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5th October 2022

Sent via email only:
nora-andreea.constantinescu@camden.gov.uk

RE: 73 GOLDHURST TERRACE, LONDON, NW6 3HA – APPLICATION REFERENCE 2021/5834/P

Dear Nora,

Introduction

SM Planning have prepared this letter on behalf of the applicant at 73 Goldhurst Terrace, London, NW6 3HA in relation to the current planning application referenced 2021/5834/P for the extension of existing basement level with front and rear lightwell; infill rear extension and retention of rear dormer.

The application has yet to be determined, although several emails sent between yourself and the applicant have identified your concerns to the proposals advising that you were unable to support the application as initially submitted. You have requested amendments be made to the proposed development.

The issues raised relate to the size and extent of the proposed basement and the size of the proposed ground floor rear infill extension. To best address the concerns raised by yourself, the following sections set out your comments verbatim followed by a review and response to those comments.

The purpose of this letter therefore outlines how the proposed basement has been amended (please find revised plans enclosed) to address the previous concerns raised, whilst providing justification for the proposed ground floor rear infill extension.

It is understood that comments have also been raised by Campbell Reith in their audit of the submitted Basement Impact Assessment. In response to this, a Basement Impact Assessment Report (enclosed) has been prepared by GEA, which addresses those matters separately.

Proposed Basement

In your communication with the applicant, you have raised two main issues to the proposed basement. These relate to the depth of the basement (in terms of its projection from the principal rear elevation of the property) and the width of the basement (in terms of the basement extending up to the boundary of the site).

Case officer comments (email sent to applicant on 27/04/2022)

'The proposed basement extension in terms of its extent, does not comply with points e) of policy A5. On point e) the principal rear elevation of the building remains that of the original building, being the main rear wall. The depth of the original building is 8.64m with the 50% of it being 4.32m. The basement extends by 13m from the principal rear elevation, which is over 150% the depth of the building.

On point g) this is not complied with as the basement extends along the boundary outside the footprint of the building.

In order to comply with this, the basement would have to be significantly reduced in size'.

SM Planning Response

From your email above it appears that you have incorrectly cited Camden Local Plan (CLP) Policy A5 (Basements) when raising concerns to the size and extent of the basement. You have stated that the basement does not comply with criteria e) and g). However, your concerns relate to the depth of projection from the principal rear elevation and its extension up to the boundary, which are rather addressed by criteria j and l (as set out below):

CLP Policy A5 states '**basement development should....**

j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation

l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building....'

This letter will therefore continue to address these criteria in turn below.

Criterion j – 50% depth projection

You have advised that the principal rear elevation of the property (for the purposes of applying criterion j of CLP Policy A5) should not include any rear projections to the property, whether they be extensions or part of the original outhouse, such as an outrigger. It is understood from your comments that you consider the dwelling depth (from principal front to principal rear elevation) to be approximately 9 metres and therefore in order to meet criterion j, a basement depth could be no larger than 4.5 metres (when measured from the rear elevation).

To address this matter, revised plans (enclosed) have been submitted which significantly reduces the depth of projection of the basement from the principal rear elevation. Specifically, on the proposed revised basement plan, the proposed basement depth (when measured from the principal rear elevation) projects 4.1 metres. The proposed basement therefore has been amended whereby it extends into the garden no further than 50% of the depth of the host building measured from the principal rear elevation. The development now complies with criterion j of CLP Policy A5.

Criterion I – basement set back from neighbouring boundaries

Criterion I of CLP Policy A5 requires basement development to be set back from neighbouring boundaries where it extends beyond the footprint of the host building. You have advised that the proposal conflicts with this requirement *‘as the proposed basement extends along the boundary outside the footprint of the building’*.

The aim of criterion I is to provide space, free from basement development to enable water drainage and planting. Specifically, the supporting text to CLP Policy A5 (2017) states that, in the context of criterion I, *‘sufficient margins should be left between the site boundaries and any basement construction to sustain growth of vegetation and trees’*. The Basements Camden Planning Guidance (2021) (Figure 8, Page 14) states that, *‘the policy objective is to provide significant space free from basement development to enable water drainage and area for planting’* and that *‘providing a set back to neighbouring properties will generally not be required where built form or a basement on the neighbouring property extends up to the property boundary’*.

