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Planning Statement

Village Close Garages, Belsize Lane, London NW3

Prepared by Savills UK incorporating The London Planning Practice Ltd.

Savills UK
Lansdowne House
57 Berkeley Square
London
W1J 6ER



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1. Introduction

- 1.1 This statement is prepared in support of the proposals for the redevelopment of the garage site on Belsize Lane to provide 7 residential units including subterranean parking provision.
- 1.2 The existing site comprises 18 garages which are in a dilapidated state of repair and are very detrimental to the streetscape of Belsize Lane and the adjacent Conservation Areas.
- 1.3 The owners of these garages have come together through a local architect and formed a partnership 'Belsize Garages Project Ltd' with the primary aim of redeveloping the site to create a high quality residential scheme reflective of that within Belsize Village. It has taken many years to form the agreement of local residents into a group to enable a consensus view about the future of this site to be realised.
- 1.4 At present all of the garages are owned by local residents, many of which are tied to the title of their properties in and around Village Close, Belsize Lane. As a consequence therefore the 'consortium' formed represents the aspirations of local residents to improve their environment through a redevelopment of this site.
- 1.5 The following sections of this statement reviews the proposals in relation to key planning considerations and current national, regional and local planning policy set out under the following headings:
- **Site and Surroundings**
 - **The Proposals**
 - **Planning Policy**
 - **Planning Considerations**
 - **Conclusions**

2. Site and Surroundings

Existing Site

- 2.1 The existing site is 0.07 hectares and comprises 18 lock up garages with vehicular access leading from Belsize Lane to the north. The existing garages are owned by local residents, many of which are tied to the title of their properties in and around Village Close, Belsize Lane
- 2.2 The garages are in a state of disrepair due to neglect and vandalism over the years and poor security of the site in general.



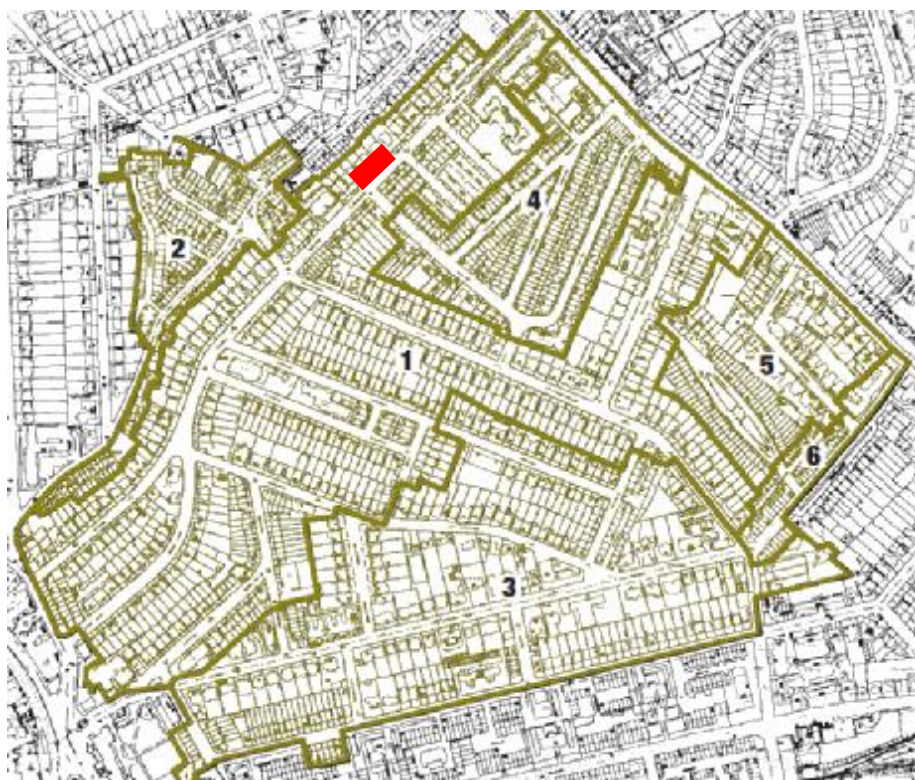
The application site is not subject to any specific planning designations.

Surrounding Area

- 2.3 Adjacent to the site located to the south west is 25 Belsize Lane a four storey apartment building. Opposite the site is a terrace of three storey residential properties [Belsize Court Garages] and to the north-east the 2 storey properties of Village Close.



