

**PLANNING STATEMENT:**  
APPLICATION FOR THE REDEVELOPMENT OF  
AN END-OF-TERRACE HOUSE TO SIX FLATS

at

23 RAVENSHAW STREET, LONDON, NW6 1NP  
LONDON BOROUGH OF CAMDEN

3 February 2024

# 1. CONTENTS

2. INTRODUCTION

3. SITE DESCRIPTION

4. THE PREVIOUS APPLICATION AND APPEAL

5. THE NEW APPLICATION

6. THE REVISED REAR ELEVATION

7. EXTANT V. PROPOSED SCHEDULE OF ACCOMMODATION

8. VIEWS

9. OVERLOOKING AND INTRUSION

10. OVERSHADOWING

11. OUTLOOK AND SENSE OF ENCLOSURE

12. S106

13. CONCLUSION

14. APPENDIX 1: Previous Site Application History

15. APPENDIX 2: Nearby Sites Application History

16. APPENDIX 3: Schedule Of The Accompanying Reports

## 2. INTRODUCTION

- 2.1 Proposals for redeveloping this site have a significant planning history, starting with a withdrawn application in 2007 and leading to two subsequent unsuccessful applications and two appeals. This marks the fifth application. The applicant expresses appreciation for the Camden Council Planning Department officers' advice on the requirements for this application. Should further information be needed before validation or determination, the applicant commits to responding provided sufficient time is given.
- 2.2 The proposal aims to construct a three-storey building with a basement, comprising 6 Class C3 flats (1 x 4-bedroom, 3 x 3-bedroom units, and 2 x 2-bedroom units) featuring balconies at the rear, following the demolition of the existing house. This application builds on the reasons for refusal in the most recent appeal and incorporates recent advice from officers.
- 2.3 After a thorough redesign of the rear elevation, it is anticipated that this revised application will address all previous objections from the LPA and Inspectors.
- 2.4 The application is bolstered by reports on relevant issues as required by statute, regulations and the relevant policies, detail in Appendix 3.

## 3. SITE DESCRIPTION

- 3.1 The application site is presently a two-storey house, extended and converted into two self-contained flats. These flats are situated next to a car park on the premises, which previously served as a builder's yard. The location is on the south-western side of Ravenshaw Street, at a point where the road curves, and the rear of the site adjoins a railway cutting.
- 3.2 The space between the railway lines and the site is a verdant, privately owned open area recognised by the borough as a Site of Nature Conservation Importance (West Hampstead Railside & Westbere Copse) upon which the scheme will have no impact, home to a diversity of trees. Ravenshaw Street and its vicinity are primarily residential, with most buildings being two-storey homes. The site does not lie within a conservation area, nor is it listed. However, it falls within the bounds of the Fortune Green and West Hampstead Neighbourhood Area,

## 4. THE PREVIOUS APPLICATION AND APPEAL

4.1 Applications prior to 2021 are detailed at Appendix 1.

### 4.2 **The previous 2021 Application 2020/2936/P**

This application is founded on pre-application advice received from officers in September 2019, aiming to rectify criticisms from the first appeal concerning non-determination (APP/X5210/W/19/3225592) in July 2019. It featured a comprehensive redesign of the rear façade, taking direct inspiration from neighbouring properties, and included modifications to the front lightwells and smaller dormers. Despite these changes, the application was refused again, this time citing concerns over "the scale and bulk of its rear massing". While the front lightwells received approval, two primary reasons for refusal were identified.

4.3 **Reason 1:** *"The proposed development, by reason of the scale and bulk of its rear massing, would appear disproportionately large and out of keeping with the rear of the surrounding terraced properties, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017 and policy 2 (Design & Character) of the Fortune Green & West Hampstead Neighbourhood Plan."*

4.4 **Reason 2:** *"The proposed development, by reason of the provision of self-contained dwellings at basement level within the Sumatra Road Local Flood Risk Zone, would introduce highly vulnerable uses into an area prone to flooding contrary to policies A5 (Basements) and CC3 (Water and Flooding) of the London Borough of Camden Local Plan 2017."*

4.5 **Reasons 3, 4, 5, 6 and 7:** s106 issues listed are routine and easily rectifiable via an undertaking in accordance with statute.

