

Address:	16-17 Redington Gardens London NW3 7SA	
Application Number:	2012/4813/P	Officer: Aysegul Olcar-Chamberlin
Ward:	Frognal & Fitzjohns	
Date Received:	14/09/2012	
Proposal: Erection of 2 storey dwellinghouse plus attic and basement level (following demolition of two single-family dwellinghouses), associated landscaping and installation of enclosed air condenser system in rear garden.		
<p>Drawing Numbers: 000-11 (Site Location Plan); 000-10; 001-00; 001-01; 005-01; 005-02; 005-03; 005-04; 005-05; 005-06; 010-00 B; 010-01 B, 010-02 B; 010-03 B; 010-B1 B; 020-01 A; 020-02; 020-03; 050-02 B; 050-03 A; and 050-04 B.</p> <p>Supporting Documents: Planning Statement including Heritage Assessment dated March 2013 by the London Planning Practice Ltd; Lifetime Homes Statement of Intention by PKS (attached to Design and Access Statement dated January 2013); Arboricultural Impact Assessment Report dated 30th March 2012 by Landmark Trees Ltd; Arboricultural Method Statement dated 21st March 2013 by Landmark Trees Ltd; Basement Impact Assessment – Screening Report dated March 2012 by Card Geotechnics Limited; Basement Impact Assessment – Scoping Report dated March 2012 by Card Geotechnics Limited; Basement Impact Assessment –Stages 3 & 4 dated August 2012 by Card Geotechnics Limited; Sustainability Statement dated 3rd April 2012 by Eight Associates; Preliminary Assessment – Code for Sustainable Homes dated 3rd April 2012 by Eight Associates; Energy Assessment dated 3rd April 2012 by Eight Associates; Environmental Noise Assessment dated February 2012 by Acoustic Plus; Daylight/Sunlight Assessment dated 10th September 2012 by Hawkins Environmental; Preliminary Construction Management Plan dated March 2012 by TSP; E-mail from PKS Architects LLP (agent) dated 05th March 2013; E-mail from Keisha Smith at CGL to PKS Architects LLP dated 19th March 2013; and E-mail from PKS Architects LLP dated 21st March 2013.</p>		
RECOMMENDATION SUMMARY: Grant Conditional Permission subject to S106 Legal Agreement		
Related Application	Conservation Area Consent	
Date of Application:	14/09/2012	
Application Number:	2012/4880/C	
Proposal: Demolition of two existing single-family dwellinghouses (Class C3).		
<p>Drawing Numbers: 000-11 (Site Location Plan); 000-10; 001-00; 001-01; 005-01; 005-02; 005-03; 005-04; 005-05; 005-06; 010-00 B; 010-01 B, 010-02 B; 010-03 B; 010-B1 B; 020-01 A; 020-02; 020-03; 050-02 B; 050-03 A; and 050-04 B.</p> <p>Supporting Documents: Planning Statement including Heritage Assessment dated March 2013 by the London Planning Practice Ltd.</p>		

RECOMMENDATION SUMMARY: Grant Conditional Conservation Area Consent**Applicant:**

Mr Peter Steinberger
51 Gilbey House
38 James Road
London
NW1 7BY

Agent:

PKS Architects
10 Deane House
Greenwood Place
Kentish Town
London
NW51LB

ANALYSIS INFORMATION**Land Use Details:**

	Use Class	Use Description	Floorspace
Existing	<i>C3 Dwelling House</i>		<i>402m²</i>
Proposed	<i>C3 Dwelling House</i>		<i>834m²</i>

Residential Use Details:

	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>House</i>				2					
Proposed	<i>House</i>					1				

Parking Details:

	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	3	0
Proposed	1	1

OFFICERS' REPORT

Reason for Referral to Committee: **The proposal involves demolition of existing buildings within a conservation area [Clause 3(v)].**

1. SITE

- 1.1 The application site is located on the south-eastern side of Redington Gardens in the Redington/Frognaal Conservation Area and comprises two late 20th Century infill houses (constructed in the 1970s). They are in use as single family dwellinghouses (Class C3).
- 1.2 Redington Gardens has a mix of large detached three/four storey, red brick, neo-Georgian style houses towards the north-eastern end (Nos. 1-4) and post-war houses and flats to the south-western end.
- 1.3 The Conservation Area Statement identifies Nos. 17 to 20 as a plain terrace of two-storey red brick properties and identifies No.15 as making a positive contribution to the appearance and character of the Conservation Area. No. 16 is also a plain two storey red brick property and similar in style to No.17. No 16 is located behind No 17 and shares the same driveway as No.17.

