Policy A1.

7.3 The footway directly adjacent to the site is likely to sustain damage because of the proposed excavation. The Council would need to undertake remedial works to repair any damage following completion of the proposed development. A highways contribution would need to be secured as a section 106 planning obligation if planning permission is granted. This would allow the Council to repave the footway directly adjacent to the site and repair any other damage to the public highway in the general vicinity of the site. The highway works would be implemented by the Council's highways contractor on completion of the development. A cost estimate is currently £TBC.

7.4 As the application is being refused, the failure to enter into a legal agreement and secure a CMP, the CMP implementation support contribution of £3,920, a Construction Impact Bond of £7,500 and highways contributions of £TBC would form reasons for refusal on the householder application.

8.0 Recommendation

8.1 Refuse householder planning permission and listed building consent.