

FW170/FW

On behalf of: Mr Alon Mekel
11 September 2023

Garage site at 14a Hampstead Hill Gardens, London, NW3 2PL Planning Statement



**FORWARD
PLANNING**
DEVELOPMENT

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1 Executive Summary

- 1.1 This planning statement has been produced by Forward Planning and Development Limited ("FWPD"), to support an application for planning permission for the demolition of the existing residential garages and provision of a single dwellinghouse at 14a Hampstead Hill Gardens, London, NW3 2PL.
- 1.2 The proposals would provide a new detached family sized dwelling on the application site comprising two storeys (with accommodation within the roof) plus a basement.
- 1.3 The application scheme hereby submitted has been significantly revised in terms of design and scale when compared to the scheme submitted in 2021 (which was itself submitted in good faith following positive pre-application feedback from London Borough of Camden in 2020). The application now submitted is the result of extensive negotiations with the Council and engagement with surrounding residents and neighbourhood groups and other interested parties. The applicant has therefore adopted a collaborative approach to the revised design for the new dwelling and this iterative design process which has taken place over a considerable period of time positively addresses comments raised by the Council and other parties.
- 1.4 The application submission includes the following documents which should be read in conjunction with this Statement:-
- Completed application forms and relevant certificate (Certificate B);
 - CIL Additional Information Form;
 - Site Location Plan;
 - Existing and proposed plans, sections and elevations;
 - Design and Access Statement, prepared by Echlin Architects;
 - Heritage and Townscape Report, prepared by THP;
 - Basement Impact Assessment, prepared by Soiltechnics;
 - Ground Investigation Report, prepared by Soiltechnics;
 - Flood Risk Assessment prepared by Price and Myers
 - Draft Construction Method Statement, prepared by Price and Myers;
 - Draft Construction Management Plan, prepared by THaT Consultancy;
 - Structural Monitoring Specification prepared by Price and Myers;
 - Sunlight and Daylight Report, prepared by Delva Patman Redler;
 - Energy and Sustainability Statement, prepared by PES;
 - Statement of Community Involvement, prepared by Meeting Place.
- 1.5 Please refer to Appendix 1 for a full Schedule of Application documentation and plans.

2 Introduction

2.1 This planning statement has been produced by Forward Planning and Development Limited ("FWPD") to support an application for planning permission for the demolition of two existing residential garages and provision of a single, detached dwellinghouse at 14a Hampstead Hill Gardens, London, NW3 2PL ("The Site")

2.2 The existing site provides two single storey, detached garages built in around 1950. They are fairly run-down and previously have been used to provide off-street car parking for two cars. They are currently used for storage.

2.3 The proposals involve the demolition of the existing garages which are considered to make, at best, a neutral contribution to the conservation area and the erection of a two storey (plus basement and accommodation within the roof) detached dwellinghouse. The new dwelling has been carefully designed and developed over a considerable period of time in response to input from the Council and other interested parties and to reflect the surrounding context.

2.4 Planning permission is sought for:-

"Demolition of existing garages and erection of a two storey (plus basement) dwelling house and associated works and landscaping"

2.5 This planning statement provides a review of the relevant national, regional and local planning policy and guidance relevant to the nature of the proposals and the specific degree to which the proposals would accord with the policies of the Statutory Development Plan. The statement is structured as below.

Section 3 – Site and Surroundings - A description of the site and surrounding context;

Section 4 – Planning History - Details of the planning history of the site and extensive pre-application engagement process;

Section 5 – Proposed Development - Details of the proposals;

Section 6 – Planning Policy – A summary of the relevant planning policy framework;

Section 7 – Planning Considerations – An assessment of the key issues associated with the proposals;

Section 8 – Summary and Conclusions

Background to the applicant

- 2.6 The applicant has purchased the site in order to be able to build a home for his family. His family want to remain in Hampstead and establish the house at 14a Hampstead Hill Gardens as their forever home. The applicants will be living in the property for the long term and are anxious to ensure that the house is a positive asset to the character and appearance of the area.
- 2.7 The submitted Document Issue Schedule lists all the documents included with this application for planning permission. This is attached as Appendix 1 to this document.
- 2.8 This planning statement provides a review of the relevant national, regional and local planning policy and guidance relevant to the nature of the proposals and the specific degree to which the proposed works accord with the policies of the statutory development plan and legislative framework.

3 Site and Surroundings

- 3.1 The Site is located on Hampstead Hill Gardens and currently comprises two single storey garages. The garages are run-down and of poor quality. The style and character of the garages is inconsistent with the prevailing pattern of development along the street.
- 3.2 Hampstead Hill Gardens is a residential street located with the Hampstead Ward. The Site is a short walking distance from both Hampstead Heath Overground station and Belsize Park London Underground station. The Site has a PTAL rating of 4 which indicates a good level of public transport accessibility.
- 3.3 Hampstead Hill Gardens is characterised by a mixture of two, three and four storey houses. The Site sits between two semi-detached properties of differing styles.
- 3.4 There are a number of precedent infill projects located in close proximity of the Site. Further details of which are enclosed within the accompanying Design and Access Statement. The closest example is directly opposite the application site at 23a Hampstead Hill Gardens.
- 3.5 The Site is located within sub area 3 of the Hampstead Conservation Area (Willoughby Road / Downshire Hill) and within the Hampstead Hill Gardens character zone. The Site itself is located between buildings which are considered to make a positive contribution to the Conservation Area (Numbers 12 and 14). The Hampstead Hill Gardens area is described within the Hampstead Conservation Area Statement (2001) as 'an area with larger detached and semi-detached houses'.
- 3.6 There are some Grade II listed buildings located on the Street albeit these are located to the north and west of the Site as the road curves around to join Rosslyn Hill.
- 3.7 The LNWR rail line runs directly beneath the Site at a rough depth of approximately 17-20 metres.
- 3.8 The Site is located within Flood Zone 1 meaning it is at the lowest risk from flooding.
- 3.9 An aerial image of the Site is provided below.

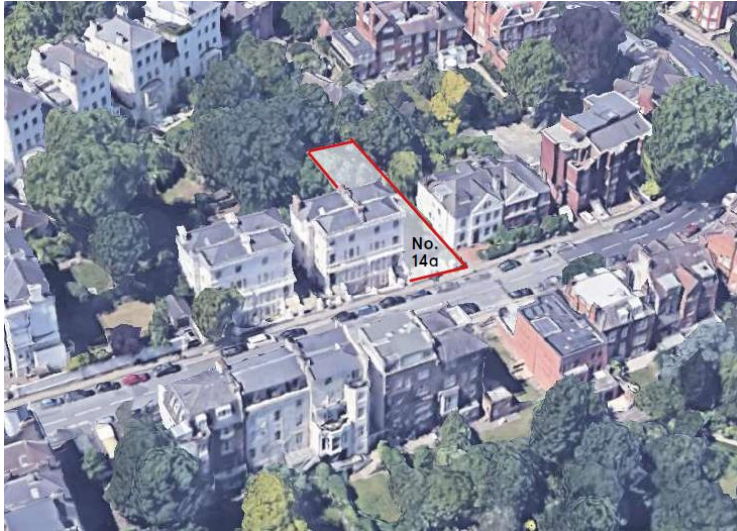


Figure 1 – Aerial view of the wider site area with the application site shown in red

- 3.10 For a more detailed analysis of the surrounding context please refer to Section 2 of the Design and Access Statement.

4 Planning History and Pre-Application Engagement

4.1 A review of the online Statutory Register of Planning Applications held by the Council has been carried out.

4.2 It is important to note that the application site is known as "Garages at 14a Hampstead Hill Gardens". Applications in relation to the following address do not relate to the application site and is not within the red line application site boundary:-

- Flat A, 14 Hampstead Hill Gardens

This adjacent site is not relevant to the determination of the submitted planning application.

4.3 This section of the report is set out as follows:-

- a. Pre-application engagement 2020 (Ref: 2019/6399/PRE);
- b. Garage Site Planning application 2021 (Ref: 2021/1564/P) (the "2021 Application")
- c. Pre-application feedback 2022 (Ref: 2021/5214/PRE)
- d. Adjacent applications
- e. Other relevant applications in the vicinity of the development site.

Site Specific Planning History

4.4 The application site has relevant planning history in relation to its redevelopment for residential use as a single dwellinghouse. Details of the application and pre-application discussions are summarised below.

4.5 Extensive pre-application engagement has taken place with the Council and as a result there have been several iterative revisions to the design of the proposed dwelling since the initial pre-application submission was made to London Borough of Camden in December 2019.

