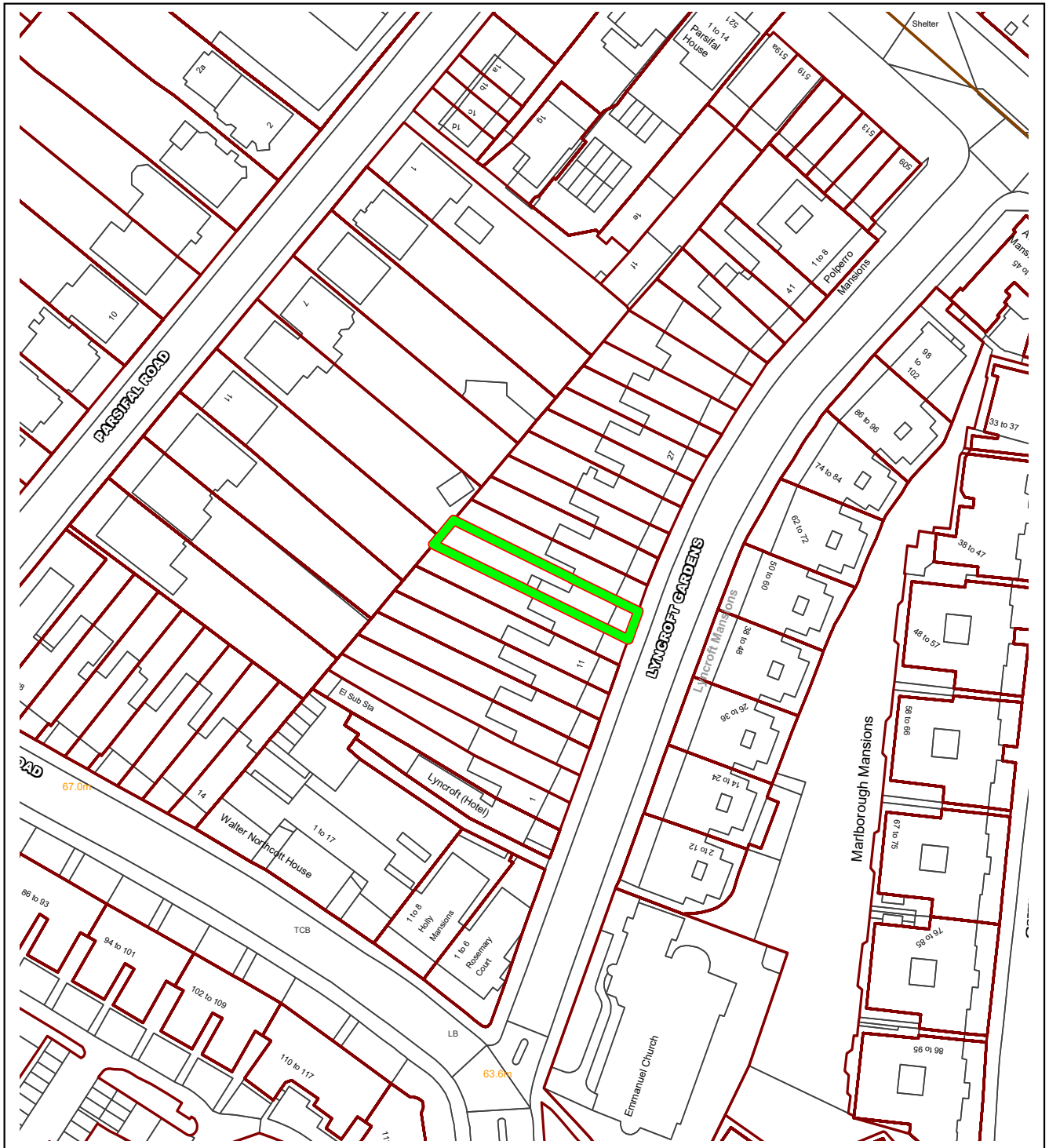
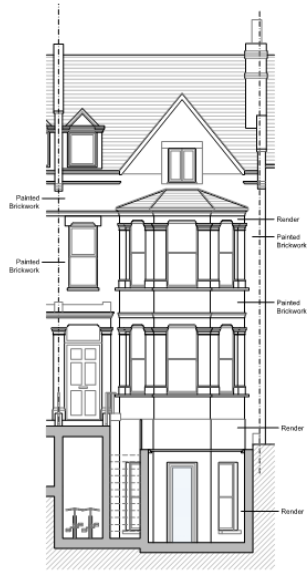