### 4.6 **The following 2022 Appeal APP/X5210/W/21/3281530**

4.7 In this second appeal decision the Inspector made quite a number of positive comments, such as: *"The principle of redeveloping an urban infill site in an accessible residential location for 7 flats is not in dispute..."*, *"...would contribute to the borough's housing supply whilst making efficient use of land."*

4.8 *"35. I have found the proposal would be acceptable in terms of flood risk. The internal floor areas of the flats would meet or exceed the national minimum floorspace requirements and the flats would meet the Building Research Establishment recommendations in terms of Average Daylight Factor and receive adequate daylight and sunlight. All of the units would have adequate private external amenity spaces in the form of balconies or patio gardens, with access to*

*a communal garden as well. There would not be an adverse effect on the amenities of neighbouring occupiers.”*

- 4.9 The inspector made no objection to the principle of redevelopment. The front elevation design and garden, light-wells and front wall were all accepted, as they had been previously. There was no objection to the density of the development or to the development of the previously approved basement and light-wells.
- 4.10 **Appeal Refusal Reason 1:** *“..the design of the building would harm the character and appearance of the area and be a lasting blight on the local area. This outweighs the benefits of the scheme”.*
- 4.11 There is only one public view: a single, heavily obscured glimpse from 90 metres away, through trees and across multiple railway tracks, from an infrequently visited, waste-littered hillock on Wayne Kirkham Way. The entire argument for ‘harming the character and appearance of the area’ is based solely on this single, minimal, and in planning terms, irrelevant view, as can be observed by anyone familiarising themselves with the site's surroundings.
- 4.12 **Appeal Refusal Reason 2:** Although not cited as a refusal reason by the LPA the inspector added this statement, seemingly entirely at her own volition.
- 4.13 *“31. Under the appellant’s suggested payment trigger, the entire building could be completed and capable of occupation, but there would be nothing to prevent the fifth, sixth and seventh flats from remaining unoccupied indefinitely. As a result, the housing contribution may never be paid and the delivery of much needed affordable housing would be hampered.”*
- 4.14 The allegation is made that after incurring the enormous cost and risk involved in providing 7 new flats, the developer may decide to hold back 3 flats, over 40% of the schemes value, in perpetuity. This bizarre, ‘reason’ makes no sense whatsoever in financial or investment terms.
- 4.15 **Our legal expert opinion with regard to Reason 2 was that:** *“The whole point on payment is that the Inspector was completely wrong on the point as no profit would have been made by the time the affordable housing payment fell due. Her conclusion is, therefore, not supported by evidence or reality and would be regarded as unreasonable. If this was an issue, she should have asked for representations on the point rather than reach an unfounded conclusion. If this had been the only reason for refusal then a pre-Action Letter to PINS would have resulted in the Treasury Solicitor agreeing to the decision being quashed.”*

## 5. THE NEW APPLICATION

- 5.1 This new application addresses the primary reason for refusal highlighted in the recent appeal, specifically concerning the rear elevation design of the proposal. With regard to the front, Ravenshaw Street is predominantly lined with Victorian terraced houses, with the notable exception of No. 22, on the opposite side of the street, where redevelopment has introduced a modern façade that somewhat diverges from those of neighbouring properties.
- 5.2 The two previous schemes for No.23, the subject of two previous appeals were substantively similar to the present application. The front elevation, front garden, light-well treatments are identical from those that were unopposed those previous decisions. Also, the basement construction, depth and extent are almost identical to that previously accepted, with only very minor differences. The gross GIA, rear garden amenity area, permeable, impermeable, roof area and green roof areas too are also broadly similar.
- 5.3 The main differences are;
- a. A reduction in the number of units from the original eight, then seven to now six flats.
  - b. A second comprehensive redesign of the rear elevation and a reduction in dormer size were undertaken to address the objections raised by the Inspector, which, to the best of our understanding, align with those of LPA officers. The applicant is confident that this new rear elevation design complies with the Camden Local Plan, the Camden Planning Guidance (CPG) on Design, The London Plan, the National Planning Policy Framework (NPPF), and the Neighbourhood Plan.

## 6. THE REVISED REAR ELEVATION

- 6.1 The applicant has acknowledged previous criticisms of the rear elevation design. The Design and Access Statement, along with illustrations in the accompanying CGIs, demonstrate how the Inspector's objections have been addressed and, it is believed, surmounted. The applicant believes that the design respects the local context and character, taking into account the scale, mass, pattern, and grain of surrounding buildings and no longer gives the impression or reality of being anomalous in its setting.
- 6.2 Despite its 'contemporary brick' design, the applicant is confident that the new design will integrate seamlessly into the existing built environment, closely mirroring the forms, angles, proportions, bulk, massing, details, and material

palette of the surrounding buildings. This is in spite of the varied and eclectic nature of existing rear treatments, due to numerous additions, rebuilds, and dormer extensions over time, which have led to much of the original Victorian coherence in design terms at the rear of Ravenshaw Street being lost.

