

<b>Address:</b>	18 Redington Road London NW3 7RG	
<b>Application Number:</b>	2011/4665/P	<b>Officer:</b> Eimear Heavey
<b>Ward:</b>	Frognaal & Fitzjohns	
<b>Date Received:</b>	16/09/2011	
<b>Proposal:</b> Erection of part 2-storey, part 3-storey plus basement single family dwelling house (Class C3) (following the demolition of existing 2-storey dwelling house).		
<p>Drawing Numbers: B000; B001; B002; B003; B100; B101; B102; B103; B104; B105; B106; B107; B108; B109; B200 Rev 02; B201; B202; B203; B204; B205; B206; B207; B208; B209; D210; B1000; B1001; B1002; B1003; B1004; B2001; B2002; B2003; B2004; B300; B301; B400; Heritage and Urban Design appraisal by KM Heritage dated September 2011; Basement Impact Assessment by RSK Environment Ltd dated December 2011; Structural and Hydrology Report by Morrish dated August 2011; Tree survey and Arboricultural Method Assessment by martin Dobson Associates dated 15/08/11; Code for Sustainable Homes pre-assessment by PHA Consult dated September 2011; Design Quality Statement by Design Solutions dated 13/09/11; and Planning Statement by DP9 dated September 2011.</p>		
<b>RECOMMENDATION SUMMARY: Grant Conditional Permission subject to a S106 Legal Agreement.</b>		
<b>Related Application:</b>	Conservation Area Consent	
<b>Date of Application:</b>	22/09/2011	
<b>Application Number:</b>	2011/4665/C	
<b>Proposal:</b> Demolition of existing 2-storey dwellinghouse (Class C3).		
<p>Drawing Numbers: B000; B001; B002; B003; B100; B101; B102; B103; B104; B105; B106; B107; B108; B109; B200 Rev 02; B201; B202; B203; B204; B205; B206; B207; B208; B209; D210; B1000; B1001; B1002; B1003; B1004; B2001; B2002; B2003; B2004; B300; B301; B400; Heritage and Urban Design appraisal by KM Heritage dated September 2011; Basement Impact Assessment by RSK Environment Ltd dated December 2011; Structural and Hydrology Report by Morrish dated August 2011; Tree survey and Arboricultural Method Assessment by martin Dobson Associates dated 15/08/11; Code for Sustainable Homes pre-assessment by PHA Consult dated September 2011; Design Quality Statement by Design Solutions dated 13/09/11; and Planning Statement by DP9 dated September 2011.</p>		
<b>RECOMMENDATION SUMMARY: Grant Conditional Conservation Area Consent</b>		
<b>Applicant:</b>	<b>Agent:</b>	
Mr Alex Midgen 18 Redington Road London NW3 7RG	DP9 100 Pall Mall LONDON SW1Y 5NQ	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3 Dwelling	House	428m <sup>2</sup>
Proposed	C3 Dwelling	House	927m <sup>2</sup>

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>	-	-	-	-	1	-	-	-	-
Proposed	<i>Flat/Maisonette</i>	-	-	-	-	-	1	-	-	-

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	5	N/A
Proposed	2	N/A

## OFFICERS' REPORT

**Reason for Referral to Committee: The application proposes the complete demolition of a building within a conservation area [Clause 3 (iv)].**

### 1.0 SITE

1.1 The application relates to a two storey detached dwelling dating from c.1900. It lies within the Redington/Froggnal Conservation Area and is identified as a building that makes a positive contribution to the conservation area. The house comprises a single visible raised ground floor storey with large, clay tiled mansard roof above this, with overhanging eaves, chimneys, and tall dormer windows, with a garage and raised terrace at the front of the house. The building is set well back from the road within a long, raised garden, and is mostly screened from immediate view by tree cover.

1.2 Redington Road was laid out between c1875-1914, whilst many domestic architectural styles are used, they present a generally homogenous streetscape through their similar scale and materials, and verdant setting. No. 16 to the south east is Grade II listed. The odd numbered houses on the opposite side of the road, and the even numbered houses to the north, are all listed as making a positive contribution to the conservation area.

### 2.0 THE PROPOSAL

#### Original

2.1 The proposal is to demolish the existing two storey dwelling and to erect a part two/part three storey house with basement garage. The application is similar to a proposal granted at appeal on 14/03/12 (see planning history) the exception being that the front section of the building and projecting terrace are 0.9m further away from No. 16.