- 2.4 Further to the east of the site lies a series of 2 storey 20th Century dwellings fronting Belsize Lane varying in style and design.
- 2.5 To the south of the site lies a 5 storey building fronting 13 – 19 Belsize Avenue comprising flats with ancillary parking and gardens abutting the rear boundary of the application site. This boundary is screened by a dense row of mature coniferous and ash trees.
- 2.6 To the west of the site, the buildings fronting Belsize Lane, Belsize Place and Belsize Terrace form part of a designated 'Neighbourhood Centre' and consists of a wide range of services including restaurants, cafés, newsagent, delicatessen, estate agents, chemist and other services predominantly at ground floor levels with residential accommodation at upper levels. These properties are generally between 3 and 4 storeys.
- 2.7 The wider area surrounding the site to the east, north and south is predominantly residential in character consisting of a mix of flats and houses.
- 2.8 There is no record of any planning history available for the site on the LPA's website.
- 2.9 The site has been selectively excluded from the Belsize Park Conservation Area, including the Village Close housing to which this site relates, as evidenced by the boundary of the conservation area which immediately surrounds the site on three sides



- 2.10 In close proximity to the site, nos. 27 – 39 Belsize Lane are identified as buildings which make a positive contribution towards the character and appearance of the Belsize Conservation Area.
- 2.11 In terms of accessibility to public transport, the site lies within 8 minutes walking distance to Belsize Park Underground station offering services via the Northern Line and Swiss Cottage on the Jubilee Line. Major bus services also operate along Finchley Road and Haverstock Hill.

3. The Proposals

3.1 Full planning permission is sought for the following development:

'Redevelopment of the existing garage site to provide a new 3 and 4 storey building comprising 7 flats with semi-basement parking, associated access and landscaping'

3.2 The proposed flats within the development would comprise the following mix of dwellings:

- 3 x 2 bedroom
- 4 x 3 bedroom

3.3 The development proposes two flats per floor up to second floor level with the third floor providing for a three bedroom penthouse flat.

3.4 The main pedestrian entrance into the development would be from Belsize Lane via a central entrance and lobby area providing access to the stair and lift core facilitating access to all flats within the building.

3.5 The development is approached via a landscaped front garden enclosed by a 2.5m high permeable boundary wall to the Belsize Lane frontage.

3.6 Each flat includes a private terrace which overlooks garden areas to the rear of the building. There is also a large communal garden of 125sqm at the rear of the building to which all occupants would have direct access to from the ground floor lobby area.

3.7 The proposed semi-basement provides space for 19 parking spaces (15 spaces to replace the existing garages on site and the remaining 4 spaces are for the 7 flats proposed). Access into this basement is provided via a ramp (with gradient 1:6 with 1:12 transitions) leading down from Belsize Lane in a similar position to that existing into the site. In addition, the area provides space for cycle parking, plant and storage areas.

4. Planning Policy Framework

4.1. The following comprises the current planning policy context against which the proposed development has been assessed:

a) National level

The National Planning Policy Framework (NPPF).

b) Regional level

The London Plan adopted 2011

c) Local Level

The Development Plan for the site comprises:

- Camden Core Strategy (2010)
- Camden Development Policies (2010)

Relevant Supplementary Planning Guidance and Documents (SPD/SPG) include:

- Camden Planning Guidance 2011
 - *CPG 1 Design*
 - *CPG 2 Housing* (including proposed revisions to CPG2 December 2012)
 - *CPG 3 Sustainability*
 - *CPG 4 Basements and lightwells*
 - *CPG 5 Town centres, retail and employment*
 - *CPG 6 Amenity*
 - *CPG 7 Transport*
 - *CPG 8 Planning obligations*

5. Planning Considerations

5.1. The 2004 Planning & Compulsory Purchase Act requires that the determination of any planning application must be in accordance with the development plan unless material considerations indicate otherwise. The development plan in this instance is the London Plan 2011, Camden Core Strategy 2010 and Camden Development Policies Document 2010.

5.2. The proposals for the demolition of the existing garages and construction of a new three and four storey building providing 7 flats with associated basement parking have been assessed in relation to the key planning policies as set out within the development plan and are assessed in turn under the following headings:

- i) Pre-application process*
- ii) Public Consultation*
- iii) Principle of Residential Development*
- iv) Affordable Housing*
- v) Principle of proposed subterranean extension*
- vi) Impact on the Adjacent Conservation Area*
- vii) Impact on residential amenity*
- viii) Traffic and parking*
- ix) Trees and landscaping*
- x) Sustainability and renewable energy considerations*

i) Pre-application Process

5.3. Early consultation has been carried out with planning and design officers in relation to the proposals for the redevelopment of the site to provide a high quality residential development through the formal pre-application process. This incorporated the submission of a detailed planning and design document to officers and a series of meetings over the last 12 months at which the key principles of the development and detailed design elements were discussed. The discussions with the officers have been extremely helpful and informative to the schemes development towards what is now the planning application scheme.

