

**Location** **40 Corringham Road London NW11 7BU**

**Reference:** **21/6722/HSE** Received: 22nd December 2021  
Accepted: 22nd December 2021

Ward: Childs Hill Expiry 16th February 2022

**Case Officer:** **Emily Bell**

Applicant: Mr & Mrs Levinson

Proposal: Formation of basement level with associated front lightwell

### **OFFICER'S RECOMMENDATION**

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
    - 2334-100
    - 2334-101
    - 2334-102
    - 2334-103
    - 2334-200.1 REV B
    - 2334.200.1 REV C
    - 2334-201.1 REV A
    - 2334-202.1 REV A
    - 2334-300
    - 2334-500
    - 2334-501
- Design and Access Statement + Heritage Statement dated 22.12.21  
Delta MS500 Specifications

Delta MS20 Specifications  
Delta Dual Sump V3 Installation Instructions and Technical Details  
Delta Foul Retrofit Sump V3 Installation Instructions and Technical Details  
Basement Impact Assessment REV 1 Nov 2022 by CGL REF CGE/16902 REV 1  
Flood Risk Assessment and Sustainable Drainage Strategy Report REF 2355-FRA-  
DS-1-B REV B Issue Date 16 Nov 2022  
PPS Specifications  
2355-220801-PDG dated 1/8/22

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 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 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The use of the extension hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
  - ii. site preparation and construction stages of the development;
  - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;

- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

6 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016) and the Sustainable Design and Construction SPD (adopted October 2016).

7 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 pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 8 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as shown on drawing 2334-300 has been erected around existing trees on site. 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 at any time.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 9 The development hereby approved shall be implemented in accordance with the mitigation and management proposals, including monitoring strategy, as detailed within Basement Impact Assessment REV 1 Nov 2022 by CGL REF CGE/16902 REV 1 and Flood Risk Assessment and Sustainable Drainage Strategy Report REF 2355-FRA-DS-1-B REV B Issue.

Reason: To minimise the risk of flooding and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), and the Sustainable Design and Construction SPD (adopted October 2016).

#### **Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application site is located at 40 Corringham Road, NW11 7BU, consisting of a two storey semi-detached property with front and rear amenity space. The property has been previously extended via a roof extension and a part single, part two storey rear extension. The area surrounding the site is predominantly residential consisting of similar two storey semi-detached properties. The site is not located within a conservation area, however, Hampstead Garden Suburb conservation area is in close proximity.

### **2. Site History**

Reference: F/01736/13

Address: 40 Corringham Road, London, NW11 7BU

Decision: Approved subject to conditions

Decision Date: 1 July 2013

Description: Part single, part two storey rear extension with 6no. rooflights including a terrace with metal balustrade and steps. Extension to roof including a rear dormer window and a total of 4no. rooflights to side and front elevations to facilitate a loft conversion.

Reference: F/00043/13

Address: 40 Corringham Road, London, NW11 7BU

Decision: Approved subject to conditions

Decision Date: 11 February 2013

Description: Extension to roof including rear dormer window and four roof lights to side and front elevations to facilitate a loft conversion. Part single, part two storey rear extension.

### **3. Proposal**

Formation of basement level with associated front lightwell.

### **4. Public Consultation**

Consultation letters were sent to 6 neighbouring properties. 24 letters of objection have been received, summarised below:

- o Potential to increase flood risk
- o Impact on Oak Tree
- o Parking - it appears that off street parking currently in use will not exist post completion
- o Construction time - Project is scheduled to take 12 months during which time there will be a significant number of trucks etc
- o What risks are there to adjoining properties
- o Ingress into neighbouring buildings
- o Illumination of the lightwell. The proposed lightwell will be the only lightwell in the street
- o Establishment of building principle