## **Revisions**

- 2.2 During the application process further information was requested regarding the proposed basement excavation – this was required in the form of a Basement Impact Assessment (BIA). The additional information was submitted by the applicants. The Council re-consulted the neighbouring properties allowing a period of 21 days from the submission of further comments. The application was amended during the course of the application to omit the swimming pool, replacing it with a gym and reducing the extent of excavation required at basement level.

## **3.0 RELEVANT HISTORY**

### **3.1 2010/5099/P and 2010/5113/C**

Planning permission and conservation area consent were refused by the Development Control Committee on 17/03/11 for the erection of a new single dwelling house (Class C3) following the demolition of existing dwelling house. The application was refused on the grounds that the development would have a detrimental impact on the setting of the adjacent listed building. An appeal was lodged which was heard at a public inquiry. The Inspector allowed the appeal on 14/03/12. In her decision the Inspector stated: "...given the suburban setting, the presence of a neighbouring large house is not now, and would not be following re-development, incongruous or unexpected. The proposed distance to the boundary would be sufficient to provide visible separation of the houses and space for boundary planting". This appeal decision is a material consideration in the determination of this current application.

## **4.0 CONSULTATIONS**

### **Statutory Consultees**

#### **4.1 English Heritage**

The existing building makes a neutral contribution to the character and appearance of the conservation area. The proposal could present modest enhancements to the character and appearance of the conservation area and the setting of the adjacent listed building. They recommend that the application be dealt with in accordance with national and local policy guidance.

#### **4.2 English Heritage Archaeological Advisory Service**

The proposal will not affect any significant archaeological remains.

### **Conservation Area Advisory Committee**

#### **4.3 Hampstead CAAC**

Object to the large basement on the grounds that it contravenes Policies DP23 and DP27.

### **Local Groups**

#### **4.4 The Heath and Hampstead Society**

Object to the basement and lack of detail or BIA.

### **Local Councillors**

#### **4.5 Councillor Mennear - Objection**

As you are aware part of Redington Road close to this property collapsed. Until this collapse is better understood there would be a moratorium on further basement

development in the area and the CPG should be assessed to see if it should be strengthened. There been claims that an old river lies beneath this part of Hampstead. It is time that these claims are better understood and that all old rivers and tributaries across Camden are properly mapped and accounted for. Camden's hydrological experts must carry out a full and urgent study in connection with this planning application not just of 18 Redington Road but for all nearby properties before this application proceeds any further.

4.5 Councillor Knight - Objection

- The application is identical to the previous application that is currently at appeal, the only material difference is that it has been moved slightly further away from No.16, 900mm to be precise.
- The structural and hydrological report is inadequate.
- The drawings are incomplete; the swimming pool is not shown on the cross-sections.
- The number and depth of the boreholes is inadequate.
- Nos. 14 and 14a have basements; this application would leave No. 16 for channel of surface water movement.

**Adjoining Occupiers**

	<b>Original</b>
<i>Number of letters sent</i>	20
<i>Total number of responses received</i>	20
<i>Number of electronic responses</i>	5
<i>Number in support</i>	8
<i>Number of objections</i>	10

4.6 A site notice was displayed from 28/09/2011 until 19/10/2011 and the application was advertised in the Ham and High on 06/10/2011.

4.7 The main concerns raised by neighbours related to the proposed basement and potential subsidence along with many neighbours mentioning the fact that a large unexplained hole had formed in Redington Road, close to the application site. Concerns were also raised regarding the impact of the building on the setting of the adjacent property at 16 Redington Road.

5.0 **POLICIES**

5.1 **National Planning Policy Framework (NPPF)**

On 27<sup>th</sup> March 2012 the Government published the National Planning Policy Framework (NPPF). The policies contained in the NPPF are material considerations which should be taken into account in determining planning applications. The NPPF replaces a number of national planning policy documents (listed at Annex 3 of the NPPF).

