

Delegated Report		Analysis sheet	Expiry Date:	03/11/2014
		N/A / attached	Consultation Expiry Date:	16/10/2014
Officer			Application Number(s)	
Olivier Nelson			2014/5463/P	
Application Address			Drawing Numbers	
35 Elsworthy Road London NW3 3BT			See attached	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use and works of conversion from 2 flats into single family dwelling house including excavation of basement under footprint of house and rear garden with side and rear lightwells, erection of a 2-storey curved bay to rear to replace existing 1-storey angled bay and demolition of side addition.				
Recommendation(s):		Grant conditional permission subject to a s106 agreement		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	03	No. of responses	02	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	Site notice : 24/09/2014 – 15/10/2014 Press Notice: 25/09/2015 – 16/10/2014 Objection as follows: <ul style="list-style-type: none">Noise created by the mechanical equipment, the background noise will lead to disturbance all year round. (see paragraph 3.5)Bay window will reduce privacy. (see paragraph 3.3)Basement will impact on the Elsworthy Conservation due to its vast size; it is felt that it would lead to the destruction of the garden. The garden would have reduced ability to grow full sized trees in the shallow top soil. (seep paragraphs 6.1 & 6.2)Impact on wildlife during the construction phase.Concern over the impact the basement has on water drainage.Property is over 100 years old, and the basement excavation may cause damage to it. (see paragraph 4.6)Concern over the construction period, which is likely to create both dirt and dust.(this will be covered by the section 106 agreement for a CMP)					
Elsworthy CAAC	No comments received.					

Site Description

The application relates to a substantial detached three-storey with basement dwellinghouse on the north side of Elsworthy Road. The property has a large rear garden the rear of the site backs onto Primrose Hill.

The site is located within the Elsworthy Conservation Area (CA). The building is identified as making a positive contribution to the character and appearance of the CA.

Relevant History

2014/6226/P- Proposed boundary wall with vehicular and pedestrian access gates. **Granted 10/12/2014**

J8/4/16/13095 - Alterations including the construction of an access staircase to the second floor at No. 35 Elsworthy Road, Hampstead. **Granted 13/10/1961**

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

Camden LDF Core Strategy 2010

CS5 Managing the impact of growth and development

CS11 Promoting sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

Camden Development Policies 2010

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP21 Development connecting to the highway network

DP22 Promoting sustainable design and construction

DP23 Water

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP27 Basements and lightwells

DP28 Noise and vibration

Camden Planning Guidance (updated 2013)

CPG1 Design

CPG3 Sustainability

CPG4 Basements and Lightwells

CPG6 Amenity

CPG8 Planning Obligations

Elsworthy Conservation Area Character Appraisal(2009)

Assessment

1. Detailed Description of Proposed Development

- 1.1. The application proposes a single storey basement extension which is to be excavated below the rear garden. The proposal would also see an extension of the existing basement below the house. This would now cover the footprint of the house.
- 1.2. At ground floor level and first floor level on the rear elevation a curved bay would be added. The existing curved bay would have a larger window would go down to floor level. At ground floor level the reception rooms would become bigger than what is present. The conservatory at second floor level would be removed and the original terrace would be reinstated to match the other side of the existing house.
- 1.3. To the front of the property two lightwells would be created either side of the house. The lightwells would have horizontal grilles over them. To the rear there would be two lightwells. These would be identical in size and appearance.
- 1.4. The main basement extension which extends to the rear garden would have a depth of 46m and a width of 15m. The basement would consist of a cinema, shower rooms, changing rooms, gym, sauna, swimming pool, Jacuzzi and a swimming pool.
- 1.5. All new windows will be replaced with timber double glazed units with glazing bars to match the existing house. The improvements have been requested in order to achieve the required excellent Eco Homes rating.

2. **Assessment**

2.1 The principal considerations material to the determination of this application are:

- impact on the appearance of the building and the character and appearance of the CA;
- standard of accommodation/residential amenity
- Basement Impact Assessment
- Eco-Homes
- Landscaping and
- Transport.

Impact on the appearance of the building and the character and appearance of the CA

2.2 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. Policy DP25 'Conserving Camden's Heritage' states that within CAs, the Council will only grant permission for development that preserves or enhances the character and appearance of the CA.