4.6 Throughout the lengthy pre-application process, the applicant has consistently sought to address comments from officers at London Borough of Camden, residents groups including the Hampstead Neighbourhood Forum and local residents.

a) Pre-application engagement 2020 (Ref: 2019/6399/PRE)

- 4.7 As pre-application engagement is actively encouraged by London Borough of Camden ("LBC"), in advance of the submission of the **2021 Application**, a pre-application submission was made to the Council by the applicant in December 2019. This pre-application engagement involved meetings (including a site visit) and on-going dialogue with officers throughout the early part of 2020. The proposed design was discussed in detail with materials being presented to officers on site. Formal written advice from LBC was received in May 2020 which concluded the four/five month pre-application process.
- 4.8 This formal pre-application response was received on 7 May 2020 (Pre-application reference: 2019/6399/PRE) and is enclosed as Appendix 2 to this statement. It confirmed the officers' in principle support for the proposals (including bulk, massing and design).
- 4.9 A considerable amount of time and resources were spent between May 2020 and March 2021 working up the application documents required to support the application and undertaking wider consultation with neighbours and other interested parties on the proposed scheme.
- 4.10 A summary of the points made in the May 2020 pre-application response from Camden is set out below:
- Development on the site could be considered acceptable, subject to the development being of a high standard that would not compromise the character and appearance of the surrounding streetscene;
 - Residential use is the priority use in the Borough...there would be no objections to a residential use on the Site;
 - A building of three storeys which is designed to a high quality provides the opportunity to contribute to the interest of the street which has a variety of design styles;
 - In terms of massing, it was agreed it was appropriate that the main building line follows that of the Georgian villa as the detailed design refers more to the villa than the late Victorian properties to the opposite side of the site;
 - Given the street is characterised by a number of modern infills which the Conservation Areas Statement notes do not harm the character of the conservation area, it is considered that a contemporary addition would be appropriate in the surrounding context;
 - In terms of the proportions of the building, the proposed design has picked up on the proportions of the Georgian Villas but in a modern interpretation which is considered to integrate well with the neighbouring buildings;
 - There is concern in regard to the impact on the neighbouring windows within the flank elevation of the two direct neighbours. Further information is required

detailing the layouts of these neighbouring buildings before officers can support the proposals on amenity grounds;

- The development would require a comprehensive and accurate Basement Impact Assessment to be submitted with the formal application demonstrating no significant harm to the application site, neighbouring sites or those surrounding;
- Car-free development is sought across the Borough;
- A Construction Management Plan would be secured via a Section 106 legal agreement;
- The development will be required to incorporate sustainable design and construction methods but is too small to require a sustainability statement.

4.11 The **2021 Application** was submitted in good faith, following receipt of the above supportive pre-application advice.

b) The 2021 Application

4.12 There is only one application on the statutory register in respect of the application site itself. This relates to a similar planning application for the redevelopment of the site (ref 2021/1564/P). This was submitted on 30 March 2021 and registered by the Council on 26 May 2021 and proposed the:-

“Demolition of existing garages and erection of three storey (plus basement) dwelling and associated works/landscaping”.

4.13 Application 2021/1564/P proposed the demolition of the existing garages and erection of a three storey dwelling. This was submitted following the receipt of supportive pre-application feedback from the Council in May 2020 (details of which are set out above).

4.14 Following validation of the planning application in May 2021, design feedback was received in July 2021 which contradicted the supportive pre-application feedback received in May 2020.

4.15 The key points from the Council's post-submission response to the application can be summarised as follows:-

- The scale and detailed design is considered to harm the character and appearance of the streetscene contrary to policies D1 and D2 of the local plan and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan.
- The building should relate more to no. 12 than to no. 14 in terms of its height (max two storeys).
- The building should match the eaves of no. 12.

- A flat roof is out of character, a pitched roof would be more in keeping.
- The style should be more arts and crafts than villa.
- Timber fenestration rather than bronze.
- White brick may be appropriate but the proposed brick doesn't relate.
- Front entrance should be reconsidered in terms of its location.
- Reduce the scale of basement.
- Depth of the first/second floor to be reduced.
- Cycle parking should be provided inside if possible (or suitably provided within a secure locker).
- Revised plan for the bin store
- Amend platform lift

4.16 Council officers confirmed that no revisions to the submitted scheme would be acceptable and the application should be withdrawn. The applicant team were advised that further pre-application negotiations with officers should take place.

4.17 This application has not been determined by the Council.

c) Pre-application engagement 2021 (Ref: 2021/5214/PRE) and Feedback 2022

4.18 Between August and October 2021, the design team undertook extensive revisions to the proposed scheme to respond to the post submission feedback on the **2021 Application** from the Council. A meeting was held with officers at the Council and the Hampstead Neighbourhood Forum in October 2021. Three design options were presented (with Option 3 discounted for massing/scale reasons).

4.19 Pre-application options 1 and 2 are set out below:

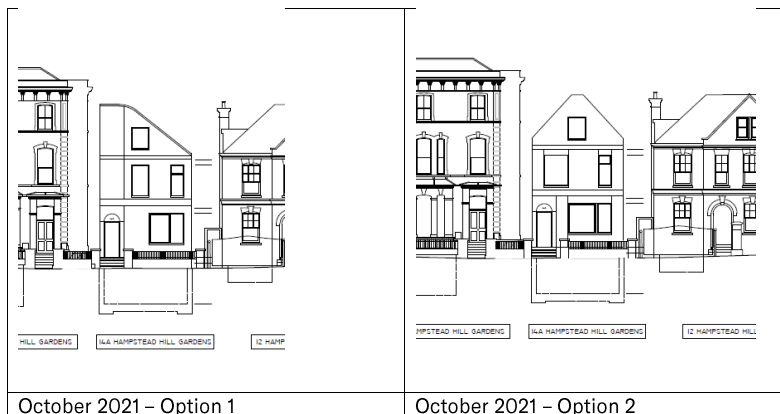


Figure 2: 2021 Design Options

- 4.20 During this process, Council officers confirmed their preference for Option 2 which meant that no further design development of Option 1 was taken forward.
- 4.21 The images below show the October 2021 Option 2 scheme design compared to the May 2021 (planning application) scheme design.



Figure 3: Comparison between the 2021 Application and October 2021 (Pre-application scheme)

4.22 A summary of the Council's comments in respect of the October 2021 scheme are set out below:-

- The site can support a contemporary two-storey house with accommodation within the roof space.
- Officers agree that Option 2 is the most appropriate design.
- Draw reference from red brick on the street. Whilst no. 12 is rendered it is considered that red brick is the most appropriate material.
- Work on the roof form (introduce more variety/interest). Introduce a shift in materials and set the roof back.
- Moving in the right direction and scheme has progressed positively.
- The design should not copy no. 12.
- Proportionality of windows needs more consideration.
- The building should have a unique identity.
- Reference the block of flats to the north.

4.23 A final pre-application submission was made to LBC in February 2022. This sought to respond to the comments from the October 2021 meeting and the following changes were made to the Option 2 design scheme:-

- A hipped gable was introduced at roof level.
- The roof was pitched on four sides and mirrors the hipped end to no. 12.
- The eaves and ridge line align with nos. 10 and 12.
- The pitched angle also mirrors the hipped end to no. 12 relating the roof for to the semi-detached Edwardian properties.

4.24 An image of the proposed design presented to LBC in February 2022 is included below:-




Figure 4: Proposed scheme design February 2022

- 4.25 Pre-application feedback was received by LBC on 24 March 2022 and is included as Appendix 3 to this Statement.
- 4.26 The key points from the pre-application response are summarised in the table below. We also include a summary of how these points have been addressed in the application now submitted.