5.4. The proposals have been formulated having taken on board the detailed comments of these officers in relation to key planning and design comments and it is considered that the scheme represents an appropriate use, design, scale and mass for this site which is sensitive to the surrounding townscape and the character and appearance of the adjacent conservation

areas.

ii) Public Consultation

- 5.5. Extensive consultation with local residents and ward Councillors has also been undertaken to discuss the proposals.
- 5.6. An initial meeting was held with the ward Councillors for Belsize at which the scheme proposals were presented and discussed in detail. Following this meeting revisions were made to the scheme to take on board some of the comments raised by the ward Councillors. A further meeting was then arranged with the same ward Councillors and the invitation extended to Councillors within the Hampstead ward to review the revised scheme and discuss any further comments on the proposals.
- 5.7. These meetings were extremely helpful to the design development process of the scheme.
- 5.8. In addition, those local residents whose properties directly adjoined or faced the site were contacted via letter providing them with the opportunity to meet with the professional team and discuss the proposals in detail.

iii) Principle of Residential Development

- 5.9. Core Strategy Policy CS6 on 'providing quality homes' and Development Policy DP2 states that the Council aims to maximise the supply of additional housing, and regards housing as the priority land-use of Camden's Local Development Framework.
- 5.10. London Plan Policy 3.3 builds on this and sets out that local authorities should seek to achieve and exceed the housing targets set out within the plan. For Camden the London Plan sets a target of 6,650 new homes up to 2021 with an annual target of 665 new homes. There is therefore a strong emphasis on the provision of new homes within the Borough.
- 5.11. The area surrounding the application site comprises predominantly residential properties or properties in mixed use including an element of residential use within adjacent Belsize Village. The properties immediately adjoining the site are residential in use and as such the proposals for the redevelopment of the application site for residential use would be appropriate in this location and reflective of the general character and land use of the surrounding area.
- 5.12. The Core Strategy states that for market housing, homes with 2-bedrooms are the highest priority, whilst homes with 3-bedrooms and 4-bedrooms or more have a medium priority. Development Policy DP5 states that the Council expect a mix of large and small homes in all

residential developments. On this basis the proposals meet the dwelling priority mix of the Council with a good mix of unit sizes that address the high and medium priority housing needs. The following mix of units is proposed:

- 3 x 2 bedroom flats
- 4 x 3 bedroom flats

5.13. All flats would adhere to the standards set out within the London Plan in terms of unit sizes, internal room sizes, layout and being dual aspect and are compliant with Lifetime Homes standards. In terms of amenity space provision each flat benefits from private dedicated amenity space in the form of external terraces located at the rear of the building.

5.14. In addition to the private balconies there will be a large communal garden of 125sqm located to the rear of the building that will be accessible by all future occupants of the building via the internal lobby area at ground floor level. There would therefore be more than adequate amenity space provision for the future occupants of this development in terms of size but also the amenity space provide will be good quality, functional and attractive space.

iv) Affordable Housing

5.15. The key planning policies which are of relevance in relation to the requirement of affordable housing as part of new residential development is firstly Development Policy DP3, which states that:

“The Council will expect all residential developments with a capacity for 10 or more additional dwellings to make a contribution to the supply of affordable housing.

The Council will seek to ensure that where two-or-more development sites are adjacent and related, the appropriate affordable housing contribution is comprehensively assessed for all the sites together. Where development sites are split or phased, the Council will seek to use legal agreements to ensure that all parts or phases make an appropriate affordable housing contribution. (this section of policy is not relevant to this site)

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 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.

In considering whether an affordable housing contribution should be sought, whether it can practically be made on site, and the scale and nature of the contribution that would be appropriate, the Council will also take into account:

- a) access to public transport, workplaces, shops, services and community facilities;*
- b) the character of the development, the site and the area;*
- c) site size, and constraints on including a mix of market and affordable tenures;*
- d) the economics and financial viability of the development including any particular costs associated with it;*
- e) the impact on creation of mixed and inclusive communities; and*
- f) any other planning objectives considered to be a priority for the site.*

- 5.16. The proposed development for this site falls below the 10 unit threshold and is only marginally above the 1000sqm capacity threshold at 1,518sqm GEA. In this respect the sub text to Policy DP3 is of particular relevance in relation to smaller developments that marginally exceed the 1000sqm threshold and their ability to provide on site affordable housing. This states the following:

*“On-site contributions to affordable housing offer the best prospect for mixed and inclusive communities, offer the best prospect for timely delivery of both the affordable and market elements of the development, and avoid the difficulties of having to identify a second suitable site nearby that can viably be developed for affordable housing. **However, the Council accepts that off-site solutions will be necessary where it is not practical to include affordable housing within a market housing development, for example where the development is relatively small (up to 3,500 sqm gross).**”*

- 5.17. This statement is very clear and unambiguous in that the Council accepts that off-site solutions would be necessary for developments which are smaller than 3,500sqm but exceed the 1000sqm threshold.

