

**LOCATION:** 64 Meadway, London, NW11 6QE

**REFERENCE:** F/01678/12

**Received:** 01 May 2012

**Accepted:** 01 May 2012

**WARD(S):** Garden Suburb

**Expiry:** 26 June 2012

**Final Revisions:**

**APPLICANT:** Mrs Silver

**PROPOSAL:** Excavation of a basement storey within the footprint of the original house with lightwells to the rear and side elevations.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location map; EA Flood Risk map; Design and Access Statement; 12/005-01 Premises as Existing Ground Floor Plan; 12/005-01 Premises as Existing Elevations; 12/005-01 Premises as Existing Sections; 12/005-02B Proposed Ground Floor Plan; 12/005-02B Proposed Basement Plan; 12/005-021B Proposed Sections; 12/005-02B Proposed Elevations; MetroMOLA Heritage Statement dated April 2012; London Basement- Construction Method Statement dated 17.04.2012; Factual Report on the Site Investigation undertaken for London basements / Holbase Ltd dated 24th February 2012; London Basement Construction Traffic Management Plan dated 17.04.2012; London Basement Water management systems report; MMP Design Structural Design Philosophy dated April 2012; London Basement Hydro-geological Assessment and Flood Risk Report; Sheet 1- Photos front and side elevations of application property; Sheet 2- Photos side and rear of application property; Sheet 3- Photos front entrance and front side of application property.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.  
Reason:  
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 A scheme of soft landscaping around the proposed new metal grilles shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.  
Reason:  
To ensure a satisfactory appearance to the development.
- 4 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.  
Reason:  
To safeguard the health of existing tree(s) which represent an important amenity feature.
- 5 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method

statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations* are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

- 6 Before the development hereby permitted commences, details of the proposed metal grilles and new windows at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

- 7 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development.

- 8 Any shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development.

- 9 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 10 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 11 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for – access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

## **INFORMATIVE(S):**

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).  
In particular the following policies are relevant:  
Adopted Barnet Unitary Development Plan (2006):GBEnv1, GBEnv2, GBEnv4, D1, D2, HC1, HC5, D11, D12, D13, M11, M12  
Core Strategy (Examination in Public version) 2012:  
Relevant policies: CS NPPF, CS1, CS5, CS7  
Development Management Policies (Examination in Public version)2012:  
Relevant Policies: DM01, DM02, DM06
  - ii) The proposal is acceptable for the following reason(s): -  
Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of this "Statutory List of Buildings of Special Architectural or Historic Interest" and designated as Grade II building and protects the character of this part of the Hampstead Garden Suburb Conservation Area. The design of the alterations is such that, as conditioned, they preserve the character and appearance of the individual property, street scene, conservation area, and area of special character. As conditioned, the proposals would not have a harmful impact on protected trees.
- 2 The agent is advised that Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.  
Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Development Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

#### The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GBEEnv1, GBEEnv2, GBEEnv4, D1, D2, HC1, HC5, D11, D12, D13

#### Core Strategy (Examination in Public version) 2012

#### Development Management Policies (Examination in Public version) 2012

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM06

Relevant Development Management Policies: Supplementary Planning Guidance

Sustainable Design & Construction (2007)

Hampstead Garden Suburb Conservation Area Design Guidance (2010)

Hampstead Garden Suburb Character Appraisals (2010)

The Council Guide 'Hampstead Garden Suburb Conservation Area Design

Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

#### Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	C/03066/D/99
<b>Validated:</b>	26/10/1999	<b>Type:</b>	APF
<b>Status:</b>	APS	<b>Date:</b>	04/07/2000
<b>Summary:</b>		<b>Case Officer:</b>	
<b>Description:</b>	Ground floor side extension.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/G/00
<b>Validated:</b>	29/03/2000	<b>Type:</b>	LBC
<b>Status:</b>	APD	<b>Date:</b>	23/05/2000
<b>Summary:</b>	DIS	<b>Case Officer:</b>	
<b>Description:</b>	Ground floor side extension and internal alterations.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/H/01
<b>Validated:</b>	25/04/2001	<b>Type:</b>	LBC
<b>Status:</b>	WDN	<b>Date:</b>	21/01/2002
<b>Summary:</b>	WIT	<b>Case Officer:</b>	
<b>Description:</b>	Replacement fire surround in dining room.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/J/01
<b>Validated:</b>	25/04/2001	<b>Type:</b>	LBC
<b>Status:</b>	DEC	<b>Date:</b>	26/09/2001
<b>Summary:</b>	APC	<b>Case Officer:</b>	
<b>Description:</b>	Walling in of existing fire surround in dining room.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/K/01/TRE
<b>Validated:</b>	29/08/2001	<b>Type:</b>	TIN
<b>Status:</b>	DEC	<b>Date:</b>	08/10/2001
<b>Summary:</b>	NMT	<b>Case Officer:</b>	
<b>Description:</b>	Yew - reduce by half present height. Malus - fell.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/L/02/TRE
<b>Validated:</b>	26/03/2002	<b>Type:</b>	TIN
<b>Status:</b>	DEC	<b>Date:</b>	07/05/2002
<b>Summary:</b>	NMT	<b>Case Officer:</b>	
<b>Description:</b>	Cherry, Yew - remove		