- 6.3 Inter-building gaps and the ratio of built form to plot width have been respected, if not meticulously replicated, despite the site's unusual triangular, splayed-out shape and corner location, which is inherently quite different from the adjacent, conventionally rectangular plots.
- 6.4 The rear dormers now closely mirror the proportions illustrated in the Camden Design Guidance from January 2021 and should now be acceptable; even, as the guidance states, if the site were to have been in a conservation area, which this site is not.
- 6.5 Additionally, the revised dormers are now proportionate and subordinate to their respective roof areas, stepping down in alignment with those of adjacent properties. The materials, specified as anthracite standing seam metal cladding for a contemporary edge, are selected from a palette that is sympathetic to the adjacent roofscape and the wider area.
- 6.6 Fenestration similarly respects the overall pattern and proportion of the adjacent buildings without slavishly mimicking it.

## 7. EXTANT V. PROPOSED SCHEDULE OF ACCOMMODATION

Options regarding unit size, mix, and amenities in the scheme are largely influenced by the site's shape, orientation, and the needs of neighbouring buildings. Given the site characteristics, it isn't feasible to implement any arbitrary mix of unit sizes as might be possible on a rectangular site. The proposal make optimal uses of the site and since larger homes are a high priority, the mix of dwellings should be welcomed in accordance with Policy H7.

|                         |                       |                           |            |
|-------------------------|-----------------------|---------------------------|------------|
| <b>Delegated Report</b> | Analysis sheet        | Expiry Date:              | 01/10/2020 |
|                         | N/A                   | Consultation Expiry Date: | 05/09/2020 |
| Officer                 | Application Number(s) |                           |            |
| David Peres Da Costa    | 2020/2936/P           |                           |            |

### 2.8. Housing mix

2.9. The development would provide 7 residential units (4 x 3-bed units and 3 x 2-bed units). The unit mix is broadly acceptable and is in line with Policy H7. The development would include a mix of dwelling sizes. Two and three bedroom homes are a high priority for market housing according to the Council's Dwelling Size Priorities Table. While no low priority homes would be provided (i.e. 1-bed units), the overall mix is considered acceptable.

### Extant accommodation

|                  | Bedrooms | Bed Spaces | GIAm <sup>2</sup>          | Key Areas               |
|------------------|----------|------------|----------------------------|-------------------------|
| Flat A           | 2        | 3          | 68.42m <sup>2</sup>        | 58m <sup>2</sup> Garden |
| Flat B           | 3        | 4          | 100.31m <sup>2</sup>       | 88m <sup>2</sup> Garden |
| Car Park         |          |            |                            | 205m <sup>2</sup>       |
| Site Area        |          |            |                            | 484.1m <sup>2</sup>     |
| House Footprint  |          |            |                            | 86.3m <sup>2</sup>      |
| Permeable Garden |          |            |                            | 98.3m <sup>2</sup>      |
| Hard Standing    |          |            |                            | 265.1m <sup>2</sup>     |
| <b>Total</b>     | <b>5</b> | <b>7</b>   | <b>168.73m<sup>2</sup></b> |                         |

### Proposed accommodation

|                  | Bedrooms  | Bed Spaces | GIAm <sup>2</sup>          | Amenity  |
|------------------|-----------|------------|----------------------------|--|
| Flat A           | 3         | 6          | 117.12 m <sup>2</sup>      | Patio 28.46m <sup>2</sup> / Front LW 8.22m <sup>2</sup>            |
| Flat B           | 3         | 5          | 112.2m <sup>2</sup>        | Patio 26.18m <sup>2</sup> / Front LW 7.14 m <sup>2</sup>           |
| Flat C           | 2         | 3          | 71.22m <sup>2</sup>        | 8.52m <sup>2</sup>   |
| Flat D           | 2         | 3          | 69.03m <sup>2</sup>        | 8.17m <sup>2</sup>   |
| Flat E           | 3         | 6          | 106.7m <sup>2</sup>        | 8.74m <sup>2</sup>   |
| Flat F           | 4         | 6          | 113.34m <sup>2</sup>       | 8.46m <sup>2</sup>   |
| Communal Amenity |           |            |                            | 93m <sup>2</sup> (Gdn. 80m <sup>2</sup> / Patio 13m <sup>2</sup> ) |
| <b>Total</b>     | <b>17</b> | <b>29</b>  | <b>589.61m<sup>2</sup></b> | <b>196.89m<sup>2</sup></b>   |

## 8. VIEWS

- 8.1 In recent decisions, both from the LPA and Inspectors, there has been reference made and weight given to, what has been perceived to be, the harmful effects of views from what were deemed to be public vantage points. In reality, these views, in any meaningful sense in terms of harm, do not exist. The reason for this is as follows:
- 8.2 **Views from the railway by passengers.** Between the nearest rail line and the property there is a substantial bank of trees which both in summer especially, and in winter offer only very fleeting views of the rear of the terrace including the proposal. Moreover, passenger trains at this point on the tracks very rarely slow down or stop; they are travelling at speed. The view that a passenger might have



therefore would be both interrupted by the trees and flashing by in under 2 seconds.

