

Application ref: 2023/4179/PRE  
Contact: Ewan Campbell  
Tel: 020 7974 5458  
Email: Ewan.Campbell@camden.gov.uk  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
old address

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.planning@camden.gov.uk](http://www.planning@camden.gov.uk)

Michael Green  
DP9  
100 Pall Mall  
London  
SW1Y 5NQ

Dear Sir/Madam

### **Pre-application Medium Development Pre-application Advice Issued**

Address:

**Land west of Ashley Court (Frognal Garages)**  
**Frognal Lane**  
**London**  
**NW3 7DX**

Proposal: Redevelopment of the existing garages to provide two dwellings, comprising a 3-bed dwelling and a 5-bed dwelling. Follow up meeting from 2021/5611/PRE

### **Site constraints**

- Article 4 Direction Basement Development
- Redington Frognal Neighbourhood Plan
- Underground development constraint – Slope Stability
- Underground development constraint – subterranean ground water flow
- Underground development constraint – hydrological constraints

### **Relevant planning history**

N/A

### **Relevant policies and guidance**

National Planning Policy Framework (NPPF) 2023

The London Plan 2021

**Camden Local Plan 2017**

G1 Delivery and location of growth  
A1 Managing the impact of development  
A3 Biodiversity  
A4 Noise and vibration  
A5 Basements  
D1 Design  
H1 Maximising housing supply  
H4 Maximising the supply of affordable housing  
H6 Housing choice and mix  
H7 Large and small homes  
CC1 Climate Change Mitigation  
CC2 Adapting to climate change  
CC3 Water and flooding  
CC5 Waste  
T1 Prioritising walking, cycling and public transport  
T2 Parking and Car free development  
T4 Sustainable movement of goods and materials  
DM1 Delivery and Monitoring

Redington Frognal Neighbourhood Plan 2021  
SD4 Redington Frognal Character  
BGI2 Tree Planting and Preservation  
UD1 Underground Development  
UD2 Development Impacts

### **Camden Planning Guidance**

CPG Access for all  
CPG Design  
CPG Amenity  
CPG Water  
CPG Energy Efficiency and Adaptation  
CPG Transport  
CPG Developer contributions  
CPG Housing  
CPG Basements  
CPG Biodiversity

### **Site and surroundings**

This application relates to a row of eight single garages on the south side of Frognal Lane, lying to the west of Ashley Court, a six-storey modern block of flats. The site is unlisted and lies just outside Redington Frognal Conservation Area, with the boundary of the conservation area ending at no. 2 Frognal Lane, which is adjacent to Ashley Court to the east.

Frognal Lane slopes downwards from east to west towards Finchley Road. As a result, there is a level change, where the garages step down in level twice along the length of the site. There is also a level change from front to back, with the building being two-storey in height to account for the drop in level to the rear of the property. The front building line along Frognal Lane also steps forwards from east to west, with the front building line of the garages and Palace Court sitting further forward compared to Ashley Court. In front of the garages is an area of hard standing, which is also used for parking.

The site is identified as possible redevelopment opportunity within the Redington Frogna! Neighbourhood Plan (2021), with an opportunity identified to redevelop the site with 'low-level residential development'.

## **ASSESSMENT**

The principal planning considerations are the following:

- Land use
- Design and Heritage issues
- Basement
- Neighbouring amenity
- Standard of Accommodation
- Transport
- Site Contamination
- Trees and Landscaping
- Sustainability

### **1. PRINCIPLE OF DEVELOPMENT**

#### *Loss of existing garage*

Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measure are in place to ensure the Council meets their zero carbon targets.

Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. This will be done through not issuing car permits and resisting development of front gardens.

Following on from the previous pre—application where two spaces were being retained the proposal includes a total of four retained garages. Overall the retention of four and loss of four could be acceptable however the site would significantly benefit from full redevelopment or even just losing more garages to provide space for development.

The site is relatively small anyway and attempting to redevelop in this piecemeal way is not ideal. Moving back to retaining four garages does hinder the development potential on site and efforts should be made to ensure this is not lost as a consequence of the design.

#### *Provision of a new residential accommodation*

Housing is the priority land use of the Local Plan. In policy terms the proposal would comply with policies G1 and H1 of the 2017 Local Plan providing new residential. Issues of trees, amenity, and standard of accommodation, efficiency, sustainability and transport need to be overcome and are attended to in the sections below.

