

**PLANNING STATEMENT AND
CONSERVATION AREA
ASSESSMENT**

**APPLICATION FOR
CONSERVATION AREA CONSENT
FOR DEMOLITION OF EXISTING
RESIDENTIAL DWELLING AND
PLANNING PERMISSION FOR
CONSTRUCTION OF
REPLACEMENT DWELLING**

**92 FITZJOHN'S AVENUE,
HAMPSTEAD, LONDON**

**ON BEHALF OF:
92 FITZJOHN'S AVENUE**

FEBRUARY 2013

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1.0 Introduction

- 1.1 This Planning Statement and Conservation Area Assessment is to support proposals for the demolition of the existing single residential dwelling at 92 Fitzjohn's Avenue and its replacement on an enlarged site, taking in surplus land at the Royal School Hampstead currently used for car parking, by a new dwelling.
- 1.1 The existing house on the site is of a traditional two storey build. It is of late Victorian design but has been extensively added to and altered so very little remains of the original. It is one of the few buildings in the Fitzjohn's Conservation Area that is not identified as a building that "*makes a positive contribution*" (Fitzjohn's Conservation Area Statement, p29).
- 1.2 The site is bounded to the east by St Anthony's Preparatory School, to the north by Henderson Court sheltered accommodation and a block of residential flats called Greenhill, to the west by The Royal School (recently renamed North Bridge House Senior School) and to the south by Fitzjohn's Primary School, the main building of which is listed. Access is via a driveway off Fitzjohn's Avenue which is in shared ownership with St Anthony's Preparatory School.
- 1.3 This proposal has benefitted from extensive discussions with planning and design/conservation officers at Camden Council¹ who have supported the scheme.

Policy context

- 1.4 The development plan here consists of the London Plan (July 2011), the Camden Core Strategy (November 2010), the Camden Development Policies DPD (November 2010), as well as Saved Policy LU1 of the Camden UDP (2006) which will be superseded by the emerging Site Allocation DPD (expected January 2013).
- 1.5 The recently published National Planning Policy Framework (March 2012) is also an important material consideration in planning decisions.

¹ Reference ENQ/05097 and ENQ/09804 regarding different proposals, albeit underpinned by the same principles.

- 1.6 The site also falls within the Fitzjohn's/Netherhall Conservation Area.
- 1.7 The NPPF begins by making clear that "sustainable development is about positive growth... The planning system is about helping to make this happen" (pi). It makes clear that "development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision" (pi). It specifically highlights that "housing applications should be considered in the context of the presumption in favour of sustainable development" (paragraph 49).
- 1.8 This is enshrined in paragraph 14 which makes clear that "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking". This means that development proposals that accord with the development plan should be approved "without delay", or where the development plan is absent, silent or relevant policies are out-of-date, grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.
- 1.9 Within this context the next section of this report explains the application submission and how it accords with all the standards required of it. Section 3 considers the policy context relating to new housing proposals. Section 4 is an assessment of the Conservation Area and sets out the relevant policy considerations relating to design.

2.0 Application supporting information

- 2.1 During pre-application discussions with officers it was agreed what information was needed to support the submission.
- 2.2 The Design and Access Statement begins with an assessment of the site context and constraints and opportunities, explains the vision for the proposed building, and then goes through the proposed building design in detail.
- 2.3 The application is accompanied by a detailed Arboricultural Assessment. This explains that although some trees/shrubs would be removed these are of low quality/unsuitable for retention, including elder and cypress; so they are of little individual significance and their loss will not affect the visual character of the area. There are impacts on the theoretical Root Protection Areas of five trees, but these can be mitigated by site investigation and construction techniques. Moreover, the proposals include a robust planting scheme in the Design and Access Statement to ensure that the overall landscape impact is positive.
- 2.4 The scheme will take advantage of level differences across the site to have a lower portion at the eastern end (which is currently the car park of the Royal School). The scheme will not, however, require any excavation. This is different from the proposals which have been discussed with officers.² Also note that during pre-application discussions officers confirmed that no specific assessment of contamination was required bearing in mind the history of the site as residential and, before that, agricultural land.
- 2.5 The application is accompanied by a Sustainability Statement, including an assessment against local sustainability policies (including Core Strategy Policy CS13, Development Policies Policy DP22, and supplementary planning guidance CPG3 Sustainability, as well as relevant London Plan policies). This explains that the dwelling will achieve Sustainable Homes Code Level 4. It will also achieve CO2 savings over Part L of the Building Regulations.