- 8.3 **Views from Ellerton Towers.** It is understood that neither the officers nor either of the two inspectors have personally experienced the views of the rear of the Ravenshaw Street from Ellerton Tower, due to it being private property. However, clear photographs have been provided previously and now again with this application of these views. One taken in winter by the applicant by kind permission of a top floor resident, and others with trees in full leaf reproduced from estate agents particulars. They show that even from the upper flats, in winter views of the site are partially obscured, and in summer, totally obscured by trees. Additionally, any view of the site occupies a fraction of what is otherwise an expansive, 180° sweeping vista of West Hampstead, the new apartment blocks by the stations and the then whole of London, extending all the way to the horizon.
- 8.4 **Views from the Brassy Road Estate.** These views are to a very large degree, as evidenced the floor plans and sales photos provided with the application show clearly, from bathrooms with obscured glazing, communal hallways some kitchens. All of these assumed views are also obscured by trees, interrupted by railway electricity cables and are from over 70m across several railway tracks.
- 8.5 The only public view, at all, of the rear of the terrace is from the disused, unfrequented, rubbish and dirt strewn hillock on Wayne Kirkham way; as show in photographs accompanying the application and can be varified easily in person. With regard to such views, near identical issues were described previously by inspector JP Roberts in Appeal APP/X5210/W/16/3157363 re. 71 Ravenshaw St. as; *“only glimpsed”, “not a place from which many people are likely to see the development”, “not an important viewpoint”, “I attach limited weight to such views”* and as a *“paucity of places from which it could be seen”*
- 8.6 These are findings of fact and can only be verified by personal observation from the relevant vantage points and not from what might appear to be the case from a map. In short, the applicant contends that public views are of little or no importance in this case for two reasons. In planning law and practice there is no right to a view by any individual; the only matter of concern must be that there is real, lasting and serious harm from an important public viewpoint, and if the view can't be seen by the public, then, self evidently, it cannot cause harm.

## 9. OVERLOOKING AND INTRUSION

- 9.1 There has never been a suggestion that any element in these proposals have been seen to represent an obstruction to outward views from other properties. Pre-application advice, LPA and appeal decisions have consistently stated that no new windows in the development would directly face existing windows, and balconies wouldn't significantly increase overlooking compared to the existing situation. In fact, since existing windows facing No. 21 are being removed (to be replaced by a single obscured window), the situation close to the house at No. 21 will be somewhat improved since opportunities for line of sight views into the rear living room of No. 21A are removed.
- 9.2 While acknowledging potential overlooking from balconies, inspectors and planners deemed it quite acceptable. Obscure glazing or reduced screening were suggested to mitigate any concerns, particularly for one ground-floor window facing No. 21. Overall, overlooking was not considered a major issue justifying refusal of the development.

## 10. OVERSHADOWING

- 10.1 The new Sunlight and Daylight Study shows that overshadowing to No.25 will be hardly any different from that of the extant building. No element overshadows or is additionally overbearing in appearance when viewed from the garden of No. 25A. With regard to the upper dormer window of No. 25B it has no impact. The daylight / sunlight report has undertaken detailed analysis of the impact of shading on adjacent amenity spaces and confirms that this remains within the acceptable range defined by the BRE.

## 11. OUTLOOK AND SENSE OF ENCLOSURE

- 11.1 Comments in the officers delegated report are still valid, in fact more so, even if the design aesthetics have changed, such as: *"2.61. The proposed massing at ground and first floor level would remain similar to the appeal scheme, although the detailed design of the rear elevation would help to break down the visual appearance of this massing and would lessen its impact. In addition, the second-floor rear elevation has been pulled back by between 4.76m and 3.78m when compared to the appeal scheme and so would be less visible from the garden of No.25. Overall, given the amendments to the appeal scheme, the proposal would appear less overbearing when viewed from the garden of No. 25 and so would not harm the amenity of the occupiers of this property."*

## 12. S106

- 12.1 Regarding disputed s106 matters in the local planning authority's decision notice 2020/2936/P and the Appeal Decision APP/X5210/W/21/3281530, the applicant will accept amendments to the s106 affordable housing contribution payment schedule and the inclusion of a clause relating to a Construction Impact Bond. Neither will refusal reasons 3, 4, 5, 6 and 7 be contested.

