

<b>Address:</b>	<b>4 North End LONDON NW3 5UD</b>		
<b>Application Number:</b>	<b>2012/3117/P</b>	<b>Officer: Ben Le Mare</b>	
<b>Ward:</b>	<b>Hampstead Town</b>		
<b>Date Received:</b>	<b>27/07/2012</b>		
<b>Proposal:</b> The erection of 4 x 3-storey, 4 bed dwelling houses (Class C3).			
<b>Drawing Numbers:</b> Site Location Plan (13427-A-P-010); 13427-A-P-020; 100; 101; 102; 103; 104; 120; 140; 145; 146; 147; 148; Design & Access Statement (dated June 2012 by Piercy and Company); Basement Impact Assessment report ref GB/8235 (dated July 2011 by TWS); Energy Efficiency Statement and Code for Sustainable Homes Pre-assessment report (dated May 2012 by Syntegra Consulting); Tree report ref 0711 (by Tretec); Stage Two Daylight and Sunlight report (dated May 2011 by GL Hearn, updated June 2012).			
<b>RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section 106 Agreement.</b>			
<b>Applicant:</b>		<b>Agent:</b>	
4 North End Limited 58 Heath Drive London NW3 7SD		Piercy and Company 5th Floor 70-74 City Road London EC1Y 2BJ	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (GIA)
Existing / post demolition	C3 - Residential		0 sqm
Proposed	C3 - Residential		1016 sqm

## **OFFICERS' REPORT**

**Reason for Referral to Committee: This application is referred to Committee by the Director of Environment after briefing members.**

### **1. SITE**

- 1.1 Since conservation area consent was granted in 2011 the site has been cleared and a significant amount of excavation works has been undertaken. There are currently no buildings on the site, only a portacabin which is used as rest room/office for the construction firm undertaking the works. However, to add some context to this report, the original property contained a detached 2 storey 4 bedroom house, which was probably of 1970's origin. It had a pitched roof, PVC windows and white-painted brick walls, plus a flat roofed rear extension and separate side garage. It was set back from the road frontages on both sides behind low brick wall and high hedge and was surrounded by a large garden which has numerous shrubs and coniferous trees around its edge, plus one protected maple tree. There was offstreet parking for 1-2 cars.
- 1.2 The site is at the junction of North End and North End Way, the latter being a busy road (A502) connecting Hampstead with Golders Green and which descends northwards to the area of North End via a cutting across the heath from Whitestone Pond. Opposite the site facing North End Way is the Old Bull and Bush public house, a Grade II listed building.
- 1.3 The area is located in the Hampstead Conservation Area and specifically referred to in the Conservation Area Statement (CAS) as Sub-area 8 "North End". No.4 was regarded as a neutral building which did not make a positive contribution to the character of the conservation area. The surroundings are characterised by quite modest houses, either terraced or detached, scattered in an informal arrangement and many with large gardens. Three buildings opposite the site are listed at grade II The Bull & Bush PH, and nos 1 and 3 North End. This area of North End is described in the CAS as "a small enclave detached from urban life", as it adjoins the northern boundary with Barnet and separated from Hampstead village to the south by Hampstead Heath. The houses on the south side of North End are also described by the CAS as 20<sup>th</sup> C. and "unassuming". The site is also within an Archaeological Priority Area.

### **2. BACKGROUND**

- 2.1 The first application for the erection of 2 detached houses was withdrawn for reasons of bulk and design, on account of the houses' bulk and blocky appearance with a 2<sup>nd</sup> floor and no roof pitch and with an unsympathetic design and use of materials. However the principle of redevelopment and the layout and footprint of 2 houses here was accepted in principle by officers.
- 2.2 The 2nd application was based on this scheme but the new architects, adopted a more traditional design approach with timber clad walls and pitched roofs. However the height, width and depth of the houses and the extent of basements remained exactly the same. Planning permission was therefore granted in January 2011.
- 2.3 Planning permission was refused in October 2011 for erection of four semi-detached three storey plus basement dwellinghouses (Class C3) with associated

basement patios, forecourt parking for four cars and landscaping. Following discussions with officers post-decision this new proposal has been submitted.