- 5.18. The application site encompasses a proposed development of 1,518sqm which is only marginally over the 1000sqm threshold and is significantly below the 3,500sqm threshold and must (on the basis of Policy) be considered to be a very small development site where it is not practical to provide affordable housing on site. In this instance the Council accept that the

individual characteristics of the site including financial viability will be a consideration in whether a contribution should be sought.

- 5.19. The supporting text of Development Policy DP3 follows on to set out the key considerations where off-site affordable housing is appropriate which are as follows including our response to each in turn:

1) *Physical constraints of the site or premises would make on-site affordable elements impractical for management purposes;*

The proposed scheme provides a major opportunity to bring a dilapidated site which attracts anti-social behaviour and fly-tipping into a more complementary use that significantly benefits the surrounding environment as well as the Borough through the provision of additional housing. However as part of the process to ensure the deliverability of the development and secure sufficient funding, an option has been entered into (subject to planning) to sell the completed ground floor units and others are yet proposed. The funding raised from these sales will support the site's deliverability.

The result of securing the option for the sale of the ground floor means that the flats at this level would be unavailable and impractical for the provision and location of any affordable housing. As such, if any affordable housing were to be provided within the development it would need to be located at upper levels which would be wholly impractical in terms of the design and layout of the development. This would give rise to significant physical constraints on the scheme such as the need for separate stair and lift cores to be incorporated for the market units and affordable unit, all of which would have a significant impact on the projects viability and weaken the prospects of the scheme proceeding.

2) *The management or service charges of an on site scheme would be too costly for affordable housing providers or occupiers to meet;*

The development proposed is of a high quality in terms of its design, materials and specification internally and externally which would result in a level of service charge that is unlikely to be covered by an RP or occupant. This quality is a direct response to the surrounding quality of the townscape and the Belsize Park Conservation Area in general.

Again, the management of one unit would be too costly and impractical to justify the affordable housing unit. This has been confirmed by three RP's, Origin Housing, One Housing Group and Circle Housing group.

Furthermore this would be an unsustainable component in the development. One unit of 100 m² area would have a market value in excess of £1m, this would represent too considerable a loss in sales revenues for a small development and the consequent impact on the project's viability.

3) Particular costs associated with the development would require an excessively high amount of subsidy for on site provision; but the economics of the development do not preclude making an off site affordable housing contribution.

It has been indicated that if a unit were provided on site it should be for social rent. The lack of grant available for affordable housing provision and high service charges as mentioned above would however render the provision of a single unit on site far too costly for an RP to pursue.

The development must also deliver the re-provision of the car parking spaces that are currently provided by the surface level garages. This is a fundamental element of the proposals. Without this re-provision, the scheme simply cannot proceed under any circumstances. The provision of the half level car-park is a significant but inevitable cost of the realising development.

The economics of the site preclude the on site provision, but in line with policy may well allow the provision of a commuted payment to satisfy policy. This is outlined in greater detail within the viability appraisal prepared by Affordable Housing Solutions.

4) The necessary affordable housing funding is unlikely to be secured within a reasonable timescale to enable an on site scheme;

There is no affordable housing funding available, it is simply not a revenue stream that can be factored into any market led private housing scheme.

Without grant, the provision of affordable housing has become a more difficult proposition, especially so on such small sites and within developments just over the 1000sqm threshold.

5) An off site contribution will maximise the overall delivery of housing and affordable housing;

It is considered that a payment in lieu would be more beneficial to the provision of affordable housing in the Borough. By providing a payment to the affordable housing fund, this ensures that a definite unit can be brought forward as part of a comprehensive scheme for a greater proportion of affordable housing.

This would address housing need in a more effective and comprehensive manner, rather than providing one unit isolated in a development that is difficult to manage and where service and management costs are high, and where physical provision would threaten the entire deliverability of the development and therefore prohibit the delivery of additional residential units at the site.

The applicant acknowledges that Development Policy DP3 applies where the increased floorspace is above 1000sqm. However, the requirement for a single on site social rented unit cannot be considered to be required by the adopted policy and guidance of the LPA in this instance.