2. THE PROPOSAL

Original

- 2.1 Planning permission is sought for the erection of a 2 storey dwellinghouse plus attic level and basement level, associated landscaping and the installation of enclosed air condenser system in the rear garden. Conservation area consent is sought for the total demolition of the existing dwellings.
- 2.2 The footprint of the proposed house largely follows the established foot print of the existing houses. A modern design approach with conventional brickwork and hipped roofs is adopted. The proposed house would have a large basement level which would accommodate gym, swimming pool and other leisure facilities, staff/guest room, utility and storage rooms.
- 2.3 The enclosed air condenser system (1470mmW x 1045mm D x 1755mm H) would be located at the south corner of the rear garden. The proposed enclosure would be environmodula type and provide acoustic enclosure as well as visual one. It would have an appearance of a white box put together by flat panels and grills.

Revision

- 2.4 Since submission of the current application the following amendments have been made. The triangular shaped upper ground floor element which projected beyond the main east side building line at the rear was omitted from the proposed scheme. The bronze metal clad roof of the proposed house has been replaced with a clay tile roof.

- 2.5 The layout of the proposed ground floor plan has been altered and a new stepped path added next to the proposed ramp to improve Lifetime Homes features.

3. **RELEVANT HISTORY**

- 3.1 **2012/2370/P** – An application for planning permission was submitted on 04/05/2012 for the erection of 3 storey plus basement dwellinghouse (Class C3) and associated off street parking (following the demolition of existing two single-family dwellinghouse (Class C3). The application was withdrawn on 28/06/2012.
- 3.2 **2012/2372/C** – An application for Conservation Area Consent was submitted on 04/05/2012 for the demolition of two existing single-family dwellinghouse (Class C3). The application was withdrawn on 28/06/2012.
- 3.3 The above applications were withdrawn following officer's concerns over the inadequate basement impact assessment and the scale and bulk of the proposed house.

4. **CONSULTATIONS**

- 4.1 **English Heritage** - The applications should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
- 4.2 **Redington/Frogna Conservation Area Advisory Committee** made the following comments:
- The details, particularly at roof level, are not up to the required standard for the conservation area.
 - They queried the adequacy of the basement impact assessment and the security of the trees on site, some of which would be lost.
- 4.3 **The Heath & Hampstead Society** objected to the proposal. In summary, their grounds of objection are:
- Basement Impact Assessment is inadequate as it is limited to screening stage. A site-specific ground investigation study is essential.
 - The proposed development could harm an important ash tree (no 10) and the removal of other trees is concerning.
 - The proposed bedroom at basement level would not benefit from proper light and ventilation and is unlikely to comply with Camden standards.
- 4.4 **Thames Water** raised no objection and made the following recommendations:
- Developer should make proper provision for drainage to ground, water courses or suitable sewer.
 - In respect of surface water the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.
 - When it is proposed to connect to a combined public sewer, the site drainage should be separated and combined at the final manhole nearest the boundary.

- Connections are not permitted for the removal of ground water.
- Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- Thames Water aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9litres/minute at the point where it leaves Thames Water pipes. The developer should take into account of this minimum pressure in the design of the proposed development.

4.5 **Adjoining Occupiers**

	Original
<i>Number of letters sent</i>	45
<i>Total number of responses received</i>	6
<i>Number of electronic responses</i>	2
<i>Number in support</i>	0
<i>Number of objections</i>	6

A site notice was displayed from 27/09/2012 to 18/10/2012 and the application was also advertised in the Ham and High on 04/10/2012. Six letters of objection were received. In summary, the grounds of their objections are:

Design:

- The proposed development would be out of keeping with the character of the neighbourhood.

Amenity:

- The proposed development would result in loss of outlook, privacy and daylight to neighbouring properties.
- There could be noise disturbance during the construction of the proposed development over a long period.

Basement Impact:

- None of the properties around the site have basements and the site includes slopes.
- The proposed basement with swimming pool and gymnasium represents an immeasurable risk to the neighbouring properties.
- The geology for the area indicates an unstable ground composition of alternating sequences of silt and clay.
- There may be a substantial subsidence factor and a potential disturbance to the flow of groundwater.
- Ground movement and potential structural damage to the neighbouring properties should be considered.
- The proposed basement excavation could affect the survival of the magnificent trees in front of the property.
- A Basement Impact Assessment is being undertaken is currently at stage 4 of a required 5 stages.

Others:

- The proposed development would have a detrimental affect on the accessibility of the neighbouring properties.
- There should be no infringement of land title and / or right of way in common passage between Nos.15, 16 and 17 Redington Gardens. This passage goes through the site and would be above the gym area on the basement level.