- 2.4 A site visit on 5<sup>th</sup> July 2011 confirmed that the new owner of land has implemented the conservation area consent (ref: 2010/5160/C) which was for the demolition of existing house and garage and commenced the implementation of the approved consent (2010/5139/P).

### **3. THE PROPOSAL**

- 3.1 The application proposes the erection of 4 x 3-storey, 4 bed dwelling houses, providing a contemporary interpretation of a village terrace, drawing reference from the row of terrace properties directly opposite the site.
- 3.2 The houses would have garden/terrace areas at the basement and ground floor level.
- 3.3 At the front of the site would be an area of hardstanding for servicing the site and the parking of 4 vehicles. A bin storage area and secure cycle parking spaces are also proposed in this area.
- 3.4 Significant areas of landscaping are proposed along the boundary of the site and the existing trees along the front and in the western corner are proposed to be retained.

### **4. RELEVANT HISTORY**

- 4.1 In October 1999 planning consent was refused for the erection of a 3 metre high brick wall along North End and North End Way frontages.
- 4.2 In August 2009 planning and CA consent applications (2009/3489/P & 2009/3491/C) submitted for the erection of two new houses with garages, associated parking, landscaping, boundary walls and fences, following the demolition of existing house, garage and boundary walls. These applications were later withdrawn following officer advice, due to objections on design, bulk and trees.
- 4.3 In February 2011 planning and CA consent was granted (2010/5139/P & 2010/5160/C) for the demolition of existing two-storey house and garage and erection of two new three-storey dwelling houses (Class C3).
- 4.4 The most recent application on site for planning and CA consent was refused (ref: 2011/3669/P & 2011/3703/C) for 'erection of four semi-detached three storey plus basement dwellinghouses (Class C3) with associated basement patios, forecourt parking for four cars and landscaping.' The reasons for refusal (except the Council's standard S106 reasons) were:

*1. 'The proposed development of four large houses, by reason of their bulk, footprint and layout, would result in an excessive form of site coverage which would be out of character with the prevailing urban grain and landscape of the area and which would be detrimental to the character and appearance of this part of the Hampstead Heath Conservation Area.'*

*2. 'The proposed development, by reason of its inadequate quantity and quality of landscaped spaces and tree planting around the site in the context of its heathside*

*setting, would be detrimental to the character and appearance of the streetscene, the edge of Hampstead Heath and this part of the conservation area.'*

*3. 'The proposed development of four houses, by reason of their detailed design, would be detrimental to the character and appearance of the streetscene and this part of the Hampstead Heath Conservation Area'*

*4. 'The proposed forecourt parking, by reason of its detailed design and layout, would prevent all cars entering and exiting the site in a forward facing direction which would be detrimental to the safety of pedestrians, cyclists and vehicles'*

## **5. CONSULTATIONS**

### CAAC

- 5.1 Hampstead CAAC have objected to the development on the following grounds:
- The proposal results in a decrease in the area of front and rear garden space.
  - The external elevations are heavy, clumsy, dominant and threatening due to the apparent over-development of the site.
  - This scheme threatens to harm the character of the adjacent terrace houses.

### Heath and Hampstead Society

- 5.2 No comments have been received to date.

### London Underground Ltd

- 5.3 No comments received, however they had no objection to the previous application as the proposal would not affect underground tunnels.

### **Adjoining Occupiers**

<b><i>Number of letters sent</i></b>	<b>17</b>
<b><i>Total number of responses received</i></b>	<b>8</b>
<b><i>Number of petitions (total signatures)</i></b>	<b>2 (43)</b>
<b><i>Number of electronic responses</i></b>	<b>7</b>
<b><i>Number in support</i></b>	<b>1</b>
<b><i>Number of objections</i></b>	<b>5</b>

- 5.4 A site notice was displayed outside of the site from 22/06/2012 (expiring 13/07/2012) and a press notice was published in the Ham & High on 28/06/2012 (expiring 19/07/2012), both in connection with the planning application. The occupiers of neighbouring properties were consulted by letter on 20/06/2012 (expiring 11/07/2012).