- 5.20. The considerations set out above and within the accompanying viability appraisal prepared by Affordable Housing Solutions clearly establish that it is neither practical nor financially viable for a single affordable unit to be provided within the development proposed for this particular site.
- 5.21. Supplementary to this adopted Development Policy is Camden Planning Guidance 2 Housing which has recently been subject to revisions. These revisions were consulted on during November / December 2012, the responses to which are currently being considered by the Council and the revisions are still in draft format and should **not** hold material weight in the consideration of planning applications at the present time. A brief review of the requirements of this revised guidance is however set out below:
- 5.22. The main revisions to CPG2 in respect of the provision of affordable housing on site and applicable sites are as follows:
- The revisions are underlined as follows:
“The Council will particularly expect contributions to be made on-site where the development is larger. Where mixed-use policy DP1 applies, we will expect on-site housing contributions where 1,000 sq m (gross) or more of additional floorspace is proposed. Where affordable housing policy DP3 applies, we will expect on-site affordable housing contributions where 3,500 sq m (gross) or more of additional floorspace is proposed. For smaller developments, it may be possible to justify off-site contributions, but only where on-site provision is not practical having regard to all the considerations referred to in paragraph 2.69 of this guidance”

5.23. Paragraph 2.69 of this guidance sets out that the Council will have regard to Development Plan Policies DP1, DP3 and accompanying paragraphs 1.15 to 1.24 and 3.13 to 3.30. Policy DP3 is applicable and the criteria relevant to this policy are set out above in relation to the proposed development and the responses demonstrate that it is neither practical nor viable to provide affordable housing on site, and this should be the starting point in any consideration of affordable housing provision for this site.

5.24. The revisions to CPG2 follow on to set out further detailed criteria which development proposals should be considered against:

“The NPPF indicates that affordable housing provision should be made on-site unless an off-site solution is robustly justified. To meet this objective, the Council expects all options for on-site affordable housing to be fully explored, even where small developments are involved. The Council will expect applicants to show that the following options cannot practically deliver an on-site contribution before off-site solutions will be considered.”

Where a single large home is proposed, or all homes are to be served by a single entrance lobby and stair/ lift core, reconfiguring the scheme to create a separate entrance (or entrances) for affordable homes.

5.25. As emphasised above in the analysis for Policy DP3, the proposed development incorporates a single entrance and core through the centre of the development which presents the most appropriate internal layout for accessing the building and each flat.

5.26. For such a small building it would be wholly impractical and unviable to provide a separate entrance into the development for an affordable home as it would present design complexities in terms of the number of access points leading from the highway and the actual elevation design. The creation of a separate entrance would also be impractical due to the fact that the ground floor units have options which have been purchased and as such are not able to support an affordable housing unit on site. These have been purchased to secure the initial funding required to realise the development and the option that has been purchased for the ground floor units renders these units and this level unavailable for alternative provision.

5.27. This would lead to the provision of a unit at upper levels of the development which would create a wholly impractical and poorly designed scheme unsupported by an RP.

Where all homes are to be served by a single entrance lobby and stair/ lift core, designing the communal spaces to ensure that service and management charges are sufficiently low for affordable housing occupiers and providers (see also paragraph 2.40 of this guidance)

5.28. As emphasised above under Policy DP3 analysis, the applicant's aims for the redevelopment of this site are to achieve a high quality townscape housing scheme which is reflective of the character of the surrounding Belsize Village conservation area and market expectations. To provide a development of lower quality would be counterproductive in terms of viability and desire for the applicants and local residents to create a residential development of high quality and is also likely to have a negative effect on the streetscape.

5.29. This level of quality would result in a level of service charge that is unlikely to be covered by an RP or occupant.

Where all homes are to be served by a single entrance lobby and stair/ lift core, paying a dowry into a service charge reserve fund which can be used to top up payments by the affordable occupiers and ensure that service and management charges are sufficiently low (see also paragraph 2.40 of this guidance)

5.30. Notwithstanding the impracticalities and detrimental impact on viability for providing an affordable housing unit on site, the potential for providing a payment into a 'dowry' to cover service charges would also render the scheme unviable and prevent the scheme from being delivered as a result.

5.31. The provision of a 'dowry' is considered to be an unrealistic mechanism for maintaining low service charges in developments so as to secure affordable housing on sites as it would have significant impacts on the viability of a scheme in the short term and long term particularly as this could not be secured for an indefinite length of time. In addition, the security of the affordable housing unit within the scheme would be placed in jeopardy once the timeframe for providing the dowry ended and service charges subsequently increased making the unit unaffordable.

Approaching a range of housing associations and other providers (including the Council) to seek bids for acquisition of on-site affordable homes

5.32. Informal letters have been received from three RP's; Origin Housing, One Housing Group and Circle Housing group confirming that it would be too costly and impractical to provide one affordable unit on the site.

- Offering flexibility to housing associations and other providers to deliver the affordable housing as social rented housing, intermediate housing or (where 1- and 2-bedroom homes are involved) genuinely affordable rented housing
- Where providing the full affordable housing contribution on-site is not financially viable, providing a reduced affordable housing floorspace on-site

- Where an on-site solution is not financially viable, seeking a top-up payment from the Council's affordable housing fund.

