

22B HARLEY ROAD
LONDON NW3 3BN

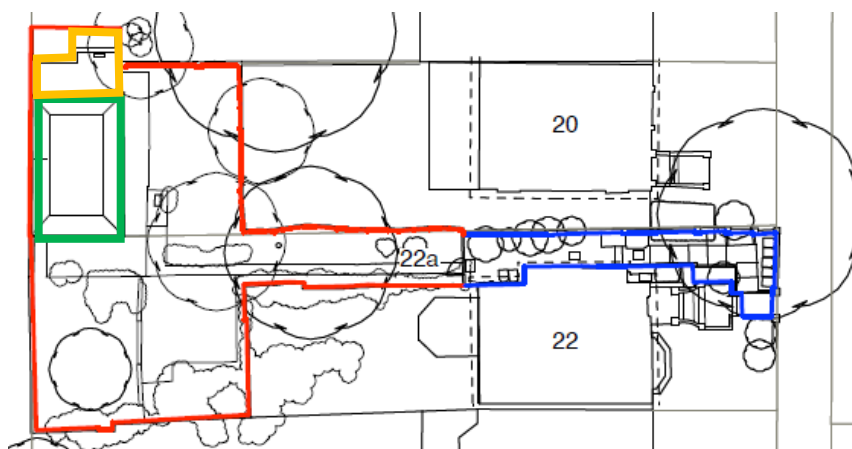
PLANNING & HERITAGE STATEMENT

**DEMOLITION OF EXISTING TWO STOREY HOUSE AND CONSTRUCTION OF A REPLACEMENT TWO STOREY HOUSE
WITH SINGLE STOREY EXTENSION TO THE FRONT (EAST) SIDE OF THE PROPERTY**

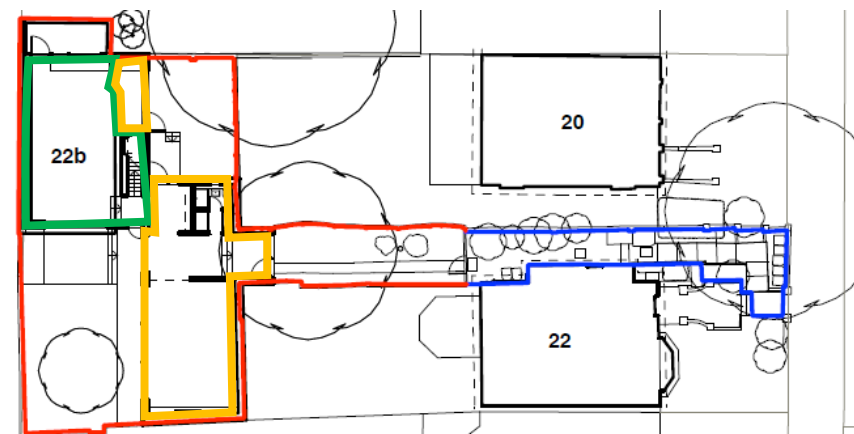
SEPTEMBER 2023

1.0 INTRODUCTION

- 1.1 This statement has been prepared in support of an application which seeks full planning permission to enable the demolition of the existing two storey dwelling at No.22B and its replacement with a new two storey dwelling with additional single storey extension set to the east side.
- 1.2 For ease a comparison the existing and proposed site layouts are provided below. The existing and proposed two storey elements are shown approximately outlined in green, the single storey elements are shown with an orange outline.



Existing Site Plan



Proposed Site Plan

- 1.3 As will be noted care has been taken to minimise the footprint of the two storey portion of the replacement dwelling and so retain this massing broadly within its existing location toward the north west corner of the site. The main additional footprint proposed is single storey only to minimise visibility and ensure no adverse impacts upon neighbouring properties or their garden areas.

- 1.4 Proposals to redevelop the site were the subject of pre-application advice, reference 22/4348/BRE, with written comments received from the Council on 14 March 2023.
- 1.5 At that time the proposed replacement dwelling included the provision of a basement level, a larger ground and first floor than now proposed and part second floor level. The overall floorspace proposed was 435sqm. The Council raised concerns regarding the basement element and more generally the scale and massing of the above ground floors. The Council's pre-application response and how this proposal responds to it is discussed in detail in Section 3. However in brief summary the proposal has been significantly reduced in scale and no longer includes a basement level or a second floor level. It comprises 189sqm which is a reduction of 246 sqm compared to the pre-application scheme. The proposed dwelling is now primarily of single storey scale with the first floor space retained broadly in the same location as the existing dwellings first floor.
- 1.6 This statement describes the site, the proposals, the pre-application advice and applicants response, the relevant planning policy context, and how having regard to these matters and all other material considerations the proposals can be assessed as appropriate in planning terms. It is set out as follows:
- 2.0 Site Context
 - 3.0 History
 - 4.0 Planning Policy Review
 - 5.0 Analysis of the Proposals
 - 6.0 Conclusions

2.0 SITE CONTEXT

Location & Access

- 2.1 The application property is set to the west side of Harley Road and contained between the rear of the larger frontage properties and the grounds of the Swiss Cottage School as shown below.



Aerial view showing the existing dwelling in context



Aerial view at closer range again showing the existing dwelling

- 2.2 Access to the existing house is taken via a footpath to the north side of No.22 as shown on the following page. This path steps down from the street to the rear area. The ground level within the application site stands approximately half a storey below the level on Harley Road itself.

Background

- 2.3 A review of old O.S. base maps for the area suggests that there was a building on the site in the early 1900's as a building footprint in the general location of the application property first appears on the 1915 OS base plan as shown below but is not visible on the 1895 version.
- 2.4 It is understood that the current house was originally designed as an ancillary outbuilding associated with No.22, possibly as an annex or staff accommodation. However, it has been in use as a wholly separate self-contained dwelling since 1996. It has been registered as such since that time paying Council Tax as a dwelling. On this basis the Council has issued a Lawful Development Certificate. As a result the principle of its replacement can be supported subject to other relevant planning policy considerations.



View showing access to the application property

Heritage

- 2.5 The property is not a listed building nor are any of the adjoining properties on Harley Road. The Plan extract on the following page taken from the English Heritage Listed Building Map search confirms the nearest listed building is the Swiss Cottage Library which is located approximately 190 metres to the north on Avenue Road.
- 2.6 The building does however lie within the Elsworthy Conservation Area.



OS base Plan 1855

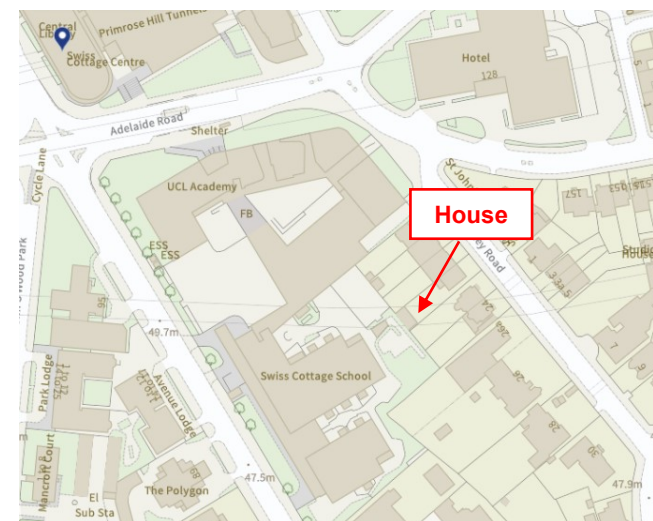


OS base Plan 1915

- 2.7 The Elsworth Conservation Area Appraisal provides a helpful summary of the key characteristics of the conservation area as follows:

*“3.5 This character as a **wealthy residential suburb** has remained to the present day. There is no real ingress of other uses, with commercial activities being located to the north-east in Swiss Cottage.*

*3.7 The area’s spatial character derives from the **spacious leafy streets and generously laid out plot sizes**, complemented by areas of semi-private communal amenity space. Terraced development is predominately of four storeys in the Conservation Area and two to three storeys where detached houses and semidetached villas predominate. Buildings are set back from the street and the original boundary treatments of small walls, privet hedging and wooden gates and gateposts were designed to increase the green, leafy environment of the quiet residential streets.*



Historic England's Heritage Map Search

*3.13 **Yellow London stock brick and red brick are the predominant materials** used across the Conservation Area. Other materials are employed as contrasting features on the late Victorian and Edwardian buildings and different combinations of variously coloured brick, stone, tile, stucco and timber are used as contrasting detail in the treatment of facades across different parts of the Conservation Area.*

3.16 The northern part of Harley Road employs a similar range of materials, although the brick employed is darker in colour. Stuccoed pediments, lintels and corbels are prevalent.