15 Lyncroft Gardens, GF flat, NW6 1LB



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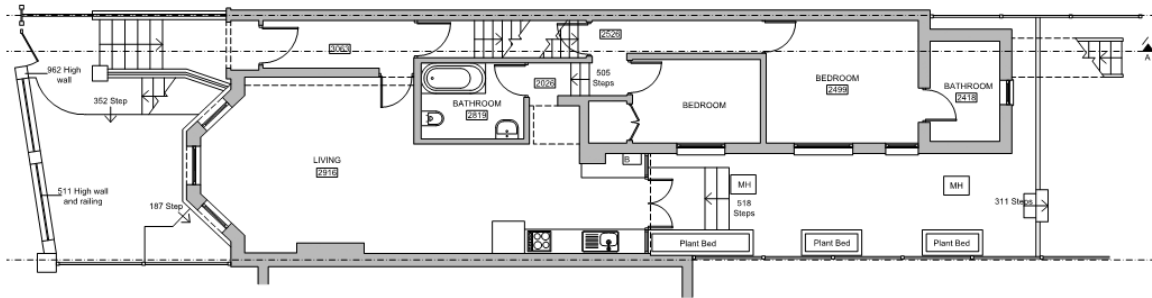


1 / Front Elevation

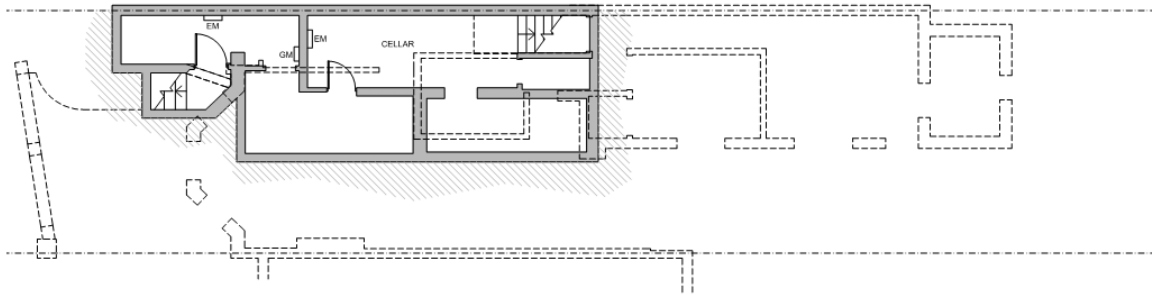


2 / Side Elevation

1. Proposed front & side elevation

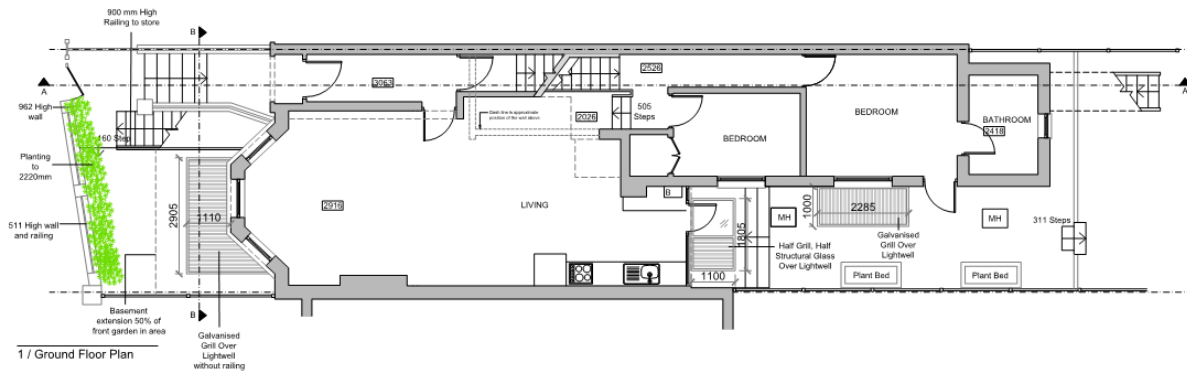


1 / Ground Floor Plan

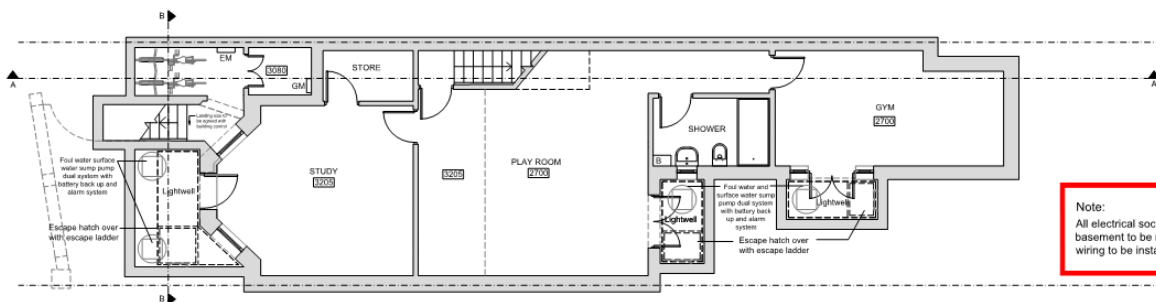


2 / Basement Plan

2. Existing (above) and Proposed plans (below)



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 & floor to be installed by specialist contractor as per Delta Membrane Manufacturer details.



3. Front elevation of application site (blue), also showing windows to front basement level at adjoining property no. 17



4. View of front stairs (to be retained)



5. View of rear



6. Existing cellar



7. Aerial view

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	24/06/2021
		N/A / attached	Consultation Expiry Date:	04/07/2021
Officer			Application Number(s)	
Fergus Wong			2021/2075/P	
Application Address			Drawing Numbers	
Flat Ground Floor 15 Lyncroft Gardens London NW6 1LB			<i>See draft decision notice</i>	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Excavation of basens extension under the footprint of the property and associated lightwells at the front and rear of the property.				
Recommendation:	Grant planning permission.			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	A site notice was displayed starting 09/06/2021 and expiring on 03/07/2021. A press notice was published in the Ham & High starting 10/06/2021 and expiring 04/07/2021.			
Adjoining Occupiers:	No. of responses	3	No. of objections	3
Summary of consultation responses:	<p>3 objections were received and can be summarised as follows:</p> <ol style="list-style-type: none"> 1. <u>Design:</u> Front lightwell contrary to conservation area guidance, and would have negative impact on the appearance of the property, street and wider conservation area. <p>Officer response: <i>Whilst it is acknowledged that the front lightwell may be contrary to the guidance quoted, there is no prevailing dominant character