- 5.33. In respect of the above three points the responses set out above under Policy DP3 should be re-emphasised that to provide an affordable housing unit on site would firstly be wholly impractical due to the issues relating to options on the ground floor and impracticalities affecting the design at upper levels and secondly would render the whole scheme unviable.
- 5.34. A detailed viability appraisal has been prepared by Affordable Housing Solutions and is included with the application submission. This emphasises the points raised above in terms of viability.
- 5.35. In summary, Policy DP3 sets out that it would not be considered appropriate to provide an affordable housing unit on a site such as this due to its size.. This is adopted policy and should therefore take precedent over any planning guidance or emerging planning guidance of which the revisions to CPG2 form part.
- 5.36. In addition to this, the London Plan focuses on deliverability and the need to encourage rather than restrain residential development and have regard to the individual circumstances of the site.
- 5.37. The provision of an affordable housing unit on site would render this scheme unviable and severely compromise the ability to deliver the development of this highly sustainable site. The opportunity to develop this site should be encouraged as suggested in the London Plan and is the 'golden thread' of the NPPF delivering the redevelopment of a sustainable, Brownfield site which currently presents a negative impact on the streetscape. In addition it would address current housing need and enhance the sustainability and biodiversity attributes of this site. All of which are encouraged in current planning policy.

v) *Principle of Proposed Subterranean Development*

- 5.38. Development Policy DP27 relates to the creation of basements and lightwells in new development proposals. The policy sets out that the Council will only permit basements and other underground development that does not cause harm to the built and natural environment and local amenity in terms of flooding and instability.

- 5.39. A single level, semi-basement is proposed beneath the proposed development extending across the full extent of the site but extending only 1.5m below street level so is not a full basement level of excavation. This semi basement area will provide the parking to replace the existing garages existing on the site owned by local residents and provide a further 4 spaces in connection with the development proposed. The proposed semi-basement will also provide cycle parking for the residential units and associated plant areas.
- 5.40. A detailed structural methodology is submitted to accompany this planning application which sets out that the proposed semi-basement whilst extending across the full extent of the site would not be excavated deeper than 1.5 metres. In addition, the development would provide for a large garden area to the rear of the site approx 125sqm (at a soil depth of 1m) providing new soft landscaping on this significantly enhancing the biodiversity and natural drainage of the site.
- 5.41. The structural methodology demonstrates that the proposed semi-basement would not have an adverse impact on the structural stability of adjacent properties, or adversely affect drainage and run off causing damage to the water environment, in fact the natural drainage of the site would be improved from that existing with the creation of a rear garden on the site.
- 5.42. The water environment in the locality would not be harmed and the amenity of adjacent occupiers would be preserved. There would be no loss of open space or amenity areas on the site as it is an existing site with hard standing and garages across the full extent of the site. A new tree will be planted to the front of the site and provision secured to protect the tree roots and its canopy, following the development of the site.
- 5.43. The site does not lie within an archaeological priority area and as such the proposed development would be unlikely to have an adverse impact on any archaeological remains.
- 5.44. There are no habitable rooms located at lower ground level and no lightwells proposed to serve this space and as such there would be no adverse visual impact on the street scene and architectural character of the surrounding area. The proposed development would therefore adhere to the principles of Development Policy DP27 in respect of the basement.

vi) *Impact on Adjacent Conservation Area*

- 5.45. The application site lies outside the Belsize Conservation Area but is in close proximity to its boundary and as such the proposal should be considered in terms of the potential impact on the setting of the Belsize Conservation Area. There are buildings of merit in close proximity to the site, in particular at 29 – 39 Belsize Lane to the south west of the site, all of which are considered to have a positive contribution to the character and appearance of the

conservation area.

- 5.46. The site comprises hard standing across the full extent with 18 garages in a poor state of repair utilised by local residents or alternatively rented out to local businesses during the daytime for parking vehicles. The existing site and its dilapidated condition therefore has a very negative impact on the surrounding street scene and the setting of the adjacent conservation area.
- 5.47. The proposals for the site include its redevelopment to provide for a new 3 and 4 storey residential building divided into three distinct components which step back from the street frontage progressively towards the east of the site. The building responds in terms of its scale and massing to the adjacent properties east and west of the site creating a transition in scale within the streetscape.
- 5.48. This demonstrates that the scale and mass of the proposed development is appropriate to the character of the area and in particular to the conservation area to the west of the site.
- 5.49. The design of the proposed building whilst contemporary in its appearance draws on elements of traditional detailing within surrounding properties in terms of the size, pattern and hierarchy of windows and use of materials. This ensures that the proposed building presents an attractive and appropriate development fitting in with the surrounding townscape and character of adjacent conservation areas.
- 5.50. The introduction of a large rear communal garden and front garden acting as defensible space substantially enhances the streetscape along Belsize Lane. The removal of hard standing in place of soft landscaping much enhances this site's contribution to the streetscape and the setting of the adjacent conservation area as a result.
- 5.51. The creation of a perforated front boundary wall as part of this development allows permeability at street level into the site whilst addressing one of the characteristics of Belsize Lane with an appropriate form of boundary treatment.
- 5.52. It is maintained therefore that the setting, character and appearance of the adjacent Belsize Conservation Area and the surrounding streetscape will be much enhanced as a result of the development proposed.

