



Officer Report

Application Number:	HGY/2023/2278
Application Type:	Householder planning permission
Address:	15 Clifton Gardens, Tottenham, London, N15 6AP
Proposal:	Excavation of basement level matching footprint of the dwelling to create habitable space with associated front and rear light wells
Case Officer:	Nathan Keyte
Valid Date:	23/08/2023
Applicant:	Mr Damen
Agent:	Mr. Shloime Godlewsky

RECOMMENDATION

Approve with Conditions

1. SITE AND SURROUNDING

The subject property at 15 Clifton Gardens is a 2-storey mid terrace building with front and rear dormers and rear single storey extension, in use as a single household. The building is not listed nor within a conservation area.

2. PROPOSED DEVELOPMENT

The proposal is to excavate to create a basement under the existing building footprint, and create habitable space with associated front and rear light wells.

Excavation depth will be approximately 2.65m, and will form a basement level with a floor to ceiling height of 2.4m, extending approximately 14.25m in length and a width of approximately 6.0m (i.e. the footprint of the existing building).

The front lightwell is proposed to create a space of 1.7m in depth, 3.2m in width, and 2.90m in height. A grill will be erected atop the front lightwell.

The rear lightwell is proposed to be of similar proportions to the front lightwell.

3. SITE HISTORY

HGY/2006/2451,

Address: 15, Clifton Gardens, Tottenham, London, N15, London

Proposal: Erection of single storey rear extension also rear and front dormer windows to facilitate loft conversion.,

Decision Date: 7 February 2007

Decision: Approve with Conditions

HGY/2020/0295,

Address: 13-15, Clifton Gardens, London, N15 6AP

Proposal: Erection of two first floor rear extensions across No. 13 & 15.,

Decision Date: 16 March 2020

Decision: Approve with Conditions

It is noted that a proposal for the formation of basement with associated front lightwell was approved at no. 24 Clifton Gardens, case reference HGY/2021/1479.

4. CONSULTATION

Building Control: Outlines a number of matters to be resolved, but which can be added as pre commencement conditions. Such matters include additional soil investigations, full details of construction, build over agreement with Thames Water, monitoring and a Construction Management Plan to be provided.

5. LOCAL REPRESENTATIONS

The application has been publicised by the way of letters and public notices. One representation was received in support of the proposal.

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Design and appearance, and basement development;
2. Impact on neighbouring amenity;

Design and Appearance, and Basement Development

DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building, including external features such as chimneys, and porches. High quality matching or complementary materials should be used appropriately and sensitively in relation to the context. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

The Basement Impact Assessment (BIA) report indicates that the scope of the proposal is for the creation of a basement to the existing building including front and rear light wells. A Basement Impact Assessment carried out by JMS Consulting Engineers Ltd was submitted with the application to demonstrate that the proposal will not have a detrimental impact on the surroundings with respect to groundwater and land stability and in particular to assess whether the development will affect the stability of neighbouring properties, local and regional hydrogeology and whether any identified impacts can be appropriately mitigated by the design of the development.

The BIA states that the proposed development would utilise standard underpinning construction technique, which includes sequenced stages of works as denoted by the ASUC "Guidelines on safe and efficient basement construction". The full extent of the proposed basement would be within the boundary of the property.

The BIA states that the existence of basements/ cellars in adjoining buildings is absent. However, the structural engineering proposal for this scheme involves the use of underpinning to form the structural box below ground, and where the BIA predicts that damage to adjoining and nearby structures would generally be 0 (negligible) with limited areas of Category 1 (very slight) damage due to differential movement from inconsistent loadings and would not lead to instability of neighbour sites. The BIA concludes that damage that would inevitably occur would fall well within acceptable limits.

The BIA states that the proposed development will not include felling of trees; therefore, negligible to minimal changes should be expected to soil moisture conditions. Therefore, it can be concluded that the construction of the proposed development generally, and the subterranean basement in particular, will not affect the integrity of the surrounding building stock or overload the near-surface geology.

At this stage on-site investigation and borehole tests have not been carried out, however information gained from other boreholes in the vicinity suggests that the Clay extends to a generous depth.