5.2 **The London Plan 2011**

5.3 **LDF Core Strategy and Development Policies 2010**

- 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 and encouraging biodiversity  
CS16 Improving Camden's health and well-being  
CS18 Dealing with our waste and encouraging recycling

#### **Development Policies**

DP6 Lifetime homes and wheelchair homes  
DP17 Walking, cycling and public transport  
DP18 Parking standards and limiting the availability of car parking  
DP21 Development connecting to the highway network  
DP20 Movement of goods and materials  
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 Basement and lightwells

#### **5.4 Supplementary Planning Policies**

Fitzjohns/Netherhall Conservation Area Statement  
Camden Planning Guidance

#### **6.0 ASSESSMENT**

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

- Principle of demolition of existing dwellinghouse;
- Design;
- Transport;
- Amenity;
- Sustainability; and
- Trees

#### **6.2 Principle of demolition of the existing dwellinghouse**

There is an extant consent granted on appeal which permits demolition of the existing dwellinghouse. The appeal decision is a material planning consideration in the determination of this application. The Inspector concurred with English Heritage's view that the property makes a neutral contribution to the Conservation Area and that demolition of the property would therefore be acceptable. There has been no change in circumstances on site since that decision. In terms of policy, the NPPF has been adopted since then and this supersedes PPS5, however, there is no significant change in the thrust of the relevant policies and therefore the proposed demolition of the building is considered to be acceptable. Notwithstanding this Conservation Area Consent should only be granted if the proposed replacement scheme is acceptable.

#### **6.3 Design**

The proposed replacement building has broadly the same overall height as the existing building, but has a deeper and slightly wider footprint, and incorporates a lower level of additional accommodation. The front terrace is pulled back from its existing line and is expressed as an additional level of accommodation. This three-storey arrangement – two main storeys with accommodation in the roof - is in keeping with other buildings in the area.

6.4 The building's general scale, form and position on the site will not change significantly and therefore it is considered to be acceptable in terms of its impact on the streetscape and the

conservation area. The proposed dwellinghouse has been pulled back a further 0.9m from the boundary with No. 16 Redington Road than the scheme which was approved at appeal and therefore it is not considered that the proposal will have a detrimental impact on the setting of this listed building.

- 6.5 The architectural approach is commensurate with the general character of the street, utilising red brick with stone dressings, timber sash windows, a hipped slate roof with decorative cornice detail, and chimneys. Typical details of doors and windows have been provided and are considered appropriate. A condition will require samples of brickwork and facing materials to be submitted to and approved by the Council.
- 6.6 It is considered therefore, the demolition of the existing building is acceptable as it makes a neutral contribution to the conservation area and its replacement would preserve the character and appearance of the conservation area in line with policies CS14, DP24 and DP25 of the LDF.
- 6.7 Basement  
The site slopes downwards from the rear towards Redington Road. The existing house comprises two storeys with a terrace at ground floor level in front of the house which steps down to the raised front garden, the raised front garden further steps down to street level at the front boundary. There is a small workshop under the main house and a garage at the same level, underneath the terrace and accessed by a driveway. There is also an additional garage underneath the raised front garden which is accessed directly from street level.
- 6.8 The proposal includes a house broadly the same height as existing, but the workshop and upper garage would give way to a new lower ground floor which would extend in front of the house, towards the existing terrace. A new basement level would sit below this, extending from the lower garage position, incorporating a new garage and cycle store at the front and a gym and rainwater harvesting tank to the rear.
- 6.9 The new lower ground floor would effectively be the new ground floor as it will lead out onto the front garden. The basement will be underneath the redesigned raised front garden and will not be visible from the street, other than the garage door (which is already visible from street level).
- 6.10 The scheme initially proposed a swimming pool but as this would have required further excavation below basement level, it was withdrawn from the scheme and a gym is proposed in its place.
- 6.11 The proposal would require significant excavation to accommodate the proposed lower ground and basement floors. The proposed lower ground floor which replaces the workshop and upper garage would result in a net increase of approximately 180sqm of floorspace at this level, and the proposed basement would result in a further net increase of 340sqm of floorspace at basement level.
- 6.12 Basement Impact Assessment  
In line with policies DP23 and DP27 the applicant has provided a Basement Impact Assessment prepared by RSK Environment (dated December 2011). The investigative work undertaken included a borehole and an assessment of the potential impacts of the proposed development on groundwater flow, surface water flow and ground stability.