Moreover in the Redington Frogna! Neighbourhood Pan (2021) this site is highlighted in the potential redevelopment sites section. The description states:

*This site, on the south side of Frognal Lane, opposite number 3, comprises eight garages. This is not an efficient land use, is not consistent with sustainable transport policies, and Local Plan Policy T1 10.19 supports the development of parking space for alternative uses.*

*The Forum note that garages in the Redington Frognal area are increasingly being sold for development. Between 2010 and 2015, garages at six sites were demolished to make way for residential development. The majority of the garages are unused.*

This shows that the garages have been highlighted as a site with development opportunity by the neighbourhood forum as well and therefore accept the principle of development coming forward. This does mean the utilising the whole site is important and ensuring that the scheme optimises current and future development potential.

### *Affordable Housing*

Local Plan Policy H4 seeks to maximize the provision of affordable housing. 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. Capacity for one additional home is defined within the Local Plan as the creation of 100m<sup>2</sup> of additional residential floorspace (GIA). In assessing capacity, additional residential floorspace is rounded to the nearest 100m<sup>2</sup> (GIA). Where developments have capacity for fewer than 10 additional dwellings (or 1000sqm), the Council will accept a payment-in-lieu of affordable housing. Policy H4 accepts that a payment-in-lieu is often the most appropriate means to secure this provision in schemes of under 10 units and no longer requires off-site provision to be explored for schemes of this scale.

The Council's current adopted multiplier for calculating a payment-in-lieu within market residential schemes (as stated within CPG Housing) is £5,000 per sqm.

The current application proposes the uplift of 465 sqm in GIA of residential floorspace, which would trigger an affordable housing contribution in line with Policy H4. The sliding target in this instance would require a provision equal to 10% of the total C3 floorspace (expressed in GEA).

The payment-in-lieu, based on the above multiplier, would be £232,500.00 (10% of 465 sqm £5000).

This is purely a rough estimate based on the information provided, and is subject to change at full planning stage.

### *Housing Choice and Mix*

Policy H7 of the Local Plan aims to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply. The policy requires that all housing development, including conversion or extension of existing homes and non-residential properties contributes to meeting the priorities set out in the Dwelling Size Priorities Table (DSPT) (see below); and includes a mix of large (3 or more bedrooms) and small homes.

**Table 1: Dwelling Size Priorities**

	<b>1-bedroom (or studio)</b>	<b>2-bedroom</b>	<b>3-bedroom</b>	<b>4-bedroom (or more)</b>
Social-affordable rented	lower	high	high	medium
Intermediate affordable	high	medium	lower	lower
Market	lower	high	high	lower

On the pre-app site visit, it was claimed that Camden needed family housing and therefore why three and five bedroom properties are being proposed. The dwelling priorities table, which was provided in the previous officer report, shows that four bedroom units or higher are considered to be of a 'lower' priority. The previous officer report stated:

*2 single family dwellings are proposed, with unit 1 being shown as a 4-bedroom unit measuring 248sqm and unit 2 a 3-bedroom unit measuring 204sqm.*

*Local Plan Policy H7 aims to secure a range of homes of different sizes, and the Dwelling Size Priorities Table under section 3.189 of H7 states that 3-bedroom units are of high priority, and 4-bedroom units(or more) are of lower priority (shown below).*

*Given the constraints of the site and that only two units are proposed, in this instance it would be considered that the proposed mix would be acceptable*

It is clear that the assertion here is that there is a provision of a high priority unit and therefore, along with the constraints of the site, the mix is accepted.

This has slightly changed to still providing a three bed unit but now with a five bed unit but overall the units are much larger and could accommodate more people. What should be looked into is providing two or three bed units which will be more policy compliant and will help with dealing with the site constraints.

This will be discussed below in the relevant sections but thinking about reducing the unit sizes also helps with the issues design, standards of accommodation, amenity and the very large basements which are proposed

## **2. DESIGN AND HERITAGE ISSUES**

Policy D1 of the Camden Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area and comprises details and materials that are of a high quality and complement the local character.

The proposal is not within a Conservation Area but borders the Redington Frogna Conservation Area and is opposite the Grade II listed church.

Redington/Frogna Conservation Area is located to the west of Hampstead and derives much of its character from the contours and slopes in the area causing numerous views and vistas. Whilst the development is generally characterised by large, red brick houses and mature vegetation, the scale, density and style of buildings does change within the area. However most sub-areas have a distinct and strong character.