5. POLICIES

5.1 National Planning Policy Framework (NPPF) (2012)

5.2 The London Plan (2011)

5.3 LDF Core Strategy and Development Policies (2010)

Camden Core Strategy

CS1 – Distribution of growth

CS4 – Areas of more limited change

CS5 – Managing the impact of growth and development

CS6 – Providing quality homes

CS11 – Promoting sustainable and efficient travel

CS13 – Tackling climate change through promoting higher environmental standards

CS14 – Promoting high quality places and conserving our heritage

CS15 – Protecting and improving our parks and open spaces & encouraging biodiversity

CS18 – Dealing with our waste and encouraging recycling

CS19 – Delivering and monitoring the Core Strategy

Camden Development Policies

DP2 – Making full use of Camden's capacity for housing

DP5 – Homes of different sizes

DP6 – Lifetime homes and wheelchair housing

DP16 – The transport implications of development

DP17 – Walking, cycling and public transport

DP18 – Parking standards and limiting the availability of car parking

DP19 - Managing the Impact of Parking

DP20 - Movement of Goods and Materials

DP21 – Development connecting to the highway network

DP22 – Promoting sustainable design and construction

DP23 – Water

DP24 – Securing high quality design

DP25 – Conserving Camden's heritage

DP26 – Managing the impact of development on occupiers and neighbours

DP27 – Basements and lightwells

DP28 – Noise and Vibration

DP32 – Air quality and Camden's Clear Zone

5.4 Supplementary Planning Policies

Camden Planning Guidance 2011

CPG1 – Design (Sections 2, 3 and 6)
CPG 2 – Housing (Sections 4 and 5)
CPG 3 – Sustainability (Section 9)
CPG 4 - Basements and lightwells (Section 2)
CPG 6 – Amenity (Sections 6, 7 and 8)
CPG 7 – Transport (Sections 5, 6 and 9)

Redington/Frognal Conservation Area Statement (2000)

6. ASSESSMENT

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Loss of a residential unit;
- Principle of demolishing existing houses;
- Design and impact on Conservation Area;
- Basement impact;
- Impact on Trees and Landscaping;
- Living standards of proposed house and compliance with Lifetime Homes Standards;
- Impact on neighbour amenity;
- Sustainability measures including energy sources;
- Transport matters in relation to the parking, construction and work to the highway; and
- Other Issues.

6.2 Land Use

6.2.1 Policy DP2 encourages development proposals to make full use of Camden's capacity for the provision of new housing and resists developments that would involve the net loss of two or more homes, unless criteria listed under DP2(f) are met. The proposed development would result in the loss of one home and therefore is in accordance with the aims of this policy.

6.3 Demolition

6.3.1 Policy CS14 seeks to ensure preservation and enhancement of Camden's heritage assets and their settings. In that respect policy DP25 aims to prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character and appearance of the conservation area. In addition to that, the Conservation Area Statement seeks to retain buildings that positively contribute to the character and appearance of the conservation area.

6.3.2 The existing houses are not listed in the Conservation Area Statement among those properties which make a positive contribution to the Conservation Area. Although the existing houses were built to a traditional design and in red brick they lack sympathy with the characterful architecture of the neighbouring houses within this part of the Conservation Area. Essentially the plot is a side infill between the

large and imposing No. 15 Redington Gardens and the row of later relatively more modest houses at Nos. 18 – 23. The second house on the plot, No. 16, extends back into the garden area beyond the rear building line of the neighbours on either side and is clearly visible in long views from Redington Road. Given the limited contribution of the existing houses to the character and appearance of the Conservation Area demolition of the existing houses, subject to a suitable replacement scheme, is considered to be acceptable.

- 6.3.3 The Conservation Area Statement discourages the loss of front boundary walls and a reduction of soft landscaping in the front gardens as alterations to front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area (RF8). The soft landscaping in the front garden and the front boundary treatment would be retained therefore the proposed scheme would not detract from the existing amenity value of the front garden.