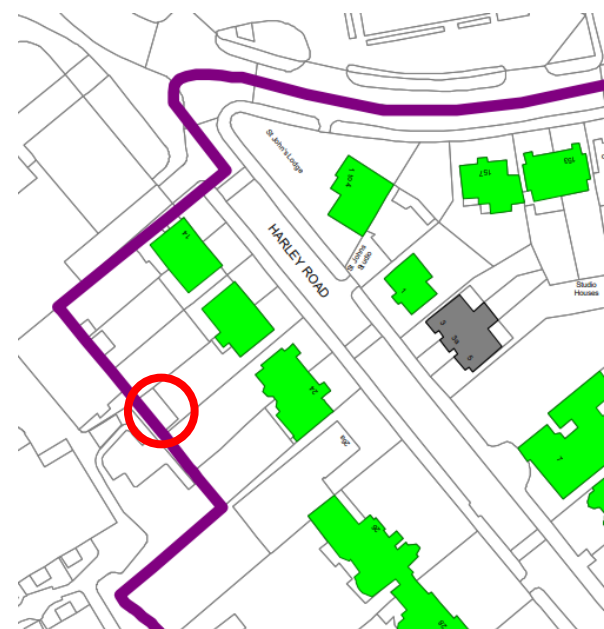
4.7 The area has retained its status as a fashionable residential neighbourhood with large single family dwellings set back from the tree lined streets in substantial gardens. Although a larger number of houses were sub-divided into flats during and in the postwar period, they have since reverted to family houses. The area is therefore principally residential in character, with other building uses representing activities that are secondary or ancillary to the residential whole.

- 2.8 The Conservation Area is divided into a number of sub-areas with distinct characteristics. The application site lies within Sub-Area 2 'King Henrys Road'. As the name suggests this area comprises mainly King Henrys Road to the north and the northern part of Harley Road including the application site. The Appraisal statement advises:

“Sub-Area 2: King Henry’s Road

6.20 The repeated four-storey, semi-detached townhouse forms, often raised on semi-basements, along King Henry’s Road and parts of Elsworthy Road and **Harley Road**, reflect **a slightly denser pattern of development for a growing middle class population**, still demonstrating a firm approach to social order and the division of society between principal family and their household staff. These streets have **frontages set back from the street**, comparatively wide rectangular plots, with limited front gardens but more generous back gardens. The repetitive built form creates a rhythm of elevational articulation that is carried in the pattern of fenestration, entrances and storey heights.....

6.59 The upper part of Harley Road retains original gateposts in front of many of the houses, but the original low, white-washed walls the walls have in most cases been replaced with inconsistent heights or using out-of-keeping materials. Hedges are commonplace and replace railings lost as a result of World War II metal collections. **The street is spacious and contains several mature trees** in the front gardens of the terraced and semi-detached houses, and in the grounds of the imposing St John’s Lodge, a detached double-fronted brick house from the later 19th century which stands diagonally on a corner plot at the junction with King Henry’s Road. An English Heritage blue plaque commemorates the singer, Dame Clara Butt (1873-1936), who lived in the ornate, white-rendered house at No 7 Harley Road from 1901 to 1929. The utilitarian nature of the three-storey red brick terrace of Nos 3, 3a & 5 detracts from the character and appearance of the Conservation Area. **The consistency of the streetscape is stronger in the south and tends to disintegrate towards the edge of the Conservation Area, as the concrete architecture of the Frank Barnes School and the over-dominant hotel at the corner of King Henry’s Road and Adelaide Road dominate views out of the Conservation Area.** Views to the north-west are dominated by a distinct tall, modern, residential tower at Swiss Cottage, designed by Terry Farrell, which immediately draws the eye away from the smaller historic buildings.”



Conservation Area Appraisal Map extract

- 2.9 The Appraisal contains a map showing the buildings within the area deemed to be positive contributors (green) and neutral (grey). The properties on the frontage on west side of Harley Road are all noted as positive as shown opposite. The application property is not highlighted on the map but stands just within the western boundary of the conservation area. The school to the west does not stand within a Conservation Area.

The Application Site and Dwelling

- 2.11 The main body of the application site is broadly rectangular in shape and consist of land which is likely to have historically formed part of the rear sections of the gardens for Nos 22 and 20 Harley Road.
- 2.12 The existing house stands adjacent to the southern and western boundaries with the main garden / amenity space to the north and east sides of the dwelling as shown on the photographs below. The open area directly in front (north) of the dwelling is laid to grass whilst the area to the east and north east has been partly laid with artificial turf and includes an elevated planting bed. The accompanying Preliminary Ecological Appraisal notes that the majority of the site is unvegetated garden and artificial turf, which are of “negligible ecological importance.”



View from the west side looking east along the north elevation



View from the east looking west across the artificial turf area

2.13 There are three trees within the site, a False Acasia (b), Tree of Heaven (b) and a Birch (c), and three adjacent within neighbouring garden areas. The False Acasia is proposed to be removed to facilitate the extension to the dwelling, all other trees will be retained as shown on the submitted plans.

2.14 As will be noted the main houses which face Harley Road are of substantial scale. The rear windows of these properties face back toward the site and do result in some inter-visibility and overlooking of the garden of the application property.

2.15 The existing dwelling has its origin as an outbuilding and is of relatively poor construction being single skin brickwork of no more than 225mm thickness with no insulation. There is a bitumen felt flat roof, with the roof slopes faced in poor quality artificial slates. The windows are single glazed.



View looking back from the south east corner towards the Harley Road houses

2.16 Internally the floor to ceiling height at first floor level is less than 2 metres and the ground floor just over 2.4. There is therefore little or no scope to add insulation as this would further reduce the habitable spaces and floor to ceiling heights beyond a useable level, particular within the first floor.

2.17 It is understood that the property suffers quite badly from damp as the existing junction where the ground floor slab meets the external wall is lower than the prevailing ground level and so inadequately ventilated.

- 2.18 The property has three bedrooms and an overall internal area of just 79sqm, this is 5sqm below the 84sqm minimum recommended for a two storey, three bedroom house in the National Space Standards. It is therefore clearly substandard and does not provide high quality accommodation for the owners.
- 2.19 In overall summary, whilst the house provides a lawful unit of residential accommodation and its design is such that does not result in any obviously harmful impacts upon its neighbours or the wider conservation area, the building is sub-optimal by modern standards and does not make a positive contribution to the appearance of the site. This assessment accords with the view of the pre-application case officer as discussed in Section 3.