### Summary of responses/Objections:

- 5.5 One letter of support has been received which considers that the proposal is a vast improvement on previous consent scheme through being well designed, sensitive, and enhancing the character and appearance of the area considerably.
- 5.6 5 letters of objections received from the occupiers of individual residencies (No.12 & 6 North End, Sandy House & The Rook, Sandy Road and No.5 The Village, North End Way). 2 petitions from North End, Sandy Road and The Village Resident Associations containing a total of 43 individual signatures have been received. The concerns which have been raised are summarised below:

### Design/Visual Impact

- The proposed development is significantly larger than the building which it replaces and represents an overdevelopment of the site. The original footprint of the house was 14% of the site and the current proposal is between 30-35% of the site (2.5 times larger).
- It is architecturally inappropriate, brutal, dominant, and incongruous and neither preserves nor enhances the character and appearance of the conservation area.
- The four rows of attic windows are highly modern and are in stark contrast to those windows on nearby dwellings.
- The materials used in the development are not in keeping with its surroundings. The examples of red brick used in the application are merely those of decorative use and are not even from North End or Sandy Road. The wood cladding is also something not in keeping with the rest of the street.
- The massing of the proposed buildings would completely dominate North End.
- The planning process has been abused given that permission has already been granted for 2 dwellings. The developer is clearly seeking incremental approvals that at the outset, would not have been successful on merit.

### Landscaping

- The proposed scheme does not blend in with the open and 'green' ambience of the local area. Drawing 13427 A P 020: 'Ground Floor Plan' shows the vast majority of the site will be covered in hard landscaping or building. The proposed scheme will lead to the loss of the open and verdant nature of the site, which will then be in contrast to the surrounding woodland.
- The proposed application should be scrutinised by additional regulations as the subject site is now controlled by Article 4 (1) Directions.

### Transport

- Four proposed off-street parking spaces are inadequate for four three-storey four bedroom houses. North End is one of two local roads in the area that has uncontrolled parking on weekends (the other being Hampstead Way). As a result, North End is heavily parked on weekends by users of Golders Hill Park, Hampstead Heath and the Old Bull and Bush Pub. North End is also used as overflow parking by Sandy Road, Heath Passage, The Village and other local residents. The proposed scheme could mean that at least a dozen cars may require on-street parking on North End.

### Residential Amenity

- Loss of winter sunlight to main bedroom serving No.6a North End.
- Loss of outlook experienced by the occupiers of No's 6 & 6a North End.
- There should be no window on the east side elevation at first floor level. It would be used by the future occupier, resulting in a loss of privacy.

### Excavation works

- Basement excavation work underway. During the pile driving phase, significant vibrations have been felt by a number of residents from Sandy Road (which is located on the other side of North End Way). Significant and regular vibrations have been felt as far away as 100m by residents in Sandy Road during pile driving at 4 North End. The Basement Impact Report fails to mention any impact on residents outside North End. Therefore the predicted impact on harm to local buildings and setting may have been underestimated

in the Report. Major construction and excavation equipment has been witnessed at this site, and the colossal size of this equipment is unprecedented for the local area.

- A site visit by the case officer would ascertain whether the contractors have already excavated for the proposed new larger scheme or not.

#### Consultation process

- The developer stresses the consultation with the community, however properties adjacent to the development did not receive an invitation to a meeting or details of the presentation until after the meeting was held.
- Concerns have been raised by local residents that Camden's website states that comments should be received by 1 August 2012. *Officer's comment: This issue has been recognised as an error in the Council's planning database and is being looked into by the Council's IT department.*

## **6. POLICIES**

### **6.1 National Planning Policy Framework (2012)**

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 (from 27<sup>th</sup> March 2012) in determining planning applications. The NPPF replaces a number of national planning policy documents (listed at Annex 3 of the NPPF).