## 13. CONCLUSION

The majority of planning issues surrounding the proposal have been accepted in previous decisions; most of them many times now. The most recent inspector was satisfied that the site is not prone to flooding and hence would be a suitable location for basement flats. She was also satisfied with the front elevation design, the number of flats, the general density of the proposal, overlooking etc. The appearance of the rear elevation was the only substantive point of contention, and this proposal offers a comprehensive revision that directly addresses previous criticisms of that rejected design.

- 13.1 The new rear elevation design responds positively and sensitively to local context and character through layout, orientation, scale, height, bulk massing, proportion, appearance and the use of high quality and durable materials. It would also be a highly sustainable and energy efficient scheme that would make a modest but still valuable contribution to the boroughs housing stock. It seeks to sympathetically replace the existing bulky and out of character extension, while preserving and enhancing the historic environment by filling the broken tooth of the terrace and preserving existing private views of the rear, limited though they are.
- 13.2 It is believed that all of the LPA and Inspectors' objections have been addressed and satisfactory solutions are now incorporated to the extent that the scheme's harmful impacts, such as they may have been perceived, do not now 'significantly and demonstrably outweigh' its benefits. It is therefore respectfully requested that planning permission be given to this proposal.

## 14. APPENDIX 1: PREVIOUS SITE APPLICATION HISTORY

- 14.1 **20351:** Conversion to 2 flats, rear and side extensions and dormer window. Granted 06/06/1975. **8905200** Erection of a single storey rear extension. Granted 11/10/1989
- 14.2 **2007 First full application for 12 flats:** Application 2007/0967/P in 2007 for 12 flats was withdrawn.
- 14.3 **2015 First Pre-application 2014/7373/PRE:** Shown detailed designs, officers commented "*The height, bulk and massing of the proposed scheme is considered appropriate and the restrained design is an appropriate response to the location.*" "*The proposal is not considered harmful to the amenity of adjoining occupiers in terms of noise or overlooking, but a daylight/sunlight report would be required...*"
- 14.4 **2017 Second Application 2017/0911/P:** Following that encouraging advice, a second application was submitted in 2017 for 8 flats. Eight months later, the case officer wrote his report recommending approval. This was overturned by other officers who reviewed it at the very last moment.
- 14.5 **July 2019 First appeal against non-determination APP/X5210/W/19/3225592:** The Inspector had no issues with the number of flats, the principle of development, the suitability of basement flats, overlooking to 21, and the front elevation design above ground. Flood risk was not raised. The design was dismissed exclusively due to the scale and mass of what was a much larger rear elevation and front lightwell design (since revised and approved).
- 14.6 **Sept 2019. Second Pre-application** Presented a revised design of the rear elevation and front light-well to officers Sept. 2019. Were advised that the scheme was; "*an appropriate design which responds well to the context of the adjoining houses*". "*The large box dormer on the rear right-hand side is seen as oversized and privacy screening was deemed excessive. Glazing of light-wells in the front garden was considered visually intrusive and should be reduced; metal grill covers were preferred if the room ADFs are acceptable.*"

## 15. APPENDIX 2: NEARBY SITES APPLICATION HISTORY

- 15.1 **22 Ravenshaw Street 2006/2388/P** Erection of a new two storey plus loft level residential building (Class C3) to provide 2 self-contained flats. Granted 18/07/2006
- 15.2 **77 Ravenshaw Street 2011/3654/P** Erection of a full width dormer in rear roof slope, installation of 2 x roof lights on front roof slope, alterations to roof of rear projecting wing to create roof terrace including installation of door and balustrade all in connection with existing first floor flat. Refused 22/09/2011.  
**Reason for Refusal:** *"The proposed rear roof extension, by reason of its height, bulk, and design, would be detrimental to the appearance of the roofscape of the host building and the area generally contrary to policies CS5."*
- 15.3 **10 Ravenshaw Street 2014/7521/P** Erection of a rear roof extension. Certificate of lawfulness (proposed). Granted 17/12/2014
- 15.4 **32 Ravenshaw Street 2015/4172/P** Erection of a two-storey rear extension, rear roof dormer and raising the roof ridge line to facilitate the conversion of the loft to habitable space. Refused 29/10/2015
- 15.5 **71 Ravenshaw Street 2016/0990/P** Erection of a full width rear dormer with Juliet balcony and glass balustrade and installation of x2 front roof lights. Refused 03/06/2016. (**Appeal Allowed**, a fact omitted from the officers report)
- 15.6 **Reason for Refusal:** The proposed rear dormer, by reason of its design, scale and bulk, would fail to appear subservient within the roofscape to the detriment of the character and appearance of the host building and the general locality contrary to policy...etc.
- 15.7 **Appeal Allowed**, Decision APP/X5210/W/16/3157363 – 2 Feb. 2017  
**Note:** This decision considered near identical views and issues of harm to views across the tracks to the rear of Ravenshaw Street. Information about this successful appeal was available to LPA officers and the Appeal Inspector, but no reference was made to it in either the Officers report or the later appeal decision. On views across the tracks that Inspector concluded: ***"This is not an important viewpoint..." from trains, "I attach limited weight to such views...", "...in my view it would have only a very limited impact on the character and appearance of the surrounding area."***
- 15.8 **4 Ravenshaw Street 2017/5920/P:**  
Erection of rear dormer window and enlargement of existing front rooflight to dwelling house. Certificate of lawfulness (proposed) Granted 04/12/2017.