6.4 Design and Appearance

- 6.4.1 Policy DP25 states that the Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. In addition the policy also states that the Council will take into account conservation area statements, appraisals and management plans when assessing applications within conservation areas. In terms of characteristic features the Conservation Area Statement considers the street trees, low brick walls and hedges along Redington Gardens to make a positive contribution to the appearance and character of the Conservation Area.
- 6.4.2 Similar to the existing houses the proposed house would read as two separate houses joined at lower and upper ground floor levels. The roof from of the front part of the proposed house would be very similar to the existing house at No. 17 but the front part of the new house would be approximately 1.5m higher than the existing house. The rear part of the proposed house would have a slightly different roof profile than existing to allow attic level accommodation and would be approximately 0.8m higher than the existing house at No. 16. The proposed basement level would be below the front and rear gardens and would have fenestration facing onto an enclosed lightwell close to middle of the site. The front boundary treatment would be retained.
- 6.4.3 The adjacent property at No.15 is a three-storey large period property with a high pitched roof incorporating dormer windows. The adjoining terrace (Nos.18-22) accommodates traditionally designed two storey properties with pitched roofs. Although the proposed house would be higher than the existing house it would be one storey below No.15 and would only be 10cm higher than the adjoining terrace of properties. In term of its height and bulk, the proposed house would respect the topography of the site and its adjoining neighbours. It is considered that the proposed house would not dominate the streetscene on the southeast side of Redington Gardens or harm the open aspect of the back gardens, from Redington Road.
- 6.4.4 The proposed house would be constructed in red brick with a clay tile roof. The proposed windows and doors would have white painted metal frames. These

materials are considered to be appropriate in design terms and a condition requiring samples of brickwork and other materials, as well as details of windows and doors is recommended.

- 6.4.5 The proposed house has been designed to sit comfortably in the streetscene. The proposal is a modern sympathetic design which responds positively to the character and appearance of the conservation area. Overall the proposed scheme subject to use of appropriate materials is considered to comply with the relevant policies outlined above.
- 6.4.6 The enclosed air condenser system would be located at the south corner of the rear garden. It would be approximately 1.75m above the ground and screened by planting and boundary fencing. The enclosed unit would be discreetly hidden by reason of its position and the planting and fencing around it and therefore would not be visible from the adjoining gardens or affect the garden settings of this conservation area. Even if the planting around it were to be removed the proposed enclosed condenser would have a minimal impact on the garden setting by reason of its size and position at the furthest corner of the rear garden.

6.5 Basement Impact

- 6.5.1 Policy DP27 states that 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. The applicants submitted three Basement Impact Assessment Reports which cover screening, scoping, site investigation, impact assessment and recommendations to address policy DP27.
- 6.5.2 The proposed basement level would cover the footprint of the existing houses and most of the driveway on the side and would have varying depths below the ground floor level due to the steep increase in gradient from southwest to southeast. The excavation depth would be nearly 4m near the entrance (north) to the site increasing to 7m towards the south of the site. The proposed indoor swimming pool on the basement level would be nearly 10m by 3m and 1.5m deep.
- 6.5.3 The site is located 500m down gradient and to the south of Hampstead Heath and is outside any EA designated Flood Zone. Redington Gardens is not highlighted as a street that flooded in the 1975 and 2002 events. The London Clay is approximately 90m to 100m thick in the area. The existing ground levels increase from approximately 96mOD by No.17 to 100mOD in the back garden of No.16. To the south-west of No. 16 the ground level also drops south westerly (from approximately 98.6mOD to 96.4mOD). The site is within 100m of the River Westbourne (run beneath Redington Gardens) and is underlain by soils of the Claygate Member which has been classified as a secondary aquifer.
- 6.5.4 The Scoping report recommends ground investigation including two boreholes to depths of 10m to determine ground conditions. Accordingly 10m deep boreholes and window sampler boreholes between 5m and 6m were drilled. The top of the London Clay Formation was encountered below the Claygate Beds at depths of between 3.9m and 5m. The groundwater was monitored from 1st August 2011 to

14th August 2011. The groundwater encountered in the Claybeds as 'seepages' between 3m and 5m indicates limited groundwater flow most likely originating from more permeable silt and sand layers within the lower Claygate Member. No groundwater was recorded in the London Clay Formation.