### **6.2 The London Plan (2011)**

- 6.13 - Parking
- 7.19 - Biodiversity and access to nature
- 7.21 - Trees and woodland
- 7.6 - Architecture
- 7.8 - Heritage assets and Archaeology

### **6.3 LDF Core Strategy and Development Policies (2010)**

#### Core Strategy

CS1 - Distribution of growth  
CS5 - Managing the impact of growth and development  
CS6 - Providing quality homes  
CS11 - Promoting sustainable and efficient travel  
CS13 - Tackling climate change  
CS14 - Promoting high quality places and conserving our heritage  
CS15 - Protecting and improving open spaces & encouraging biodiversity  
CS16 - Improving Camden's health and well-being  
CS17 - Making Camden a safer place  
CS18 - Dealing with waste

#### Development Policies

DP2 - Making full use of Camden's capacity for housing  
DP5 - Housing size mix  
DP6 - Lifetime homes and wheelchair homes  
DP17 - Walking, cycling and public transport  
DP18 - Parking standards and the availability of car parking  
DP19 - Managing the impact of parking  
DP20 - Movement of goods and materials  
DP21 - Development connecting to highway network

DP22 - Sustainable design and construction  
DP23 - Water  
DP24 - Securing high quality design  
DP25 - Conserving Camden's heritage  
DP26 - Managing the impact of development on occupiers and neighbours  
DP27 - Basements and lightwells  
DP29 - Improving access

#### 6.4 **Supplementary Planning Policies and Guidance**

Camden Planning Guidance (2011)

Hampstead Conservation Area Statement (2001)

### 7. **ASSESSMENT**

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

- Principle of development and the provision of new housing;
- Affordable housing;
- Design / visual impact;
- Standard of accommodation;
- Amenity;
- Transport;
- Hydrology/Ground stability;
- Landscaping; and
- Community Infrastructure Levy (CIL)

7.2 These are assessed below in the context of planning policy and other material considerations.

#### **Principle of development and the provision of new housing**

7.3 Policy DP2 of the LDF seeks to maximise the supply of additional homes in the Borough and protect existing permanent housing. When applications 2010/5139/P & 2010/5160/C were decided in 2011 the Council accepted the demolition of the existing building and the provision of new housing on the site. However, the most recent application for four new dwellings was refused planning for the reasons outlined in the planning history section above. This current proposal is therefore considered in the context of these decisions.

#### **Affordable housing**

7.4 Policy DP3 provides a clear rationale for seeking affordable housing in schemes of 10 or more additional dwellings or 1000 sqm of floorspace GEA (Gross External Area). The threshold is capacity for 10 additional homes. The percentage target is 10% where there is capacity for 10 additional homes, and an additional 1% per additional home capacity on a sliding scale up to a maximum of 50% triggered by capacity for 50 homes.

7.5 The capacity is assessed as 1 home per 100 sqm GEA (rounded to the nearest 100 sq m/ whole home), or the actual number of additional homes where each one is under 100 sqm GEA. In relation for this application, the proposal is 1,243 sqm GEA, this implies a percentage target of 12% (on site). The target is then converted into floorspace: 12% of 1,243 sqm = 149sqm GEA (if on-site). Policy DP3 outlines

a clear approach that affordable housing is expected on-site, but where it cannot practically be achieved on-site, off-site affordable housing may be accepted or exceptionally a payment-in-lieu.

- 7.6 As already noted, the first expectation is for affordable housing to be provided on site. However, given that the application proposes 4 individual houses, each over 250 sqm GEA, the Council recognises that the proposal does not lend itself to an on-site provision of affordable housing.
- 7.7 The provision of off – site affordable housing has also been explored in line with DP3. However, as the applicant does not own any other sites within close proximity of the building, this was also dismissed as being economically unviable. Therefore, in line with DP3, as off-site delivery is demonstrably unachievable a payment in lieu is considered to be the most appropriate mechanism to ensure compliance with policy.
- 7.8 In relation to this application, an off-site contribution is encouraged and on the basis of draft CPG8, it is considered that the payment in lieu is calculated through the use of the on site target (149 sqm) x £2,650 per sqm = £394,850. Such a figure is recommended to be secured through the use of a Section 106 Agreement. The applicant has agreed to make this payment in full.