or appearance to the front gardens to the properties on this side of Lyncroft Gardens, with alterations observed. The proposal has been amended to provide hedging to the front boundary, to remove the initially proposed railings and reducing the width of the door within the front lightwell. This would minimise the visibility of the lightwell from the streetscene, as well as any impact on the appearance of the host property. The modest scale and size of the lightwell and associated grille would not cause any harm to the appearance and character of the property or the wider conservation area.</i></p>			
West End Green CAAC	<p>West End Green CAAC:</p> <p>Objection on grounds of:</p> <ul style="list-style-type: none"> - Front lightwell not in accordance with conservation area guidance, contrary to planning policy in resisting basement development fronting the highway, and would have a negative impact on the conservation area. <p>Officer response: <i>Whilst it is acknowledged that the front lightwell may be contrary to the guidance quoted, there is no prevailing dominant character or appearance to the front gardens to the properties on this side of Lyncroft Gardens, with alterations observed. The proposal has been amended to provide hedging to the front boundary, to remove the initially proposed railings and reducing the width of the door within the front lightwell. This would minimise the visibility of the lightwell from the streetscene, as well as any impact on the appearance of the host property. The modest scale and size of the lightwell and associated grille would not cause any harm to the appearance and character of the property or the wider conservation area. A structural survey had been submitted and independently audited, which satisfactorily concluded that the works would have no structural impact on the highway.</i></p>			

Site Description

The application site is 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

Application site:

2019/6236/P – Granted Subject to Section 106 Agreement 19 March 2019

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.