Relevant Context

- 2.20 In addition to consideration of the site and its immediate neighbours it is considered helpful to provide some additional and slightly wider context to the location in which the application property stands and the pattern of development which exists.
- 2.21 The aerial photograph reproduced on the following page is helpful in emphasising the varied character and layout of built form which exists. Whilst there are more traditional residential streets with houses facing the road with generous rear gardens the area includes some development in depth (Backland plots) and very large extensions pushing back into the rear garden areas.
- 2.22 The northern and western edges of the conservation area also form part of a transitional area where the smaller scale residential properties abut larger institutional buildings including an assisted living development, a school, university, hotel, library and other commercial buildings.
- 2.24 There is not therefore one clear and constant building grain and form towards this edge of the Conservation Area as highlighted.



Aerial context plan

3.0 HISTORY

- 3.1 The Council's planning records show no planning history associated with No.22B other than the recent Lawful Development Certificate that was granted in 16 January 2023 (22/4503/P).
- 3.2 This simply confirms the lawfulness of the application property as a single dwelling.
- 3.3 Of most relevance to this application is the pre-application discussions undertaken on the applicants behalf in March 2023 reference 2022/4348/PRE. At this time the proposal included a basement extension and also a second floor level.



- 3.4 The remainder of this section sets out the advice received on this proposal and how the current application proposal responds in each case.

Principle of land use

The applicant is advised that they should provide evidence to confirm/prove that the building has been in use as a single dwelling since 1996 to confirm that the use is lawful. This information would be required to confirm the principle of replacing the existing dwelling with one new house in terms of housing policies H1 (Maximising housing supply) and H3 (Protecting existing homes) of the Camden Local Plan 2017.

- 3.5 As noted above the applicant has responded to this advice through the submission and grant of the Lawful Development Certificate.

Affordable housing contribution

Policy H4 of the Local Plan seeks to maximise the supply of affordable housing in the borough and expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floor space of 100 sqm (GIA) or more.

The proposal would provide one home. The proposal would involve a total addition to residential floorspace of 356 sqm. As such, the proposal triggers the requirement for a contribution towards affordable housing.

Targets are based on an assessment of development capacity whereby 100 sqm GIA of housing floorspace is generally considered to create capacity for one home and a sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity. Where development has the capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing. A rate of £5000 per sqm GIA is applied;

*[Additional residential floorspace (GIA) x 2%] x £5000
 [356 sqm x 2% = 7.12] x £5000
 = £35,600*

The financial contribution would be secured by section 106 legal agreement, if the application was approved.

3.6 Policy H4 states:

“We will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more”

3.7 Given that the policy only applies to new developments that provide one or more “additional homes” it would not apply in this case as the application simply seeks permission to replace an existing dwelling i.e. there would be no ‘additional home’ created.

3.8 Even if that were not the case the proposal which is the subject of this application is dramatically reduced in scale from that presented at the pre-application stage. The additional floorspace now just 110sqm. Therefore (and although it is considered that the policy does not apply for the reasons set out), if the calculation was applied to the current scheme this would generate a figure of £11,000 rather than the £35,600 previously calculated.

Principle of Demolition

..... Any proposal to demolish the existing building would need to be fully justified in terms of the optimisation of resources and energy use in comparison with the existing building.

3.9 This is discussed in greater detail in Section 5 and in the Sustainability / Energy Statement which accompanies the application. In brief summary the existing building is sub-standard in terms of its scale, construction, insulation and it is not possible / practical to retrofit and refurbish the existing spaces as a result. Given the small scale of the building there would be very little construction waste. All bricks will be re-used and where materials cannot be re-used directly they will be recycled and / or utilised on site as hardcore / fill etc.

Energy and Sustainability

In line with policies CC1, CC2 and CC3 of the Camden Local Plan 2017, all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation

All new residential development will also be required to submit an Energy Statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction.

- 3.10 An energy statement has been prepared and submitted with this application. This demonstrates how relevant targets will be met by the new dwelling proposal.

Design & Heritage

.....the existing building is of no merit. It is a single-storey part-brick part-rendered structure with first-floor accommodation inside an attic within a crown roof with several large roof lights. As a result, its loss would not be resisted.

The proposed dwellinghouse is considered too large and bulky for the site. It is undesirable to be introducing two-storey building in a back garden setting. Therefore, the two storey element should be removed, and a single storey dwellinghouse would be more appropriate and acceptable.

The current proposal would go from occupying $\frac{1}{4}$ of the site to $\frac{4}{5}$ which is considered excessive. This significant additional bulk and massing would not be supported. A modest increase in ground coverage would be more acceptable, therefore it is advised to reduce the proposed dwellinghouse in size by at least $\frac{1}{2}$. The replacement dwellinghouse needs to be more sensitive and proportionate to ensure it doesn't dominate the site harming the character and appearance of the conservation area.

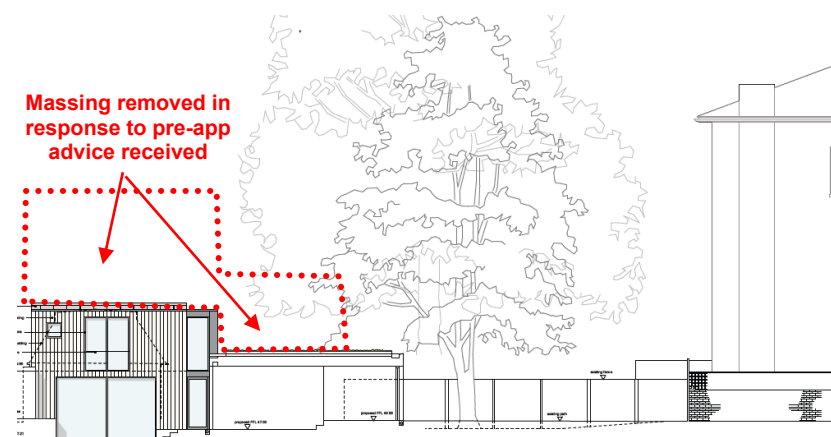
The proposed replacement dwelling would have a more contemporary design; however, it is considered that it would still respect its context (notwithstanding the fact it is considered to be too large). The green roofs will be integral, as they will help the building blend in with its surroundings. The proposed building materials (timber cladding; glazed fenestration, green roof) are considered to be acceptable

- 3.11 In response to the concerns raised the scheme presented at pre-application stage has been completely re-designed.
- 3.12 Where the advice references the removal of the two storey element it is understood that this means the additional two (and three) storey elements that were proposed. Clearly there would be no justification for not supporting the replacement of the existing two storey element at the site.

- 3.13 The proposal now retains only a small area of first floor space broadly as existing with just small additional element to the west side and north east to accommodate the stairs. The main additional floorspace is now shown all to be single storey only.
- 3.14 In terms of floorspace, responding to the advice that the proposed dwelling should be reduced in size by “at least” half, the proposed dwelling has been reduced by some 246sqm from 435sqm to just 189sqm, which is a reduction of 57%. This clearly responds to the advice provided.
- 3.15 In summary, the replacement dwelling essentially retains the only first floor massing broadly as it is today (with small additions) and the new space is primarily at ground floor level to minimise its visibility and so the massing appreciable from the surrounding garden areas.