The site is not within an area at risk from flooding as defined by the Environmental Agency and in terms of flooding from surface water is in an area of very low / low risk of flooding. The works here are largely contained within the existing footprint of the house other than the front/rear lightwell proposed. As such as there is only a very modest increase in the proportion of hard surfacing on site, surface water discharged to the ground will not be adversely affected.

Importantly other legislation would also apply here, namely the Party Wall Act and Building Regulations, providing a safeguard and control on the works. The necessary party-wall agreement with adjoining owner(s) would need to be in place prior to commencement of works on site. The Party Wall Act 1996 exists separately from the planning system, to reconcile differences that adjoining development might cause. The purpose of the Building Control/ Building Regulations is to ensure that the engineering design is professional and competent; the construction work is undertaken in a skilful and proficient manner and that the sequence of working on site (including temporary works) are properly planned and carried out.

The proposal is for a lightwell to the front/rear to provide light and ventilation into the basement floor. The front lightwell will have windows and brick wall to match the host building. The proposal makes no significant changes to the external appearance of the existing property with no extensions proposed. However, lightwells are proposed to both the front and rear of the property but they would occupy less than 50% of the front garden curtilage and would be finished with a grille sitting flush with the natural ground level.

While front light wells are not observed to be a prolific feature in the street, a front external stairway is noted at no. 21 Clifton Gardens, and a front lightwell was approved at 24 Clifton Gardens (reference HGY/2021/1479), though this feature does not look to have been implemented. However, given the low-lying nature of the grilles/lightwells and the site not being within a conservation area, the development is considered discreet and the visual appearance of the property would be preserved. As such the proposal is considered in accordance with the above policies.

Impact on neighbouring amenity

London Plan Policy D4 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.

The BIA concludes that the design and construction of the basement accommodation is in line with industry norms and there are no technical reasons why the basement should not be constructed as

planned. Overall it is viewed that the proposal would not impact unacceptably on the residential amenity of neighbouring occupiers. A condition is being imposed requiring the basement works to be overseen by a structural engineer, and for additional testing to be carried out prior to commencement of works.

As such, given the above and the discreet nature of the proposed lightwells which retain area for refuse storage, the proposal would not have a significant, detrimental impact on the amenity of the neighbouring properties.

Conclusion

The proposal is considered acceptable in terms of its design, impact on the amenities on the adjoining neighbours and would not detract the character and appearance of the area.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

7. CIL APPLICABLE

The increase in internal floor area would not exceed 100 sq. m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

8. RECOMMENDATION

GRANT PERMISSION subject to conditions:

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 No development shall commence until a revised Basement Impact Assessment by a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been

prepared and approved in writing by the local planning authority, providing:

- a) Soil investigations from the subject site to confirm the soil conditions of the site align with those outlined in the Basement Impact Assessment by JMS Consulting Engineer.
- b) Full details of construction and methods of construction to be confirmed prior to works commencing.
- c) Full monitoring details to be provided of how movement to adjoining properties is to be monitored and controlled.

The development shall then proceed in accordance with the revised Basement Impact Assessment unless otherwise agreed in writing by the local planning authority.

- 5 No development shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise the construction works throughout their duration. In the event that the appointed engineer ceases to perform that role for whatever reason before the construction works are completed, those works will cease until a replacement chartered engineer of the afore-described qualification has been appointed, and such appointment confirmed in writing to the local planning authority, to supervise their completion. At no time shall any construction work take place unless an engineer is at that time currently appointed and their appointment has been notified to the local planning authority in accordance with this condition.

Reason: To ensure that the proposed development would have no undue impact on the structural integrity of adjoining and neighbouring buildings, in accordance with Policy DM18 of the Haringey Development Management DPD 2017.

- 6 No development shall take place, including any works of demolition, until a Method of Construction Statement, to include details of:

- a) parking and management of vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones

have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reasons: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies T4, T7 and D14 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

Informatives:

INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

INFORMATIVE: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

The works will require a formal build over agreement with Thames Water prior to works commencing.