### **Design / visual impact**

- 7.9 The main issues to consider are the impact the erection of 4 dwelling on the site would have on the character and appearance of the site and surrounding area having regard to the existing situation and approval for 2 x three-storey plus basement dwelling houses with forecourt parking granted permission on 07/02/2011 (ref: 2010/5139/P) for which works have commenced on site.

#### *Height and bulk*

- 7.10 The height of the proposed development is the same as the approved scheme and the proposed eaves would align with those of the neighbouring properties to the west. The height of the proposal is therefore considered to be acceptable.
- 7.11 The new houses give a visual impression of 2 storey high buildings with pitched roofs which mimic adjoining houses in their traditional pitched roof form. Furthermore the new houses' ridge and parapet would match those of the existing house, as well as those of the Bull & Bush pub opposite and no.12 North End.
- 7.12 The basement accommodation would not be visible from the public realm and indeed the ground floors would be barely visible through the retained boundary frontage of high hedges and fences.
- 7.13 Overall, as shown on the streetscape studies, the layout, height and mass is considered respectful of the surrounding townscape character. The buildings would not harm the setting of nearby listed buildings on the north side. It is considered that the scheme would preserve and indeed enhance the character and appearance of the conservation area.

#### *Density*

- 7.14 The site has a total area of 858m<sup>2</sup>. Using the Councils preferred measurement of dwelling densities (for family dwelling) - measured in units per hectare (u/ha) this equates to approx 46u/ha - which falls within the London Plan's matrix range of 40-



80 u/ha for this type of area. On that basis, it is considered that the density of development is appropriate on grounds of excessive density in the light of this policy advice on the approach to be taken.

- 7.15 The approved plot ratio of 30% built form would rise to 35%. However the site would change from 2 x large dwellings to a group of 4 terraced cottages. The new tightly knit plots would have a different character to the semi-detached properties previously approved and are considered to sit more comfortably in the immediate area characterised by a loose cluster of quite modest houses.
- 7.16 The immediate area comprises numerous clusters of terraced housing, including Hogarth Court 1-7 North End (built ratio 33%); 1-3 North End (built ratio 50%); Briar and Ambridge cottages (52.5%); 1-3 Sandy road (50%) and; Wildwood Grove (53%). In this regard it is clear that the site is better placed to accommodate smaller more tightly knit dwellings and at 35% built plot percentage would sit comfortably as part of the groups of terraced residential buildings in locality.
- 7.17 The form, scale and density relates well to the group of listed buildings on the opposite (south) side of the road (which are formed by a group of brick built terrace houses Hogarth Court and 1-3 North End). This would directly comply with DP25 which states that 'within areas of distinctive character, development should reinforce those elements which create the character.' The proposal would result in an enhancement to the quality of the area and give it a stronger identity because of the current variety of housing styles and types with no prevailing pattern found on the north side of North End.

#### *Footprint*

- 7.18 The footprint is negligibly larger than the footprint of the approved scheme, but 3% lower (by measuring 35%) than the % built form to plot size ratio of the previously refused scheme. The footprint of the proposed buildings is at a suitable level in comparison with similar properties in the rest of North End, which range from 30% to 49%.
- 7.19 The dwellings have a stepped footprint to individualise each house. This reduces the built mass by not having a continuous street frontage and also sets the built form back from the corner of the site to preserve verdant/mature planting which adds to the character of this part of Hampstead.
- 7.20 The slightly higher density and plot coverage would be appropriate and would still respect the established form and grain of the neighbourhood. The proposed layout reflects the informal random arrangements of houses within their plots in this area and it also retains the same amount of landscaping and tree retention so that it would blend in with the overall landscape.

#### *Detailed design*

- 7.21 The proposal is a contemporary design yet in scale, massing and materiality it matches the best examples of housing within the conservation area.
- 7.22 A contemporary 19th century, neo-Georgian and contemporary postwar styles evident in the road. For the most part they display a traditional and modest (indeed "unassuming" according to the CAS) approach in form and detailed design. The proposal provides a contemporary interpretation of 4 terraced cottages that relate to the formal Georgian terrace opposite. The design is a group of 2 storey buildings

with recessed roof storey. The roof is angled and set back from the front elevation. The roof of the end house has been reduced in size and hipped to face the road.