- 6.5.5 On the basis of the site investigation the volume and flow of ground-water pre-construction is anticipated to be minimal and is likely to be limited to within permeable horizons in the Claygate Beds. The new basement slab will bear primarily on the surface of the London Clay and provide a partial cut off to groundwater flow. Given the orientation of the proposed basement would be parallel to the anticipated groundwater flow direction the obstruction to the flow would not be significant. Additionally, it is considered that the permeability of the Claygate Beds is likely to be higher than the vertical permeability, facilitating flow of the ground water around the basement.
- 6.5.6 The proposed development is expected to have a negligible impact on surface water as the percentage of hardstanding proposed is similar to what is existing. The applicant's consultant confirmed in his e-mail dated 19th March 2013 that the volume of surface water runoff would not significantly change and could be accommodated through the existing drainage system. The consultant however suggests that a SUDs should be incorporated and therefore a condition for the details of SUDs is recommended.
- 6.5.7 CPG4 states where the predicted structural damage to neighbouring property is identified as being greater than the Burland category of 'slight' (Category 2), mitigation measures should be incorporated into the proposed scheme. In terms of ground movements caused by the proposed basement it is expected that the vertical movements due to installation of a secant piled wall are likely to be in the region of 0.05% of the wall depth and lateral movements 0.04% of wall depth. Based on this, 18 Redington Gardens which would be most affected by the proposed basement is predicted not to incur damage which exceeds 'very slight' (Category 1). The Basement Impact Assessment Report dated August 2012 suggests that maximum settlement can be limited further in the structural design of the piles and by adopting good workmanship during installation.
- 6.5.8 The Building Regulations 2010 Part A requires that details of the temporary support to maintain stability of the adjoining properties and pile foundations be reviewed prior to construction and retaining walls of the proposed basement level be examined on site. However, in addition it is considered appropriate to include a condition for a qualified Chartered Engineer to inspect both the permanent and temporary basement construction works.
- 6.5.9 The reports relating to basement impact and ground investigation are considered to address policy DP27 as they cover all the stages set out in CPG4. It is considered that the proposed basement could be constructed without harming the water environment and structural stability of the adjoining properties.

6.6 Impact on Trees and Landscaping

- 6.6.1 The applicants submitted an Arboricultural Impact Assessment in respect of the proposed scheme. The proposed basement level would not project beyond the existing front building line and therefore the proposed basement excavation would not affect the root protection areas of Lime trees in the front garden. The proposed basement would be 5m from the trunk of the Ash tree and 8m from the trunk of Oak tree in the rear garden and would not significantly encroach on the root protection areas of these trees. The Council's tree officer is satisfied that these trees could be retained and would not be harmed by the development.
- 6.6.2 The proposed basement excavation may harm two Cherry trees in the rear garden of No 18. These trees are not visible from the public realm and are identified as being poor quality in the arboricultural report. The Council's tree officer considers that these trees are not worthy of being brought under a TPO and therefore it would be not be appropriate to recommend refusal of the application in order to enable their retention. The applicants do not propose to remove these trees but their arboricultural consultant recommends that the Cherry trees should be replaced. The survival or replacement of the Cherry trees is considered to be a private matter between the applicant and the occupiers/owner of No.18. Notwithstanding this an informative should be attached to the permission (if granted) advising the applicant that they should discuss with the owners of No.18 appropriate replacement planting for these trees.
- 6.6.3 The applicants submitted an 'Arboricultural Method Statement' dated 21st March 2013 by Landmark Trees Ltd. This method statement confirms that the retained trees will be protected by a combination of existing and temporary barriers and ground protection and Landmark Trees as appointed Arboricultural Consultants will be responsible for site monitoring during implementation of the development (if granted permission). Tree protection barriers comprising 2.4m high steel mesh panels would be erected around the Lime trees in the front garden and across the beginning of the rear garden to protect the Ash and Oak trees.
- 6.6.4 The Council's tree officer is satisfied that the scheme can be constructed without harming those trees with amenity value and has recommended conditions for the implementation of tree protection measures (identified above) as well as details of landscaping.

6.7 Living Standards and Lifetime Homes

- 6.7.1 The proposed house including the basement level would have a floor area of 834sqm and five double en-suite bedrooms. The proposed house would exceed the recommended space standards set out in Camden Planning Guidance 2 (Housing). All of the bedrooms also meet the recommended space sizes and benefit from adequate storage space.
- 6.7.2 All the habitable rooms (except the guest bedrooms on the basement level) would also be well lit and ventilated. The proposed guest room would be served by a 4m by 1m lightwell and would not have an adequate allowable window area not blocked by walls within 30° in accordance with the Council's standards (shown on Figure 10 of CPG2). Given the proposed guest room would be used intermittently

and the rest of the house has good access the natural light the proposal is considered to be acceptable.

- 6.7.3 Policy DP6 requires new dwellings to be designed to fully comply with Lifetime homes standards. The applicants submitted a Lifetime Homes Statement. Most of the lifetime homes features such as level access, appropriate door widths, adequate space for wheelchair circulation, accessible WC on entrance level and accessible bathrooms would be achieved. Although the proposed ramp leading to the car parking spaces would be steeper than that recommended a stepped footpath next to the ramp is proposed to ease pedestrian access. Given site constraints it is considered that the layout of the proposed house would be capable of achieving lifetime homes standards as far as practically possible. A condition to secure these lifetime homes features should be included in the decision notice.