² Note that officers accepted that the previous proposals, which did involve levelling of the eastern portion of the site but not the creation of subterranean development, did not require a Basement Impact Assessment.

- 2.6 Because the proposal is for a single replacement dwelling it does not require an energy assessment. During pre-application discussions with officers they agreed that this was the case. The applicant has nevertheless commissioned this work to highlight the sustainable credential of the proposal in accordance with the aspirations of Camden planning guidance and the London Plan's three-step Energy Hierarchy (Policy 5.2A) of Be Lean, Be Clean, Be Green. The scheme will include levels of insulation in excess of Building Regulation requirements as well as the installation of high performance glazing and low energy lighting, resulting in reducing regulated CO2 emissions by 59.5%. The building's renewable energy strategy will employ a combination of a Ground Source Heat Pump, PV and solar thermal panels. As a result the development will exceed Building Regulations compliance and London Plan targets. The proposed renewable systems are estimated to reduce total (regulated + unregulated) CO2 emissions by 20.0% and, in total, the development is expected to reduce regulated CO2 emissions by 29.3% when compared with a notional building built to current Part L Building Regulations (2010), which is a large reduction for a single dwelling development.
- 2.7 Because the proposed development would be entirely lower than the existing and pulled away from the southern boundary it would not have a negative impact on surrounding buildings in terms of daylight/sunlight/overshadowing and could in fact lead to an improvement. During pre-application discussions with officers they agreed that no assessment of these matters was necessary. Nevertheless, in order to confirm this the applicant commissioned a specific survey on this topic. This concludes that the proposed development would pass the BRE daylight and sunlight tests for the surrounding existing buildings and the sunlight hours test for surrounding open spaces.
- 2.8 The application is also accompanied by a detailed Construction Management Plan. This has been produced by Arup, who advised the Council on their own policies with regards to construction management. As this is being submitted with the application there will be no need for a condition on the planning permission or a legal agreement requiring this prior to commencement of development.

- 2.9 The north eastern corner of the site (i.e. the northern section of the redundant car park) falls within an Archaeological Priority Area. We have liaised directly with English Heritage who have confirmed that, bearing in mind that the site and surrounding area already contains development, no archaeological assessment is needed for the application or required via condition, although a condition should be placed on the planning permission requiring monitoring during development.
- 2.10 In terms of car parking, two spaces currently exist on the site and will be replaced by two spaces. Since the owners of the house will be returning to the new house they are entitled to keep their right to on street parking permits, in accordance with the Council's guidance which makes clear that *"existing parking rights can normally be retained on development sites, where it can be demonstrated that existing occupiers are to return to the address when it is completed"* (taken from CPG7 Transport, paragraph 5.19). Note that "rights" to parking permits should mean the entitlement to resident's permits, which is one permit per person at the address, rather than simply the number of permits held at the time the new planning permission is granted.

Conclusion

- 2.11 The reports submitted with this application confirm that the proposal has met all the standards required of it.

3.0 Housing delivery

- 3.1 The first “challenge” the Council faces, as outlined Camden’s Core Strategy, is “Adapting to Camden’s growing population and to social changes”, which includes “...accommodating new and expanded buildings while preserving our valued places and promoting high quality design” (CS20).
- 3.2 This is reflected in Camden’s Community Strategy’s Vision, which includes four themes the first of which is to create “a sustainable Camden that adapts to a growing population” (CS30 and CS6.2). Building new housing is key to this.
- 3.3 The Development Policies DPD also makes clear that “housing is regarded as the priority land-use of the Local Development Framework, and the Council will make housing its top priority when considering the future of unused and underused land and buildings” (DP2.8).
- 3.4 These positive intentions are enshrined in Policy CS6 ‘Providing Quality Homes’, the opening of which makes clear that “The Council will aim to make full use of the Camden’s capacity for housing” to meet, or exceed, Camden’s housing target. The supporting text to Policy CS6 emphasises that the Council wish to “...seek to establish a plentiful supply and a broad range of homes” (CS6.3).
- 3.5 The delivery of housing is therefore a key challenge faced by the Council and there is clear positive policy support for developing new housing. The importance of this proposal in terms of delivering new housing is therefore an important material consideration weighing in its favour.

Conclusion

- 3.6 This section demonstrates that the proposals accord with the development plan and, in accordance with the NPPF, planning permission should therefore be granted.