- 7.23 The palette of traditional natural materials, consisting of red brick, timber window frames, shutters and coach doors, compliments the predominant house materials used within the conservation area. The principal 1st floor façade would be constructed of rich red brick consistent with style and colour of traditional buildings in Hampstead. The ground floor would comprise large oak doors and Portland stone been chosen to complement predominant house materials used within the conservation area. Soft landscaping has been introduced with particular consideration given to the north, west and south perimeters to give the houses a rural feel that respects the local area.
- 7.24 Overall the proposed detailed design form and treatment is considered to be high quality and appropriate to its locality. It would preserve and enhance the character of the conservation area by replacing the existing unusually buildings with a more conventional, albeit contemporary terrace of higher architectural quality. Conditions would be placed to ensure submission of satisfactory details of materials and architectural features.

#### *Design conclusions*

- 7.25 The replacement houses are considered appropriate in terms of layout, plot coverage, bulk, height and facade design. The density, scale and type of dwellings proposed is considered to reinforce the “loose cluster of quite modest houses centred on the Olde Bull and Bush pub with the Hampstead Heath Extension banked up steeply all around”. As such it would enhance the entrance to North End and the setting of the adjoining listed buildings. Overall the scheme would preserve the character of this streetscape and Hampstead Conservation Area. The landscaping and tree planting would help reintegrate the new houses with their Heath side context.
- 7.26 For these reasons, the scheme is considered to respect the site’s setting and existing features and is considered comply with policies CS14 (high quality places and heritage), CS15 (open space and biodiversity), DP24 (high quality design), DP25 (conserving Camden’s heritage) and DP27 (basements and lightwells).”

#### **Standard of accommodation**

- 7.27 The provision of additional housing is welcomed by LDF policies and the houses provide spacious family sized (6 person) accommodation in compliance with CPG standards. The houses are capable of complying with all relevant Lifetime Home standards. In terms of internal amenity, the basement accommodation appears to be somewhat poor quality in that the kitchens and family rooms receive very little light as a consequence of the increased depth of houses with only one side lit by a basement lightwell. However in the context of the generous accommodation at upper levels and the ability for future occupiers to replan internally if necessary, it would be difficult to refuse the scheme on the basis of inadequate amenity.
- 7.28 The scheme is targeted to achieve Code for Sustainable Homes level 3 which is welcomed. A pre-assessment report has been provided which shows that the subcategories of materials, energy and water also meet the Council targets of 50%. In terms of energy reduction, the scheme is targeted to reduce CO2 emissions by 25% as compared against a Building Regulation compliant dwelling, through the use of air-source heat pumps. Again this is welcome and accords with Council and

London Plan policy. These targets should be secured at implementation stage by means of a S106.

### **Residential Amenity**

- 7.29 The scheme has the potential for only affecting the amenity of nos.6/6a North End next door. An updated daylight and sunlight analysis has been undertaken given that the proposed scheme steps outside of the building's envelope of the previous scheme. The study identifies that there would be a low risk to the rights to light of the side windows at 1<sup>st</sup> floor of no 6a which is at the rear of the site and it would experience some reduction in winter sunlight marginally below the recommended minimum as advised in the BRE guide. However overall this window receives good levels of annual sunshine and of course it is only one window of many within the whole house, most of which are not affected or still receive adequate winter sunshine.
- 7.30 Whilst there would be an increase in the depth of the proposed development based on the approved scheme, the 9m distance of the House D from the side of nos.6/6a is the same as previously approved and thus there would be no unreasonable loss of outlook. The outlook of the side windows of no.6a would also continue to be mainly over the rear gardens.
- 7.31 There is a large window on the east side elevation at first floor level which would serve a staircase in House D. To ensure that there would be no overlooking experience by the occupiers of adjoining properties (No.6/6a) a condition should be appended to any planning approval requiring for this window to be fixed shut and obscurely glazed.
- 7.32 In order to safeguard the amenity of the occupiers of neighbouring properties, protect the design of the proposed building and prevent over-development of the site it is recommended that no development within Part 1 (Classes A-H) [and Part 2 (Class A-C)] of Schedule 2 of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) shall be carried out without planning permission being obtained from the Council.
- 7.33 Based on the above considerations would not have an unacceptable impact on the amenity of the occupiers of neighbouring properties and is therefore in accordance with policy DP26 of the LDF.