## 16. APPENDIX 3: SCHEDULE OF ACCOMPANYING REPORTS

- 16.1 This section of the application documentation includes notes on newly updated reports and documents which were kindly specified by an officer in his advice in an email of Oct 2023.
- 16.2 As far as the applicant is aware, this is a complete list of the supporting reports on relevant issues that are required for validation and determination. Should any more be required before validation or determination and if sufficient time is given for their preparation, the applicant will be willing to supply them.
- 16.3 **General Statements:** The main application statements.
- a. Statement - Planning Statement - 23RAV NW61NP.pdf
  - b. Statement - Design & Access Statement Part 1 - 23RAV NW61NP.pdf
  - c. Statement - Design & Access Statement Part 2 - 23RAV NW61NP.pdf
  - d. Statement - Key Design and Planning Issues - 23RAV NW61NP.pdf
  - e. Statement - M4 Compliance - 23RAV NW61NP.pdf
  - f. Statement - Design Review by 2020 Architects - 23RAV NW61NP.pdf
- 16.4 **Pre-Application Advice:** The extent of pre-application advice is provided. This is of course in addition to forensic detail that officer put forward in the previous application's officers' reports.
- a. Pre Application Response 01 - Feb 2015.pdf
  - b. Pre Application Response 02 - Sept 2019 Re 2020-2936-P.pdf
  - c. Pre Application Response 03 – Officers Advice Sept 2023.pdf
- 16.5 **Previous Decisions and Officer's Reports:** For your convenience, all the previous decisions and officer's reports are provided.
- a. Decision - Appeal 3225592 Peter D Biggers 09 July 2019.pdf
  - b. Decision - Appeal 3281530 K Stevens 20 April 2022.pdf
  - c. Decision - LPA Appeal Statement May 2019.PDF
  - d. Decision - Notice 2020-2936-P D Peres Da Costa 03 March 2021.pdf
  - e. Decision - Officers Report 2020-2936-P D Peres Da Costa 03 March 2021.pdf
  - f. Draft Committee Report Jan 2019 -017-0911-P 16 Feb 2017.pdf
- 16.6 **Plans:** The extant and proposed a plans are held to get in one document each for ease of viewing.
- a. Plans - Extant Site Plans, Elevations and OS-23RAV.pdf
  - b. Plans - Proposed Plans Elevations and Sections\_23RAV2024\_01.pdf

16.7 **Photos and CGI's:**

- a. CGIs - Proposed Front and Rear Elevations - 23RAV NW61NP.pdf
- b. Photo CGI Montage - Impact on Adjacent Amenity to the North - 23RAV NW61NP.pdf
- c. Photo Montage - Impact on Adjacent Amenity to the South - 23RAV NW61NP.pdf
- d. Photos - Adjacent Rear Elevations - 23RAV NW61NP.pdf
- e. Photos - Extant Site General Views - 23RAV NW61NP.pdf
- f. Photos - Impact on commuters from speeding trains - 23RAV NW61NP.pdf
- g. Photos - Impact on the Public Realm - Rear Elevation - 23RAV NW61NP.pdf
- h. Photos CGIs - Impact in Brassey Road Flats - 23RAV NW61NP.pdf
- i. Photos CGIs - Impact on Ellerton Tower Flats - 23RAV NW61NP.pdf.pdf
- j. Photos CGIs - Impact on Public Realm from Ravenshaw St - 23RAV NW61NP.pdf

16.8 **Basement Impact Assessment:** The previous application's BIA and BIA Audit is provided accompanied, as requested by officers, by a BIA addendum from the Structural and Geotechnical Engineers attesting that the minor differences to the basement structure in this application will have no material impact on the outcome of the BIA.