Pre-app proposal

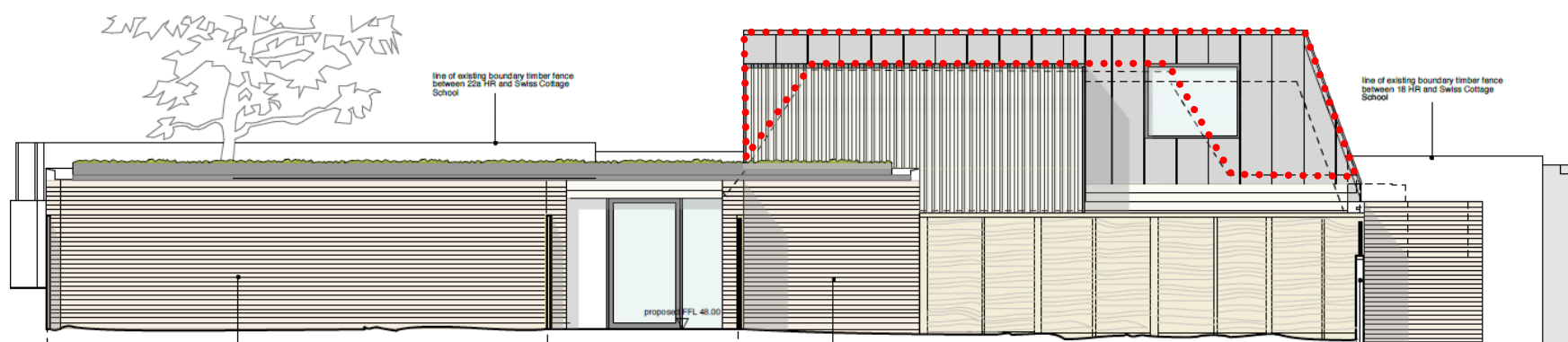


Current proposal

Amenity

*The proposal would need to be sensitive to the existing residential units. The proposed dwelling due to its height, may result in a loss of outlook to neighbouring property no.20. However due its location and design, **it is not considered that they would have any impact on the residential amenities of the neighbouring properties, in terms of loss of daylight, sunlight or privacy.***

- 3.16 As demonstrated above the proposal has been significantly re-designed following pre-application advice. In terms of the eastern elevation that would face toward the rear of No.20, there is now very little additional height or massing proposed. The dashed red outline below shows the additional first floor area visible (at a distance of approximately 20 metres from the main rear wall of No.,.20) in addition to the existing dwelling first floor area.



Proposed replacement dwelling north elevation

Basement

The proposed basement would comply with the above criteria. However, the proposed basement would be close to an existing rail line, making it unfeasible and not practical. Therefore, it is strongly advised not to proceed with the basement.

- 3.17 The previously proposed basement floor has been removed from this application submission and is no longer proposed.

Trees and biodiversity

.....Although most of the existing trees would be retained, the scheme does propose the removal of some trees as well as replacement planting. As such, any future planning application would need to include the submission of an arboricultural impact assessment and tree protection plan to justify the removal of the existing trees and to ensure that all other trees would be adequately protected throughout the proposed development.

- 3.18 A Tree Survey showing root protection areas has been provided. As noted in Section 2, one False Acasia would be removed as a result of this proposal. The Applicant is happy to replant as part of a normal landscape scheme condition to be agreed.
- 3.19 As some root protections areas do fall within the site area and in part could be impacted by the single storey extended element to the north east, no dig foundations are proposed along with lightweight construction methods.

Car-free

..... If the applicant can provide evidence that they are the existing occupiers and will be returning residents while treating the property as their principal home, they can apply for a temporary exemption to this for the period they remain living at the property. This appears to be the case here as indicated on the pre-app document. The legal agreement will secure the development as car-capped and would prevent future occupiers from obtaining on-street parking permits.

- 3.20 The Applicant is aware of this requirement and is happy to enter into the S106 agreement as required.

Construction Management Plan (CMP)

The site is directly adjacent to a special state school. Due to the amount of construction, demolition and basement excavation, to minimize the impact on the highway infrastructure and neighbouring community a draft construction management plan (CMP) would need to be submitted at application stage to clarify the details of construction, and a detailed CMP would need to be secured via a section 106 planning obligation in accordance with Policy A1 if planning permission is granted.

- 3.21 As set out above the basement is no longer proposed by this application. However, notwithstanding this, given the site constraints and access between Nos 20 and 22 a construction Management Plan has been provided.

Validation

If you wish to submit a planning application for an amended scheme, I would advise you to submit the following for a valid planning application:

- *Completed Full planning application form*
- *The appropriate fee (Full Planning Fee)*
- *Location Plan (scale 1:1250)*
- *Floor plans (scale 1:100) labelled 'existing' and 'proposed'*
- *Elevations and sections (scale 1:100) labelled 'existing' and 'proposed'*
- *Section drawings (scale 1:50) labelled 'existing' and 'proposed'*
- *Design and Access and Statement*
- *Noise impact assessment*
- *Daylight and Sunlight Assessment*
- *Draft Construction Management Plan*
- *Energy Statement*

3.22 The validation list outlined in the pre-application assumed a Basement construction which is no longer proposed. It also assumed a part two, part three storey height and massing.

3.23 Given that the basement is no longer proposed and the building is now not materially higher than existing a Daylight / Sunlight Assessment has not been provided nor has a Noise Assessment. All other suggested items are included.

4.0 PLANNING POLICY & GUIDANCE

National Planning Policy Framework (NPPF) July 2021

- 4.1 The NPPF provides the governments guidance on the way in which the planning system should approach the delivery of sustainable new development. We highlight the following aspects.
- The purpose of the planning system is to achieve sustainable development (p.7)
 - Planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. (p.9)
 - Local Planning Authorities should approach decisions on proposed development in a positive and creative way so that application for sustainable development can be approved wherever possible. (p.38)
 - Planning conditions should be used in order to enable permission to be granted where possible rather than simply seeking to refuse development which could be made acceptable. (p.54 & 55)
- 4.2 Section 12, covers issues of 'design' and sets out the considerations which should be taken into account when assessing new development. In particular development must be designed with reference to a site's context and character.
- 4.3 Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 4.4 Paragraph 130 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

4.5 Chapter 16 considers development involving 'heritage assets' such as listed buildings and conservation areas, and discusses at paragraphs 194-208, the process for assessing such development.

4.6 Paragraph 194, sets out that applicants are required to describe the significance of a heritage asset and any contribution made by its setting. It goes on at paragraphs 199 – 203 to explain that it is then necessary to consider whether the development would result in 'harm' to the significance of the asset, and this should then be weighed in an appropriate manner against the benefits of the proposal.

The London Borough of Camden Development Plan (2017)

4.7 **Policy A1 'Managing the Impacts of New Development'** seeks to ensure that the amenity of existing residents and neighbouring property owners are not adversely impacted by new development. The policy notes the key factors to be considered as:

- e. visual privacy, outlook;
- f. sunlight, daylight and overshadowing;
- g. artificial lighting levels;
- h. transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;
- i. impacts of the construction phase, including the use of Construction Management Plans;
- j. noise and vibration levels;
- k. odour, fumes and dust;
- l. microclimate;
- m. contaminated land; and
- n. impact upon water and wastewater infrastructure.

4.8 **Policy D1 'Design'** advises that the Council will seek to ensure all new development is of the highest design quality. In this regard new development should:

- a. respect local context and character;
- b. preserve or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage
- c. be sustainable in design and construction
- d. be of sustainable and durable construction and adaptable to different activities and land uses;
- e. comprise details and materials that are of high quality and complement the local character;
- f. integrate well with the surrounding streets and open spaces
- g. be inclusive and accessible for all;
- h. promote health;
- i. be secure and designed to minimise crime and antisocial behaviour;
- j. respond to natural features and preserve gardens and other open space;
- k. incorporate high quality landscape design
- l. incorporate outdoor amenity space;
- m. preserve strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

- 4.9 **Policy D2 Heritage** states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.
- 4.10 It notes that 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 within conservation areas. The Council will:
- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
 - f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
 - g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
 - h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.
- 4.11 **Policy CC1 Climate change mitigation** sets out how the Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. It will
- a. promote zero carbon development and require all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy;
 - b. require all major development to demonstrate how London Plan targets for carbon dioxide emissions have been met;
 - c. ensure that the location of development and mix of land uses minimise the need to travel by car and help to support decentralised energy networks;
 - d. support and encourage sensitive energy efficiency improvements to existing buildings;

- e. require all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building; and
- f. expect all developments to optimise resource efficiency.

