

1. Introduction and Overview – The Proposed Development

This new full planning applications and conservation area consent is for the relocation of the refuse storage bins from the front of the garages next to Fitzjohns House. We are proposing to form two new timber clad enclosures one at the front of the house and one at the rear housing five recycle bins. We are also proposing to relocate the refuse bins at the rear of the property and forming a new paved alleyway to the side of Fitzjohns house allowing for access for refuse storage.

It should be noted that planning application and conservation area consent for the redevelopment of the site by the erection of two proposed houses, one of three storeys and the other of two, above 6 garages in Nutley Terrace above ground has already been approved on 19th November 2008 (Ref: 2007/0508/C and 2007/0507/P). As part of this previous application we already provided an alternative location for the location of refuse and recycle storage. The new application here submitted is for a better and more discrete solution for this item.

2. Historical Context of the Site

Fitzjohns House, a block of flats built in the 1940s is situated at the corner of Fitzjohns Avenue and Nutley Terrace. Fitzjohns House is 5 storeys high and

contains 16 flats. The 5th floor was built around 1997. Prior to the new penthouse being built, there was a one bedroom flat on the 5th floor.

Fitzjohns House is very large and bulky. Externally the block of flats has an austere and dominating appearance, clad in red brick with projecting bay windows. The windows are the original Crittall steel windows.

To the right hand side of the garages there are 2 detached houses with a narrow gap between them.

On the opposite side of the street there is a large house to the south on what appears to be an infill site to the rear of the garden of the house in the corner of Fitzjohns Ave and Nutley Terrace.

To the rear of the garages there is a large piece of land connected to a large residential development, believed to have been carried out by Camden Council. Immediately behind the site there is an area covered by overgrown bushes and trees.

3. Physical Context: Conservation Area Designation and Character

Nutley Terrace is within the Frognaal & Fitzjohns Conservation Area. The text below, which is derived from Camden Council's website provides the history of the neighbouring area.

"Unlike his brother Sir John Maryon Wilson was free

to grant building leases to his heir, and decided to develop the Finchley Road part of the estate. He agreed in 1873 to divide the estate with his son Spencer, whose portion included two proposed new roads, Fitzjohns Avenue and Priory Road. (Fitzjohns Avenue named after the Spencer Wilson house in Great Canfield). In 1875 the contract for Fitzjohns Avenue was let to Culverhouse (tenant at will of two main estate farms on the site of Fitzjohns Avenue and a builder) at a

price of £8,987, and road making began. Culverhouse had previously been given a lease to exploit the East Park estate as a brick-field. In fact, bricks from the fields on the Heath were used for houses on Fitzjohns Avenue.

The design of Fitzjohns Avenue came from the grand vision of Spencer Wilson, with a 50ft wide road and 10ft pavement. Harpers magazine in 1883 called it "one of the noblest streets in the world". It was planted with alternate red and white chestnuts and the houses were set well back from the road with long front paths. Land agent, F.J.Clark advised the Maryon Wilsons to build the main roads and sewers and control the release of land carefully. The north/south alignment of the roads was determined by building surveyor HR Newton's concern with convenient access between Swiss Cottage and Hampstead. The termination of the northern end of Fitzjohns Avenue raised problems where the impressive new road



Existing elevation

ended in a mass of alleys and courtyards. Town Improvements were proposed to clear slums and rearrange roads and a public meeting

was held in 1881 where traders on Hampstead High Street voiced concern about the new road causing loss of trade. A compromise was found and the north-west end of the High Street was demolished and widened, Heath Street was extended southwards and a new intersection created to make the link between Swiss Cottage and Hampstead.

Three railway tunnels lie under the area and also influenced the street lay out. The North London Railway (LNWR) made a tunnel between Hampstead Heath Station and Finchley Road and Frognaal in 1860. East of Fitzjohns Avenue it runs under properties and their gardens but the northern end of Netherhall Gardens was designed to lie over the tunnel. The Midland Railway connection to St Pancras was opened in 1868, and the mile long Belsize Tunnel was created to link Haverstock Hill and Finchley Road. Nutley Terrace was required to run over the line of the tunnel, which explains its angle to Fitzjohns Avenue. The tunnel was not able to meet the railway's requirements and a second tunnel (known as the Belsize New Tunnel) was built in 1884. Airshafts to the tunnel are located at No.32 Belsize Lane, Copperbeach Close and the land adjacent to

No. 46 Maresfield Gardens. The neighbourhood of Fitzjohns Avenue was built in ten years after 1876. The adjoining streets were slightly less spacious than Fitzjohns Avenue but all had large building plots with



detached or semi-detached properties, and some had room for carriage drives. Netherhall Gardens and Maresfield Gardens were named after a manor and parish of the Maryon Wilson estate in Sussex. Architectural interest was increased as private individuals bought freeholds and commissioned architects, creating good quality one-off buildings. The area became popular with a community of artists, writers, social reformers and the medical profession. In the 1870's and 1880's the architecture that was popular included a variety of styles; Queen Anne revival, Arts and Crafts influenced by Norman Shaw (he designed three buildings in the area, one now demolished) and Gothic. The freestyle of Victorian influences comes together in the Conservation Area. The houses were of such a large size (No. 55 Fitzjohns Avenue had 25 rooms) that letting became difficult and towards the end of the 1890's a number of girls schools opened, a trend that continues today, in properties that were originally designed as houses.