- a. BIA - 23RAV-Structural Geotechnical Addendum.pdf
- b. BIA - 23RAV-150122 SD-61 Rev1 Wall Sections.pdf
- c. BIA - 23RAV-150122 SL-50 Rev1 Basement Layout.pdf
- d. BIA - 23RAV-Basement Method Statement REV3.pdf
- e. BIA - 23RAV-Hydrogeology Hydrology and Land Stability Report-REV2 PAGE 1-100.pdf
- f. BIA - 23RAV-Hydrogeology Hydrology and Land Stability Report-REV2 PAGE 101-175.pdf
- g. BIA - 23RAV-Scheme Structural Calcs REV2.pdf
- h. BIA - 23RAV-Audit FINAL CampbellReith.pdf

16.9 **Flood Risk Assessment:** In light of the inspector's decision that; *"In the absence of any substantive evidence to the contrary from either the Council or the LLFA, I am satisfied that the site is not prone to flooding and hence would be a suitable location for basement flats"* and the Chief Planners 2nd Sept. 2022 letter directing planners' attention to updated Planning Practice Guidance on Flood Risk and Coastal Change, which reiterates that *"...the application of flood risk policy should be based on an up-to-date strategic flood risk assessment and/or site-specific*

*flood risk assessment*”; the whole issue of basement flood risk assessment at this site should now be a settled matter.

- 16.10 While the previously submitted FRA includes details such as plans of guttering, downpipes, slots drain, inspection chambers, soil pipes routes as well as the 23m<sup>3</sup> SuDS storage tank and runoff calculations etc. that were specific to that application; with regards to these details, no substantive changes have been made in the new application, in terms permeable vs impermeable areas, the size of the basement structure, the number of bed spaces (from 28 to 29), that could alter the final conclusions of the FRA to any degree that is not de minimis.
- 16.11 Consequently, we will be re-submitting our previously submitted FRA as is stated in the officer’s report to 2020/2936/P “**2.71.** ...*Details of final SUDS design would be secured by condition.*”
- a. Policy Doc - Chief\_Planners\_Newsletter\_September\_2022 - inc Flood Risk Policy Clarification.pdf
  - b. Report - FLOOD RISK REPORT-UNDA-89947- Old Camden Pro Forma.pdf
  - c. Report - FLOOD RISK REPORT-UNDA-89947-Taylor-RavenshawSt-v1-091220 Part 1.pdf
  - d. Report - FLOOD RISK REPORT-UNDA-89947-Taylor-RavenshawSt-v1-091220 Part 2.pdf
  - e. Survey - SITE DRAIN SURVEY 23RAV-NW61NP.pdf
  - f. Consultation - SUMATRA RD Flood Alleviation Project - Thames Water Letter.pdf
  - g. Consultation - Thames Water Foul Water Capacity Response DS6079797.pdf
- 16.12 **Ecology, Trees, Air Quality:** As requested by officers, new Ecology and Air Quality reports are provided. The new Ecology report reaches exactly the same conclusions as the previous one. The Tree report is also the same as previously submitted as the trees on the site have not changed.
- a. Report - Tree Survey BS 5837-23RAV-NW61NP.pdf
  - b. Report - Ecological Report BWE-PEAR\_NW623 Final.pdf
  - c. Report - Air Quality - J0825 - 23RAV NW61NP.pdf
  - d. Camden Air Quality Proforma v1a - 23RAV NW61NP.xlsx
  - e. Report - Noise and Vibration Assessment 12132-NVA-01-23RAV.pdf
- 16.13 **Biodiversity Net Gain:** We will address this emerging issue if it becomes necessary. However, it should not apply to applications submitted before April 2<sup>nd</sup> 2024 and in any case is expected to have limited impact on this application since the impermeable hard standings and urban gardens that make up the whole of the



site are listed as of low significance in the Small Sites Metric (Statutory Biodiversity Metric) User Guide .Nov. 2023:

- a. Garden 231 Urban Vegetated Garden: **Low**
- b. Impermeable Hardscape Urban u1b Developed land sealed surface: **Very low**

16.14 **Energy and Sustainability:** We are aware of Councils enthusiasm for 'UK100' zero-emission development. However, regarding heat pumps, the applicant is aware of growing concerns in the media in recent months about noise issues for neighbours caused by pumps in dense urban areas; see our 'Design and Access Statement' Appendix B & C. In light of the growing number of such reports we've specified a pragmatic, hybrid heating system that uses 6 exceptionally quiet (34 dB(A) at 5m) heat pumps for space heating only, coupled with highly efficient, hot water only, gas boilers; all supported by mechanical air and hot water heat recovery systems.