The surrounding context is primarily residential. The site does not positively contribute to the character of the area and represents an unnatural gap in the street in terms of townscape. The redevelopment of the site would in principle be a positive enhancement to the streetscape.

The revised massing includes a stepped building starting at three stories and stepping down, as the site goes down Frogmal Lane to two storeys. From the front elevation the mass is broken up by various amenity terraces and set ins with a front bay feature. The redesign of the garages themselves is also something that is welcomed. Following on from the previous pre-application advice, the scale and massing is not particularly excessive or incongruous however there is significant concern about how the design fails to optimise the site and provide flexibility for future development.

The Council recognises that gaining ownership of all garages is a difficult process however the development potential on site should not be hindered by this and there is still an expectation that any proposal on site can provide an adaptable and future proof scheme. This is clearly stated as part of Local Plan policy:

Policy D1 point d states:

*The Council will seek to secure high quality design in development. The Council will require that development;*

*d. is of sustainable and durable construction and adaptable to different activities and land uses;*

Policy G1 also states that:

*The Council will deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden by:*

*a. supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site;*

*b. resisting development that makes inefficient use of Camden's limited land;*

From discussions it was suggested that having two garages on either side of the units created more of an overall complete appearance to the building. However what this does do is ensures that very little, if any, additional development can take place on site and really ensures only two units can be provided on the whole site. As the two units are spread over the top of the garages then it means that these are the only units which will be able to exist on site.

Whilst small, this site does have the potential to provide much more than that. It is appreciated that not all of the garages can be used due to ownership problems however this should not justify inefficient or unadaptable development on site and therefore alternatives should be looked at. As stated above this is highlighted in various policies and could be something the Council would find concerning in any full application.

Notwithstanding this, the Council do think there are some really positive alternatives which can ensure that development can take place on site, protect the future potential the site possesses as well as keeping garages for the remaining occupants.

As per the comments above what should be a starting point is splitting up the uses so they are either side and not integrated as much. Moving the garages to one side of the site and then have the residential accommodation on the other side (on the top end of Frogmal Lane) for example would be a good idea. This will be easier to provide better accommodation, a more rational design for the units, more development potential and be potentially cheaper. Below is the original ground floor plan compared with the current proposal:

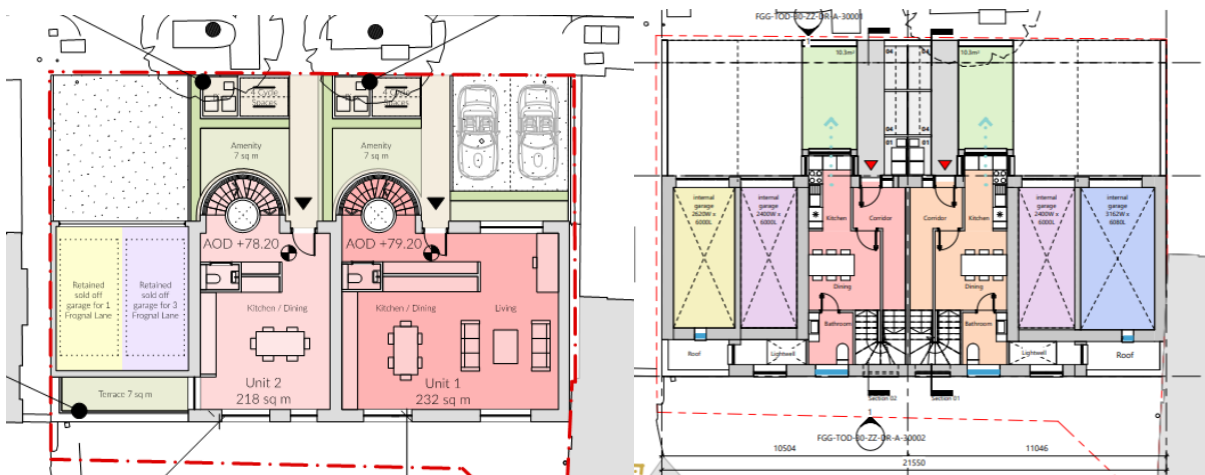


Figure 1: showing original design iteration (left) with the current proposal (right)

Whilst the original scheme only had two garages removed (and demonstrates the benefits of this), it is clear that the units in terms of design and standard of accommodation are undermined and cramped. By splitting up the uses (as shown on the left) it is easier to provide better spaces and an overall better design.