In this instance, the basement proposed is directly underneath the existing ground floor extension. As such, this policy requirement cannot reasonably be applied to the proposed basement as the existing ground floor footprint of the property would not provide/allow for any ground floor space free for water drainage or planting above the basement. Instead, it is considered that this criterion is written for where new basements will sit under existing undeveloped/green spaces and clearly this is not applicable in this scenario where the basement is proposed under the existing ground floor extension.

The north elevation of the basement is set adjacent the neighbouring extension to no.71 Goldhurst Terrace and in line with the Basement guidance referred to above, a set back from this boundary is not required.

For the above reasons, having regard to the fact that there is no requirement to step the basement in from the boundary with no.71 Goldhurst Terrace (given this neighbouring building property extends up to the property boundary) and that the basement is proposed beneath a ground floor extension whereby it would not provide/allow for any ground floor space free for water drainage or planting above the basement, the proposed development is considered to meet the aims of Criterion I of the policy.

Ground Floor Infill Extension

Case officer comments (email sent to applicant 05/05/2022)

‘The proposed additional extension to what was already granted consent and implemented, due to their overall large scale and projection would overwhelm the host building and result in harm to the pattern of development and wider area. We note there are other full width extensions along the terrace, however they are either set back from the rear building line, or not project up to the principal rear elevation. As such, we would not support any further extensions to this building’.

Furthermore, following the applicant referring to examples of full width extensions being built at neighbouring properties at 49, 71 and 87 Goldhurst Terrace, the email sent to the applicant on 05/05/2022 also stated:

‘Both developments at 87 and 49 Goldhurst Terrace have been granted in line with previous development plan policies and therefore not particularly relevant in this instance. They are also just two examples within a long terrace row.

A more recent permission is at no. 71 (2020/4244/P) where a full width extension was allowed to the rear subject to the area adjacent to the outrigger being kept undeveloped, to ensure the impact on neighbouring amenity and character of the building is mitigated.

Overall, the proposed rear extension and basement are not subordinate to the host building and they are significantly harmful to the amenity of neighbouring occupiers and to the character of the host building and pattern of development. As such, we would not be able to support this development'.

SM Planning Response

In considering the impact of the full width extension, the delegated report for the full width extension approved at no.49 Goldhurst Terrace (2009/1545/P), states *'The proposed single storey extension is subordinate to the host property in that it would infill the narrow gap of 2metres between the boundary wall and the side elevation of the original dwellinghouse'* and concludes that *'it is considered that the proposed rear addition would not have an adverse impact on the surrounding Conservation Area, the proposed extension therefore complies with planning guidelines outlined in Camden's Planning Guidance and Policies B1, B3 and B7 of the Replacement UDP 2006'*. The delegated report for the extension at 87 Goldhurst Terrace (2015/1172/P) is not available online and so it has not been possible to review the reasons this was approved, although it is considered likely a similar assessment to application 2009/01545/P would have been made in granting permission.

Whilst it is acknowledged the above examples at no's 49 and 87 were approved prior to the current adopted Local Plan, the UDP (2006) design policies (B1, B3, B7) referred to in the delegated report are similar to the current design policies of the CLP (2017) as they state development will be granted whereby it is of an appropriate design, scale, form, massing and layout, are subordinate to the original building and which respect the character and appearance of the conservation area. As such, the policies adopted in 2006 and 2017 are very similar in their objective and based on subjective matters, and neither the policies within the former UDP or the current CLP prescribe that full width extensions will not be acceptable. Therefore, it is considered that the referred to examples are relevant and should be given significant weight in the consideration of this current application.

Accordingly, if an infill extension, the same as that currently proposed in my client's application (2021/5834/P), was previously considered to be acceptable based on its subordination to the host property, and against policies similar in content to the adopted CLP, similar justification can be applied to this scheme. Put simply, the ground floor infill extension would also be subordinate to the host property in that it would infill the narrow gap (only 2.3m) between the boundary wall and the side elevation of the existing single storey projection, and would not have an adverse impact on the surrounding Conservation Area. The marked-up photo below shows the small extent of the area to be infilled by the proposed ground floor extension.