Comment from LBC 24 March 2022 2021/5214/PRE	Applicant Response and how has the application addressed these comments
Principle of the Development	
Development on the site could be acceptable subject to being of a high standard that would not compromise the character and appearance of the surrounding streetscene.	The applicant's consultant team has worked with LBC and other parties for over three years to ensure that the proposal is of an exceptionally high standard that enhances the character and appearance of the streetscene. Refer to:- Section 7 of Planning Statement Heritage Appraisal Design and Access Statement
There is no objection to a proposed residential use on the site.	The site delivers a much needed family home in place of two redundant garages. In land use terms, the proposal complies with planning policies at all levels.
Design	

<p>Massing – The building has the appearance of a two storey building and would be most appropriate in this location. It matches the eaves of no. 12. The recessed entrance is welcomed and provides some relief and links to the character of the street.</p>	<p>The massing has been designed to respond to the eaves and ridge level matching no. 12 and has been developed following detailed negotiations relating to design with Camden.</p> <p>See Heritage Appraisal for further assessment and section 3.4 of Design and Access Statement for more detail.</p>
<p>Roof – The set back is welcomed. There may be potential for a proportionately sized front window.</p> <p>Consider incorporating the gutter into the design.</p> <p>Further justification in relation to the flat ridge element and potential for light spill.</p>	<p>See Roof Form study at Section 4.1 of the Design and Access Statement.</p> <p>Two smaller rooflights are now proposed which are located over the bedrooms to the front and rear to reduce light spill.</p> <p>A continuous cutter will be recessed with hoppers and outlets integrated into the elevations.</p>
<p>Side dormer – Further information is required in this regard both in terms of design and how amenity is protected.</p>	<p>The proposed side dormer on the east elevation is detailed on plan ref: 2112-PL/123.</p> <p>It forms part of the pigmented concrete roof.</p> <p>The windows in the flank elevation of 14 HHG serve a communal stair and bathrooms with frosted glazing. The proposed dormer will therefore not have an impact on outlook or light levels from any habitable rooms.</p>
<p>Fenestration – The proposed fenestration is an improvement but there are still concerns relating to proportions.</p> <p>The Council will not support the large use of solid metal panels on the front elevation.</p> <p>Timber door is encouraged.</p>	<p>The bronze panels have been removed in response to officers comments and replaced with glazing.</p> <p>The window proportions have been further considered and a window study has been undertaken to support the proposed design and scale which is included within the Design and Access Statement.</p> <p>The door is a metal door.</p>
<p>Front landscaping – You are encouraged to explore more soft landscaping to the front of the lightwell to further soften its appearance.</p>	<p>Additional planting has been added to the front of the lightwell railings to provide a soft screen to the front of the property and to conceal the basement from the public footpath.</p>
<p>Materials – with the exception of the metal panels the proposed materials are appropriate.</p>	<p>The metal panels have been removed.</p>
<p>Footprint – the ground floor footprint is likely to be acceptable in scale as it respect the front and rear building lines.</p> <p>Basement appears to be oversized – should be reduced to maintain more of the soft landscaped garden.</p>	<p>The basement has been reduced in size by 5 sqm internal area and complies with Policy A5 (see page 18 of the DAS). The section which extends under the garden area has been lowered so that 1m of topsoil if provided above maintaining the garden area above the basement.</p>

Amenity	
There are windows on the side elevations of no. 12 and no. 14. A Sunlight and Daylight Study is required.	A Sunlight and Daylight Assessment has been provided as part of the application documents. The windows in the side elevation to no. 14 serve a communal stair and bathrooms with frosted glazing. The windows in the side elevation of no. 12 are assessed in the Sunlight and Daylight Assessment.
Outlook may be harmed if the side windows serve habitable rooms.	The proposed dwelling has been designed to minimise harm to outlook from windows in the side elevations.
Basement	
The basement will need to comply with Policies A5, BA1, BA2 and BA3	See Section 7 of this Planning Statement and Page 18 of the Design and Access Statement. A suite of documents have been prepared to support the basement proposals which include:- <ul style="list-style-type: none"> - Draft Construction Management Plan - Structural Monitoring Specification - BIA - Ground Investigation Report - Flood Risk Assessment
The basement appears to result in the loss of garden space so the basement should be reduced in depth.	The basement has been reduced in size and lowered to retain 1m of topsoil (effectively reducing the amount of garden area lost when compared to the previous proposal)
Flood Risk	
A Flood Risk Assessment should be submitted including mitigation measures	A Flood Risk Assessment is included with the application documents prepared by Price and Myers. This includes regular monitoring of groundwater levels. This also includes mitigation measures.
Pumping device to be installed.	A cavity drainage system which includes a pump is proposed. See section 4.2.1 and in section 4.6 and in the conclusions of the FRA.

Transport	
Car Parking – The development should be car free	The proposed development is car free
Cycle parking – The cycle parking should be covered and secured. Three spaces are encouraged.	Plan Ref: 2112-PL131 shows the cycle storage which is covered and secure. This provides two spaces.
Construction Management – Construction Management Plan will be required.	A CMP is provided in draft.
Waste	
	See detailed plan for waste and recycling storage. This is shown on plan PL131. Dedicated housing is provided for refuse and recycling.
Biodiversity	
No tree information is provided	<p>The site is not located within a biodiversity corridor (see extract from Hampstead Neighbourhood Plan below).</p>  <p>No trees are proposed to be removed as part of the proposals.</p> <p>The following biodiversity measures are included (See Section 6 of the DAS):-</p> <ul style="list-style-type: none"> Soft landscaping Green Wall Bird and bat boxes where possible Pond

Access	
Further detail is required in respect of the platform lift. This must provide access to the front door.	This has been removed from the scheme.
Sustainability	
Sustainable Measures should be incorporated including:- Green Roof PV Panels Sustainable Materials Water-Saving Fittings	See Sustainability Statement prepared by The PES. This confirms that a roof mounted PV array and heat pump technology could be incorporated.

Community Engagement

September 2020 to November 2020

- 4.27 A comprehensive pre-application engagement strategy was undertaken from September 2020 to November 2020
- 4.28 The original proposals were presented to neighbours and local residents associations at an early stage with virtual meetings being held due to the coronavirus pandemic.
- 4.29 In the first instance a letter was sent to the immediate neighbours at no.12 and 14 Hampstead Hill Gardens (1 October 2020) as it was recognised that the immediate neighbours would be most affected by the proposals.
- 4.30 This was followed by a comprehensive letter drop to all properties along Hampstead Hill Gardens and relevant properties on Pond Street and Rosslyn Hill. Residents groups and Ward Councillors were also contacted and invited to attend a series of virtual meetings.
- 4.31 A series of virtual consultation meetings were held in early November 2020, thereby avoiding the school half term holidays.
- 4.32 All consultees had contact details for the applicant team so any concerns could be raised directly with the applicant team both during the virtual consultation meetings and at any time.

- 4.33 In December 2020, the applicant appointed Kanda Consulting to manage the neighbour and stakeholder engagement process.
- 4.34 A further virtual consultation meeting with residents was held in March 2021. This was to provide an update to the proposals in advance of submission of the application.
- 4.35 A detailed Statement of Community Involvement was prepared by Kanda Consulting and was included as part of the application documents for the 2021 Application.
- 4.36 Further to the significant change in stance from LBC between the pre-application stage and submission of the 2021 Application, consultation with residents was put on hold to allow on-going negotiations with Council officers in respect of design matters.

Hampstead Neighbourhood Forum – October 2021

- 4.37 A meeting was held with the Hampstead Neighbourhood Forum in October 2021 where the same scheme options presented to LBC in October 2021 were presented.
- 4.38 A summary of the key comments received from the Forum during this meeting are set out below and our responses to each of the points.

Height	
Two storeys with accommodation within the roof is acceptable.	The proposal has been reduced so that it is two storeys with accommodation within the roof.
Design	
The proposal is considered much more sympathetic than the scheme submitted in May 2021.	Noted
Prefer option 2 – it is not a total replica of the existing houses on the street but picks up on the context in a contemporary way.	Option 2 has been developed further since the meeting.
Introduce more playfulness into the facade.	Refer to Design and Access Statement.
Red brick is the most obvious choice for a material.	Noted.
Basement	

Undertake measurements of ground water in contrasting weather conditions over several months	Monthly groundwater monitoring has taken place over six months. Refer to submitted documents
Taking into account flooding events	Detailed Flood Risk Assessment is included in the application documents.

July – August 2023

- 4.39 Following receipt of the Council's pre-application advice in March 2022 and in advance of submission of this application, the applicant has undertaken further pre-application engagement with neighbours and local residents' forums.
- 4.40 This process was managed by Meeting Place Ltd.
- 4.41 Meeting Place Ltd issued letters to residents, local groups and Councillors on 17 July 2023. This provided details of a dedicated phone line where contact details could be provided.
- 4.42 Virtual meetings are being arranged for September 2023 to discuss the proposals in detail.

Adjacent applications

- 4.43 There are a few applications relating to the adjacent property which are included below for completeness. These include the following applications:-

2020/2165/P – Flat A, 14 Hampstead Hill Gardens. This was granted planning permission in June 2022 and proposed the: “Retrospective erection of single storey lower ground floor rear extension and patio enclosed with railings. Retrospective alterations to front boundary wall including installation of railings and gate with access stairs to lower ground. Retrospective replacement fenestration in front lightwell”

2020/5383/T – 14 Hampstead Hill Gardens. This was granted planning permission in November 2022 and proposed the “part retrospective alterations to rear garden landscaping including excavation and proposed replacement of artificial grass with planting”.