The proposed external alterations are as follows:

- Two front lightwells covered over by metal floor grilles, two rear lightwells;
- Excavation of garden area to create a basement and basement extended under the existing property.
- Existing windows at ground floor level enlarged to ground level.
- Two storey rear bay extension to match existing and new dormer window at second floor level

Excavation of garden area to create a basement level

2.3 The rear garden of the property is not readily visible, other than from the upper floors of the application building and the neighbouring properties. The garden would have landscaping

again once the basement works have been completed. As a result, this part of the site cannot be said to make a limited contribution to the visual character and appearance of the Elsworthy Conservation Area.

Two front lightwells to the side of the property covered over by metal floorgrilles

- 2.4 The front lightwells would have a metal grille covering, the larger lightwell would be 4m deep and 1.5m wide and the smaller lightwell would be 2.6m by 0.7m. Given their size and design, and the fact that they would be well set back from the street front of the property, these lightwells would have limited impact visually. They would be acceptable in terms of design and impact on the Conservation Area.

Two storey rear bay extension to match existing and new dormer window at second floor level

- 2.5 The two storey rear bay extension would help to give the rear elevation a homogenous feel. It would be similar in appearance to the existing two storey bay projection. The conservatory at second floor level would be replaced with a roof extension which would have a consistent roof line with the one above the other bay. These changes help to create some symmetry at the rear of the site.

Windows

- 2.6 All windows would be replaced with timber framed double glazed units. This has been done in order for the house to achieve the required Excellent Eco Homes rating.

Design/ CA conclusion

The side extension which acted as an entrance to the flat at the upper floor level is to be demolished. The loss of this feature would help to improve the visual appearance of the front elevation. The proposal would preserve and enhance the character and appearance of the CA and no concerns are raised in terms of design.

3. Standard of accommodation/residential amenity

- 3.1 The application proposes the conversion of the existing property from two flats into one single family dwelling house. The property was originally built as single family dwellinghouse. The proposal is in line with DP2 which seeks to resist the loss of two or more homes as the proposal is creating a larger home in an area where properties are subdivided or converted into flats. As shown on the proposed floor plans, the scheme seeks to reduce the number of rooms which are demarcated within the site. The proposal would see the creation of a seven bedroom dwelling house. The overall size and location of these rooms are considered to be acceptable, and due to the number of windows, each room will receive a sufficient amount of light.
- 3.2 The terracing above the proposed two storey rear projection is considered to be acceptable. It would face onto the existing rear garden, and the existing parapet would reduce overlooking opportunities onto the neighbour at no. 33
- 3.3 Given the relatively modest size of the two storey rear projection, the development would not harm the living conditions of the occupiers of adjoining properties. At second floor level there would be a bedroom rather than the existing kitchen and shower room which occupies the bathroom. As the existing window exists it is not considered that the conversion would impact on the amenity of neighbouring properties.
- 3.4 The application proposes three plant rooms in the basement. One of the plant rooms would be

for boilers and central hot water cylinders but there would be no external mechanical equipment. A second plant room will house the central VRF heat pump/ condensing unit and the third plant room would contain filtration and ventilation equipment for the swimming pool jacuzzi and the steam room. Policy DP28 seeks to ensure that noise and vibration is controlled and managed and will not grant planning permission for development likely to generate noise pollution: or development sensitive to noise in locations with noise pollution, unless appropriate attenuation measures are provided.

3.5 The nearest noise sensitive façade to the plant rooms louvres is the window at 37 Elsworthy Road which is 11m away and this would be acoustically screened by the lightwell. The applicants submitted a noise report which includes background noise levels and suggestions for mitigation measures. According to the report the existing lowest background noise levels taken are 37 dBA during day time (07:00 – 23:00) and 30 dBA during night time (23:00 – 07:00) to the nearest noise sensitive façade and limits for the proposed plant emission noise should be 5db below the lowest background noise. The applicant has provided an acoustic report demonstrating that the proposed plant will not have an unacceptable noise impact on adjoining or nearby properties. Notwithstanding, a standard condition of consent is recommended to ensure that there is no unacceptable impact.

4. Basement Impact Assessment

3.1 Policy DP27 states that developers would be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

3.2 The proposed development would be subterranean accommodation. The basement is to extend over the footprint of the house and rear garden at a single storey level. The basement would accommodate a cinema, staff bedroom, gym, changing area, steam room, sauna swimming pool, changing room facilities and pool plant equipment with access to the house.