vii) *Impact on Residential Amenity*

Proposed Development

- 5.53. The proposed residential units will benefit from good outlook, natural daylight and sunlight as

a result of the orientation of the building, aspect of units facing north and south and a good internal layout.

- 5.54. Each flat will benefit from an external terrace of private amenity space which would be screened by a dense line of mature trees on the site boundary which would address any potential overlooking towards the rear garden of 13-19 Belsize Avenue at the rear. In addition these are some 26 – 30m away which would be sufficient to alleviate any direct overlooking.
- 5.55. The development also proposes a large rear communal garden of 125sqm for future occupants which would add to the level of amenity space provision and would more than adhere to the standards required by the Mayor in terms of size and quality which would seek the following level of amenity space:

Flat	Amenity Space Required
3 x Two bedroom	7 sqm per flat
4 x Three Bedroom	9 sqm per flat
Total	57sqm

Adjacent Occupiers

- 5.56. The proposed development will be positioned so as to not extend beyond the rear building line of adjacent property 25 Belsize Lane. This property incorporates to the stair core only within the flank elevation but no windows to any habitable rooms or flats and as such there would be no material harm to the amenities of occupiers of this property in terms of loss of outlook, privacy or sunlight and daylight.
- 5.57. To the eastern boundary there is a pair of single storey garages and then the 2½ storey terrace properties of 13 – 16 Village Close. There are no windows within the flank elevation of this property and as this terrace is set back from the street by some 9m – 11m respectively the proposed development would not project beyond the rear elevation of these properties and as such would not cause harm to the amenities of these occupiers in terms of loss of outlook, privacy or sunlight and daylight.
- 5.58. The flats to the south of the site at 15 Belsize Avenue lie some 26 – 30m away and whilst there are gardens serving these flats adjacent to the rear boundary of the application site, there is a border of mature trees located across the boundary between the two sites which would act as a buffer. The extensive separation distance and mature trees would be sufficient

to address any potential overlooking / loss of privacy from the development proposed.

- 5.59. In terms of daylight and sunlight, the report undertaken by Eb7 sets out that as a result of the development all site facing windows within 15 Belsize Avenue on the ground, first and third floor levels comply with the BRE guidelines and as such experience no material impact on sunlight or daylight to the rooms these windows serve. There are windows on the second floor however which experience a loss of daylight beyond that set out within the BRE guidance. This is however as a result of the fact they are positioned below an overhang at third floor level which reduces the level of light to these rooms currently. These are considered by the BRE as a 'self limiting feature' and where this occurs the guidance suggest that they be compared to similar windows in the facade which do not have the overhang. In this case these would be those windows at ground, first and third floor levels all of which comply with the BRE guidance. Thus it can be concluded that the loss experienced by these rooms is directly attributed to the overhang currently in place and not as a direct result of the proposed development. In addition Eb7 suggest that these windows are secondary windows and there appear to be other windows serving these habitable rooms thus daylight levels within these rooms would be adequate. There would also be no applicable windows within 25 Belsize Lane relating to the development of this site.
- 5.60. There would be no material overshadowing of any garden space to adjoining properties as a result of the proposed development..
- 5.61. A detailed sunlight and daylight report has been prepared by Eb7 and is included with the application submission.
- 5.62. Plant serving the development will be located within the semi-basement and whilst it will be naturally ventilated, any noise or vibration associated with this plant will be at a level accepted by the Council and set out within the accompanying noise report. This will ensure that there will be no significant harm to residential amenity of those adjacent or those within the development itself and any mitigation measures required in the form of acoustic enclosures will be incorporated in accordance with the standards agreed with the Council.

viii) Traffic and parking

- 5.63. Development Policy DP18 sets out that:

"The Council will seek to ensure that developments provide the minimum necessary car parking provision. The Council will expect development to be car free in the Central London Area, the town centres of Camden Town, Finchley Road/Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead, and other areas within Controlled Parking Zones

that are easily accessible by public transport.

Development should comply with the Council's parking standards, as set out in Appendix 2 to this document. Where the Council accepts the need for car parking provision, development should not exceed the maximum standard for the area in which it is located (excluding spaces designated for disabled people). Developments in areas of on-street parking stress should be 'car capped'."