Relevant planning history at neighbouring properties:

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 (2021)

The London Plan (2021)

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

CPG Design

CPG Amenity
CPG Basements
CPG Transport
CPG Developer Contributions
CPG Home Improvements

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. The proposal

1.1. Planning permission is sought for the excavation of a basement, and insertion of lightwells to the front, side and rear of the property.

1.2. The proposal is largely similar to the works approved in 2019 under reference 2019/6236/P, with the primary difference being the insertion of a front lightwell and associated fenestration within the lightwell.

Revisions during the course of the application

1.3. The following revisions were secured by the planning officer:

- Omission of the railings surrounding the lightwell, retaining the metal grille;
- Reduction in the width of the French doors within the lightwell to match the width of the windows above;
- Landscaping in the front garden

2. Assessment

2.1. Basement Development

2.2. It is proposed to enlarge the existing cellar by approximately 45sqm, and excavate a basement which would largely sit within the footprint of the existing building. The overall footprint of the basement measures 79sqm. Additionally consent is sought for the creation of a front lightwell with one set of French doors and two windows, and two rear lightwells. The footprint of the basement, two front windows and the two rear lightwells formed part of the 2019 approval.

2.3. The new proposed front lightwell measures approximately 3.2sqm in area and would protrude at its deepest point 1.1m from the front bay. Therefore it is considered that the overall area of excavation in this instance is not substantially different to that previously approved. 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 proposed lightwells would occupy an area which is currently hard surfaced, and would therefore not be harmful to the character, biodiversity or permeability of the site.

2.4. The submitted BIA was previously independently audited by Campbell Reith as part of the previous approval and they were satisfied that the works would be in accordance with the Council's adopted policies and technical procedures. Given the very minor increase in excavation, and considering that it would be set away from the side boundary, there would not be any material impact in terms of any implication on land stability and local ground and surface water conditions, and structural stability. It was therefore not considered necessary for the BIA to be re-audited in this instance.

Conditions are recommended to ensure that the basement works are carried out in accordance with the methodology stated within the submitted statements, and that they are monitored and inspected by a qualified chartered engineer.

3. Design and Conservation

- 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.
- 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.
- 3.3. Following officer advice, the proposal has been amended to provide hedging to the front boundary, to remove the initially proposed railings and reducing the width of the door within the front lightwell. It was not considered necessary to reconsult on these minor amendments.
- 3.4. One objection was received from the West End Green CAAC and three objections were received from neighbouring residents, on grounds that the proposed front lightwell would fail to accord with guidance contained within the West End Green Conservation Area Appraisal and Management Strategy, specifically the guidance stating 'the creation of new lightwells can harm the relationship between the building and the street, can harm the appearance of the building and the streetscape, and may result in the loss of garden, as well as 'the Council will normally resist basement development fronting the highway due to its impact on the appearance of the Conservation Area.'
- 3.5. It is noted that as existing, there is a partial front lightwell, with stairs leading down to the existing cellar. The remainder of the front is hard standing. It must also be noted that there is variation in terms of the treatment to the front gardens to properties along this side of Lyncroft Gardens, with alterations observed at basement level at nos. 23, 25, 35, 41, as well as the front lightwell approved to no. 3 in 2019. Front gardens are generally hard landscaped, with some used for parking. Some front boundaries are landscaped with tall hedges, such as nos. 1, 3, 5, 7 and 11, which forms part of the prevailing character of properties along this side of Lyncroft Gardens.
- 3.6. The external manifestation of the proposed front lightwell would be in the form of a metal grille, which would be set in front of the bay. The lightwell would extend 1m beyond the existing front bay at its deepest point. Although it would be minimally visible, the proposed new door within the lightwell has been altered so that it matches the width of the existing windows above. The drawings have also been amended to show landscaping/tall hedging along the front boundary.
- 3.7. Given the modest size of the lightwell, the proposed alterations would have a minimal impact on the appearance of the front elevation of the property. The lightwell is positioned away from the front boundary and pavement, and it is small when compared to the overall area of the front garden. It would also be obscured by the hedges to the front boundary. The proposal is therefore not considered to cause any detrimental harm to the character and appearance of the subject site or the surrounding conservation area.
- 3.8. A condition is recommended to ensure that the front landscaping as shown on the submitted drawings is carried out and retained as such, to ensure that the lightwell remains minimally visible from the street.