2021/0807/T - TPO consent was granted in March 2021 to fell one horse chestnut to ground level.

Relevant applications in the vicinity of the application site

4B Hampstead Hill Gardens

- 4.44 An appeal was allowed on 21 February 2022 in relation to 4B Hampstead Hill Gardens (reference: APP/X5210/W/21/3272103). This appeal followed the refusal of LBC on 21 October 2020 for the “demolition of an existing two-storey residential dwelling and construction of a new 3 storey residential dwelling with basement”.
- 4.45 We reference this application as it is in the vicinity of the application site and involved similar planning considerations (the substantive issues being the effect on the character and appearance of the Hampstead Conservation Area and the setting of nearby listed buildings and secondly, the impact on living conditions at 4a Hampstead Hill Gardens). A copy of the Appeal Decision is attached as Appendix 4.
- 4.46 The key points from the Inspector’s report can be summarised as follows.
1. The HCAS (Hampstead Conservation Area Statement) refers generally to the few small modern houses and flats which have been added to HHG in recent years, which although in marked contrast to the older villas, are found not to detract from the character of the area.
 2. The appeal scheme is a revised scheme and the product of some negotiations with the Council.
 3. The setting of listed buildings relates primarily to street views of the tall closely packed houses which are of a grand scale and high architectural quality. The curvature of the road engenders a sense of anticipation and provides a gradual reveal of the fine streetscape.
 4. The significance of the wider HCA relates to its varied nature, reflecting how Hampstead has evolved.
 5. 4a and 4B are anomalous with the earlier and much grander properties in HHG, in respect of their modern designs, lower height and smaller scale and plot size.
 6. The fragmentation of the site into separate properties has not best served the unity of the architectural composition of the host site.
 7. The proposed replacement is constrained by plot size and largely reflects the footprint of the existing building. Second floor accommodation would be within the roof space with dormer windows to the front and rear. Such articulation moderates the overall height and massing required to provide a further floor of accommodation.
 8. The new dwelling would be taller than 4a however many buildings contain elements for varying sizes and heights and this factor does not translate to material harm in terms of the street scene.
 9. By aligning horizontal elements with 4a and using zinc as a roofing material the proposal achieves a reasonable degree of congruency.

10. The proposal would remain significantly smaller than no. 6 so involves a visually acceptable graduation in scale between this and 4a.
11. Whilst of a greater scale than the poorer quality existing dwelling this would neither be to such a degree to compete harmfully with the adjacent and nearby larger buildings.
12. The scheme has gone through iterative revisions through negotiation with the Council. The outcome is a well-designed contemporary building, which whilst avoiding mimicry, respects the surrounding historic character through materials scale, proportions and detailing. These include a pitched roof, chimney and overhanging eaves, a gable articulates to echo that facing it at no. 6, appropriately proportioned fenestration and other detailing such as the use of cornicing and string courses. All of this suitably reflects and blends in with the key aspects of the surrounding historic built environment.
13. The replacement dwelling would better suit its historic surroundings than the existing and not be of excessive height, bulk and scale relative to these.
14. The new house would not be of a scale nor sited to have any overbearing effect upon views of the street scene.
15. The improved architectural quality of the replacement dwelling, marrying well with that of the surrounding buildings helps achieve such heritage reinforcement whilst largely preserving that presently revealed.
16. The side outlook from no. 4 is reduced and constrained, it is not entirely blocked out. The scheme would have an impact upon outlook with an increased sense of enclosure however, given the otherwise quite open rear outlook, this would not result in an unacceptably overbearing impact.
17. The increased height and mass would not have such an adverse effect upon the rear outlook as to lead to unacceptable living conditions.
18. Surrounding dwellings will experience only small changes in the daylight and sunlight to their windows and the scheme meets BRE guidelines.

4.47 The applicant team have considered the Inspector's assessment of the substantive issues surrounding replacement dwellings in Hampstead Hill Gardens. We note that there are differences between the application site and that at 4b HHG, but the analysis of the merits of a contemporary replacement building and how this can reinforce the historic setting is material to the application site.

5 The proposals

- 5.1 The proposals for which planning permission is being sought comprise the demolition of the two existing residential garages on the site and the provision of a single dwellinghouse for the applicant and his family as their home.
- 5.2 The new dwelling will comprise a high quality two-storey building with a basement and accommodation within the roof.
- 5.3 The revised proposals hereby submitted represent the culmination of extensive negotiations with LBC which has resulted in a significant evolution of the proposed scheme design.
- 5.4 The proposals have been presented to neighbours and other interested parties prior to submission as part of a comprehensive community engagement process.
- 5.5 The proposals will provide residential floorspace on the site in place of two existing single storey garage buildings, providing much needed family accommodation in a highly sustainable location.
- 5.6 The basement proposals are fully compliant with the necessary planning policy criteria. The application proposals are supported by a Basement Impact Assessment, as is required, with supporting information provided within the Design and Access Statement and other accompanying documentation.
- 5.7 The proposals have been carefully considered and designed in the context of the surrounding properties and prevailing character of the area. The design of the proposed dwelling will be of a high quality and will enhance the character and appearance of this part of the conservation area.
- 5.8 The proposals will provide generous front and rear garden areas, to reflect the appearance of surrounding properties and the character of the area. The garden areas will provide permeable surfaces to reduce run off and support planting. The areas will provide high quality amenity space for the occupiers of the property.
- 5.9 Planning permission is sought for:-

“Demolition of existing garages and erection of a two storey (plus basement and with accommodation in the roof) dwelling house and associated works and landscaping”

- 5.10 Further details of the proposals are provided within the accompanying Design and Access Statement and the proposals are assessed against relevant planning policies in Section 7 of this Statement.

6 Planning Policy Framework

- 6.1 National Policy Guidance is produced by Central Government in the form of the National Planning Policy Framework (NPPF), most recently updated in July 2021. This is a material consideration when determining planning applications.
- 6.2 The Statutory Development Plan comprises of the policies set out in the London Plan 2021 (March 2021) and the Camden Local Plan (2017) and the Hampstead Neighbourhood Plan (2018).
- 6.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 6.4 The Planning (Listed buildings and Conservation Areas) Act 1990 provides the legislation that is used to assess the impact of proposals on listed buildings and conservation areas.

National Planning Policy Guidance

The National Planning Policy Framework ('NPPF') (2021)

- 6.5 The NPPF document sets out the Government's planning policies for England and how these are expected to be applied. It summarises in a single document, previous national planning policy statements. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 6.6 The NPPF introduces the presumption in favour of sustainable development although it makes plain that the development plan is still the starting point for decision making.
- 6.7 The following sections of the NPPF are considered relevant to the consideration of these proposals:-

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision Making
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 16 – Conserving and enhancing the historic environment
- Section 17 – Facilitating the sustainable use of materials

London Plan (2021)

6.8 The most recent update of the London Plan was published in March 2021. Set out below are those policies considered to be of most relevance to the determination of this planning application:

- Policy GG2 – Making the best use of land
- Policy GG4 – Delivering the homes Londoners need
- Policy D3 – Optimising site capacity through the design-led approach
- Policy D4 – Delivering good design
- Policy D10 – Basement development
- Policy D6 – Housing quality and standards
- Policy H1 – Increasing housing supply
- Policy H2 – Small sites
- Policy HC1 – Heritage Conservation and growth

Local Planning Policy

6.9 The Camden Local Plan was adopted on the 3 July 2017 and replaced the previous Core Strategy and Camden Development Policies documents.

- Policy G1 – Delivery and location of growth
- Policy H1 – Maximising housing supply
- Policy H6 – Housing choice and mix
- Policy H7 – Large and small houses
- Policy C6 – Access for all
- Policy A1 – Managing the impact of development
- Policy A2 – Open space
- Policy A3 – Biodiversity
- Policy A4 – Noise and Vibration
- Policy A5 – Basements
- Policy D1 – Design
- Policy D2 – Heritage
- Policy CC1 – Climate change mitigation
- Policy CC2 – Adapting to climate change
- Policy T1 – Prioritising walking, cycling and public transport
- Policy T2 – Parking and car-free development
- Policy T4 – Sustainable movement of goods and materials

Camden Planning Guidance

- 6.10 Camden Planning Guidance (CPG) provides advice and information on how planning policies are applied in the Borough and can be material considerations for the determination of planning applications. The following CPG documents are considered to be relevant to the determination of this planning application

CPG Amenity (2018)

CPG Basements (2021)

CPG Design (2019)

CPG2 Housing (2016, amended 2019)

CPG Transport (2019)

Hampstead Conservation Area Statement

- 6.11 The Hampstead Conservation Area Statement was adopted in October 2001.