6.8 Neighbouring Amenity

- 6.8.1 Policy DP26 seeks to ensure that the amenity of occupiers of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and privacy. The properties on the adjoining sites would be most affected by the proposed development (Nos. 15 and 18).
- 6.8.2 Daylight: The applicant has submitted a Daylight/Sunlight Assessment prepared in accordance with the BRE standards to demonstrate the proposed development would have a negligible impact on the daylight levels to 15 and 18 Redington Gardens. The south-west flank of 15 Redington Garden has windows that serve habitable rooms of flats, these are between 5.6m and 6.8m from the side wall of the proposed house. The rear of the proposed house would not project beyond the rear of the existing house adjacent to shared boundary with no 15 but the roof of the proposed house would be slightly bulkier and higher than the existing house (No 16) at the rear.
- 6.8.3 The daylight assessment indicates that four windows at 15 Redington Gardens (W8, W9, W10 and W13) would suffer a reduction of more than 20% of the existing Vertical Sky Component (VSC) as result of the proposed development. This would exceed the guidelines recommended by BRE. The VSC values compared to existing would be 0.77 times to W8, 0.75 times to W9, 0.69 times to W10 and 0.76 times to W13. In addition the reduction in existing annual probable sunlight hours to windows W10, W12 and W13 as result of the proposed development would also exceed the BRE recommendation. The report concludes that these reductions would not be so significant that the application should be refused for the following reasons:
- Window W8 serves a room that is used as a bar, as such, the window is boarded up from the inside therefore the reduction in daylight to this window would not be noticeable to the inhabitants.
 - Window W9 serves a home office and the reduction in VSC value for this window would only be 5% above the guidance and therefore the impact on the daylight would be very minor.
 - Window W10 serves a main living room which is also lit by windows at the rear of 15 Redington Gardens (W16 and W17). The proposed VSC values for W16 and

W17 would be 27.9% and 31.1% respectively and therefore this living room would remain adequately lit by daylight.

- Window 12 serves the main living room to the dwelling on the ground floor. This room is also lit by Window 11 on the western façade which is hardly affected by the proposed development.
- Window W13 serves a bedroom and the reduction in VSC value for this window would only be 4% above the guidance and therefore the impact on the daylight would be very minor.
- Given the BRE suggests that only main living rooms and conservatories require direct sunlight the reduction in sunlight to the bedroom windows should not be seen as significant.

6.8.4 Officers agree that the loss of daylight to W10 is acceptable given that the room is also lit by other windows. Officers requested further information including the layout of the lower ground floor and upper ground floor levels of No. 15 which are served by windows W8, W9, W11, W12 and W13 to consider whether the loss of light to them was acceptable or not. The additional information confirmed that window W13 did not serve a bedroom as described in the daylight report. The lower ground floor plan shows that this window serves an open plan reception and kitchen area. Windows W11, W12 and W13 serve the reception and kitchen area on the lower ground floor level. This reception and kitchen area is also served by windows on the front elevation of No.15. Given the front windows and window W11 would allow adequate daylight to the reception and kitchen area the impact of the proposed development to daylight levels to windows W12 and W13 is considered to be acceptable. Window W8 serves a small bar room and window W9 serves a small study room on the upper ground floor level. The lower 2/3 of window W8 has already been blocked up and this already significantly restricts light to the room. The study room has dimensions of 2.2m x 2m, therefore the window area of W9 is considered to provide adequate daylight to that room. It should also be noted the rest of the rooms on the upper ground floor level (bedroom and reception room) are well lit and would not be affected by the proposed development.

6.8.5 Daylight levels to the side windows on the first floor level of No.15 directly facing onto the application site would not be significantly affected by the proposed development as reduction to existing VSC values of these windows would not be more than 20%. Similarly the rear windows of No.15 adjacent to the application site would not be significantly affected by the proposed development. It should be noted that the proposal was amended since the applicant's daylight consultant carried out daylight assessment. The bulk of the proposed house adjacent to the rear of No.15 was reduced and therefore the reduction in existing VSC values of windows W16 and W17 on the ground floor level of No.15 would be less than it was listed in the daylight report.

6.8.6 The flank elevation of 15 Redington Gardens which faces onto the application site is south-west facing. As the roof profile of the proposed house would be higher and bulkier than the existing houses the proposed development would have some impact on the sunlight to the adjacent habitable rooms on the lower ground and upper ground floor levels of No.15. Two of the three windows which serve the open plan reception and kitchen on the lower ground floor level would receive reduction to the annual probable sunlight hours beyond the BRE guideline but this reduction

would not significantly exceed the BRE guideline. The annual sunlight to the other window after the proposed development would be 38% and this complies with the BRE guideline. Only one of the three windows which serve the rear reception room on the upper ground floor level would receive reduction to the annual probable sunlight hours beyond the BRE guideline. The proposed annual sunlight hours to the remaining two windows would be above the BRE guideline. Therefore, the impact of the proposed development to the sunlight of the most affected habitable rooms of No.15 is considered not to be so significant to warrant a reason for refusal.