- 3.9. Whilst it is acknowledged that the works do not accord with the guidance within the West End Green Conservation Area Statement as quoted above, it is considered that owing to the modest scale of the works proposed and the lightwell being set back and screened by hedging, there would not be any unacceptable harm to the overall appearance of the property and the wider conservation area. There is no uniform appearance to the front gardens of neighbouring properties along this side of Lyncroft Gardens, and therefore the works would not detract from any prevailing character.
- 3.10. The rear lightwells would be appropriately positioned to the rear and side of the existing outrigger, set 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 would be in keeping with what has been established within the surrounding area. All other works would be subterranean in nature and not visible.
- 3.11. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area under S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 3.12. 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, and the proposal would be 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.

4. Residential Amenity

- 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.
- 4.2. 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.
- 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.
- 4.4. The new fenestration within the front lightwell, given the set in and set back from neighbouring boundaries the lightwell would not afford new views into any neighbouring habitable windows. The front and rear lightwells would provide greater levels of light into the basement space than previous to allow for a better use of the space. There is no additional change in terms of the amenity impacts relating to the rear lightwells, and similarly would not lead to any negative impact on the residential amenity currently enjoyed by neighbouring residents.
- 4.5. The development is thus considered to be in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

5. Highways and Transport

- 5.1. A construction management plan, construction impact bond and monitoring fee, as well as an 'approval in principle' and associated costs were secured via S106 legal agreement in the previous

approval. These contributions have already been partially secured, and a deed of variation would be sought to vary the previous legal agreement with respect to the current application.

6. Flooding

- 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”.
- 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.
- 6.3. The basement rooms of this proposal are considered ancillary to the main residential living space at ground floor level. 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 the 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.

7. Other Issues

- 7.1. One objection was received on grounds of loss of communal cycle parking (shared with occupants of first and second floor flat), as a result of the use of the existing cellar space. The proposed basement floor plan indicates cycle parking space, although it is assumed that this would be for the use of the occupants of the ground floor flat. Given that this was likely a private arrangement and not indicated as ‘official’ cycle parking space, and that the current proposal relates specifically to the ground floor flat, it should be considered that this is a private matter to be resolved between the two residents. There should be ample space within the front and rear gardens for the provision of cycle storage.

8. Recommendation

- 8.1. 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

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 1st August 2022, 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: 2021/2075/P
Contact: Fergus Wong
Tel: 020 7974 2968
Date: 7 June 2022

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

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

DRAFT

Address:

Flat Ground Floor
15 Lyncroft Gardens
London
NW6 1LB

Proposal:

Excavation of basement extension under the footprint of the property and associated lightwells at the front and rear of the property

Drawing Nos: 01; 02; 03; 04; 05; 06 Rev. B; 07 Rev. B; 08 Rev. B; Basement Impact Assessment Rev. 2 produced by Croft Structural Engineers dated July 2020; Design and Access Statement dated Dec 2019; Hydrogeology, Land Stability and Ground Movement Assessment produced by Maund Geo-Consulting dated July 2020

DECISION

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 **0207 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 The development hereby permitted shall be carried out in accordance with the following approved plans:
01; 02; 03; 04; 05; 06 Rev. B; 07 Rev. B; 08 Rev. B; Basement Impact Assessment Rev. 2 produced by Croft Structural Engineers dated July 2020; Design and Access Statement dated Dec 2019; Hydrogeology, Land Stability and Ground Movement Assessment produced by Maund Geo-Consulting dated July 2020

Reason:

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

- 3 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.

- 4 The landscaping to the front garden and boundary wall as shown on drawing numbers 06 Rev. B and 07 Rev. B must be provided prior to the commencement of the occupation of the basement level, and must be retained as such hereafter.

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.

- 5 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.

- 6 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.

- 7 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 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, 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 (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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 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