### **Transport**

- 7.34 The site is located on North End, on the junction with North End Way near to the northern extent of Hampstead Heath. There is currently a vehicular access to the site from North End and this is to be retained. The site has a Public Transport Accessibility Level (PTAL) of 2 (poor) and is located within the North End controlled parking zone (CPZ). The ratio of parking permits to parking spaces in the North End CPZ is 0.58. This suggests that parking stress is not significant in this part of the borough.

#### *Cycle Parking*

- 7.35 Policy DP17 requires development to sufficiently provide for the needs of cyclists, which includes cycle parking. DP18 states that development must comply with Camden Parking standards. Secure and covered cycle parking would need to be provided as part of the development proposals. Camden applies TfL's cycle parking standards when assessing residential development proposals. For

residential use, 2 spaces are required for dwellings with 3 or more bedrooms. The proposed residential development consists of 4 units, each of which would have 4 bedrooms. Therefore 8 cycle parking spaces are required to meet TfL's minimum cycle parking requirement. The proposals would provide 8 parking spaces which meets this requirement and is considered acceptable.

- 7.36 The proposed cycle parking spaces would be sited in the front grounds of the property and would appear to be easily accessible from the communal driveway. However, the proposed cycle parking spaces would not be covered or fully secure and therefore details should be submitted by condition.

#### *Car Parking*

- 7.37 Camden's transport policies allow for a maximum of one car parking space per dwelling for residential developments located in this part of the Borough. The proposals would provide 4 car parking spaces; 2 of which would be designated for disabled users. This level of provision meets the maximum requirement and is therefore acceptable.
- 7.38 The proposal includes turning movement drawings which demonstrates that each of the 4 car parking spaces is easily accessible from the communal driveway. They also demonstrate that vehicles would be able to access and egress the communal driveway in a forward gear which is in accordance with the guidance set out in CPG7.
- 7.39 Whilst parking stress does not appear to be significant in this part of the Borough it is however recommended that the proposal should 'car-capped' as this would help by reducing the dependency to travel by motor vehicle and should therefore be secured through a S106. This would mean that future occupiers would be unable to apply for on-street parking permits.

#### *Construction Management*

- 7.40 The applicant has provided a draft Construction Management Plan (CMP) in support of the planning application. The draft CMP provides some useful information regarding servicing and deliveries during the various phases of the proposed works, however it lacks detail in some aspects. It is therefore recommended that a CMP should be secured by a Section 106 Agreement and would need to be submitted and approved prior to construction works commencing on site.

#### *Public Realm Improvements*

- 7.41 The footway adjacent to the site on North End is likely to be damaged as a result of the proposed works and would therefore need to be repaved following completion of the works. A cost estimate has been prepared for the highway works by the Council's Transport Design Team which has been agreed by the applicant and would be secured as a financial contribution through a Section 106 Agreement.

#### **Hydrology/ground stability**

- 7.42 The proposed houses have marginally smaller basement excavations than the previous schemes. This application is accompanied by an updated Basement Impact Assessment which identifies that the site does not fall within an area at risk of flooding nor is near any known underground water courses. The site lies on Bagshot Beds comprising permeable sands and clays overlaying the Claygate Beds. Another soil investigation was carried out in July 2011 involving 3 boreholes

and deep trial holes which confirmed that the main basement area would be above the ground water level by 1.2m thus no localised water pumping would be required and there should be no effect on surrounding properties. The flow chart diagram supplied also shows that no further assessment on land stability is required.