4.12 Paragraph 8.20 explains:

*“As part of the assessment of resource efficiency, all developments **involving five or more dwellings and/or more than 500 sqm gross internal floor space** are **encouraged** to assess the embodied carbon emissions associated with the development within the energy and sustainability statement.”*

4.13 **Policy CC3 Water and flooding** states that the Council will seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible. The Council will require development to:

- a. incorporate water efficiency measures;
- b. avoid harm to the water environment and improve water quality;
- c. consider the impact of development in areas at risk of flooding (including drainage);
- d. incorporate flood resilient measures in areas prone to flooding;
- e. utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a greenfield run-off rate where feasible; and
- f. not locate vulnerable development in flood-prone areas.

Camden Planning Guidance

4.14 In addition to the development plan policies the Council has prepared more detailed planning guidance for use in the consideration of Planning Applications. These cover various topic headings. The guidance has been reviewed in the preparation of the application proposals with particular emphasis on the following:

CPG 'Amenity' (January 2021)

- A separation distance of 18 metres should be retained between directly facing windows. Where this is not possible other mitigation may be required.
- The 25 degree line test should be used to 'screen' whether a daylight and sunlight assessment may be required.
- Early consideration should be given to the issue of 'noise' and proposals designed to mitigate and control noise impacts.

CPG 'Design' (January 2021)

- New development should be designed having regard to and to ensure appropriate integration with its surroundings.
- Materials used should be sustainable, durable and contextual.
- Existing trees and vegetation should be protected where possible.
- New or replacement plant and machinery should be appropriately sited to minimise impacts on neighbouring properties.

CPG 'Trees' (March 2019)

- In general terms trees are considered to hold amenity value, assist towards combating climate change and support biodiversity. Retention and protection is therefore important.
- Tree surveys and mitigation proposals will be required where development is proposed that may impact the health of an existing tree.

CPG Biodiversity (March 2018)

- The guidance applies to all developments and requires that appropriate ecological surveys are undertaken by qualified professionals so as to understand and guide development proposals.
- Enhancement of biodiversity potential is sought cases.

CPG Sustainability

- All development is expected to reduce carbon dioxide emissions
- All development should consider the feasibility of on site renewable energy
- Energy statements are required for all developments involving 5 or more dwellings and/or more than 500sqm of any (gross internal) floorspace.

5.0 ANALYSIS OF APPLICATION PROPOSAL

5.1 This section of the statement assesses the application proposals against relevant planning policies and in the context of the pre-application advice received.

The Principle of the Demolition and Replacement

Potential to retain and refurbish

5.2 The application property is the existing and sole family home of the Applicants. When assessing the potential to enhance the property in consultation with experienced the project architects, Theis & Khan, full consideration was initially given to the potential of retaining, refurbishing and extending the existing building.

5.3 However, as explained in Sections 1, 2 and 3, the existing dwelling was originally constructed as a basic garden outbuilding and exhibits a number of fundamental constraints that very quickly became clear and mean that retention and improvement and / or retention and extension options are simply not feasible in this case. These factors are set out below:

- The building is poorly constructed at ground floor level using only a single skin of brickwork without insulation as it was not originally designed as a dwelling and clearly not to modern building standards. The floor to ceiling height varies but is 2.4 metres at its highest.
- To improve this space there would need to be floor and ceiling build ups which would reduce the floor to ceiling height to just 2.2 metres at ground floor level. Insulation to the walls that would also reduce the internal useable floorspace. The building is already below the national space standards.

- The first floor accommodation is located within the roof which is constructed from timber batons with slate, again without any significant insulation. The floor to ceiling height is less just below 2 metres.
- If insulation were added this would reduce the floor to ceiling height to approximately 1.8 – 1.9 metres and effectively render it unusable.
- In order to improve the first floor and its internal height with insulation it would be necessary to demolish / remove the roof and reconstruct.
- However, the building does not benefit from any significant foundations. The existing walls are single brick width and so there is significant concern that this combined with the lack of substantial foundations means that the existing walls could not accommodate the additional weight and so would need to be significantly improved / rebuilt with additional foundations / concrete underpinning.
- The ground floor slab where it abuts the walls sits below the surrounding ground level and so there is no ventilation which has led to dampness in the perimeter walls. To address this issue the slab would need to be broken out and replaced and then appropriate ventilation added.

5.4 In summary, the existing building could not be improved without the replacement of the ground floor slab and roof. It is also likely that the side walls would need to be rebuilt to accommodate a replacement first floor to modern build requirements. There is therefore little or no potential to retain the building as part of this proposal.

5.5 There is however significant potential to ensure that the existing materials are reused or recycled. The brickwork to the east, west and south sides will be reused in the new building construction. The brickwork to the north side has been rendered and would be extremely difficult to reuse in the construction of the new dwelling but will be recycled for use on site as compacted hardcore.

- 5.6 The existing windows are single glazed with timber frames. These will be recycled along with any other internal salvageable material such that overall there will be very little lost to landfill. The applicant would be happy to prepare a demolition waste audit for submission by way of planning condition to demonstrate that this is achieved.

Sustainability / Energy

- 5.7 As explained above it is simply impossible to improve the energy performance of the existing building without reducing the already minimal floor to ceiling heights to below habitable standards and similarly without reducing the GIA further below minimum standards. The proposed new build dwelling would deliver a minimum 35% reduction in CO2 emissions through the use of 1.00 kWp solar photovoltaics (PV) and also improve fabric energy efficiency by a minimum 10% over a Building Regulations Part L compliant building.

Existing design quality

- 5.8 The existing building is of no design quality. This was acknowledged by the Council at pre-application stage as follows:

“.....the existing building is of no merit. It is a single-storey part-brick part-rendered structure with first-floor accommodation inside an attic within a crown roof with several large roof lights. As a result, its loss would not be resisted.”

- 5.9 The applicant agrees with this assessment. The building at most makes a neutral contribution to the quality of the conservation area and there is significant scope for improvement. For the reasons outlined above it is not feasible to retain and remodel the existing structure and so enhance its appearance to any material extent.
- 5.10 In summary the principle of the redevelopment of the building to create a highly sustainable new home accords with Policies CC1, CC2 and CC3 and can be supported on this basis.