- 6.8.7 The report demonstrates that the proposal would have a negligible impact on the daylight of 18 Redington Gardens as the proposal would not result in more than a 20% reduction VSC of windows at that property. The impact of the proposed development on the sunlight to No.18 would also be minimal as the proposed annual probable sunlight hours to the windows of No.18 would be above the BRE guideline.
- 6.8.8 It is considered that the proposed development would not significantly affect the daylight and sunlight amenities of the adjoining neighbours.
- 6.8.9 Privacy: The existing house at No 17 does not have windows that are above eye level which directly face the flank windows of No 15. The front part of the house and the central link would have windows which would face the side windows of No 15 therefore a condition for these openings to be obscure glazed is recommended to protect privacy. The existing house at No 16 has side windows which allow oblique overlooking to the rear windows of No 15. Given the relationship between the rear part of the proposed house and the rear windows of No 15 there would be no significant increase in overlooking which would adversely affect the privacy of the occupiers of No 15. There would also be a very oblique angle overlooking from the proposed openings on the southwest elevation of the rear part of the proposed house to the rear of No 18. Given the distance and relationship between the proposed house and No 18 there would not be any significant overlooking to that property.
- 6.8.10 Outlook: Outlook from the adjoining houses would not be significantly compromised by the proposed house as it would be only slightly higher and bulkier than the existing houses at roof level.
- 6.8.11 Noise: The applicants submitted a noise impact assessment for the plant which would be internally located and have acoustic louvres facing into the lightwell/enclosed courtyard and the enclosed air condenser to be located in the rear corner of the garden. The measurements over a 24 hour period are taken from the rear courtyard to the west side of 16 Redington Road which is closer to the noise source than the nearest neighbouring noise sensitive facade. The distance from the plant to the nearest noise sensitive facade is 18m and the distance from the point of discharge of the pool ventilation system to the nearest neighbouring noise sensitive facade is 10m. The lowest background noise level is 27dB. The noise levels of the proposed plant when in operation subject to mitigation measures would be 10dB below the lowest background noise level to nearest noise sensitive facades. The proposed mitigation measures to the pool ventilation system would

include acoustically lined ductwork, acoustically lined mitre bends and installation of silencers. The proposed climate control unit would be located in a box like acoustic enclosure.

- 6.8.12 The Council's Environmental Health officer has raised no objection to the proposed plant and recommends conditions to limit the noise levels in accordance with the Council's standards and to ensure that the attenuation measures identified in the report are implemented. The recommended conditions are included in the decision notice.
- 6.8.13 The proposed development subject to the recommended safeguarding conditions is considered not to affect the amenity of neighbouring residents in terms of loss of outlook, privacy and daylight/sunlight and noise nuisance.

6.9 Transport

- 6.9.1 The site has a public transport accessibility rating (PTAL) of 1b (poor). This means that the site cannot easily be accessed via public transport. There is a vehicular access to the site from Redington Gardens and this is to be retained. The site is within the Redington & Frognal (North) controlled parking zone (CPZ). The ratio of parking permits to parking spaces in the Redington & Frognal CPZ is 0.54. This indicates that parking stress is not a significant issue locally.
- 6.9.2 Car Parking: The existing site accommodates 2-3 off-street car parking spaces within a garage. Two new car parking spaces are proposed within a garage to be constructed at ground floor level within the proposed house. The Council's parking standards state that maximum car parking spaces per dwelling should be one. Although the proposed car parking spaces would exceed this threshold consideration should be given to the existing situation and the potential making the proposed development car capped. The site has a low PTAL value and therefore a S106 agreement for a car capped development would not normally be justifiable however in this case the applicants are willing to enter into a S106 agreement for car capped housing. Given that the number of proposed on site car parking spaces is equivalent to existing and there would be a reduction in access to on-street car parking the proposal is considered to be acceptable in car parking terms. The proposed reduction on car parking would encourage the occupiers to reduce reliance on private motor vehicles.
- 6.9.3 Cycle Parking: DP18 requires development to provide for the needs of cyclists; cycle parking standards are contained in Appendix 2 of the LDF Development Policies. The London Plan also provides guidance on cycle parking standards these are outlined in Table 6.3 of The London Plan 2011. Camden's Parking Standards for cycles states that one space is required per residential unit, however, for larger residential units (3+ beds) the London Plan requires two cycle parking spaces per unit. The proposed lower ground floor plan shows an internal cycle storage area at the rear of the proposed garage for 4 cycle parking spaces. The proposed level of provision exceeds Camden and TfL minimum standards and is therefore considered to be acceptable. The proposal suggests that Sheffield Stands would be provided and again this is acceptable.