Hampstead Neighbourhood Plan

- 6.12 The Hampstead Neighbourhood Plan was adopted in October 2018 and represents a material consideration in the determination of planning applications in the area. The Plan includes a

set of policies against which planning applications are to be considered. Those policies considered to be of most relevance are set out below:-

DH1 – Design

DH2 – Conservation areas and listed buildings

BA1 – Basement Impact Assessments

BA2 – Basement Construction Plans

BA2 – Construction Management Plans

TT1 – Traffic volumes and vehicle size

TT4 – Cycle and car ownership

NE2 – Trees

NE3 – Biodiversity Corridors

NE4 – Supporting biodiversity

7 Planning Assessment

7.1 This section of the Planning Statement assesses the key planning considerations associated with the proposals.

7.2 These are:-

- a) Principle of the development – provision of a family home in place of redundant residential garages
- b) Design and Appearance
- c) Heritage and Design - Impact upon townscape and Conservation Area
- d) Basement
- e) Amenity – Impact on neighbour amenity
- f) Residential standards
- g) Sustainability – Sustainable Design
- h) Biodiversity and greening
- i) Transport and Access
- j) Construction Impact
- k) Waste
- l) Other matters

Principle of the Development

7.3 NPPF paragraph 15 supports that local authorities should provide a positive vision for the future of each area and paragraph 11 states that Councils should approve development proposals that accord with an up-to-date development plan without delay.

7.4 In accordance with paragraph 60 of the NPPF, to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

7.5 Paragraph 69 of the NPPF acknowledges the important contribution small and medium sized sites can make to meeting the housing requirements of an area, and that they are often built-out relatively quickly.

7.6 Paragraph 69c states that local planning authorities should “support the development of windfall sites through their policies and decisions – giving **great weight** to the benefits of using suitable sites within existing settlements for homes”.

7.7 In relation to housing delivery, NPPF paragraph 74 makes plain that “**strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and**

update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old".

- 7.8 Chapter 11 of the NPPF deals with making effective use of land. At paragraph 119 is supported that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions
- 7.9 As at paragraph 124 of the NPPF, planning decisions should support development that makes efficient use of land taking into account the following, inter alia
- a) The identified need for different types of housing, and the availability of land suitable for accommodating it;
 - b) The desirability of maintaining an area's prevailing character and setting;
 - c) The importance of securing well-designed, attractive and healthy places
- 7.10 Policy H1 of the London Plan relates to increasing housing supply. In addition, policy GG2 relates to making the best use of land.
- 7.11 Policy G1 of the Local Plan notes that the Council will deliver growth by securing high quality development and promoting the most efficient use of land and buildings by, inter alia, supporting development that makes best use of its site.
- 7.12 Policy H6 of the Camden Local Plan seeks to secure a variety of housing types and encourages the provision of homes suitable for families with children.

Assessment

- 7.13 As a starting point, Camden does not have a five year deliverable housing land supply. This is currently 4 years when the 20% buffer and shortfall is added to the targets. As set out in the Authority Monitoring Report (paragraph 4.29), "the 2022 Housing Delivery Test (HDT) assessment indicated that Camden had delivered 76% of the housing required over the previous three years. Consequently, Camden must add a 20% buffer to its annual housing targets when assessing the five-year housing land supply. Applying the 20% buffer to the annualised London Plan target takes the requirement up to 1245.6 additional homes per year. Comparing with the anticipated 5,429.1 additional homes completed from 2022/23 to 2026/27, Camden has a sufficient deliverable housing land supply to meet requirements for 4.4 years".

- 7.14 When considering the shortfall of 506.4 dwellings, “the resulting annualised requirement is 1,367.1 additional homes per year. Comparing with the anticipated 5,429.1 additional homes completed from 2022/23 to 2026/27, when applying past shortfall and a 20% buffer, Camden has a sufficient deliverable housing land supply to meet requirements for 4.0 years” (Paragraph 4.32).
- 7.15 Given that the Council cannot demonstrate a five year land supply, the principle of the provision of new residential accommodation on the site is supported by planning policy at all levels. The proposals will provide a valuable contribution to the delivery of family sized housing in the Borough and within London.
- 7.16 In respect of the principle of the development of the site, the pre-application response at paragraph 6 states:
- “As existing the site contains 2 garages, it provides a generous gap in the streetscene, however this isn’t identified within the Conservation Area or Neighbourhood Plan to be of significance. It is considered that development on the site could be considered acceptable, subject to the development being of a high standard that would not compromise the character and appearance of the surrounding streets.
- In terms of land use, residential use is the priority land use of the Borough and given this is a residential area, there would be no objections to a proposed residential use on the site”.
- 7.17 There is clear support in planning policy terms for the efficient use of land and buildings to provide additional residential accommodation which is the priority land use in the Borough, which also does not have a five year land supply. The proposals represent an efficient and effective use of a currently run-down and poor-quality site in a highly sustainable location.
- 7.18 In summary, the principle of the development of the site in terms of the redevelopment of the existing garages should be supported and the benefits of the proposed land use on this sustainable site should be given great weight by the Council.
- 7.19 The principle of the development of this site for housing is compliant with policy at all levels.

Design and Appearance

Planning Policy

- 7.20 **Design** - Paragraph 126 of the NPPF identifies that the creation of high-quality buildings and places is fundamental to what planning and development processes should achieve. Good

design is a key aspect of sustainable development. In accordance with paragraph 130, planning decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment.

- 7.21 This is expanded by the National Design Guide which illustrates how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It sets out ten characteristics which all contribute towards good design set out in the NPPF.
- 7.22 In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (Paragraph 134 of the NPPF).
- 7.23 London Plan Policy D3 stipulates that the development proposals should enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. Whilst Policy D3 also states that development should respond to the existing character of a place by identifying the special and valued features and characteristics. Development should be “of a high quality, with architecture that pays attention to detail”.
- 7.24 Policy D4 relates to delivering good design and sets out measures to maintain design quality.
- 7.25 Local Plan Policy D1 states that the Council will seek to secure high quality design in development. The Council will require that development, inter alia:
- Respects local context and character;
 - Preserves or enhances the historic environment and heritage assets;
 - Is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaption;
 - Comprises details and materials that are of high quality and complement local character;
 - For housing, provides a high standard of accommodation.
- 7.26 Paragraph 7.2 of the Local Plan states that the Council will require all developments to be of the highest standard of design and will expect developments to consider character, setting, context and the form and scale of neighbouring buildings, the character and proportions of the existing building, the prevailing pattern, density and scale of surrounding development and the impact on existing rhythms, symmetries and uniformities in the townscape, the composition of elevations, the suitability of the proposed design to its intended use, inclusive

design and accessibility, its contribution to public realm and its impact on views and vistas; and the wider historic environment and buildings, spaces and features of local historic value.

- 7.27 **Heritage** - Section 72(1) of the Listed Buildings and Conservation Areas Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area. The effect of this section of the Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas. Considerable importance and weight should be attached to their preservation.
- 7.28 In accordance with paragraph 195 of the NPPF, Local Planning Authorities should identify and assess the particular significance of any heritage asset that might be affected by a proposal (including by development affecting the setting of a heritage asset). Paragraph 206 states that new development within Conservation Areas should enhance or better reveal their significance. It is recognised in paragraph 201 that not all elements of a conservation area will necessarily contribute to its significance.
- 7.29 London Plan policy HC1 relates to heritage conservation and growth. This states at Part C that "development proposals affecting heritage assets, and their settings, should conserve their significance by being sympathetic to the assets' significance and appreciated within their surroundings".
- 7.30 Local Plan Policy D2 relates to Heritage and notes that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings and locally listed heritage assets. Designated heritage assets include conservation areas. The Council will not permit the loss or substantial harm to a designated heritage asset, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh any harm or loss.
- 7.31 In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications in conservation areas.
- 7.32 The Council will require that development within conservation areas preserves or, where possible, enhance the character or appearance of the area.
- 7.33 Policy DH1 of the Hampstead Neighbourhood Plan ("NP") sets out the development proposals should demonstrate how they respond and contribute positively to the distinctiveness and history of the character area identified through their design and landscaping. Development proposals should demonstrate how they respect and enhance the character and local context of relevant character areas.