- 6.13 The report indicates that the site is underlain by the Bagshot Formation which overlays the Claygate Member. This is designated by the Environment Agency as a “Secondary A” aquifer i.e. a permeable layer capable of supporting water supplies, and in some cases forming a source of base flow to rivers. It is identified in the CPG as the Upper Aquifer, the groundwater table in which potentially, flow patterns could be interrupted or altered by the presence of basements.
- 6.14 Section 4 of the report states that the drilling of a new borehole and a desk study indicate that groundwater is encountered in the claygate member at a level which will intersect the development in the highest (north east) part of the site. However, it concludes that the depth of the penetration into the water bearing stratum would be limited and would not cause harm to groundwater flows or levels. It states that dewatering and retaining structures as part of the construction can adequately address the issue.
- 6.15 It was also noted in the report that there will be differing foundation depths between the site and adjacent properties as a result of the excavation, however proper construction methods would mitigate against the potential for any movement. The report states that the development is unlikely to result in any changes to slope, surface water flow or ground water flow that could result in slope stability.
- 6.16 The report concludes that the proposed development would satisfy Camden’s guidance on basement development. Notwithstanding, the above and the fact that the engineers report states that the proposed development is acceptable in terms of the Council’s basement guidance, there has been no conclusive basis given for the hole appearing in the street outside Nos. 14 and 14a Redington Road. The investigations by Councils transport team proved inconclusive and many of the objection to this scheme refer to this hole and the fact that it may have been caused by basement development in the area, although no evidence has been provided to indicate this. The Inspector at the public inquiry considered the same information and concluded that the basement was acceptable and would not have an adverse impact on the water environment or ground stability.
- 6.17 **Transport**  
The site has a Public Transport Accessibility Level (PTAL) of 3 (medium). There are currently two vehicle crossovers to the site, one leads to a garage in the centre of the site frontage whilst the second, to the south, leads up a driveway to a second garage. Additional parking for up to three vehicles is available on the driveway. The property is located within Controlled Parking Zone CA-H(b) and is currently allocated a number of on-street parking permits.
- 6.18 Cycle Parking  
The Council’s cycle parking standards state that 1 cycle parking space is required per residential unit, however for larger residential units (3+ beds), the London Plan requires 2 cycle parking spaces per unit. The proposal is for a 6 bedroom residential unit; therefore 2 cycle storage/parking spaces are required. The submitted plans show 5 cycle parking spaces within the proposed garage, the provision of which can be secured by condition.
- 6.19 Car parking  
The Council’s car parking standards, set out in Appendix 6 of the development Policies, permit a maximum of one off-street parking space per residential unit. The property currently has 2 garages and a large drive capable of accommodating a further 3 vehicles (5 spaces in total). The proposals include a new garage which can store 3 to 4 cars in unmarked bays. It is considered that it would be unreasonable to prevent the parking spaces being provided given the current off-street provision and the proposal is considered

to comply with policies DP18 and DP19 of the LDF. The submitted plans do not show any disabled car parking, although sufficient space exists within the garage to enable a disabled motorist to get in and out of their vehicle.

6.20 Construction Management Plan (CMP)

The proposals include substantial works in relation to the demolition of the existing house, excavation of the proposed basement garage and gym, and construction of the new house. As such control is required over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP), which should be secured as part of a Section 106 Agreement in line with policy DP27. The CMP will be required to be approved before works start on site.

6.21 Highways Works Immediately Surrounding the Site

In order to mitigate the impact of construction on the existing footway, a financial contribution will be required to repave the footway along the site's frontage, including the central vehicular crossover and the removal of the southern crossover. In line with policies DP18 and DP19. This work will also be secured through a Section 106 Agreement.

6.22 **Amenity**

Loss of daylight/sunlight

The proposed building will be broadly the same height and length as the existing building, and its footprint has been rationalised to make it more symmetrical. The north western side elevation would remain approximately 2.7m away from the boundary with No. 20 Redington Road and the height of the main and secondary roofs would not increase. Therefore it is not considered that there would be a loss of daylight or sunlight to this property.

6.23 On the south eastern side, the building would go from being 7.9m away from No. 16 Redington Road to being 6.0m away at its closest point. Due to the proposed building's location to the north-west of No. 16 Redington Road the proposal is not considered to affect sunlight to this property. The encroachment would marginally affect daylight to the ground floor rooms particularly an office and kitchen, however as these rooms have limited outlook to the north west already and the kitchen is dual aspect, also facing the south east, the loss of daylight is not considered significant. The loss of daylight to the upper floors would be minimal due to the height of the proposed building remaining basically the same and the fact that this scheme results in a further 900mm distance between the properties compared with the previous scheme.

6.24 Overlooking

Due to the nature of the site and the increased distance of 900mm from the previous scheme, overlooking would only be an issue from the first floor of the proposed building and from the front terrace. Windows on both sides to the rear of the first floor of the proposed house have been removed, and as the terrace replaces an existing one in the same location it is not considered to contribute to overlooking.

