

Athlone House

Relevant Planning Policies and Planning History

National Planning Policy Framework

- 3.1 The Department for Communities and Local Government (DCLG) published the National Planning Policy Framework (NPPF) in March 2012. This framework replaced the existing portfolio of PPSs and PPGs.

Presumption in favour of sustainable development

- 3.2 One of the overarching objectives of the NPPF is the encouragement of growth and acknowledgement that decision-makers should adopt a presumption in favour of sustainable development. Paragraph 14 of the document states:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means:

- *approving development proposals that accord with the development plan without delay; and*
 - *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted”*
- 3.3 The Government expects the planning system to deliver the homes, business, infrastructure and thriving local places that the country needs, while protecting and enhancing the natural and historic environment. Paragraph 17 sets out the Core Planning Principles. It includes the requirement that planning should proactively drive and support sustainable development, whilst contributing to conserving and enhancing the natural environment.
- 3.4 Paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Paragraph 89 states that the construction of new buildings within the Green Belt will be considered inappropriate with the exception of:
- *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
 - *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
 - *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use*

(excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Regional Planning Policy

The London Plan (2011)

- 3.5 A revised London Plan was published on 22nd July 2011. The Plan contains the Mayor's objectives for the city and replaces the previous version, adopted in February 2008.

Housing

- 3.6 Policy 3.3 of the London Plan seeks the provision of 32,100 additional homes per year across London. It also identifies a housing provision target of 6,650 additional homes to be completed between 2011 and 2021 for Camden specifically, as set out in Table 3.1 This translates to an annual requirement of 665 dwellings per year for the Borough. Policy 3.3 states that Boroughs should identify and seek to enable development capacity to be brought forward to meet these targets having regard to the other policies of this Plan and in particular the potential to realise brownfield housing capacity through the spatial structure it provides, including sensitive renewal of existing residential areas.
- 3.7 Policy 3.5 relates to the quality and design of new housing and seeks to ensure that all new development enhances the quality of local places. It goes onto state that Boroughs should include residential space standards in line with Table 3.3 of the London Plan, and notes that Boroughs should seek to ensure that new development reflects these standards.
- 3.8 In terms of affordable housing, Policy 3.11 seeks to maximise affordable housing provision to ensure an average of at least 13,200 more affordable homes per year. London Boroughs are required to seek affordable housing provision on sites which have a capacity to provide 10 or more homes.

Policy 3.12 seeks to achieve the maximum reasonable amount of affordable housing when negotiating on individual schemes, but it goes onto state that whilst affordable housing is normally required on site, in exceptional circumstances it may be provided off-site or through a cash in lieu contribution. Agreement has already been reached with the London Borough of Camden for the provision of off site affordable housing as set out in the Planning Obligation dated the 4th October 2005 (as varied).

Sustainability

- 3.9 Policy 5.2 requires development to make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy:

1. Be lean: use less energy;

2. Be clean: supply energy efficiently;

3. Be green: use renewable energy.

- 3.10 Policy 5.3 relates to sustainable design and construction and seeks to ensure that development demonstrates that sustainable design standards are integral to development and the minimum standards set out in the Mayor's SPG are met.

Environment

- 3.11 Where development on land exceeding 1 hectare is proposed, Policy 5.12 seeks to ensure development proposals comply with the flood risk assessment and management requirements set out in PPS 25. Policy 5.13 seeks to ensure that Sustainable Urban Drainage Systems are included in development proposals.
- 3.12 Policy 7.16 relates to the Green Belt and states that it should be given the strongest protection. Inappropriate development should be refused, except in very special circumstances.
- 3.13 Policy 7.17 relates to Metropolitan Open Land. It states that the strongest protection should be given to London's MOL and inappropriate development refused except in very special circumstances. It notes that appropriate development should be limited to small scale structures to support outdoor open space uses and minimise any adverse impact on the openness of the MOL.
- 3.14 Policy 7.19 states that wherever possible, development should make a positive contribution to the protection, enhancement, creation and management of biodiversity, while Policy 7.21 seeks to protect and enhance trees and woodland, with the retention of existing trees and the planting of new trees where appropriate.