- 7.34 In accordance with Policy DH2 of the NP, planning applications within a conservation area must have regard to the guidelines of the relevant conservation area appraisal and management strategy. Proposals must seek to protect and/or enhance buildings which make a positive contribution to the conservation area.

Assessment

- 7.35 Hampstead Hill Gardens is characterised by a range of architectural styles and materials. The dominant house type in the area is larger, detached and semi-detached dwellings.
- 7.36 The Site is located between two rendered buildings from different periods and of differing architectural styles.
- 7.37 In the surrounding context there are a number of infill sites located between the 19th Century houses, which includes the contemporary property located opposite the Site at 23a Hampstead Hill Gardens.
- 7.38 As highlighted in the pre-application response, the Conservation Area Statement makes specific reference in regard to Hampstead Hill Gardens, that there are a few small modern houses and flats that have been added in recent years which although marked in contrast to the older villas, do not detract from the character of the area.
- 7.39 It is considered that given the variety of architectural styles and materials in the surrounding context, the site could support a piece of high quality and contemporary architecture that is well considered and sympathetic to the conservation area.
- 7.40 During the pre-application discussions, officers confirmed that a high quality, contemporary design approach which takes its cues in terms of massing from nos. 10 and 12 HHG, is the most appropriate for this site.
- 7.41 The proposals would create a visually acceptable graduation between the taller Georgian villas and the semi-detached dwellings to the north. The proposed dwelling aligns horizontal elements with no. 12, creating a strong relationship with the adjoining building through the introduction of horizontal banding along the front façade to reference the decorative detailing at Number 12. Further, the windows have been designed to reference the size and proportion of the neighbouring windows.
- 7.42 The proposed building would make a stronger connection to Number 12 as developed through detailed discussions with officers but retain its own unique architectural identity, thereby creating a high-quality contemporary addition to the street.

7.43 It is considered that the proposed architecture is compatible with and represents and improvement to the character and appearance of the streetscene, when compared to the poor quality, existing condition.

7.44 This was considered an appropriate approach at the pre-application stage and is confirmed in the 2022 pre-application response letter which is enclosed at Appendix 4.

Materials

7.45 The proposed material palette has been discussed at length with officers.

7.46 The site is located between the white stucco villas and the red brick detached houses creating a transition site in terms of materials. No. 12 has clearly been rendered white but officers felt that this property is an anomaly in terms of materials and would have originally been red brick.

7.47 Given that the massing of the new dwelling takes reference from the semi-detached houses rather than the Georgian villas, it was agreed that red brick would be the most appropriate material for the new dwelling.

7.48 As is demonstrated by the studies included within the Design and Access Statement, the use of red brick will ensure a degree of congruency with the streetscene.

Scale and Massing

7.49 The proposed footprint of the building will respect the established building line to the street with the front elevation aligning with the adjacent building line at Number 12.

7.50 The recessed element at ground floor provides relief and links the new dwelling to the character of the street.

7.51 The proposed replacement dwelling is constrained by the plot size and reflects the footprint in terms of front and rear building lines of the adjacent buildings. The second floor accommodation is within the roof space reflecting the height and massing of the adjacent building. The new dwelling is evidently taller than the existing garages but as set out above, is significantly smaller than no. 14 and modulates successfully between the varying heights of no 12 and 14.

7.52 It is recognised that the street is characterised by buildings with elements of varying sizes and heights and this is not recognised to cause any material harm in terms of streetscene.

- 7.53 The proposed recessed element has been set back from the principal elevation to align with the building at Number 14. The rear building line will also align with the existing massing at Number 12.
- 7.54 The proposed development will be two storeys in height, plus a basement with accommodation within the roof.
- 7.55 It was agreed with officers at pre-application stage that a two storey building is appropriate in the streetscene.
- 7.56 The massing of the proposals has been considered in the context of the scale of adjacent properties and the wider street context. The proposals are considered to be commensurate with the scale and massing of properties within the street and mediate successfully between the massing of no. 12 and no. 14 Hampstead Hill Gardens.
- 7.57 Whilst of a greater scale than the existing garages, this would not be to such a degree to cause harm and does not compete with the adjacent larger buildings and indeed, the high quality architecture ensures an improvement to the character and appearance of the streetscene.
- 7.58 The proposed scale and massing of the proposed dwelling was supported by officers at the pre-application stage.
- 7.59 Further detail is contained within the Design and Access statement and CGI/visuals are also submitted as part of the application package.

Heritage - Conservation Area

- 7.60 A Townscape and Heritage Appraisal ("THA") has been prepared by The Heritage Practice and forms part of this application submission.
- 7.61 The Site comprises a pair of single storey garages that are considered "at best, to make a neutral contribution to the Conservation Area" and have a negative impact on the wider streetscape of Hampstead Hill Gardens due to "the anomalous character of the existing structures and the lack of a boundary treatment with the street". (THA, paragraph 2.6).
- 7.62 Whilst the site itself is not identified as making a positive contribution to the conservation area, it adjoins properties on either side that do. Number 14 forms part of a group of stucco-faced semi-detached villas which comprise three storey properties with basements.

- 7.63 The conservation area appraisal identifies that a few small modern houses and flats have been added to the street, which, although in marked contrast to the older villas, do not detract from the character of the area.
- 7.64 The scale of the proposed building will be in keeping with the context of the adjacent properties and sub area of the conservation area as a whole.
- 7.65 The THA concludes that the features of the existing site, gap or tunnel are not “identified as significant or of any demonstrable value to the character and appearance of the Conservation Area”. It also concludes that there are no identified views or vistas which would be affected by the development (THA, paragraph 6.2).
- 7.66 The THA sets out the iterative revisions that the scheme has undergone since 2020. This is also detailed in the Design and Access Statement. The outcome is considered to be a high quality, contemporary building which respects the surrounding context through materials, scale, proportion and detailing. The roof form, recessed entrance at ground floor level, fenestration detail all ensure that the design is contextual but is not, a pastiche of the surrounding architecture.
- 7.67 The replacement dwelling respects its surrounding context in terms of scale, massing, siting, design and materials and consequently enhances the character and appearance of this part of the Hampstead Conservation Area.
- 7.68 The new house would result in the loss of a fairly restricted view of the rear gardens of the properties on HHG but it is not identified as an important view which requires preservation. Indeed, the proposed dwelling will still allow glimpsed views to the gardens behind through the narrower gaps retained to each side of the building as is characteristic between the narrow gaps between existing properties on the street.
- 7.69 The Heritage Appraisal concludes that the proposals comply with the statutory duties and heritage policies at all levels.

Basement

Planning Policy

- 7.70 London Plan Policy D10 states that “boroughs should establish policies in their development plans to address the negative impacts of large-scale basement development beneath existing buildings, where this is identified as an issue locally”.
- 7.71 The CPG on Basements is also a material consideration in the determination of planning applications.

7.72 Policy A5 and the CPG requires all basements to be assessed to ensure they maintain the structural stability of the building and any neighbouring properties.

7.73 Policy BA1 of Neighbourhood Plan requires Basement Impact Assessments (BIAs) to be submitted.

7.74 There is no Article 4 Direction in place in Camden in respect of basement and subterranean development.

Assessment

7.75 The basement proposals will extend the full footprint of the new dwelling and part into the rear garden.

7.76 In accordance with Policy A5 of the Local Plan the proposals will be single storey and will not exceed 50% of each garden within the property. A detailed assessment against Policy A5 is set out below:-.

Part F – the basement is single storey.

Response – The basement comprises one storey. This is shown on the enclosed plans and sections.

Part G – there is no existing basement.

Response – There is no existing basement. The site currently comprises two single storey garages.

Part H – the basement does not exceed 50% of each garden within the property.

Response – As shown in the Design and Access Statement at section 5.5, the basement footprint occupies significantly less than 50% of the front and rear garden areas.

Part I – the basement is less than 1.5 times the footprint of the host building in area.

Response – The host building is 76.2sqm at ground floor level and the basement extends to 112.5sqm. This is less than 1.5 times the footprint.

Part J – the basement does not extend into the garden more than 50% of the depth of the host building measured from the principal rear elevation.

Response – the host building is 13.7m (excluding the sunroom which extends a further 3.5m) deep when measured from the front elevation. The basement extends into the garden by 6.5m and the garden is 15.4m deep.

Part K – not extend into, or underneath the garden further than 50% of the depth of the garden.