This is not specifically a design point but on site it was claimed that the previous officer had suggested larger units and that it was a viability issue to ensure development could be delivered on site. However providing smaller units to one side of the site, with smaller basements would undoubtedly help with viability and ensure development potential is retained. The garages would sit lower down the site and simply be refurbished. They could even contain another unit on top of them with enough space to be potentially developed themselves in the future.

The problem here is that very large units are being proposed on a site that has only half of its development potential available. Half the site could take a couple of two bed mews houses of two floors with small basements which would make for a much simpler (and less expensive) development that conforms to the Council's policy aims above.

It is clear that the need for floorspace is driving very large (and policy non-compliant) basements which further reduce the development potential on site. Whilst basement itself and standards of accommodation are covered in different sections it is clear from a design perspective that these are excessive and not necessarily needed.

This alternative also provides the mews houses to take on a character of their own and there is an opportunity to be more expressive with the design, overall form and

fenestration details. The principles of the current design, in terms of stepped massing, materials, use of traditional features are ok but scaling down the development can provide some opportunities in relation to design improvement. For example, it is clear that the massing has been dictated by the daylight/sunlight impacts and therefore creates a slightly unordered form. Furthermore due to the fact the units are set within the twin garages and then cover over them, the rear elevation appears unordered and fails to really mirror to the 'front and back' inspiration that is mentioned in the pre-app document.

### 3. BASEMENT

Policy A5 of the Camden Local Plan sets out relevant guidance when assessing basement development, as well as relevant guidance within CPG Basements (2021).

The proposed basement excavation can be assessed against the guidance contained within policy A5, as follows:

- f) not comprise of more than one storey; - **complies.**
- g) not be built under an existing basement; - **complies.**
- h) not exceed 50% of each garden within the property; **appears to not comply – excavation under front garden/hard standing appears to extend more than 50% in area, and the extent of excavation should be reduced to comply with this criteria.**
- i) be less than 1.5 times the footprint of the host building in area; - **complies.**
- j) extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation; - **complies.**
- k) not extend into or underneath the garden further than 50% of the depth of the garden; - **does not comply – as above.**
- l) be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; – **complies.**
- m) avoid the loss of garden space or trees of townscape or amenity value. – **there are two trees to the public highway in front of the garages. A Tree Report has been submitted as part of the pre-app pack and is discussed in the trees and landscaping section**

Policy A5 also states that applicants should demonstrate that proposals for basement development:

- n) do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight'; - **BIA should be submitted with full planning application.**
- o) avoid adversely affecting drainage and run-off or causing other damage to the water environment; - **unlikely to have any impact considering proposed basement excavation is underneath existing hard standing; however, these aspects should be considered as part of the BIA and full application.**
- p) avoid cumulative impacts; - **unlikely.**
- q) do not harm the amenity of neighbours; - **the basement has no external manifestations and therefore would not lead to any negative impact on the residential amenity of adjoining neighbours. Any other amenity impacts should be addressed through the BIA and a construction management plan.**
- r) provide satisfactory landscaping, including adequate soil depth; - **landscaping is indicated on the proposed plans, and sufficient soil depth should be provided underneath.**
- s) do not harm the appearance or setting of the property or the established character of the surrounding area; - **the basement has no external manifestations.**



t) protect important archaeological remains; - **the application site does not fall within an archaeological priority area.**

u) do not prejudice the ability of the garden to support trees where they are part of the character of the area. – **unlikely, given the current front garden is hard standing with no trees or landscaping.**

A full BIA has been submitted along with this pre-app pack. The Council's independent auditors Campbell Reith have undertaken a preliminary assessment of the document and notwithstanding the points raised have the following comments. Overall it appears to contain all of the elements that we would expect a BIA to include when submitted for audit. That said, there are a few items that would certainly be raised as queries after completing the first audit. These are:

- Surface water drainage – the site is in the RedFrog neighbourhood plan area which has particular requirements relating to ground and surface water. During our audit we would check that the BIA considers these.
- Ground Movement Assessment – Figure 18 on pg. 58 of the document refers to underpinning and some of the data doesn't match the report text. There is also no equivalent graph for horizontal movement.
- Ground Movement Assessment – Heave should not be used to off-set settlement, either in the short or long term.
- Ground Model – Based on the ground investigation data we would certainly raise queries relating to the apparent low strength of the London Clay and the soil strength profiles used in the computer software assessments.