Transport

- 3.15 Policy of the London Plan 6.3 relates to assessing the effects of transport and seeks to ensure that development considers the impact on transport capacity on the transport network and does not adversely affect the safety. Policy 6.9 seeks to provide secure integrated accessible cycle parking.

Design

- 3.16 Policy 7.1 relates to design and states that new development should be designed to ensure that layout, tenure and mix of uses interface with surrounding land and improve access to infrastructure. Development should enable people to live healthy lives and new buildings should help reinforce the character, legibility, permeability and accessibility of the neighbourhood.
- 3.17 Policy 7.2 seeks to ensure that developments incorporate inclusive design whilst 7.3 seeks to reduce the opportunities for criminal behaviour.

- 3.18 Policy 7.4 seeks to ensure new buildings streets and open spaces provide a high quality design. Policy 7.6 relates to architecture and seeks to ensure buildings should
- a be of the highest architectural quality*
 - b be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm*
 - c comprise details and materials that complement, not necessarily replicate, the local architectural character*
 - d not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings*
 - e incorporate best practice in resource management and climate change mitigation and adaptation*
 - f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces*
 - g be adaptable to different activities and land uses, particularly at ground level*
 - h meet the principles of inclusive design*
 - i optimise the potential of sites.*
- 3.19 Policy 7.8 relates to heritage assets and requires development to respect heritage assets conserving their significance by being sympathetic to their form, scale, materials and architectural detail.

Local Planning Policy

Core Strategy

- 3.20 The Core Strategy was adopted in November 2010 and sets out the key elements of the Council's planning vision and strategy for the borough.
- 3.21 The principle of development is addressed within Policy CS4: Areas of more limited change. This policy states that the Council will ensure that development in the areas of more limited change respects the character of its surroundings, conserves heritage and other important features and provides environmental improvements and other local benefits where appropriate.

Housing

- 3.22 Policy CS6 relates to housing provision, and states that the Council will aim to make full use of Camden's capacity for housing by maximising the supply of additional housing to meet or exceed Camden's target of 5,950 homes from 2007-2017,

including 4,370 additional self-contained homes. The Core Strategy highlights housing as the priority land-use of Camden's Local Development Framework.

- 3.23 With regard to affordable housing, Policy CS6 states seeking to ensure that 50% of the borough-wide target for additional self-contained homes is provided as affordable housing with each development providing the maximum reasonable amount of affordable housing under the specific circumstances of the site, including the financial viability of the development.

Transport

- 3.24 Policy CS11 seeks to promote sustainable and efficient travel and states that the Council will promote the delivery of transport infrastructure and the availability of sustainable transport choices

Sustainability

- 3.25 As set out within Policy CS13, the Council will require all development to take measures to minimise the effects of, and adapt to, climate change and encourage all development to meet the highest feasible environmental standards that are financially viable during construction and occupation by ensuring buildings and spaces are designed to cope with, and minimise the effects of, climate change.

Heritage

- 3.26 Policy CS14 sets out the Council's priority to ensure that Camden's places and buildings are attractive, safe and easy to use by:
- a) requiring development of the highest standard of design that respects local context and character;
 - b) preserving and enhancing 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;
 - c) promoting high quality landscaping and works to streets and public spaces;
 - d) seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;

The supporting text (para.14.3) acknowledges that, "*As well as preserving this rich heritage, we should also be contributing to it by making sure that we create buildings of equally high quality that will be appreciated by future generations.*". Policy DP24 echoes CS14(a) in seeking the highest standard of design. The supporting text explains that, "*The Council is committed to design excellence and a key strategic objective of the borough is to promote high quality, sustainable design*".