Area of proposed ground floor infill extension

Furthermore, it should also be acknowledged that by virtue of these extensions having been granted and built, they now form part of the character and appearance of the area in which the proposed site is located and where previous 'L' shaped outriggers have been replaced with full width ground floor extensions.

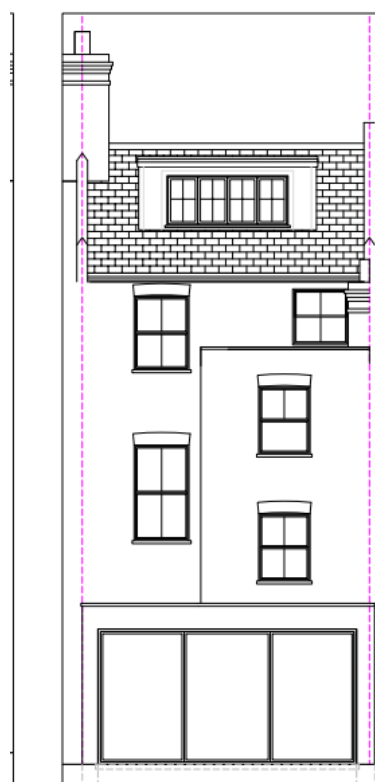
As such, having regard to the small size of the ground floor extension proposed, its single storey height and those similar extensions approved at 49 and 87 Goldhurst Terrace, the proposed ground floor infill extension is both subordinate to the host building and in keeping with the character of the host building and pattern of development.

Turning to the full width extension referred to at 71 Goldhurst Terrace (2020/4244/P), your comments advise that the full width extension was allowed to the rear subject to the area adjacent the outrigger being kept undeveloped to ensure the impact on neighbouring amenity and character of the building is mitigated. In reviewing the delegated report for this application, the case officer concluded; *'Although full width, the extension leaves a gap/lightwell of around 4.8m from the rear of the main building, mitigating the impact on amenity on the adjacent property at 69.'* It is clear from the report that this gap was therefore kept undeveloped for neighbour amenity issues and not on character/design grounds. In any case, should this gap had been left unbuilt for design purposes, it should be noted that the gap is only experienced by the residents of 71 themselves, and that to the surrounding views from neighbouring properties, the extension reads as a full width extension.

Consequently, the visual appearance of the ground floor infill extension proposed under this application will have a similar impact on the character and appearance of the host dwelling and wider conservation area as the extension approved at no.71 – please see rear elevations below which demonstrate this:



***Approved rear extension to no.
71 Goldhurst Terrace(2020/4244/P)***



***Rear extension currently proposed under this
application to no.73 Goldhurst Terrace***

Finally, you state that the full width rear extension would have a harmful impact to the amenity of neighbouring occupiers. You have not identified the specific harm or which neighbour, but it is assumed to be the outlook from no.75 Goldhurst Terrace.

In response, having regard to the single storey height of the infill extension and that it extends no further back than the existing rear extension, it is considered that the proposed development would have no discernible visual impact given on the ground floor windows to no.75 that already look out towards the existing single storey rear extension. In addition, the outlook from the facing windows from no.75 Goldhurst Terrace are already somewhat restricted given that they face out onto, and are in close proximity to, the existing side boundary fence. Therefore, having regard to the fact that the proposed infill extension is to a relatively small area and that it will be viewed from no.75 within the same profile of the existing single storey extension to no.73, the proposed extension is unlikely to impact the outlook/daylight/sunlight levels to the neighbouring property any worse than the existing scenario.

For the reasons outlined above, the proposed ground floor rear infill extension by virtue of its size, scale and massing, and having regard to the existing single storey rear extension would not have an adverse impact on the character and appearance of the property or surrounding Conservation Area nor would it have a detrimental impact on neighbouring amenity.

Summary

Following the submission of a revised basement plan, the proposed basement development is in accordance with CLP Policy A5. Furthermore, it has been demonstrated that the proposed ground floor rear infill extension by virtue of its size, scale, massing, and location, and having regard to examples of similar approved neighbouring extensions, would not have an adverse impact on the character and appearance of the property or surrounding Conservation Area nor would it have a detrimental impact on neighbouring amenity.

The development fully accords with the development plan and national planning policy guidance, and it is respectfully requested that planning permission is granted.

I look forward to hearing from you.

Yours faithfully,

Stuart Minty
Director
SM Planning