Response – the garden is 15.4m deep. The basement extends 6.5m into the garden.

Part L – be set back from neighbouring property boundaries where it extends beyond the footprint of the host building.

Response – The basement is set back from neighbouring properties on all sides. This is shown at section 5.5 of the Design and Access Statement.

Part M – avoid the loss of garden space or trees of townscape or amenity value.

Response – There is some loss of open space as the footprint of the building is greater than the footprint of the existing garages however, there is no loss of trees of townscape or amenity value.

7.77 It is considered that the proposal fully complies with the design parameters set by Policy A5 in terms of size and scale of the proposed basement.

7.78 A Basement Impact Assessment (BIA) has been prepared by Soiltechnics and is submitted as part of this planning application. The authors' qualifications are in accordance with the Council's requirements.

7.79 The BIA considers the effect of the basement proposal on the local hydrology, geology, hydrogeology and potential impact to neighbours and the wider environment. This ensures that the proposal complies with parts a-e and part n-u of Policy A5.

Commented [TR1]: Could these limbs be set out somewhere above or below?

7.80 Policy A5 parts a-e state that:

The Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- a. neighbouring properties;
- b. the structural, ground, or water conditions of the area;
- c. the character and amenity of the area;
- d. the architectural character of the building; and
- e. the significance of heritage assets..

7.81 Policy A5 parts n-u state that:-

The Council will require applicants to demonstrate that proposals for basements:

- n. do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';
- o. avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- p. avoid cumulative impacts;
- q. do not harm the amenity of neighbours;

r. provide satisfactory landscaping, including adequate soil depth;

s. do not harm the appearance or setting of the property or the established character of the surrounding area;

t. protect important archaeological remains; and

u. do not prejudice the ability of the garden to support trees where they are part of the character of the area

- 7.82 Section 4 of the BIA includes details of the screening process undertaken to satisfy Stage 1 of Camden Planning Guidance: Basements, which includes direct responses to questions relating to subterranean (groundwater) flow, slope stability, and surface flow and flooding. The screening process has identified potential damage to neighbouring properties and the potential impact of the railway line tunnel beneath the site as warranting further assessment.
- 7.83 Section 5 of the BIA includes details of the scoping assessment that has been undertaken to satisfy Stage 2 of the CPG. The scoping assessment considers that the scheme can be suitably designed and constructed to maintain stability and therefore minimise any damage to neighbouring properties, and that given the proximity of the tunnel the potential impact of it on the proposals would be negligible.
- 7.84 As set out within Section 8 of the BIA, damage to surrounding structures has been assessed using the Burland scale (as is required) and concluded that, with appropriate controls, the potential damage will be limited to Burland Category 1. This would meet the requirements of the CPG: Basements which stipulates that the classification must be no higher than Category 1 – very slight.
- 7.85 The proposals are not considered to impact upon the current stability of the ground on the site.
- 7.86 The BIA considers that the proposals will have a negligible impact on the wider hydrogeological environment. Groundwater flow rates will be relative minimal and any flow encountered during construction, if any, could be collected via a sump and suitably discharged.
- 7.87 The impact of the proposals on the wider hydrological environment are also considered to be negligible. The likelihood of surface water or sewer flooding will not be increased by the development proposals.

- 7.88 A Ground Investigation Report (GIR) has also been prepared by Solitechnics and forms part of this application submission. This should be read in conjunction with the BIA.
- 7.89 This includes groundwater monitoring over an extended period of six months as is required by the Hampstead Neighbourhood Plan.
- 7.90 The GIR seeks to establish the ground conditions at the Site to be able to identify possible foundation solutions and provide parameters necessary for the design and construction of foundations. The GIR also includes a Phase 1 contamination assessment and an assessment of the effects of underlying ground conditions on building materials.
- 7.91 The GIR concludes that the site is suitable for the proposed use in its current forms. Measures to protect against ground gases are not considered to be required as part of the proposals.
- 7.92 It is understood that these documents will be reviewed by Camden Council's consultants, Campbell Reith as part of the assessment of the basement proposals.
- 7.93 In accordance with the detailed technical information that has been prepared and forms part of this application submission, the proposed basement provision will meet the requirements of planning policy and will not have a detrimental impact in the prevailing ground conditions or adjacent properties.

Amenity

Planning Policy

- 7.94 Policy A1 of the Local Plan deals with managing the impact of development and notes that the Council will seek to protect the quality of life of occupiers and neighbours. Planning permission will be granted for development unless it causes unacceptable harm to amenity.
- 7.95 The CPG on Amenity supports that developments should be designed to protect the privacy of occupiers of both existing and proposed dwellings. Developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and /or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers.
- 7.96 The CPG expects applicants to consider the impact of development schemes on daylight and sunlight levels. The 45 degree and 25 degree tests cited in the BRE guidance should be used to assess ('screen') whether a sunlight and daylight report is required.

Assessment

- 7.97 A Daylight and Sunlight Report prepared by DPR has been submitted as part of the planning application. This accords with the requirements of CPG Amenity. The Daylight and Sunlight Report considers the compliance of the proposal against the BRE guidance.
- 7.98 The Daylight and Sunlight Report confirms that two methods of measurement are proposed by the BRE these include the vertical sky component (VSC) and no-skyline (NSL).
- 7.99 In respect of the VSC test of the 21 rooms tested, only 1 room has impacts beyond the VSC guidelines (no. 12 Hampstead Hill Gardens). The NSL test also shows one room which has an impact beyond the NSL guidelines. This room is also within no. 12 Hampstead Hill Gardens.
- 7.100 The applicant was unable to access no.12 and as a result, the Daylight and Sunlight Report sets out options for the possible position of the kitchen at ground floor level of no. 12
- Option A – Kitchen is located at the front of the property (this has been discounted because the room would also be lit from the front and external inspection suggests that the kitchen is not located to the front of the property)**
- Option B – The kitchen is to the rear. In this scenario the room is also served by light from the rear conservatory.**
- Option C – The kitchen is in the centre of the plan and in this instance the room would be under 13 sqm.**
- 7.101 A kitchen is generally only deemed to be a habitable room if it is large enough to accommodate a dining area. If the kitchen is small or has a separate dining area then accepted practice can be to treat the kitchen as a non-habitable room
- 7.102 The assessment indicates, that in the case of Option B, the space would be lit from the conservatory and as a result, the distribution of light within the space will remain well in excess of the daylight distribution guidelines. As a result, the effects on the room as a whole will be minimal (Section 7.1, Daylight and Sunlight Report)
- 7.103 Overall, the report concludes that the scheme results in a single infringement of the guidelines. This is isolated to a single window to 12 Hampstead Hill Gardens which serves a kitchen. The two assessments for the property indicate that the ground floor kitchen may be considered to be non-habitable due to its size or alternatively be a dual aspect space which will retain very good levels of light distribution post development and that retained levels of average VSC are consistent with urban locations.
- 7.104 The report also confirms that there will be no impact on annual and winter sunlight to any property. Thereby demonstrating full compliance to all properties in sunlight terms.

7.105 The proposals have also been considered in the context of seeking to protect the amenity of neighbouring properties through avoiding unacceptable overlooking or overshadowing impacts.

7.106 The footprint of the building would align with the front and rear of the adjacent buildings. The massing that is proposed would be commensurate with the adjacent and surrounding context.

7.107 As a result, the proposals would not be overbearing and excessive in size in the context of its neighbours and would not result in an increased sense of enclosure.

Residential Standards

Planning Standards

7.108 Policy D6 of the London Plan notes housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts. The minimum space standards for new dwellings are set out in Table 3.1 of the London Plan (page 127).

Assessment

7.109 The house would provide a good standard of living in terms of size, layout, orientation and outlook. The house will be dual aspect and would exceed the Nationally Described Space Standards (2015) as those set out in Table 3.1 of the London Plan.

7.110 Further detail is set out in Section 5 of the Design and Access Statement.

Transport and Access

Planning Policy

7.111 Paragraph 109 of the NPPF notes that development should only be prevented on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.

7.112 Policy T1 of the Local Plan promotes sustainable transport by prioritising walking, cycling and public transport use across the Borough.

7.113 Policy T2 states that the Council will limit the availability of car parking and require new development to be car free in the Borough. This is further supported within the Transport CPG.