Environment

- 3.27 CS15 seeks to protect and improve parks and open spaces, and states that the Council will:
- a) protect open spaces designated in the open space schedule as shown on the Proposals Map, including our Metropolitan Open Land, and other suitable land of 400sqm or more on large estates with the potential to be used as open space;
- 3.28 The Council will protect and improve sites of nature conservation and biodiversity, in particular habitats and biodiversity identified in the Camden and London Biodiversity Plans in the borough by:
- protecting trees and promoting the provision of new trees and vegetation, including additional street trees.
- 3.29 The Council will preserve and enhance the historic, open space and nature conservation importance of Hampstead Heath and its surrounding area by:
- protecting the Metropolitan Open Land, public and private open space and the nature conservation designations of sites;
 - taking into account the impact on the Heath when considering relevant planning applications;
 - protecting views from Hampstead Heath and views across the Heath and its surrounding area;

Development Policies DPD

- 3.30 The Development Policies DPD was adopted in November 2010 and sets out detailed planning criteria that used to determine applications for planning permission in the borough.

Housing

- 3.31 With regard to housing provision, Policy DP2 states that the Council will seek to maximise the supply of additional homes in the borough. The Council will also seek to minimise the loss of housing in the borough by protecting residential uses from development that would involve a net loss of residential floorspace.
- 3.32 Policy DP3 relates to affordable housing, and states that the Council will expect the affordable housing contribution to be made on site, but where it cannot practically be achieved on site, the Council may accept off-site affordable housing, or exceptionally a payment-in-lieu. The policy expects affordable housing contribution to be made from developments that add fewer than 10 dwellings but more than 1,000 sqm of additional built residential floorspace.
- 3.33 The Council will negotiate the development of individual sites and related sites to seek the maximum reasonable amount of affordable housing on the basis of an affordable housing target of 50% of the total addition to housing floorspace, but will

apply the target with regard to a sliding scale from 10% for developments with capacity for 10 dwellings to 50% for developments with capacity for 50 dwellings.

- 3.34 With regard to housing mix, Policy DP5 states that the Council will contribute to the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes. All housing development should meet lifetime homes standards, in accordance with Policy DP6.

Transport

- 3.35 Policy DP17 promotes walking, cycling and public transport use. Policy DP18 sets forward parking standards and requires that parking development does not exceed the maximum standard for the area in which it is located (excluding spaces designated for disabled people).

Sustainability

- 3.36 Policy DP22 promotes sustainable design and construction and will expect new build housing to meet Code for Sustainable Homes Level 3 by 2010 and Code Level 4 by 2013 and encouraging Code Level 6 (zero carbon) by 2016.

Environment

- 3.37 Policy DP24 seeks to secure high quality design. The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider the character, setting, context and the form and scale of neighbouring buildings, the quality of materials to be used, the provision of appropriate hard and soft landscaping including boundary treatments, the provision of appropriate amenity space; and accessibility.
- 3.38 With regard to the water environment, the Council will require developments to reduce their water consumption, the pressure on the combined sewer network and the risk of flooding.

Heritage

- 3.39 The Council will seek to conserve the existing heritage, as set forward in Policy DP25, which states that in order to maintain the character of Camden's conservation areas, the Council will
- a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;
 - b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;
 - c) prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention;

d) not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and

e) preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.

Basement Development

3.40 The DPD sets forwards requirements for basement development within Policy DC27. This policy states that in determining proposals for basement and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability.

3.41 The Council will require developers to demonstrate by that the scheme is appropriate to the site, and will consider the following points when determining basement schemes; whether schemes:

d) harm the amenity of neighbours;

e) lead to the loss of open space or trees of townscape or amenity value;

f) provide satisfactory landscaping, including adequate soil depth;

g) harm the appearance or setting of the property or the established character of the surrounding area; and

h) protect important archaeological remains.

3.42 The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.

Replacement Unitary Development Plan

3.43 Prior to being replaced by the Local Development Framework (LDF), the Unitary Development Plan (2006) set out our strategy for managing growth and development in the borough.