It is also recommended that UD1 and UD2 policies of the Redington Forgnal Neighbourhood Plan are assessed when proposing basement development.

When there are alternative options for development which seem more sustainable and suitable for the site, justifying a basement which fails to comply with Camden policy because of the provision of two units is not accepted.

#### **4. NEIGHBOURING AMENITY**

Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include visual privacy, outlook; sunlight, daylight, and overshadowing; artificial lighting levels; noise and vibration; odour, fumes, and dust; and impacts of the construction phase, including the use of Construction Management Plans.

##### *Overlooking and loss of privacy*

The views from within the proposed units would not provide any additional overlooking or privacy concerns for neighbours however the units have multiple terraces facing onto neighbouring properties and near windows.

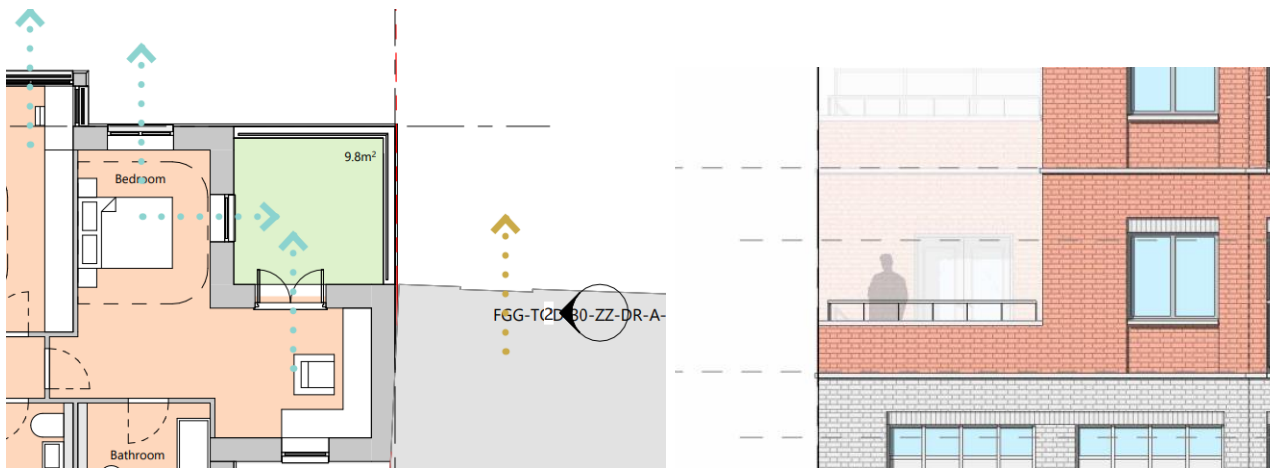


Figure 2: balcony near Ashley Court

One issue is the proposed balcony on the Ashley Court side is directly adjacent to the first floor window. From elevations it seems there is very limited mitigation and appears to suggest anyone standing on the balcony can see right in to the window (and the ones above). If this is correct, this will definitely need to be addressed and altered as part of any design changes. It must be noted that simply tall balustrading will have design implications.

The balconies to the other side are also in close proximity to the rear windows of palace court especially in relation to the one at first floor. There are multiple windows which they are in close proximity of and further analysis should be undertaken to ensure these windows are not impacted.

### *Daylight/Sunlight*

The design document submitted shows a massing envelope and is supported by a daylight/sunlight summary.

All four buildings below have been assessed for impact on Daylight & Sunlight

- 1-3 Frognal Lane
- Ashley Court
- 11-17 Palace Court
- Palace Court, 250 Finchley Road

The summary confirms that there will be full and comfortable compliance with the BRE Guidelines in respect of 1-3 Frognal Lane and Ashley Court, with no room/window experiencing any perceptible change in current natural lighting conditions.

The only habitable rooms that will apparently be affected by the proposed development are the rooms at ground floor level in 11-17 Palace Court and the first floor rooms in 250 Finchley Road. The ground floor of 11-17 Palace Court is a single flat, and the first floor of 250 Finchley Road is also believed to be a single flat. The ground floor rooms of 11-17 Palace Court will have reductions from 26.28% - 31.11 which are all above the 20% allowance.

