



Officer Report

Application Number:	HGY/2022/0879
Application Type:	Full planning permission
Address:	23, Hillside Road, London, N15 6LU
Proposal:	Excavation and extension of the existing basement including the provision of a front lightwell
Case Officer:	Mercy Oruwari
Valid Date:	
Applicant:	Mr Abraham Oestreicher
Agent:	Mr Shulem Posen

RECOMMENDATION

Approve with Conditions

1. SITE DESCRIPTION

The application site is a two-storey mid terrace property with a double storey front bay window and double storey rear outrigger. The surrounding area is wholly residential in character. The site is not located within a conservation area.

2. THE PROPOSAL

The proposal is for the excavation and extension of the existing basement including the provision of a front lightwell.

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

- HGY/2021/0552 - Certificate of lawfulness for erection of a rear dormer and roof extension including the insertion of 2 front rooflights - proposed use. Permission not required
- HGY/2021/0551 – Erection of a single storey side/rear extension with the inclusion of a Sukkah roof. Approved with conditions

4. CONSULTATION RESPONSES

Internal & External Consultees

The following were consulted on the planning application:

1. LBH Building Control: Updates to the BIA required.
2. Thames Water:
 - Demonstrations of the measures to be undertaken to minimise groundwater discharges into the public sewer must be made.

- Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water they would have no objection.
- As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water.
- The proposed development is located within 15 metres of underground waste water assets and as such an informative would need to be attached outlining the appropriate measure required to be taken.

Local amenity groups

The following local groups/societies made representations: 0

Neighbour Consultation

The number of representations received from neighbours in response to notification and publicity of the application are as follows:

No of individual responses: 0

5. PLANNING CONSIDERATIONS

Design & appearance

Policy SP11 of the Strategic Plan and Policy DM1 of the Development Management DPD both aim to enhance the built environment through high quality design that respects local context and positive aspects of the area. Policy DM1 sets out that development should relate positively to its locality in terms of building height, form, scale, massing, building lines and architectural details and styles.

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 and 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.

Permission is sought for the excavation of the existing lower ground floor/basement, which currently is situated mainly under the entry way of the ground floor up to the door of the utility room. As well as increasing the depth of the existing basement, the application also proposes to extend the width and length of the floorspace. The new footprint would duplicate the same floorspace as the ground floor level including the rear outrigger. The internal works to the existing basement include lowering the floor level by approximately 0.4 metres. The total depth of the new lower ground floor level would be 2.3 metres.

The front area of the basement would accommodate a play/homework room. The middle room would be used for a Paysach kitchen. The rear area would be used for storage and to accommodate plant equipment.

The proposed front lightwell would provide light into the lower ground floor/basement area and would provide ventilation. The new bay window would emulate the existing one above on the ground floor as closely as possible. A railing would be installed around the opening in the front garden for safety. The lightwell would be modest in size and discreetly positioned behind the existing front boundary wall and therefore would not be highly visible.

Policy DM18 states that the Council will only support light wells where they do not result in the loss of more than 50% of the front garden or amenity area and do not harm the character and appearance of the surrounding area. The lightwell would take up an acceptable proportion of the frontage to the property. Sufficient space will be retained therefore the proposed lightwell will not significantly alter the appearance of the property or harm the character and appearance of the surrounding area.

Impact on neighbouring amenity

London Plan Policy D6 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.

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 the amenity of neighbouring residents.

The proposed additional living accommodation to the basement as well as the small lightwell to the front are not considered to be detrimental to the amenity of adjoining residents.

Basement development

DPD policy DM18 ('Residential Basement Development and Light Wells') requires householder extensions for basement development to demonstrate that a proposal will not adversely affect the structural stability of the application building and neighbouring buildings; does not increase flood risk to the property and nearby properties; avoids harm to the established character of the surrounding area and not to adversely impact the amenity of adjoining properties or the local natural and historic environment. Policy DM24 outlines the requirement of new development to manage and reduce surface water runoff.

The proposed works are to excavate and create a basement within the footprint of the existing property to a depth of approximately 2.3 metres below ground level, carried out by underpinning of the perimeter walls in sequence. The property already has a basement floor sitting below a small part of the ground floor, with the ground floor sitting 5 steps above pavement level.

The initial Basement Impact Assessment submitted with the application was considered to only contain basic information. An updated Basement Impact Assessment (BIA) prepared by JMS Consulting Engineers Ltd has been submitted to fully include all the required information including site investigations.

Impact on groundwater conditions

The BIA outlines that soil conditions below the property are London Clay. A site-specific ground investigation was carried out during March 2024. Specifically, a single borehole was sunk to a depth of 5m at the rear of the property. No water was encountered and the borehole end was dry at 5.0m depth.

Given this borehole information and the fact that level of the basement here, would sit in part above ground level as well as taking account of the modest extent of excavation, such a project is not viewed to present issues in terms of the water table or flooding.

Ground movement/ structural stability

The building here is being retained in its entirety with onsite control of the construction process to be carried out to maintain the structural integrity of the building as well as the adjoining structures.

The BIA outlines how the basement will be constructed. Specifically, the proposed development will utilise standard underpinning construction technique which include sequenced stages of works as denoted by the ASUC "Guidelines on safe and efficient basement construction". The sequence of works shall be based on a maximum leg length of approx. 1.0m. and max. of 1.2m.

The BIA considers the impact of heave movement. It specifically outlines that to mitigate the effects of heave, the basement should be designed to transmit heave forces into the walls.

Mindful of the modest nature of the basement works here and the information/ findings put forward in the BIA, it can be reasonably demonstrated at the planning application stage the works here will not adversely affect the structural stability of the application building or neighbouring buildings; it will not increase flood risk to nearby properties, and avoids harm to the established character of the area and neighbouring amenity, consistent with the requirements of policy DM18 and policy DM24.

As with all basement projects it is pointed out more intrusive aspect of basement design and construction takes place after the planning process. Other legislation provides further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. In specific the structural integrity of the proposed basement works here would need to satisfy modern day building regulations. In addition, the necessary party-wall agreements with adjoining owners would need to be in place prior to the commencement of works on site. In this instance a condition is being imposed to ensure that works are overseen by a suitably qualified engineer.

6. CONCLUSION

The proposed development is in accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

The proposal is considered acceptable in respect of its character, appearance and impact on the site and would not result in material harm to the residential amenity of neighbours. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

7. RECOMMENDATION

The application is recommended for approval subject to the following 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 basement bay windows shall match in colour, width, pane pattern etc of those of the upper floors 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 of the basement shall commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed to supervise the construction works throughout their duration and their appointment confirmed in writing to the Local Planning Authority. 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 to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. 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 this Authority in accordance with this condition.

Reason: The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring to safeguard the amenities of neighbouring occupiers and the general locality.

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.

Informatives for Thames Water:

- If it is planned that the mains water would be used for construction purposes, it's important Thames Water are informed prior to using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
- A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. It would be expected that the developer demonstrates what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should further information be required please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. [https://developers.thameswater.co.uk/Developing-a-large-site/Planning\[1\]your-development/Working-near-or-diverting-our-pipes](https://developers.thameswater.co.uk/Developing-a-large-site/Planning[1]your-development/Working-near-or-diverting-our-pipes). Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk.
- Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- It is advised that the development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection->

position[1]statements) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.