5.64. The Council's parking standards are as follows:

- Low parking provision areas: maximum of 0.5 spaces per dwelling.
- Rest of borough: maximum of 1 space per dwelling.

5.65. The application site does not lie within a town centre or an area which is deemed to be of high transport accessibility and therefore it would not be appropriate for the development to be car free. The proposals involve the creation of 0.5 spaces per dwelling located at basement level. This would accord with the Council's parking standards in seeking a reduced level of parking for the site.

5.66. In addition, the existing garage spaces which are owned by local residents and located on the site are required to be re-provided as part of any redevelopment scheme. As such these will be located at basement level alongside the 4 spaces proposed for the new dwellings.

5.67. Electric charging points will be provided within the basement car park and future residents will not be eligible for an on street parking permit.

5.68. The proposed development would adhere to the principles of development policies in relation to parking provision. A transport statement has been prepared by Bellamy Roberts to discuss these issues in greater detail.

5.69. In terms of cycle parking, the proposals incorporate 1 space per unit at basement level which accords with the standards set out in Appendix 2 of the Policy Document.

ix) Trees and landscaping

5.70. There are several mature trees to the rear on the adjoining site, which have been identified as Leyland Cypress Cypress trees and mature Ash and Sycamore trees. A detailed survey and report has been produced by Landmark Trees and is included with the application submission. This report sets out that of the 17 surveyed trees 3 are 'B' category (Moderate

Quality) and 14 are 'C' category (Low Quality).

- 5.71. The majority of the trees on the adjoining site can be retained and the proposed development will not cause significant harm to these trees or their root distribution due to the level differences on the site, the intervening retaining wall and concrete hard standing of the garages.
- 5.72. Thus, the primary impacts are likely to be low, given sufficient mitigation: the demolition of the existing garages and lifting of the concrete hard standings will be undertaken manually; the outline of the new foundations within the theoretical RPA's will also be dug manually to 750mm depth, with pre-emptive root trimming under arboricultural supervision in the unlikely event that roots are found on site.
- 5.73. It was also agreed with the Council's arboricultural officer that ash tree T12 could be felled due to its subdominant canopy status and poor conformation. No direct replacement would be required as the surrounding trees would fill the space left by the tree and there would be no adverse impact on visual character of the area as a result.

x) Sustainability and renewable energy considerations

- 5.74. In respect of sustainability and energy requirements, Development Policy DP22 sets out that schemes must:
- a. *demonstrate how sustainable development principles, including the relevant measures set out in paragraph 22.5 below, have been incorporated into the design and proposed implementation; and incorporate green or brown roofs and green walls wherever suitable.*"
 - b. *"The Council will promote and measure sustainable design and construction by: expecting 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.;*
 - c. *The Council will require development to be resilient to climate change by ensuring schemes include appropriate climate change adaptation measures, such as:*
 - *summer shading and planting;*
 - *limiting run-off;*
 - *reducing water consumption;*
 - *reducing air pollution; and*
 - *not locating vulnerable uses in basements in flood-prone areas."*

5.75. The proposed development would adhere to the requirements of Policy DP22 and the requirements of Policy 5.2 of the London Plan in that Code for Sustainable Homes level 4 and an overall reduction of 43% of carbon emissions would be achieved. The reduction in carbon emissions and creation of an energy efficient development will be achieved through the following mechanisms:

- Passive energy measures within the development including the introduction of natural ventilation, use of low energy / compact fluorescent fittings and occupancy sensing technology in areas such as wc's incorporation of high efficiency condensing gas combination boiler, use of low flush / flow fittings to bathrooms.
- Installation of communal boiler for heating and hot water.
- Installation of 64 x 200w photovoltaic panels horizontally mounted on the roof of the proposed development.

6. Conclusion

6.1. The proposed redevelopment of the site at Village Close garages, Belsize Lane presents substantial planning benefits which include the following:

- The proposals for this site present a rare opportunity for local residents to come together and realise the development of this sustainable Brownfield site significantly enhancing the visual and physical amenity of their neighbourhood and townscape..
- Creation of a high quality residential environment compatible with the surrounding character of Belsize Village.
- Provision of two and three bedroom flats which address current high and medium priority need within the Borough and adhere to the standards set out within the London Plan for new dwellings.
- The proposed development would be highly efficient in terms of energy and resources introduce a saving on carbon dioxide of 43% and enhance biodiversity of the site through the creation of a large garden to the rear of the site and a brown roof.
- The parking provision for the development would be at a reduced level in accordance with current policy and introduce sustainable travel mechanisms such as electric charging points and cycle parking within the basement.
- The proposals adhere to the key principles of current local, regional and national planning policy.