For 250 Finchley Road, three windows will marginally exceed the BRE VSC recommendations where the percentage reductions were measured at 21.94%, 23.64% and 26.02%.

Overall, these losses do not seem excessive however, again, the impact would be much reduced if the height of the building were reduced. A full daylight/sunlight study should support the formal submission.

### *Outlook and Enclosure*

The location of the site means that any impact for properties on Frogmal Lane would not be adverse. The site is 'sandwiched' in between two larger apartment blocks and therefore there would be little loss or adverse impact. To the rear, the increase in height to some degree is accepted but the loss of outlook or enclosure appears minimal due to the existing level change and the relationship of the rear windows. Overall this is acceptable.

There should not be any additional noise increase, however if Air Source Heat Pumps (ASHPs) are being proposed then appropriate noise enclosure/noise assessments should support the application in line with Policy A4.

## **5. STANDARD OF ACCOMMODATION**

CPG Housing & CPG Design highlights the importance of high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms. Both the units technically meet the space standards for 3 bed 6 person and 5 bed 10 person. The level of amenity space is large considering the space but overall comply with national standards.

Because of the way the units have been designed, the limited space due to the existing garages and that the units have been located within two garages the quality of accommodation is impacted. The design has partly addressed comments in the previous reports however issues still remain and will be discussed below.

In terms of outlook, the units are dual aspect on every floor apart from the basement level which is a good start. However the basement level contains the largest shared habitable space which is set very close to a 1.8m high privacy screen. This causes concern that the level of outlook here is not ideal especially considering this is a habitable room.

In terms of privacy the terraces and windows are all set away from neighbouring windows sufficiently.

In general the layout seems quite unordered and not ideal for new build properties. For example the first room you walk into is the only (and very small) kitchen and dining room which appears cramped especially for the size of unit it is providing for. Again this is linked to the position of the car park spaces however should be looked at to alter.

From the comments and responses that were outlined in the design pack it is clear that the design has been altered to accommodate comments from the previous Council officer. Flipping the layout providing outlook to the habitable rooms to the front, and reducing the garage sizes is also welcomed (apart from the blue space which seems bigger).

In terms of waste storage and collection, the following capacities should be incorporated into the residential elements:

## Waste collection in Camden

- 8.10 The Council currently offers waste collection of the following minimum volumes per dwelling with three bedrooms or less, per week:
- 120 litres of bin, box or sack volume for general waste or 'refuse'
  - 140 litres of mixed dry recycling
  - 23 litres of food waste

The waste and bike storage seem acceptable and appropriately placed. See the waste section in CPG Design for further information.

## 6. TRANSPORT

The application site is located on the south side of Frognal Lane, to the east of the junction with Finchley Road. The site is not located within a conservation area, but is located opposite and to the west of the Redington Frognal Conservation Area. The Grade II listed St Andrew's United Reform Church is located to the north west of the site.

The application site comprises 8 single storey garages plus front forecourt parking areas.

It is proposed that the 4 central garages be demolished and replaced with a part 1 part 2 part 3 storey plus basement building comprising 2 houses – a 4 bedroom dwelling and a 5 bedroom dwelling, plus 2 re-provided garages on either side of the houses (4 total). These remaining garages are outside the applicant's land ownership and are held on long term leases. The applicant states that the retained garages will not belong to the residents of the new houses.

In line with Policy T1 of the Camden Local Plan, we expect cycle parking at developments to be provided in accordance with the standards set out in the London Plan. For residential units with 2 or more bedrooms the requirement is for 2 spaces per unit. Whilst not shown explicitly on the plans, the Design & Access Statement states that 4 cycle parking spaces will be provided for each house in a store in the front garden. The future provision of cycle stores capable of accommodating at least 2 cycles each per house should be secured by condition in respect of any future planning application.

The proposed loss of the garages and front forecourt car parking is supported by Policy T2 of the Camden Local Plan. In accordance with Policy T2, both new houses should be secured as on-street Residents parking permit (car) free by means of a Section 106 Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. No off-street parking is proposed for the new houses, which is again in line with Policy T2.

Given that one of the existing crossovers serving the garages will become redundant and as the proposed development could lead to damage to the adjacent footway and remaining crossovers as a result of excavation and construction, it will be necessary to secure a highways contribution as part of the Section 106 Agreement. This will cover the cost of removing the redundant crossover, reinstating the footway and repaving the footway and remaining crossovers adjacent to the site on Frognal Lane. The level of the highways contribution will be confirmed at the application stage.