- o There is no indication as to how the building will be used in the future. Surrounding roads have suffered as a result of flats being constructed
- o The excavation proposed will increase daily traffic of heavy vehicles for an entire year or more
- o Density of living accommodation more than surrounding houses
- o Inadequate light to basement through one lightwell
- o Overlooking from patio
- o Disruption during lengthy building works
- o 29 Middleton Road not consulted
- o No site notice posted along the street
- o Regard should be made to the impact on neighbouring locally listed buildings
- o Not clear within the plans what the intended use of the basement is
- o The new patio will be extending this house to more than 50% of its original garden. Hence it is against Barnet Guidelines
- o Out of character
- o Insufficient light to the basement from the front lightwell for the use of the habitable rooms
- o Regard should be made to the impact on neighbouring locally listed buildings

An assessment of the ground water and surface water conditions (Review of basement planning application at 40 Corringham Road, REF 30668R1 by H Fraser Consulting Ltd was submitted as an objection on behalf of neighbours.

The application was withdrawn by officers from the Planning Committee A agenda on 8th June 2022, to allow further consideration of the issues raised concerning possible flood risk.

A Basement Impact Assessment and associated documents have subsequently been submitted and assessed by the Council's Surface Water Management Team. They raise no objection.

Neighbours have been re-consulted to provide an opportunity for comments to be made on the further information provided.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local 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 revised National Planning Policy Framework (NPPF) was published on 20th July 2021. 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 states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable

development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

### The Mayor's London Plan 2021

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

### Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

### Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and

where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

## **5.3 Assessment of proposals**

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), D1, D3 and D6 (of the London Plan).

The Residential Design Guidance states that the council will normally allow single floor basement extensions which do not project further than 3 metres from the rear wall of a house. Although the basement would extend further than this in this case, it would project no further in depth than the existing raised patio. The existing property benefits from an existing basement store room under the raised patio with door access from the rear garden. The proposed basement would sliding doors to the rear with access to the rear garden. Given the existing situation on site, the introduction of the new basement, which will be concealed beneath the existing house, is not considered to have a significant impact on the character and design of the house and local area.

There are examples of other properties which have been granted basement extensions within the immediate area, namely the adjoining semi-detached property at no. 42 as well as at no.46 Corringham Road. Whilst the design of the proposed basement allows for the lower ground floor to be visible in the rear elevation, the extension utilises the existing levels created by the raised patio and would result in a similar appearance to no. 42



Corringham Road.

1no lightwell is proposed to the front elevation. This would measure approximately 0.8 metres in depth and 2 metres in width. The Residential Design Guidance states that lightwells at the front need to appear as discreet interventions that do not harm the frontage of a building. The lightwell would be set back from the street within the site by approximately 6 metres and the grille design of the front lightwell sits flush with the natural ground level and ensures that the lightwell reads as a discreet addition. Throughout the lifetime of the application, a planting edge was added to further create a visual buffer to screen the proposed lightwell from the street.

The plans indicate that the basement rooms would be used as ancillary functions to the family dwelling above including a gym, utility and games room.

The basement extension would include some alterations to the raised patio to the rear. As existing the patio extends to a depth of 4.7 metres and is splayed away from the boundary with no. 38 Corringham Road. The proposed patio would extend to the same depth but would extend in width adjacent to this common boundary. This is considered to have an acceptable impact on the character and appearance of the host dwelling, in particular given the existing patio on site.

There is a large oak tree to the back of the rear garden. The tree is approximately 20 metres from the construction zone and is not considered to be impacted by the development. Nevertheless, a tree protection plan has been submitted in order to ensure its protection.

#### - Whether harm would be caused to the living conditions of neighbouring residents.

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan policy D6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The basement extension is considered to have an acceptable impact on the amenities of neighbouring occupiers with regard to light and outlook as it would be contained below the existing footprint of the house and the raised patio to the rear.

An existing patio at the host property extends approximately 4.7 metres in depth adjacent to the neighbouring property at no. 42 Corringham Road. There is no extension in depth of the patio proposed along this boundary. The existing patio extends approximately 4.7 metres in depth and is splayed away from the detached neighbouring property at no. 38 Corringham Road. The proposal includes the extension of the patio in width to run parallel with the boundary with no. 38 Corringham Road. The finished floor level of the ground floor and thus the height of the patio will be the same as existing with access from the ground floor level. The construction of the basement will involve the cutting down of land within the garden immediately to the rear of the patio and basement to allow for sufficient head height within the basement rooms.