- a. Report - Energy Statement 23RAV-NW61NP.pdf
- b. Report - BREL Flats A-F-23RAV-NW61NP.pdf
- c. Report - Predicted Energy Assessments Flats A-F – 23RAV-NW61NP.pdf
- d. Report - Water Efficiency Calcs Flats A-F-23RAV-NW61NP.pdf
- e. Camden EnergySus Proforma Minors\_ 23RAV-NW61NP.xlsx
- f. Part\_l\_2021\_gla\_carbon\_emission\_reporting\_spreadsheet\_v2.0\_0 (5) 23RAV-NW61NP.xlsx
- g. Statement - Sustainability Response 01-23RAV-2017-0911-P.pdf
- h. Statement - Sustainability Response 02-23RAV-2017-0911-P-NDM Heath Report.pdf

16.15 **Sunlight & Daylight:** We provide a new Daylight and Sunlight Report as requested. Produced by a very experienced assessor, it shows that the proposal has a quite negligible effect on the neighbouring properties light levels and demonstrated adequate daylight provision of all habitable rooms in the development, including basement rooms.

Report - Daylight Sunlight Jan 2024 - 23RAVE NW61NP.pdf

16.16 **Notes on Daylight Sunlight**

- a. **Sunlight & Daylight National Legislation:** We make the point that compliance with the BRE Guide is not a planning criterion. There are therefore no minimum mandatory requirements for Sunlight & Daylight in Building Regulations for

England & Wales but the guidance set out in BRE Guide is widely accepted as the approved methodology when calculating Sunlight & Daylight availability.

- b. **National Planning Policy Framework NPPF (2021):** The Building Research Establishment (BRE) guide BR-209-2022 Site Layout Planning for Daylight and Sunlight: a good practice guide, 3rd Edition 2022 should be considered in the context of the National Planning Policy Framework (NPPF), which stipulates that local planning authorities should take a flexible approach to daylight and sunlight to ensure the efficient use of land.
- c. **The NPPF states:** “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. In these circumstances:
- d. Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”
- e. **Building Research Establishment (BRE) BR-209-2022** Detailed guidance on Daylight, Sunlight and Overshadowing was published by the BRE in 2022. The Daylight, Sunlight and Overshadowing assessments have been undertaken in accordance with the methodologies and numerical guidelines recommended in *BRE Report 209 ‘Site layout planning for daylight and sunlight: A guide to good practice’*.
- f. The BRE document gives guidance on site layout to retain good daylight and sunlight in existing surrounding buildings. It enables an assessment to be made as to whether the proposals will adversely affect the daylight and sunlight reaching existing habitable rooms and relevant external amenity.
- g. Whilst the guide is intended for use by designers, consultants and planning officers and gives numerical guidelines, the advice given is not mandatory and should not be used as an instrument of planning policy, as it states:
- h. “...its aim is to help rather than constrain the designer. Although it gives numerical guidelines these should be interpreted flexibly since natural lighting is only one of many factors in the Site layout design. In special

*circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”*

- i. When considering the BRE Guides requirements, it is important to remember that the Guide is not a set of planning rules and used as an aid to planning officers and designers by giving objective means of making assessments. The target values in the BRE Guide may not be obtainable in dense urban areas where the grain of development is tight, while higher values might well be desirable in suburban or rural areas where the grain is contrastingly open. This is recognised by the BRE and made clear in the BRE Guide.
- j. The need to apply daylight and sunlight advice flexibly was reinforced in the recent National Planning Policy Framework (NPPF) draft revisions (March 2018, at para 123 [c]) and reiterated in the NPPG ‘Effective Use of Land’ guidance (July 2019). This is particularly relevant in London, and acknowledged in the Greater London Authority’s Housing Supplementary Planning Guidance (SPG), March 2016 (para 1.3.46), which states: *“The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London.”*

16.17 **Other Miscellaneous Reports:** The draft construction management plan, site specific PTAL Calculation and Network Rail response are unchanged.

- a. Report - Construction Management Plan-1st DRAFT-23RAV from 2020-2936-P.pdf
- b. Report - PTAL L4 Calculation for NW61NP 2018 2021 2031.pdf
- c. Consultation - NETWORK RAIL REPLY EN14611 - NO OBJECTION TO 2017 APPLICATION 20170911P.pdf

16.18 **Utility Reports:**

- a. Utilities - ELECTRICITY -Groundsure Asset Search.pdf
- b. Utilities - GAS-Groundsure Asset Search.pdf
- c. Utilities - TELECOMS-Groundsure Asset Search.pdf
- d. Utilities - WATER AND SEWERS-Groundsure Asset Search.pdf