Assessment

- 7.114 The Site is located in an area with a PTAL rating of 4 which means there are good levels of access to public transport provisions.
- 7.115 The existing site currently provides two garages that have historically provided two off-street parking spaces. Off-street parking is also currently available in front of these garages.
- 7.116 The proposals will not provide any off-street parking in accordance with Camden's planning policies relating to parking and therefore complies with Policy T2 of the Local Plan
- 7.117 Both pre-application responses confirmed that, officers would not support the provision of on-site parking and that the front garden area should be designed as amenity space for a bin and cycle store.
- 7.118 The scheme has been designed to address the Council's comments at both pre-application stages.
- 7.119 A dedicated bike store is provided at the front of the property with a paved entry that will facilitate easy access.
- 7.120 This is set out in detail in Section 7.1 of the Design and Access Statement.

Construction Impact

Planning Policy

- 7.121 Local Plan Policy A1 seeks to manage the impact of development and the quality of life of occupiers and neighbours. One of the factors that is considered in assessing whether development causes harm to amenity is identified as the impacts of the construction phase, including the use of Construction Management Plans (CMPs)
- 7.122 The CPG on Amenity also deals with CMPs and stipulates that the Council will assess the need for a CMP for smaller developments on a case-by-case basis where a basement development is proposed. The Council expects CMPs to be submitted after planning permission is granted and to include significant input from the contractor(s) appointed to undertake the work
- 7.123 The NP, at Policy BA3, states that proposals for basement development should be accompanied by a CMP which includes adequate information to assess the impact of the construction phase, should the proposal be approved. The CMP should include information on the following:
- How the disturbance arising from construction and demolition such as noise vibration and dust will be kept to acceptable levels; and

- How traffic and construction activity will be managed.

Assessment

- 7.124 A draft Construction Method Statement (CMS) prepared by Price and Myers has been prepared and forms part of this application submission. The CMS should be read in conjunction with the full Ground Investigation Report and Basement Impact Assessment prepared by Soiltechnics.
- 7.125 A draft Construction Management Plan which complies with Camden's pro-forma is proposed to be submitted during the application determination period. This is being produced by THaT Consultancy. This will be informed by further discussions with and input from local residents.
- 7.126 It is acknowledged that a final version of this document would be secured by Section 106 Agreement.

Sustainability and energy

Planning Policy

- 7.127 Policy CC1 of the Local Plan requires development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards that are 'financially viable during construction and occupation'.
- 7.128 Policy CC2 requires development to be resilient to climate change.

Assessment

- 7.129 Whilst the development is too small to require a sustainability statement, as confirmed by the pre-application response, nonetheless to ensure that energy and sustainability has been carefully considered as part of the design development process, a sustainability statement has been prepared by PES and forms part of the application submission.
- 7.130 The proposed building will be as energy efficient as is possible and viable and will embrace the principles of sustainable design and durability.
- 7.131 The key sustainability proposals comprise the following.

- The proposals will achieve an overall improvement in regulated emissions of 80.29% over Part L 2021 and a reduction in overall emissions by 65.21%.
- High insulation standards (best practice thermal insulation standards) and reduced air permeability will be used as energy efficient measures
- Photovoltaic Panels will be used as a renewable energy source
- Efficient design, procurement of materials from local sources and/or with a high recycled content
- All materials to be responsibly sourced and of low environmental impact
- Best practice guidance for reducing water consumption by specifying efficient water-consuming appliances

7.132 Please refer to the Sustainability Statement by the PES for more details.

7.133 The proposed measures are considered to meet the relevant planning policy requirements in full and achieve a low carbon development.

Trees

Planning Policy

7.134 Policy NE2 of the NP relates to trees and states that “development will protect trees that are important to local character, streetscape, biodiversity and the environment”

Assessment

7.135 No trees are proposed to be removed as part of this proposal.

Biodiversity

Planning Policy

7.136 Policy NE3 and NE4 of the neighbourhood plan relate to biodiversity corridors and to supporting biodiversity.

Assessment

7.137 The site is not within an identified biodiversity corridor. There is a corridor which is located on the opposite site of Hampstead Hill Gardens behind the houses to the north. The

application site is separated from this corridor by the houses on the opposite side of the road and the road itself.

- 7.138 As set out in the Design and Access Statement, consideration has been given to providing high quality landscaping to the front and rear of the property and opportunities for a green wall have been identified.

Noise – Plant Equipment

- 7.139 In response to comments from residents at the initial pre-application stage, no air conditioning units are included as part of these application proposals. As a result, an acoustic report is not required and has not been submitted as part of the application documentation.

8 Summary and Conclusions

- 8.1 This Planning Statement has been prepared to support planning application proposals for the demolition of two existing garages and the erection of a two-storey family sized residential property which includes a basement and accommodation within the roof.
- 8.2 The provision of new residential accommodation is supported in principle by planning policy objectives at all levels.
- 8.3 The application scheme hereby submitted has been significantly revised in terms of design and scale when compared to the scheme submitted in 2021 (which was itself submitted in good faith following positive pre-application feedback from London Borough of Camden in 2020). The application now submitted is the result of extensive negotiations with the Council and engagement with surrounding residents and neighbourhood groups and other interested parties. The applicant has therefore adopted a collaborative approach to the revised design for the new dwelling and this iterative design process which has taken place over a considerable period of time seeks to positively address comments raised by the Council and other parties.
- 8.4 This application has demonstrated early and proactive engagement with the Council and the community in accordance with paragraph 132 of the NPPF.
- 8.5 The proposals are considered suitable and appropriate in design terms to the surrounding context and would enhance the character and appearance of this part of the conservation area.
- 8.6 The scale and massing of the proposals has been considered in the context of the adjacent properties and surrounding context and is considered appropriate.
- 8.7 The provision of floorspace at basement level has been considered and assessed in accordance with the Council's requirements and is concluded to be appropriate without having a detrimental impact on nearby properties or the existing ground conditions.
- 8.8 It is recognised that in terms of sunlight and daylight, the proposal results in a single infringement to one window in the adjacent property. However, the probable layout of this room demonstrates an NSL level within the guidance and retained levels of VSC that are consistent with urban locations. There are no adverse amenity impacts resulting from the proposals in terms of sunlight, overlooking, sense of enclosure or privacy.
- 8.9 In summary, the proposal will:-

- Remove the existing garages that at best make a neutral contribution to the conservation area and detract from the streetscene.
- Result in the provision of a single family home for the applicant and his family.
- Create much needed residential floorspace in a sustainable location.
- Result in the efficient use of land.
- Provide exceptional contemporary architecture which will improve the character and appearance of the surrounding area.

8.10 It is therefore considered that the proposal accords with the objectives of national, regional and local planning policy at all levels and planning permission should be granted.

Appendix 1 – Schedule of Application Documentation

Report/Document/Plan	Reference
Application Covering Letter	FW170/FW
Application Forms	N/A
Certificates	N/A
CIL Forms	N/A
Planning Statement	FW170/FW
Appendix 1 – Schedule of Application Documents	
Appendix 2 – Pre-application response letter 7 th May 2020	2019/6399/PRE
Appendix 3 – Pre-application response letter 24 March 2022	2021/5214/PRE
Appendix 4 – Appeal Decision 4b HHG	APP/X5210/W/21/3272103
Appendix 5 – Application timeline	
Architects Documents	2112/PL
Design and Access Statement	
Location Plan	100
Existing ground and demolition	100
Existing street elevation and demolition	105
Existing front elevation and demolition	106
Existing rear elevation and demolition	107
Existing Section AA elevation and demolition	108
Existing Section BB elevation and demolition	109
Proposed basement	110
Proposed Ground	111
Proposed First Floor	112
Proposed Second floor	113
Proposed Roof Plan	114

Proposed Street Elevation	119
Proposed Front elevation	120
Proposed Rear elevation	121
Proposed rear and Section CC	122
Proposed East Elevation	123
Proposed West elevation	124
Proposed Section AA	125
Proposed Section BB	126
Proposed Section CC	127
Proposed Window Detail	130
Proposed Cycle Store and Housing	131
Drawing issue sheet	
Basement and Structural /Construction Documents	
Basement Impact Assessment	Soiltechnics
Ground Investigation Report and Water Monitoring Assessment	Soiletechnics
Flood Risk Assessment	Price and Myers
Independent Audit of BIA - Checklist	Price and Myers
Draft Construction Method Statement	Price and Myers
Draft Construction Management Plan	THaT Consultancy
Structural Monitoring Specification	Price and Myers
Other documents	
Heritage/Townscape Appraisal	The Heritage Practice
Sustainable Design Report	The PES
Sunlight and Daylight Assessment	Delva Patman
Statement of Community Involvement 2023	Meeting Place

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