6.9.4 Managing the Impacts of Construction: The proposed development includes significant demolition and excavation works to an extent that could affect the local transport network in the area during construction therefore a Construction Management Plan is required prior to work commencing on site. The applicants have submitted a draft Construction Management Plan (CMP) in support of the planning application. Although this is useful in some respects, it lacks detail. In particular, it fails to provide any details with regard to proposed vehicle routes between the site and the Transport for London Road Network (TLRN), or details of the sizes of vehicles and the frequency and times of day when they will need access to the site during demolition and construction works. It is recommended that a detailed CMP should be secured by Section 106 agreement prior to demolition works commencing on site.

6.9.5 Highway Works: Given the extent of the proposed works the public highway adjacent to the site could be adversely affected. Therefore, it is recommended that a S106 agreement secure a financial contribution to repair damage to the footway and the vehicular crossover following completion of the development. This S106 obligation should also require plans demonstrating interface levels between development thresholds and the Public Highway. The Highway Authority reserves the right to construct the adjoining Public Highway (carriageway, footway and/or verge) to levels it considers appropriate. The Design Team in the Transport Strategy Service estimated the cost for this work to be £13,901.65.

6.10 Sustainability Measures

6.10.1 The applicant has submitted a Sustainability Statement, Energy Assessment and Code for Sustainable Homes Preliminary Assessment in order to address Policies CS13, DP22 and DP23. Policy DP22 expects new build housing to meet Code Level 4 by 2013.

6.10.2 The proposed scheme is expected to achieve Code Level 4 with 58% credit from energy, 50% credit from water and 58% credit from materials and a 25% reduction in carbon emission beyond Building Regulations. The improvements in energy efficiency will be achieved by improving the building fabric and services including use of whole house mechanical ventilation with heat recovery. A Solar Photovoltaic system (to utilise the sun's energy into electricity) would be installed on the proposed south-west roof pitch of the front part of the house. In addition to these, the following sustainability measures are proposed:

- Installation of energy display devices for time monitoring;
- Drying spaces in ventilated areas;
- Use of energy efficient appliances and lighting;
- Cycle storage;
- Home office facilities;
- Use of water efficient products;
- Use of A-D rated materials on the Green Guide;
- Rain water harvesting;
- Composting facilities;
- Lifetime Homes features; and

- Protection of ecological values (involving protection of trees with ecological value and appointing a qualified ecologist to advise on ecological enhancement of the site)

6.10.3 The proposed sustainability measures are considered to be acceptable and a condition for a post-construction 'Code for Sustainable Homes' Assessment is recommended.

6.11 Other Issues

6.11.1 CIL: This proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £21,600. This does not include any surcharges or indexation which may be applied to a CIL payment.

6.11.2 Refuse Storage and Management: An enclosed refuse and recycle storage area would be located at ground floor level beneath the steps (immediately adjacent to the shared boundary with no 15). This area is considered to be sufficient for a single dwellinghouse. A condition for the provision and retention of the proposed refuse and recycle storage facilities is included in the decision notice.

6.11.3 PD Rights: The proposed dwellinghouse would benefit from permitted development rights for rear extensions and alterations. Further alterations and extension to the proposed houses could compromise the overall architectural composition of the proposed development and may harm the amenities of the neighbouring properties therefore a condition for the removal of permitted development right is recommended.

7. CONCLUSION

- 7.1 The proposed development is considered to be acceptable in principle in design terms, as the loss of existing houses would not significantly detract from the character and appearance of the Conservation Area and the replacement scheme would relate well to its surroundings in terms of positioning, size, bulk and detailing of the proposed house. Given the front garden and boundary walls would be retained the proposal would also not detract from street features that positively contribute to the character and appearance of the area.
- 7.2 The proposed development has been designed with sustainability in mind and incorporates low carbon and renewable energy technologies. During the design of the proposed development, consideration has been given to the impact of the proposed development on the character of the area and the amenities of the neighbours.
- 7.3 Subject to conditions and a S.106 agreement with the terms that are listed below planning permission and conservation area consent are recommended to be granted.
- 7.4 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:

- Car-capped housing;
- Construction Management Plan; and
- Financial contribution of £13,901.65 for highway works and submission of plans demonstrating interface levels between development thresholds and the Public Highway.

8. **LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.