Since the initial development there has been small-scale development in backland sites in the 1920's and 1930's (see O.S.1934 map). A number of local authority housing schemes were built in the 1970's by the London Borough of Camden, on the sites of demolished houses."

4. Involvement: Consultation with planners and community

Belsize Architects were employed following the withdrawal of the original application for planning for the development of the same site by PM & A

Architects & Engineers. A series of meetings, discussions and communications started with the planning department to establish the parameters for and then actual design for the site. Charles Thuairé and Louise Drum were the team from the Council. A number of schemes were produced. The original design for the new development above the garages included the relocation of the refuse storage.

The new strategy outlined in this submission is believed to improve the previous proposal. The current proposal has also been positively reviewed by Matt Fernandes from the Environmental Department at Camden Council.

Consultation with the residents at Fitzjohns House also informed the current proposal.

5. Planning History

On 11th Feb 2005 an application, ref: 2004/4259/P, was submitted by PM & A Architects & Engineers for



partial demolition of garages and erection over the garages of three houses, each 3-storeys high. The application was withdrawn in April as otherwise the Council would have refused permission.

There appears to have been another application to fell 3 trees, application, ref. 2005/1017/T, for the same site, which received approval on 14th April.

On the 19th November 2008 Planning Permission and Conservation Area Consent was granted to the current scheme for the development of two residential units above the existing garages (Ref: 2007/0508/C and 2007/0507/P)

We have not been able to find out if there is any further planning history for this site.

6. Planning Policy Framework

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, where the development plan contains relevant policies, applications for development which are in accordance with the plans should be allowed unless material considerations indicate otherwise. The Spatial Development Strategy for London, known as the London Plan (2004), together with the Camden Unitary Development Plan (2006) comprise the Development Plan in terms of Section 38(6) of the Planning and Compulsory Act 2004. The policies concerned are considered below

PPG15: Planning and the Historic Environment (1994)

Paragraph 2.16 of PPG15 refers to Sections 16 and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which requires LPAs to consider works which would affect the setting of listed buildings. Setting of a building can be an essential part of the building's character, especially when a garden or grounds have been laid out to complement its design of function.

Section 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, places a duty on LPAs to designate conservation areas as areas of architectural or historic interest of which it is desirable to preserve or enhance. Section 72 of the 1990 Act requires planning authorities in exercising their functions to exercise the desirability of preserving or enhancing conservation areas. Paragraphs 4.16 and 4.17 of PPG15 state:

“While conservation (whether by preservation or enhancement) of their character or appearance must be a major consideration, this cannot realistically take the form of preventing all new development: the emphasis will generally need to be on controlled and positive management of Chanany conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well established character and appearance of its own.”

The site in question falls into this category.

Camden Unitary Development Plan (Adopted June 2006)

UPD Policy SD6 - Amenity for occupiers and neighbours- states that the Council will not grant planning permission for development that it considers causes harm to the amenity of occupiers and neighbours. The factors the Council will consider include:

- a) visual privacy and overlooking;*
- b) sunlight and daylight levels;*
- c) artificial light levels;*
- d) noise and vibration levels;*
- e) odour, fumes and dust;*
- f) the adequacy of facilities for storage, recycling and disposal of waste; and*
- g) microclimate.*

Design Evaluation

All bins are currently located in front of the garages having a negative impact on the look of the street

The proposed location of the refuse storage improves the overall appearance of the street scape by moving the refuse storage at the back of the property and by enclosing the recycle bins in fully accessible timber enclosures

A 1.1m wide paved alleyway will be formed to the side of the house allowing for the bins to be carried to the front of the house during collection day.

The proposal will allow residents to access the storage areas from the back without going out in the street. Access for collection is to be provided through the new alleyway. The council staff will need to pull out the bins during collection dates.

7. Physical Characteristics of the Design

To minimize the visual impact, the new enclosures are fully clad in timber cladding. This will make them blend into the current landscape surrounding Fitzjohns house. This treatment is also in-keeping with the timber cladding to the perimeter of the ground floor of the new development and garages.

We were conscious of the potential impact of the proposed retaining wall at the rear of Fitzjohns House in between the building and the woods at the rear of the property. A pre-development arboricultural report was therefore carried out and discussed with Camden Council to ensure that the development's impact was measured and made acceptable to the Council.

8. Layout: Orientation of the Building

The proposal follows the same orientation as Fitzjohns House as well as the existing garages.

9. Amount: Scale and Volume; Understanding of the context and Appearance:

The reduction in size and relocation of the refuse and recycle storage at the rear of the property will minimize the impact of these items on the surroundings having no impact on this sensitive location.

10. Landscaping and Access

Discrete access to the dustbins for residence is provided from the back of the property Access for the council is provided by a new paved alleyway located in between Fitzjohns House and the new development at 5 Nutley Terrace.

END