- 7.43 In terms of hydrology, the basement level would be above ground water levels and this would retain existing ground water flows and not cut them off nor would lead to an increase in flood risk. It is intended for the application site to adopt construction measures which would allow existing ground water to be maintained and allowed to flow around the new basement and under the slab which would stop any build up of ground water from occurring or affecting adjoining properties. Ground water would freely filter into the proposed drainage geo-composite under the basements. The proposed sequence of works with piling and basement retaining walls would ensure stability of adjoining properties.
- 7.44 It is considered that the scheme broadly complies with LDF policy DP27 as the basement accommodation itself would be only 1 storey deep and located under the houses, in accordance with guidance in para 27.9, although it is acknowledged that there would be basement level patios adjoining these which would have a coverage equivalent to the main house footprint and which would cover a substantial part of the gardens. However there would be substantial margins around the basements overall to enable landscaping and retention at normal garden level, no trees would be adversely affected and also some of the hard surfacing covering the basement accommodation, ie. at the front of Houses A & B, would have permeable surfaces. Moreover the use of SUDS as recommended by para 27.8 for basements extending beyond the profile of the building should mitigate against harm to water environment.
- 7.45 The scheme and its construction methodology would seek to retain existing ground water flows and would not lead to an increase in flood potential. Any planning approval should however be accompanied by conditions requiring submission of details of SUDS and methodology statement for construction works.
- 7.46 Concerns have been raised by neighbouring residents that the excavation works has resulted in significant and regular vibrations which have been felt as far away as 100m by residents in Sandy Road and the BIA makes no reference to this issue. Whilst this issue might have arisen, the Council have no evidence to suggest that there has been structural damage to nearby buildings or harm caused to ground stability. As stated above, a revised CMP would need to be provided by the applicant through a S106.
- 7.47 A site visit on the 5<sup>th</sup> July 2012 identified that a large proportion of the site has been excavated in the implementation of the consent scheme. Without further investigations it is difficult to ascertain whether the works not in accordance with those which have been consented.

### **Landscaping**

- 7.48 The proposal incorporates a 5 metre strip (minimum) between the buildings and North End Way which allows a level of planting characteristic of the area. The applicants have submitted the same proposals as for previous applications; however the built form has changed which means tree planting/landscape design within this strip would also require some amendments as the new houses are set further forward meaning previously proposed trees to be planted would conflict with the buildings. It is also unclear how the front gardens area/driveway would be

treated as different plans identify different levels of hard standing and the Council would therefore require any planning approval to be accompanied by conditions requiring for further details of landscaping to be submitted.

- 7.49 The plans also show car parking within the Root Protection Area of the Horse Chestnut in the adjoining property. Previous approvals have required a retaining wall around the RPA of this tree, with the driveway excavated beyond. Further details/clarification is required for this aspect as their current proposal unacceptable in its current form. No details of tree protection or a tree report conforming to BS5837 (2012) have been submitted with the application and therefore details of this would be required to be submitted by condition.
- 7.50 Given the prominence of the boundary wall proposed around the front of the site, any planning approval should be condition requiring further details to be submitted.
- 7.51 In order to enhance the biodiversity of the site and surrounding area the application should be accompanied by a condition requiring for bird boxes to be incorporated in the development of a type which meets the approval of the Council.
- 7.52 The footprint is slightly larger than the approved scheme but would not reduce the amount and type of landscaping or vegetation around the site. Moreover the scheme would allow for more of the retained outdoor open space to be useable amenity (garden) space and are reasonably sized for the plots/dwellings. The proposal is therefore considered to be acceptable and in accordance with policies CS15 and DP25 of the LDF.

### **Community Infrastructure Levy (CIL)**

- 7.53 The proposal would be liable for the Mayor of London's CIL development as it provides more than one new unit of residential accommodation. Based on the MoL's CIL charging schedule and the information given on the plans the charge is likely to be £50,800 (1016m<sup>2</sup> x £50). This would be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

## **7. CONCLUSION**

- 7.1 It is recommended that planning permission is grant subject to conditions and the completion of a S106 Legal Agreement to secure the following heads of terms.
- Affordable housing contribution;
  - Car capped;
  - Construction Management Plan;
  - Highways Contribution;
  - Sustainability Plan.

## **8. LEGAL COMMENTS**

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