3.44 Policy LU1 - Schedule of Land Use Proposals is still part of the development plan and the sites in LU1 have been 'saved' until the site allocations document is adopted

3.45 With the Schedule of Land Use Proposals, the preferred use for Athlone House is a mix of C2/C3 use or residential C3 use.

Other Material Considerations

3.46 Further to policies in the current development plan, the London Borough of Camden has produced the following documents which are of relevance to this proposal.

Camden's Planning Guidance (2011)

3.47 Camden Planning Guidance (CPG) provides further advice and information on how the Council will apply their our adopted planning policies and forms Supplementary Planning Documents (SPD). The CPG's considered relevant to this application are as follows:

- CPG 1 – Design
- CPG 2 – Housing
- CPG 3 – Sustainability
- CPG 4 – Basements and Lightwells

The Highgate Conservation Area Appraisal and Management Plan (2007)

3.48 The Highate Conservation Area Appraisal and Management Plan provides a indication of the Council's approach to the preservation and enhancement of the Highgate Conservation Area. The Plan states that Athlone House is considered to be representative of the large private villas which occupy the Fitzroy Park area of Highgate. The house is considered to be a positive contributor to the Conservation Area, although the deteriorating condition is emphasised.

The Planning Brief for Athlone House (1999)

3.49 The Planning Brief states redevelopment of the site should be confined to the replacement of sub-standard existing buildings, having regard to any opportunities to improve public access to all or part of the site. In addition a management programme should be produced for the Metropolitan Site of Nature Conservation Importance.

Planning History

The 2005 Consented Scheme

4 Planning permission and conservation area consent (refs 2003/2670/P & 2003/2671/C) were granted on 5th October 2005 for part conversion and part redevelopment of the overall site for 27 residential units including:- Alterations, extensions and conversion of Athlone House to 1 x 7 bed house, The Coach house to 2 x 2 bed units, The Gate House to 1 x1 bed house and Caen Cottage to 1 x 3 bed house; Demolition of all remaining postwar buildings and erection of 3 new blocks to provide 22 flats with

underground parking (9 x 2 bed, 10 x 3 bed and 3 x 4 bed); Donation of 0.98 hectare of land as extension to Hampstead Heath; Significant landscaping content.

- 5 This planning permission was accompanied by a complex S.106 legal agreement which covered the following matters: Delivery of Affordable Housing with a net internal floorspace of 3040 sqm, to be provided off site in phases with phased occupation of on-site private housing dependent upon provision of each affordable phase; Donation of land as an extension to Hampstead Heath including financial contribution of £50,000; Heath Land Landscape Management Plan; Retained Land Landscape Management Plan; Restoration of Athlone House internally and externally; Education contribution of £157,803; Contribution for costs of necessary bus stop improvements; Car capped housing; Renewable energy plan including provision of an energy demand assessment and feasibility work for renewable energy technologies; BREEAM report to secure 'very good' standard.
- 6 In May 2006 planning permission (ref 2006/1418/P) was granted for the relocation of existing sub-station to the north east corner of site with construction of new brick enclosure adjacent to Coach House and immediately behind former gate, which is to be reinstated to allow access to sub-station from Hampstead Lane.
- 7 In June 2006 planning permission (ref 2006/1412) was granted for alterations to new blocks A, B and C including realignment of windows, repositioning of chimneys, part infilling of penthouse terraces in blocks B and C, alterations to roofs of all new blocks including added terraces, access stairs and lift overruns, as a revision to the above planning permission 2003/2670/P.
- 8 In August 2009 planning permission (ref 2009/0751) was granted for a change of use of Coach House to a single dwelling house and various extensions and alterations, including the remodelling of south elevation by widening 3 wings at ground and 1st floor levels, erection of a bay window and conservatory at ground floor of south elevation, and excavation to create a new basement floor, as an amendment to part of planning permission 2003/2670/P, as further revised by planning permission ref 2006/1412/P.