#### Consultations and Views Expressed:

Neighbours Consulted: 11                      Replies: 6  
 Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Concerns about subsidence
- Interference with ground water flow
- Impact on trees

- Increase in noise pollution
- Impact on car parking in the area
- Impact on traffic
- Noise and disturbance
- Out of character both with listed building and wider conservation area
- Lightwells causing unacceptable visual impact
- Other cases do not form precedents
- overdevelopment of the property
- Hours of working should be limited
- Barnet should conduct their own independent survey
- Detrimental to the listed property

It should be noted that the objections were received prior to amendments to the scheme.

Internal /Other Consultations:

- Urban Design & Heritage - No objection, subject to removal of lightwell on rear threshold

Date of Site Notice: 10 May 2012

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site is located on the south-western side of Meadway, at the roundabout junction Litchfield Way and Grey Close and within Area 8 of the Hampstead Garden Suburb Conservation Area, which is considered to be part of the "new-Suburb" which was mainly developed in the inter-war period.

The existing dwelling on site is a two storey residential dwelling house, with rooms in the roofspace. It was designated as a grade II listed building in 2000.

The Conservation Area Character Appraisal notes; *"most of this area was part of the 112 acres intended as a Trust (leasehold) extension in 1911, but assigned to the Co-partnership Tenants in 1919."* It goes on *"Bailie Scott originally designed the junction with Litchfield Way and Grey Close to be a hexagonal grouping though only NO. 64 was built to his design in 1928. Now Grade II listed, it has dark-tile hanging on the first floor and a hipped roof over an integral garage separated from the main house by a service yards behind a screen wall."*

Proposal:

This application seeks consent for the excavation of a basement storey within the footprint of the original house with lightwells to the rear and side elevations.

The two lightwells proposed for the rear of the site measures 2.35m in length and 0.8m in depth.

The single lightwell proposed for the side of the site measures 1.8m in length and

0.7m in depth.

### Planning Considerations:

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an "Area of Special Character of Metropolitan Importance". The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder, was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 – 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

The introduction of basement accommodation to properties in the Suburb is generally quite a recent phenomenon. Historically, the majority of properties would not have had lower ground floor accommodation, save for some with underground stores. It is important that in allowing the provision of an underground storey to a residential dwelling the character and appearance of both the application property and wider conservation area is not compromised.

This proposal is very similar to that of 113 Hampstead Way, ref: F/01506/11 where a comparable scheme was approved in May of 2011. It was considered to be acceptable as the basement accommodation was proposed to project solely under the footprint of the existing dwelling, and the only external manifestations of the scheme were flush lightwells with metal grilles. The same situation is proposed under this application and as such no objection is raised to the proposals.

Internally, there is not considered to be any demonstrable harm to the plan form of the listed building as a result of the insertion of new staircase. As part of the

proposals, the existing ground floor WC would be removed and a stair inserted, giving access down to the basement accommodation. Although, no original archive plan was submitted with the application, it is unlikely that this WC was original to the property and therefore, there is no harm to the property in removing this feature.

The proposed lightwells to the rear and sides are proposed be covered with a metal grille flush with the ground level. Amendments have been sought to the scheme with the request that the proposed lightwell on the threshold to the rear door be removed as it is contrary to the adopted Hampstead Garden Suburb Conservation Area Design Guidance (2010) which stipulates that "*Structural glass lightwells or grilles should not be located at the threshold of doorways from the house to garden*". As amended, the proposed lightwells are not considered to harm the setting of the listed building. A condition has been placed on the application for soft landscaping to be provided to screen the proposed new lightwells, this will further ensure there is no visual detriment to the existing building, the street scene and amenities of neighbouring residential occupiers or the wider Conservation Area.

Following the amendment it is considered that the proposed lightwells would result in acceptable alterations to the property, protecting the character of the house and the wider conservation area more generally. The proposed lightwells are consistent with other lightwells approved in the conservation area. Although basements may not always be appropriate within the conservation area, it is considered acceptable in this particular case, due to the size and footprint of the proposed excavation, location of surrounding trees and minimal external alterations to the building. The external alterations would not be visible from the street, and their number and size is considered to be restrained, and therefore acceptable. The position of the basement in relation to neighbouring trees is considered acceptable and would not result in significant harm to their health or amenity.