4.0 Conservation Area Assessment and design analysis

- 4.1 Within this positive context that recognises the importance of delivering housing, the Council also want to see ensure quality design.
- 4.2 The site falls within the Fitzjohn's/Netherhall Conservation Area. This describes the history and evolution of the Conservation Area and identifies its key characteristics which should inform future development proposals. These characteristics are analysed in turn below. Before this the report sets out the policy context within which the proposals need to be considered.

Policy context

- 4.3 The NPPF makes clear that Councils should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” (paragraph 17). It adds that “good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (paragraph 56).
- 4.4 The NPPF specifically emphasises that “in determining applications, great weight should be given to outstanding or innovative designs...” (paragraph 63). It warns that “planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles” (paragraph 60).
- 4.5 In order to achieve good design the NPPF explains that the planning system must “not simply be about scrutiny” but must be “a creative exercise in finding ways to enhance and improve the places in which people live their lives” (paragraph 17).
- 4.6 The opening of the Design Chapter of the Core Strategy explains the balance that must be struck between growth and good quality design, stating that the Council’s “overall strategy is to sustainably manage growth in Camden so it meets our needs for homes, jobs and services in a way that conserves and enhances the features that make the Borough such an attractive place to live, work, and visit” (CS14.2).

- 4.7 Policy CS14 has two relevant objectives which have been central to the design of this proposal, namely;
- a. “requiring development of the highest standard of design that respects local context and character”, and;
 - b. “preserving and enhancing Camden’s rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments”.
- 4.8 Within this context we now consider a number of key issues which have influenced the design here. These issues have informed the design and layout of this scheme, as explained in detail in the accompanying Pre-Application Design Report which should be read in conjunction with the submitted plans.

Conservation Area Assessment

- 4.9 The Fitzjohn's/Netherhall Conservation Area Statement identifies key characteristics which have informed the design of the scheme. These are explained in turn below.
- 1. Existing building of limited merit
- 4.10 Before considering the design of the current proposals, it is important to note that the existing building is of no particular architectural interest and does not merit protection. It was originally a late Victorian house that has been extensively added to and altered so very little remains of the original. It is one of the few buildings that is not identified by the Conservation Area Statement as a building that “makes a positive contribution” (p29).
- 4.11 The Officer’s pre-application advice confirms that “The existing house is an average quality mid-20th Century dwelling of limited architectural or historic interest... In this regard the dwelling is not identified as an undesignated heritage asset and its demolition would not be resisted subject to the suitable replacement.”
- 4.12 Indeed, there are significant opportunities through redevelopment to deliver substantial improvements, for example in terms of greening the environment,

improving the amenity for users of the new building and surrounding uses, improving the setting of the adjacent Fitzjohn's School listed building, improve boundaries with surrounding uses. The proposal seeks to realise these opportunities and deliver wider benefits.

2. Site is "hidden"

- 4.13 When considering the design of the scheme it is important to understand the site's context. Bearing in mind the tightly packed urban fabric of the Borough the Core Strategy emphasises that "High quality design also takes account of its surroundings and what is distinctive and valued about the local area... As Camden is a densely built-up borough where most development involves the replacement, extension or conversion of existing buildings, taking account of context and local character is particularly important. The Council will therefore expect the design of buildings and places to respond to the local area and its defining characteristics and reinforce or, if appropriate, create local distinctiveness" (CS14.7). These considerations have been fundamental to the design approach here.
- 4.14 When considering the context of the site it is important to note that the site has no frontage to any public roads and only extremely limited visibility from public viewpoints. It is an extremely hidden site. As the officer's pre-application advice confirms, "the site is concealed from public view and has limited private views. Given the limited visibility of the site and the proposed design the scheme would not impact on the character and appearance of area or setting of the adjoining listed building. Moreover the house has been set to the north of the site, improving outlook, with south facing amenity space and less impact on neighbouring properties."
- 4.15 In order to avoid any concerns in terms of overlooking or amenity impacts on the neighbours the roof terrace element of the proposal has been deleted from the design.