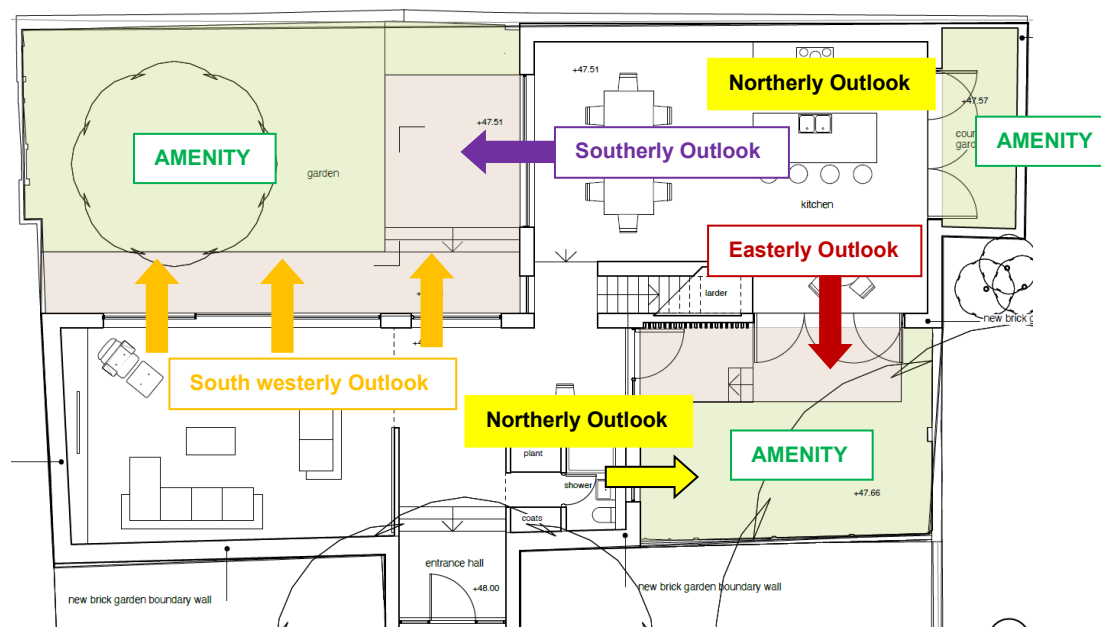
Design & Layout

Quality of accommodation created

5.11 The existing property is a single family home. It currently benefits from 79sqm of internal space which is 5sqm below the minimum suggested area of 84sqm as set out in the national space standards.

5.12 The proposed dwelling would provide 189sqm and so a more generous living environment for the applicants including three good sized bedrooms at first floor level and an open plan living, kitchen and dining space at ground floor level.

5.13 The dwelling would benefit from 'quadruple' outlook as demonstrated opposite and open out onto three separate amenity spaces also as highlighted.



Proposed ground floor plan

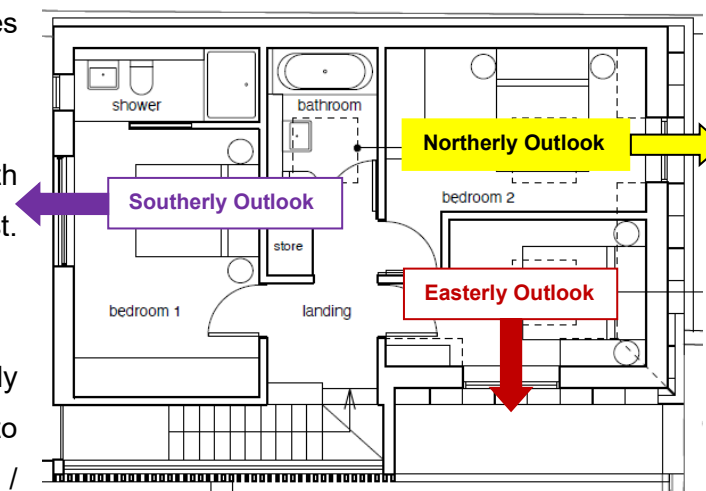
5.14 The dwelling is designed with the primary outlook to the south / south west to maximise solar gain and provide pleasant views of the main larger garden space from the living, dining and kitchen areas.

5.15 However, the smaller amenity spaces to the north / north west sides would also be beneficial delivering a different external experience with more shading and so would be cooler in the summer months providing amenity space away from the direct sunlight.

5.16 The first floor accommodation is designed within the new roof space and provides three bedrooms, one with en-suite and a family bathroom as shown opposite.

5.17 The main master bedroom is again oriented to benefit from outlook to the south with bedroom two looking to the north (similar to the existing) and three to the east. Skylights are proposed above bedrooms two and three to provide additional light.

5.18 The design sets the stairs from the ground level to the east side, effectively removing them from the floor plan and so freeing up habitable space at this level to improve the room sizes when compared to the existing and bring them up to / above minimum standards.



Proposed first floor layout

5.19 The proposal will dramatically improve the quality of the living environment for the family enabling a more conventional layout with the three bedrooms and a bathroom all located at this first floor level and the living space at ground level.

5.20 It is respectfully submitted that the proposal would deliver a light, airy and spacious living environment that would be high quality and deliver a good standard of amenity for future residents. The modern design approach, use of sustainable materials and installation of green energy in the form of PV will also ensure a comfortable and well controlled living environment with reduced heating costs for the occupiers.

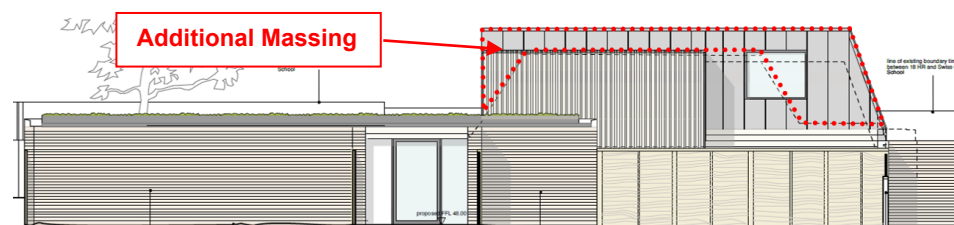
5.21 The proposal represents good design in accordance with Local Plan policy D1

Impact upon Neighbours

- 5.22 As explained in Section 3, at pre-application stage proposals were advanced for a much larger dwelling than now proposed rising to three storeys. Officers raised concerns regarding the scale of such a proposal in terms of its impacts on neighbours highlighting that:

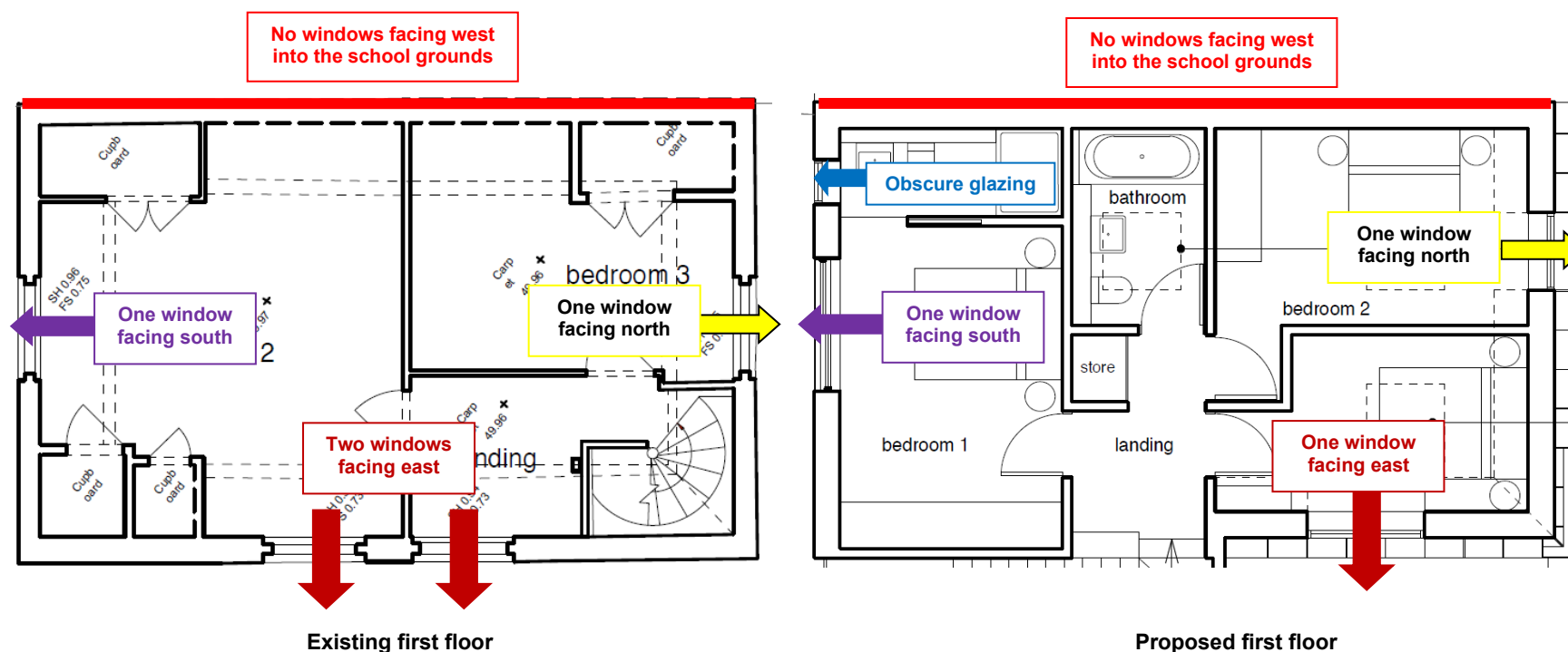
“The proposed dwelling due to its height, may result in a loss of outlook to neighbouring property no.20. However due its location and design, it is not considered that they would have any impact on the residential amenities of the neighbouring properties, in terms of loss of daylight, sunlight or privacy.”