The site and surrounding sites has a number of trees to the front of the site that are protected by Tree Preservation Orders. Any trees that do not have TPO's are still protected by virtue of them being within the Conservation Area. Any scheme proposed on these sites would have to take account of the trees and be in accordance with BS5837:2012.

Due to the siting of the basement solely within the footprint of the house and the siting of the protected trees, it is not considered that the proposals would impact detrimentally on the health of the trees. Conditions to ensure that the construction of the basement is carried out without harming the trees are recommended. They include protective fencing and a construction method statement.

Sample drawings at a larger scale are required to show that the proposed windows have detailing which matches the style and profile of the existing windows. The details of the proposed metal grilles and new windows are required to demonstrate they

The proposed alterations do not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The design, size and siting of the alterations is such that they preserve the



amenities of the occupiers of the neighbouring properties and the character and appearance of the individual grade II listed property, street scene, conservation area and area of special character. The proposals would not impact detrimentally on the health of trees.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

It is not considered that the creation of basement accommodation to the application property will result in any loss of amenity to the occupiers of neighbouring residential dwellings. The proposed development for an underground extension to the existing house for a single family it is not thought to cause any increase in traffic, loss of parking provision or noise disturbance, other than during construction. Hours of constructions are conditioned.

Other issues raised have been covered in the above report.

### **4. EQUALITIES AND DIVERSITY ISSUES**

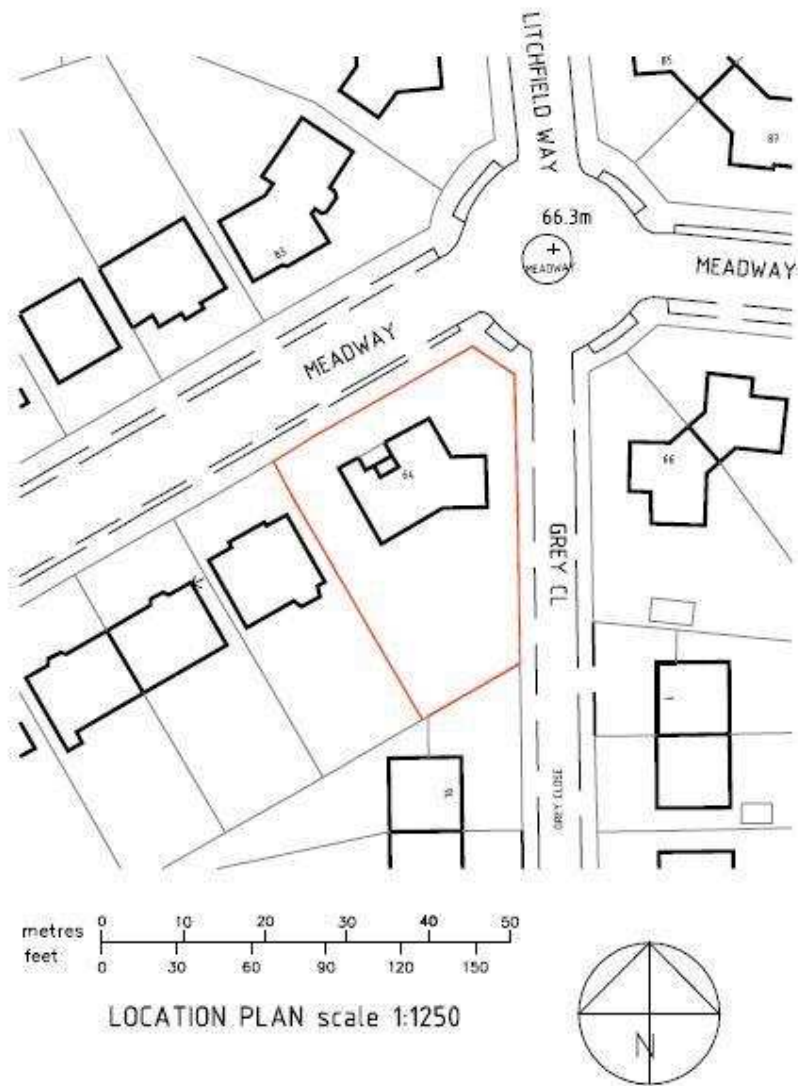
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **5. CONCLUSION**

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of this "Statutory List of Buildings of Special Architectural or Historic Interest" and designated as Grade II building and protects the character of this part of the Hampstead Garden Suburb Conservation Area. The design of the alterations is such that, as conditioned, they preserve the character and appearance of the individual property, street scene, conservation area, and area of special character. **APPROVAL** is recommended.

**SITE LOCATION PLAN:** 64 Meadway, London, NW11 6QE

**REFERENCE:** F/01678/12



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