4.16 Although the site is surrounded by existing buildings, there is limited visibility into or out of the site and it remains extremely secluded, as explained below:

- Henderson Court (sheltered housing) is separated from the site by a wide strip of landscaping and presents a blank frontage to the site.
- Greenhill (residential apartments) is set back some distance from the site and views between the two are limited by existing vegetation, changes in levels, and a row of garages.
- The Royal School Hampstead (recently renamed North Bridge House Senior School) is some distance from the site and presents a blank wall to the site.
- The modern assembly hall and playground of St Anthony's Preparatory School abut the western boundary of the site. The assembly hall has no views into the site and the schools classrooms are at the front of their site away from the application site. The school have asked to raise the existing boundary fence with the application site to prevent balls going over.
- Fitzjohn's School abutting the eastern boundary is a listed building, and the proposal has had particular regard to improving its setting.

3. Good quality design does not mean simply replicating existing design

4.17 As the Core Strategy makes clear; "as well as preserving this rich heritage, we should also be contributing to it by making sure that we create buildings of equally high quality that will be appreciated by future generations" (CS14.3).

4.18 As the Core Strategy's makes clear, diversity in architectural styles is inherent to the character of Hampstead which has "a variety of building types from cottages and terraces to detached houses and grand residences, with a generally densely packed, high quality urban grain of a range of styles, scales and ages. Both areas contain many high quality, architect designed houses from the 19th and 20th centuries, many of which have become important parts of the local heritage and are listed for their national significance" (CSp129).

- 4.19 The Fitzjohn's/Netherhall Conservation Area Statement similarly explains the architectural diversity of this part of the Borough: "Within the framework of broadly similar building types there is a mixture of architectural styles... a feature of the area is the number of properties built for individual owners (some of whom were artists) by respected architects" (p10).
- 4.20 The application proposal represents an opportunity to add to this rich architectural heritage, giving a modern interpretation of traditional building styles from the area. The scheme can also be an exemplar development in terms of its sustainability credentials, building on the tradition of this part of London as being at the forefront of modern design.
- 4.21 The Officer's pre-application advice confirmed that "The dwelling would be of a high quality design. The materials include traditionally constructed red brick a clay roof tiles for the two storey elements and; the single storey element would be largely glazed with bronze cladding; window frames and vertical fins. Furthermore, the dwelling would be set within a high brick boundary wall and covered with green roofs thereby reducing the already concealed site from view. The materials respond to the character and appearance of the area."

4. The importance of vegetation and trees

- 4.22 As the Conservation Area Statement explains, "trees are an inherent and characteristic part of the Conservation Area. As well as appearing as formal street planting they appear in front gardens, in gaps between properties and in rear gardens" (p10). Landscaping is a central part of the design on this site.

Conclusion

- 4.23 All these factors identified by the Conservation Area Assessment have been borne in mind in designing the application proposals. They have resulted in a scheme which officers have indicated during pre-application discussions that they support.

5.0 Summary and Conclusion

- 5.1 Paragraph 14 of the NPPF makes clear that “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”. This means that development proposals that accord with the development plan should be approved “without delay”, or where the development plan is absent, silent or relevant policies are out-of-date, grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.
- 5.2 Section 2 of this report has explained the full suite of supporting information that is being submitted with this application. The Energy Statement, although not required for a proposal of this scale, has nevertheless been submitted in order to ensure a robust and comprehensive submission. The reports submitted with this application confirm that the proposal has met all the standards required of it.
- 5.3 Section 3 of this report explains that the delivery of housing is a key challenge faced by the Council and there is clear positive policy support for developing new housing.
- 5.4 Section 4 of this report explains that within this positive context that recognises the importance of delivering housing, the Council also want to see ensure quality design. The site falls within the Fitzjohn’s/Netherhall Conservation Area. The associated Conservation Area Statement describes the history and evolution of the Conservation Area and identifies its key characteristics which should inform future development proposals. These characteristics have informed the design of the scheme within the context of local and national policies which make clear that design is not prescriptive.
- 5.5 The Conservation Area Assessment has highlighted that the existing building is of no particular architectural interest and does not merit protection. It was originally a late Victorian house that has been extensively added to and altered so very little remains of the original. It is one of the few buildings that is not identified by the

Conservation Area Statement as a building that “makes a positive contribution” (p29).

- 5.6 The design of the scheme has borne in mind a number of factors identified by the Conservation Area Assessment, including its hidden location, that good quality design does not mean simply replicating existing design, and the importance of vegetation and trees. All these factors have been borne in mind in designing the application proposals. They have resulted in a scheme which officers have indicated during pre-application discussions that they support.
- 5.7 The proposal therefore fully accords with the development plan and so should be granted permission without delay.