- 5.23 The current proposal is very different to that considered at the pre-application stage and only very marginally higher than the existing building as demonstrated in the overlay elevation opposite. The area outlined in red is the only additional first floor massing proposed compared to the existing building outline.



Elevation extract annotated to show the additional height / massing proposed

- 5.24 The main rear wall of No.20 stands approximately 18 metres to the west with outlook in this direction filtered by the boundary landscaping and trees. It is very clear that this minor increase in height and width of the first floor would have no material impact upon the outlook from No.20.
- 5.25 To the west the minor additional roof volume would be visible from the school grounds but clearly have no adverse impacts. To the north, the roof would be visible at the rear corner of the garden of No.18. This is a long garden and this minor change would have no impact upon the amenity of that property.
- 5.26 The positioning of first floor windows within the new dwelling has also been very carefully considered as highlighted below.

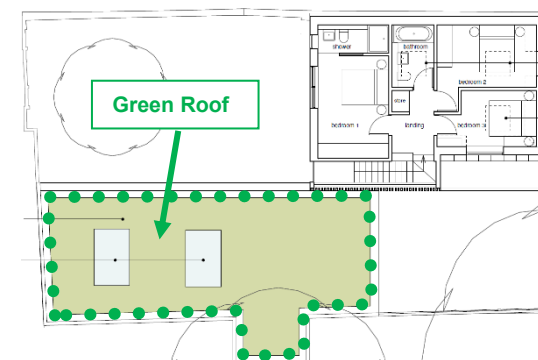


5.27 As demonstrated the window positions are similar to existing but we submit provide a minor betterment in terms of the relationships with the neighbours as follows. Firstly there is only one window proposed to face east toward No.20 in place of the existing two and secondly the window to the north is pushed further along the elevation more toward the rear of the garden of No.18.

5.28 In summary, the proposal does not materially increase the proposed massing above ground floor level such that their could reasonably be seen to be any impact upon neighbours in terms of outlook and / or the creation of overshadowing or an overbearing relationship. Similarly the window positions remain largely as existing and / or reduced as explained above such that their would be no increase in overlooking and if anything aa small decrease. It is considered the proposal therefore complies with the requirements of Policy A1 of the Local Plan and the Council's Supplementary Planning Guidance on 'Amenity'.

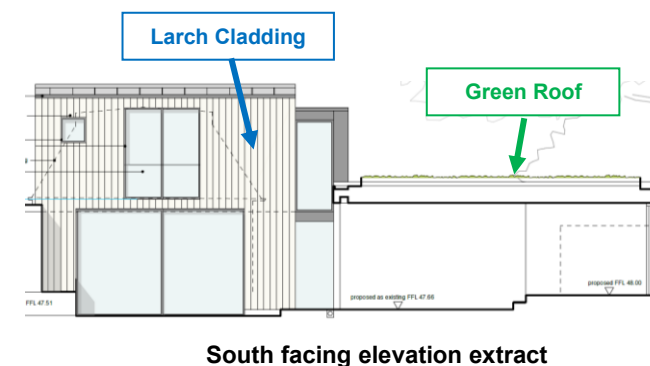
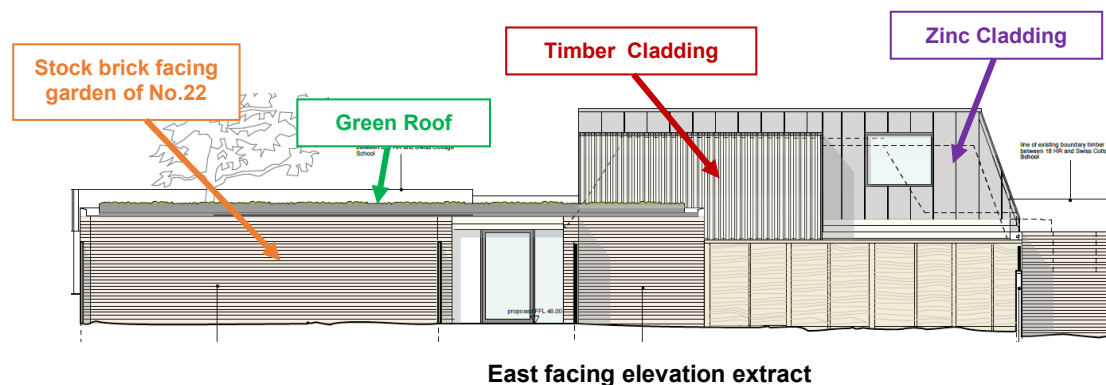
Impacts upon the Character & Appearance of the Area (Heritage & Conservation)

- 5.29 As set out in Section 2, the application site does not form part of the curtilage of any listed building nor does it lie adjoining or within the visual setting of any listed properties. It does however lie within the Elsworthy Conservation Area and within the sub area 2 'King Henry's Road'. The CA Appraisal statement notes that this area has a '*slightly denser pattern of development*' designed to respond to the needs of a '*growing middle class population*'. The set back of the houses from the main roads and the existence of mature trees within the roads and rear gardens is also highlighted.
- 5.30 The proposal which is the subject of this application would have no adverse impact upon these identified characteristics as it would not be visible from any public areas nor would it have any materially adverse impacts when viewed from neighbouring gardens.
- 5.31 As part of the pre-application discussions Officers raised concerns that the three storey building proposed at that time would appear '*too large and bulky for the site*' and so harmful to the character and appearance of what is a fairly low key rear garden area. It was recommended that the scale be reduced significantly. No concerns were raised however regarding a contemporary design approach as this was noted as still likely to '*respect the context*'. It was also highlighted that officers considered that the use of a green roof would '*help the building blend in with its surroundings*'.
- 5.32 The design of the building reflects the advice received. It has been dramatically reduced in scale to just 189sqm from 435sqm, a reduction of 57% and a green roof is incorporated above the whole of the ground floor section. As highlighted opposite.
- 5.32 A contemporary design approach is retained using larger metal framed windows without glazing bars and so minimal subdivision. At ground floor the walls adjacent / facing the garden boundaries with Nos.18 and 22 would be a traditional stock brick.



Plan extract showing Green roof

- 5.33 Timber cladding would be utilised within the site for the elevations facing into the garden / amenity spaces and at first floor level the roof element would be a mixture of Zinc and larch cladding as highlighted below.