Given the level of excavation and construction proposed in this predominantly residential area, it will be necessary to secure a Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 by means of the Section 106 Agreement. This will help ensure that the proposed development is carried out without unduly impacting neighbouring amenity, or the safe and efficient operation of the local highway network, in line with Policy A1 of the Camden Local Plan.

Given the proximity of the proposed basements to the public highway (footway), it will be necessary to secure an Approval in Principle and associated review contribution of £576.80 by means of the Section 106 Agreement. This will help ensure that the structural stability of the public highway is maintained throughout the excavation and construction process.

## **7. SITE CONTAMINATION**

As the site has been/is used for garages it will be necessary to submit a Site Contamination Survey which should identify and make provision for the need for intrusive investigation and if necessary, remediation. This will be assessed by the Council's Environmental Health (Pollution Control) Team to assess the impacts on the health of future residents from contaminants.

## **8. TREES AND LANDSCAPING**

Policy A3 aims to protect and enhance sites of nature conservation and biodiversity. The Council will do this through protecting and designating conservation sites, assess developments against the ability to improve biodiversity and its impact upon and secure management plans where appropriate. This policy also includes the protection of trees and the Council will seek to resist the loss of trees and vegetation of significant amenity, historic, ecological or cultural value but also promote incorporating trees within any proposal. There is also an expectation, where developments are near trees, that the relevant tree protection documents are provided.

No trees are proposed for the removal in order to facilitate development.

The impact of the scheme on the trees to be retained will likely be of an acceptable level provided suitable tree protection measures are secured.

Full tree protection details have not been included with the submission, these can be submitted or secured by condition should a full application be forthcoming.

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. In England, biodiversity net gain (BNG) is becoming mandatory under [Schedule 7A of the Town and Country Planning Act 1990 \(as inserted by Schedule 14 of the Environment Act 2021\)](#).

Developers must deliver a biodiversity net gain of 10%. This means a development will result in more or better quality natural habitat than there was before development.

## **9. SUSTAINABILITY**

All new development should comply with the Local Plan policies for sustainability and climate change. Further guidance is available in the CPG Energy Efficiency and Adaptation 2021. A Sustainability Statement will be required to demonstrate how the development in its entirety (construction and operation) would reduce carbon dioxide emissions through following the steps in the energy hierarchy.

Applicants are expected to submit sustainability proposals either within a dedicated section of the DAS or in a separate statement - the detail of which to be commensurate with the scale of the development.

Energy/CC1:

- In the CPG Energy Efficiency and Adaptation 2021 it is noted residential developments of up to 4 new dwellings or 500 sq m should achieve carbon emission reductions of at least 30% below Part L of 2021 Building Regulations would be required.
- CPG Efficiency and Adaptation should be consulted and GLA guidance on preparing energy assessments may be followed.
- Camden's Local Plan (section referring to CC1) requires all developments to incorporate renewables wherever feasible.

Applicants are also expected to submit a sustainability statement - the detail of which to be commensurate with the scale of the development showing how the development will:

- Implement the sustainable design principles as noted in policy CC2 and CPG Energy efficiency and Adaptation.

From the pack and subsequent meeting, there are little sustainability details and no references to air source heat pumps, pv panels or any other energy source, or methods of efficiency. Measures to avoid the need for active cooling should be explored, including passive/natural ventilation and shading as active cooling is strongly discouraged by the Council. The Council expect the design to incorporate sustainable measures as part of the pre-app design and there seems to be fairly little consideration in terms of these issues especially considering the size of the basement. The Council would urge the design to incorporate as much sustainable/renewable technologies as possible and demonstrate the proposed rating alongside any future iterations of the design so this can be assessed alongside the design of the building.

## **CONCLUSION**

It is considered the principle of the new residential development is acceptable however the adaptability of the site, placement of both the uses and large basement is still of concern. Issues still remain regarding neighbouring amenity, trees and the standard accommodation and upon any formal submission details will need to be provided in terms of sustainability, trees and site contamination.

This document represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable, nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

If you have any queries about the above letter or the attached document, please do not hesitate to contact **Ewan Campbell**

Thank you for using Camden's pre-application advice service.

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