3.3 The BIA shows that a single borehole advanced to a depth of 15m was undertaken by cable percussive methods. Also two boreholes which advanced to a depth of 6m were undertaken by window sampling methods. Two hand excavated trial pits which advanced to a maximum depth of 1.31m were undertaken. The topographical maps for the area show that there are no surface water features within 500m of the site and the site is not in an area at risk of flooding. The London Clay found is the shallowest strata on the site.

3.4 The screening assessment showed that the site answered yes to one question and that the site is within 100m of a watercourse. The tributary of the River Tyburn (one of London's lost rivers) flowed in a southerly direction approximately 50m to the west of the site. The surface flow and flooding screening assessment found that there were no potential issues which needed to be addressed. The site is not located within the catchment of pond chains on Hampstead Heath. It is also not considered that the site drainage would impact on surface water flows.

3.5 Groundwater was encountered as seepages from within the London Clay at depths of 3.5m in Borehole No 2 and 12.6m in Borehole No 1. The standpipe position in the hardstanding formed in the driveway hardstanding at the front of the house was found to be dry to a

depth of 6.1m. The water measured from the standpipes may reflect perched water from the made ground. The basement would extend to a depth of 4m. Although groundwater was found at depths of 1.32 and 1.61m this was from two standpipes in the rear garden and the standpipe at the front was found to be dry. The reason for this water is likely to be due to the inflows from the perched groundwater flow. The investigation has indicated that the basement may extend below the water table, it is thought that the water found was from the perched water in the made ground.

3.6 The proposed basement will extend further than the existing foundations of the neighbouring properties and as such should be designed to ensure the stability of the site. Continued monitoring of the standpipe is recommended in order to establish a design water level. The BIA recommended that the basement is design with a water level two thirds of the basement depth. Following the assessment under CPG4, it was determined that the basement can be constructed using appropriate measures and countermeasures should problems arise during the development. Regardless of this, a condition requiring that a suitably qualified engineer be appointed will be attached to the decision, should Council approve the application. The proposal is therefore in general accordance with DP27 of the LDF.

3.7 As the site is located within a Conservation Area and extends from beneath the existing property into the rear garden, a construction management plan would be needed. This would be secured via a section 106 agreement.

5. Eco-Homes

5.1 Development Plan policy DP22 promoting sustainable design and construction. The proposal has met the standard for the code for sustainable homes; it would achieve an excellent rating after achieving 72.98 credits. The scoring for the site in the Energy, Materials, and Water equates to 79.17%, 77.42% and 66.7%. The eco homes report clearly sets out how the categories can be achieved as well as the evidence which would be gathered.

6. Landscaping

6.1 The application is accompanied by an Arboricultural Report which was prepared by Tim Moya Associates August 2014. The proposed development would not require the removal of any significant trees or trees with an importance to public amenity. The development would allow for the re-landscaping of both the front and rear gardens. The basement proposal has been design to avoid the root protection areas of the significant trees in the rear garden. The basement would not encroach upon the root protection areas of mature category B trees, however five category c trees will be removed and five new trees will be planted in their place. A condition has been added requesting details of the replacement tree species.

6.2 The Tree and Landscaping Officer was not satisfied that the development would redevelop the gardens to a suitable level that would retain a good level of biodiversity in the area. As such a planning condition detailing the species and type would be required for the landscape to the rear garden. The proposals are considered to be in accordance with Policy CS15 of the LDF.

7. Transport

7.1 The application site is located in an area with a Ptal rating of 2 which is poor accessibility to public transport. The proposed development would provide the same area of hardstanding to the front of the property remain for car parking. The proposal would be secured by s106 to be car-capped. The existing parking rights are to be retained on the site but the agreement would prevent occupiers from applying for on-street parking. Therefore there would be no change to the on-site car parking.

7.2 Although the submitted Structural Method Statement indicates how the development will be constructed, the excavation is significant and will require a considerable number of trips to the site to remove excavated soil the applicant is required to provide a Construction Management Plan (CMP) in respect of the construction works. This should be secured by means of the Section 106 Agreement.

8. Community Infrastructure Levy

8.1 This proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as it includes an increase of more than 100 square metres. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge for this scheme, should it be approved would likely be £21,250 (£50 x 425 sqm). A standard informative is attached to the decision notice drawing CIL liability to the Applicants attention.

9. Recommendation

Grant conditional planning permission subject to a S106 agreement for the following terms:

Car-capped housing

Construction Management Plan (CMP)