- 5.34 It is respectfully submitted that the proposals represent high quality design and would be appropriate for the setting and context as required by Policy D1. Similarly the proposals would at least preserve and we submit result in a small enhancement of this part of the conservation area in accordance with Policy D2.

Ecology & Biodiversity Enhancement

- 5.35 Consultants 'Eight Versa' were appointed to undertake a Preliminary Ecological Appraisal (PEA) of the site. This report accompanies the application submission. As will be noted the report highlights the very limited ecological value of the existing site and that the proposals could offer a biodiversity enhancement. We highlight the following extract from the report:

*"The construction of the new building will be located within the former building footprint and within areas of hardstanding, vegetated and unvegetated garden and artificial turf, all of which are considered to be of **negligible ecological importance**. Therefore, no specific mitigation is required for the losses....."*

*“A green roof will be created on part of the new building, **creating a habitat which is not currently present onsite**. As this habitat matures and becomes established, it will provide **a gain for biodiversity on the site**, including foraging bats and birds.”*

- 5.36 In addition Eight Versa recommended that as a precautionary measure a bat survey should be undertaken at the site. This was carried out by ASW Ecology and the results presented in a further report also accompanying this submission. This confirms:

*“During this Summer 2023 bat emergence survey, two bat species were recorded over or adjacent to the application site at 22B Harley Road. These were common pipistrelle (*Pipistrellus pipistrellus*) and soprano pipistrelle (*Pipistrellus pygmaeus*).*

*There were **no bat roosts present within the cottage** at the application site, with no bats emerging at any time during this survey.*

The bats were recorded foraging and commuting over the rear garden or within adjacent gardens.

***The existing cottage is not being used by bats**, most likely due to far more suitable buildings being present elsewhere in this area for roosting purposes.*

*Based on this bat emergence survey, there will be **no negative impact to the local bat populations from the proposed demolition works at the application site**, as long as all recommendations within this report are strictly followed by both the client and all contractors.”*

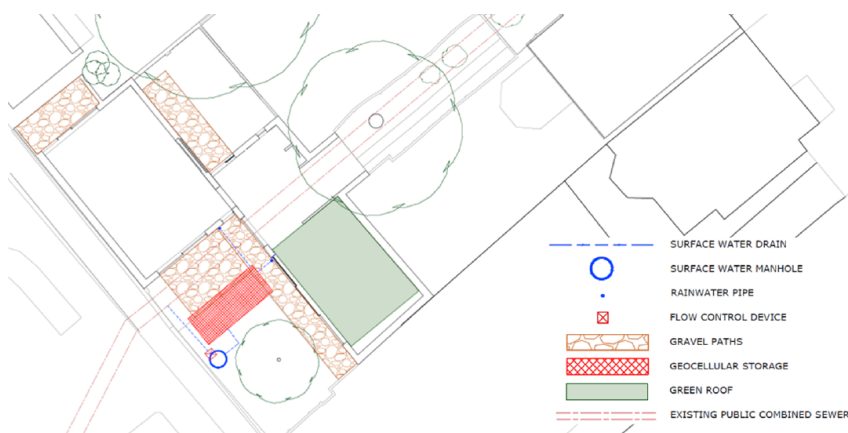
- 5.37 The proposals do not therefore result in any harmful impacts but rather offer the opportunity of a biodiversity net gain in accordance with National Planning Policy and the guidance set out in Camden’s SPG on biodiversity.

Trees

- 5.38 A tree survey has been undertaken by Ben Larkham Associates. This highlights six trees within or located close to the site. It is proposed that one tree a False Acacia is removed to facilitate the works, all others will be retained. The Applicant would be happy to replant a tree within the garden area to replace that lost with details to be agreed via condition.

Flood Risk & Drainage

- 5.39 A flood risk and sustainable drainage strategy has been prepared by consultants Herringtons. This confirms that the site is at a low risk of flooding and that the replacement dwelling as proposed offers opportunities to further improve flood resilience through modern construction techniques.
- 5.40 A sustainable drainage assessment has also been undertaken with recommendations provided to utilise gravel paths, geocellular storage and the green roof to greatly enhance the current surface water run off rates from the site. The extracts below demonstrate a betterment over existing drainage condition of between 77% and 93% subject to the assessment measure used.



Plan showing potential sustainable drainage measures

Return Period	Existing Discharge Rates (l/s)	Proposed Discharge Rates (l/s)	Betterment
1 in 2yr	2.6	0.6	77%
1 in 30yr	8.2	0.6	93%
1 in 100yr + 40%cc	10.9	1.0	91%

Table 6.4 – Summary of discharge rates, up to and including 1 in 100yr + 40%cc events.

Assessment table confirming betterment calculations

- 5.41 This demonstrates that the proposals would not cause flooding issues for neighbours / neighbouring land and rather will contribute towards improving the rate of surface water run off to the existing system in this area.

Access, Servicing & Construction Management

- 5.42 Day to day access to the property will not change as a result of this proposal. However the redevelopment does enable the enhancement / formalisation of elements such as cycle parking provision and appropriate refuse and recycling storage. The Applicant would be pleased to provide appropriate details by way of condition.
- 5.43 The house is a family home and this proposal seeks its replacement with a higher quality new home for the existing family that owns the site. The family benefit from a residents car parking permit which they wish to retain and utilise in connection with the replacement dwelling. It is respectfully submitted that it would be unreasonable to seek to remove the applicants ability to park their vehicle n the manner that they currently do simply because the house is proposed to be rebuilt. The Applicant would not therefore agree to the removal of this current right.
- 5.43 As part of the pre-application advice received, officers noted the need to provide a construction management plan with this application. This advice was however provided within the context of a proposal to include a basement construction. The basement is of course no longer part of the this proposal but a plan has been provided notwithstanding this given the 'backland' nature of the site and the constrained nature of the access.
- 5.43 This sets out how site deliveries will take place, explains where materials will be stored on site, proposes reasonable working hours and other measures to control noise, dust and impacts arising from construction activities. The applicant would be pleased to follow the recommendations of this plan during the construction works.

6.0 CONCLUSIONS

- 6.1 This application seeks permission to demolish and replace the existing lawful residential property at the site with a much higher quality, sustainable new family home. The proposed new dwelling is not a 'development' for sale but rather will be re-occupied by the current owners as their new home.
- 6.2 Initial proposals for a larger three storey plus basement dwelling were the subject of pre-application discussions with the Council in March 2023. As a result of the advice received the basement element of the proposal and the second floor have been omitted. In addition the design now includes only a relatively small first floor element, broadly in the same location as the existing first floor plus a small increase in the ridge to improve the floor to ceiling heights.
- 6.3 The majority of the additional space provided by this proposal stands at ground floor level. As a result its impact upon neighbours in terms of additional, visible massing is very negligible. Careful window placement also ensures that the privacy currently enjoyed by neighbouring gardens would also be maintained. The character and appearance of the wider conservation area would be at least preserved.
- 6.4 The proposal would provide a significantly enhanced residential environment for the owners, bringing the accommodation up above minimum national space standards, delivering improved floor to ceiling heights and with well-lit spacious rooms with multiple different outlooks onto good sized garden / amenity areas.
- 6.5 The development would be highly sustainable in accordance with London Plan and Camden Local Plan requirements and a sustainable urban drainage scheme would deliver a significant betterment in terms of the rate of surface water run off to the existing local drainage system.

- 6.6 The current biodiversity value of the site is low and would be enhanced through new planting and the provision of a green roof to the single storey element.
- 6.7 It is respectfully submitted that the proposals are acceptable in all respects. Officers support for this application is therefore requested.