6.25 The north western elevation toward the front of the house would see an increase in the number of windows at first floor level from two (bedroom and study) to three (bedroom and two bathrooms). This is not considered to significantly increase overlooking to No. 20 Redington Road

6.26 At first floor level, the south eastern elevation would retain three windows. These windows would be slightly larger, with an area of approximately 1sqm as opposed to 0.8sqm, and one of the windows would shift approximately 2m sideways. However it is not considered



that the slight increase in size and change of position would increase overlooking to No. 16 Redington Road.

6.27 Nuisance from demolition/construction

Demolition and construction can harm the amenity of neighbours in terms of noise, dust and its impact on local parking. Noise and dust are covered by Environmental Health Legislation which controls, among other things, hours of work and noise levels. Construction traffic, including the type of vehicles used and number of vehicles required should be the subject of a Construction management Plan secured by S106 agreement. Any occupation of the highway, such as for hoarding, skips or storage of materials, will require a licence from Highways Management.

6.28 As such the proposal is not considered to harm the amenity of the existing adjoining occupiers and complies with policies CS5, DP26 and DP27 of the LDF.

6.29 Amenity for future occupiers

The applicants have included a Lifetime Homes statement and have met the required standards. The proposed house has generously proportioned rooms. The entrance level has been lowered to provide easier access from street to entrance level and the open plan ground floor provides flexibility for use of spaces in the future. The proposal also includes a lift and is considered to comply with policy DP6.

6.30 **Sustainability**

Policy DP22 requires all new residential schemes to meet Code 3 of the Code for Sustainable Homes which measures the sustainability of a home against certain design categories. A new home needs to be at least 25% better than Part L of the Building Regulations. The applicant has submitted a Code for Sustainable Home Pre-assessment which indicates that in terms of design, materials, construction methods, and the fittings to be installed the development will result in CSH Level 3 being achieved.

6.31 Measures that have been indicated include rainwater harvesting for internal and external use, the responsible sourcing of basic building elements and finishing materials are aspired to. The applicant proposes to go beyond the mandatory obligations of a construction site waste management plan and adopt and enforce policies that require construction waste to be minimised and waste arising from construction works to be recycled and the applicant will register the site to the Considerate Constructors Scheme. A landscaping strategy is proposed which is envisaged to have a neutral/minor positive impact on the Ecological Value of the site.

6.32 In order to verify that level 3 for the code for Sustainable Homes has been achieved a post construction assessment will be secured by Section 106 agreement.

6.33 **Trees**

An arboricultural report has been provided which identifies 16 trees on or adjacent to the site implicated in the proposals. Two trees are proposed to be felled as a result of the proposals: T11 an Oak and T12 a Crab Apple. It is also proposed to move two trees T6 a White Beam and T9 a Rowan to a new position to the rear of the garden.

6.34 The Oak, T11, is on the boundary with No 16 and its growth is constrained by the closeness of the two properties on either side. Whilst it provides some screening between the two properties it is not otherwise publicly visible. Consent was granted for its removal in 2008 (Ref: 2008/4264/T). The loss of the Crab Apple will not be detrimental to the character of the site due to its lack of prominence. No direct replacement is required due to

the significant amount of trees in the garden. The report also demonstrates that trees to be retained can be satisfactorily protected and a condition will ensure that adequate tree protection measures are approved before work commences in line with policies CS15 and DP24 of the LDF.

- 6.35 A Landscape Plan has been provided. This indicates reinstatement of the garden with planting including a Hornbeam hedge to the front and side boundaries. The extension of the basement car park facilities will mean that a larger proportion of the front garden will become a roof garden construction. Sufficient depth has been provided for a lawn and small shrubs (350mm). However planting, maintenance and final construction details of this feature should be secured via a condition.

## 7.0 **CONCLUSION**

- 7.1 The current application is for a development which is almost identical to one granted on appeal in March 2012. Taking into account the Inspectors view on that earlier proposal it is considered that the proposed demolition of the existing building and the proposed new dwellinghouse would not harm the character and appearance of the conservation area or the setting of the adjacent listed building. It has been demonstrated by way of a Basement Impact Assessment that the building could be erected without harm to the water environment or stability of land and buildings.

- 7.2 It is recommended that planning permission is granted subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Code for Sustainable Homes post construction review.
- Construction Management Plan.
- Highways contribution.

## 8.0 **LEGAL COMMENTS**

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