In order to protect the privacy of neighbouring occupiers, details of privacy screens to be erected along the depth of the patio will be requested by way of a condition.

#### Flooding

Barnet's Residential Design Guidance states that neighbouring ground water conditions

should not be adversely affected by proposed basement development. The application site is located within flood zone 1 and therefore has low probability of flooding. A postcode check for the application site also confirms that surface water flood risk is 'low risk' for the site although the properties behind along Middleton Road are at high risk of surface water flooding.

Following receipt of objections relating to increased risk of flooding, the applicant has submitted a Basement Impact Assessment, Flood Risk Assessment, and information on a basement pump system. These documents include detailed analysis of groundwater flow, topography, trees, neighbouring infrastructure, drainage, flood risk and potential ground movements associated with basement development. The documents also outline mitigation and management proposals for the implementation of the proposed basement.

The Council's Surface Water Management Team have reviewed the submitted information and raise no objections to the proposed basement with regards to flooding. A condition will be added in the event of approval to ensure that the mitigation and management proposals detailed within the impact assessment reports are carried out.

#### **5.4 Response to Public Consultation**

- o Potential to increase flood risk

The property is located within Flood Zone 1 and as such there are no concerns regarding risk of flooding. A postcode check for the application site also confirms that surface water flood risk is 'low risk'. The applicant has provided additional information on flood risk, as detailed within the main body of the report, which has been reviewed by the council's specialist officers. No objections have been raised.

- o Impact on Oak Tree

A tree protection plan has been submitted which is considered appropriate to protect the oak tree.

- o Parking

No reduction in off-street parking capacity at the site is proposed.

- o Construction time

The impact of construction work is not a material planning consideration

- o Risks to adjoining properties
- o Risk of subsidence

Issues relating to the above are not planning but Building Control matters. Therefore, relevant departments should be contacted for any issues. Such matters are addressed by other legislation (building regulations and Party Wall).

- o Illumination of the lightwell. The proposed lightwell will be the only lightwell in the street

The design of the lightwell and associated landscape screening is considered to have an acceptable impact. This is discussed within the main body of the report.

- o Establishment of building principle

Each application will be assessed on its own merits. It is noted that there are other approvals already granted in the immediate area for basement extensions.

- o Density of living accommodation more than surrounding houses
- o Not clear within the plans what the intended use of the basement is

The plans indicate the intended use of the basement is to be ancillary to the single family dwelling house. A condition would be attached in order to secure this. In terms of the density of living accommodation, given that the basement would be concealed beneath the existing house and patio, it is not considered to have any adverse impact on the character of the wider area.

- o Inadequate light to basement through one lightwell

The proposed lightwell and windows to the rear are considered acceptable given the proposed ancillary use.

- o Overlooking from patio

This issue has been addressed within the main body of the report and a condition will be attached to any approval requiring details of privacy screens to be submitted and approved in writing to the council.

- o No site notice
- o Not contacted by the council to notify of the application (no. 29 Middleton Road)

Records indicate that a consultation letter was sent to no. 29 Middleton Road to notify the occupiers of the application. All relevant consultations were undertaken. A site notice is not needed in this instance given the sites siting outside a conservation area and not being listed.

- o The new patio will be extending this house to more than 50% of its original garden. Hence it is against Barnet Guidelines

The guidance states that not more than 50% of the amenity space (garden or front court yard) should be removed. The proposal would ensure a remaining garden depth of over 20 metres which is considered to provide an acceptable private amenity space for the occupiers.

- o The excavation proposed will increase daily traffic of heavy vehicles

A condition requiring a Demolition and Construction Management Plan will be added to any approval. This will require information regarding details of construction vehicles, provision of storage/delivery areas, methods to be used to control the emission of dust, noise and vibration arising from construction works and noise mitigation measures to be submitted to the planning authority before any site works take place

- o Regard should be made to the impact on neighbouring locally listed buildings

The proposed plans are not considered to impact on the character of the locally listed

buildings within the surrounding area.

## 6. Equality and Diversity Issues

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

## 7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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