

48B Netherhall Gardens
Proposed New House

Planning, Design and Access Statement

3 Detailed Planning Matters

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Planning History:

Below is a selection of the most significant planning permissions associated with 48B and relevant adjacent properties.

50 Netherhall Gardens/61 Fitzjohns Avenue

- 24.02.47: applic. TP34536/10513: The conversion of 61 Fitzjohns Avenue
- 15.01.96: applic. 9501477R1: The construction of new pedestrian access to Netherhall Gardens with excavated steps to basement. (Note: This application granted permission to excavate 2650 mm from the centreline of an existing protected lime tree. This tree is in the same row as the protected trees in front of 48B Netherhall Gardens and is a similar size and age, etc. The excavation work was carried out and the tree now appears healthy.

48 Netherhall Gardens: The Coach House

- 28.10.58: TP34536/14804: Alterations to the existing building, the erection of a car port, and the formation of a new means of access to the highway.
- 24.05.66: TP2078: The erection of a two storey addition to form a cloakroom and bathroom. (permitted & unexecuted)
- 12.04.77: CTP/F7/7A/24463: Erection of a single storey extension and a car port (approved & some portions executed).
- 14.03.63: TPD1047/718: Alteration and addition to form habitable room in roof space. (approved and built)

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- 10.09.56: applic. TP34536/10996: Original Permission for the conversion into a house notes that "I have to inform you that this decision is without prejudice to the rights of adjoining owners, particularly with regards to formation of new windows in ground floor."
- 17.09.71: applic. 11205: The conversion and extension of an existing dwelling unit (second floor added, planter at rear to prevent overlooking of 48)
- 25.04.74: application CTP/F7/7A/18714: The retention of an additional storey and alteration to the existing

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- 17.05.56: applic. TP34536/3372: Erection of two semi-detached, three storey (sic?) houses with ancillary private garages
- 01.04.64; applic. TP24526/9255: Erection of a two-storey extension at the rear. (approved & built)
- 05.06.74: applic. CTP/F7/7A/19044: Erection of an additional storey with roof terrace (Note: This scheme is based on an addition to the existing building. The result is a much taller and bulky building which does not address and merely compounds the existing problems created by the present sprawling plan in terms of overlooking, etc.

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- 12.04.06: 2006/1483/P: The erection of a two storey timber framed front extension and other external alterations including a new vehicular entrance gate. (Approved & unexecuted)
- 13.03.07: 2007/1147//P: Erection of two storey glazed extension to the front elevation and the formation of a new sliding vehicular entrance gate and other alterations to the front & rear elevations. (Approved & unexecuted). Not: In the delegated report which accompanied the approval the planning officer commented as follows:
"Although nos. 48c and 48b, were in all probability originally designed as a pair, their front elevations do not match now. Therefore the proposed alterations will not detract from the symmetry of the pair, as the two buildings do not currently 'read' as a pair."
- 31.07.06: P9601302R1: The erection of a single storey rear extension. (Approved & unexecuted)

Pre-Planning Discussions

Meeting with Camden Duty Planners, Paul Hersey and Jasmine Hancock on 21.01.09:

A site plan, site photos, as existing plans, and initial proposed plans and elevations were reviewed. The conservation area statement was reviewed and the following discussions and conclusions were made:

- 48B and 48C are not making a positive contribution to the conservation area. The properties do not respond to the character of the area.
- 42, 44, 46, 48, and 48A are also not making a positive contribution to the conservation area.
- 50 Netherhall Gardens is a grade II, listed house.
- Tree Protection Orders exist on the the two lime trees to the front garden. Some degree of protection will also be given under planning to the birch tree in the back garden.
- The existing front garden wall to 48B probably formed part of the original garden boundary to 50 Netherhall Gardens. The wall is in poor condition all along its length. The brickwork is spalling badly. The original material for the wall appears to be at fault. Sections of the wall have been inappropriately rendered perhaps in an attempt to protect the brickwork. This render has now also failed. With the construction of 48B and 48C two large openings in the wall were formed to create driveways and this has broket the continuity of the wall. The wall itself is no longer of particular importance, however a similar brick garden wall would help to maintain the character and fabric of the street.
- The existing street fabric adjacent to 48B is fragmented and poor. Multiple drives, poorly considered street frontages and building elevations, and a lack of trees and vegetation all contribute to the problem.
- Demolition of 48B is possible, in principle, if an alternative house which makes a positive contribution to the area is proposed for the site.
- Even a very successful design will not solve all the architectural shortcomings associated with the immediate area. Many of these problems are simply beyond the scope of the project. A good scheme will however improve the situation.
- As a result of changes to the front elevation of 48B and 48C since their original construction the two properties no longer “read” as a pair. This point was made by the planning officer in her report with the approval of the planning application (no. 2007/1147/P from 13.03.07) for proposed alterations to 48C Netherhall Gardens. The scheme has not been executed.
- Proposals for a new building at 48B must recognize the presence of 48C. However, given the shortcomings of the existing buildings, the new house at 48B should reinforce the character of the conservation area and not the relationship of the attached pair.
- The foregrounding of the garage and the stepping back of the main house does not reinforce the fabric of the streetscape. Re-instatement of the building line at 48B might form part of a design solution which sought to improve and reinforce the character of the conservation area.
- In the larger conservation area, and in the immediate context the streetscape is generally characterized by individual villas. Given the distance of 48B from the listed house at 50 Netherhall Gardens, this approach might form part of a design solution at 48B which helped to re-establish the grain and character of the street.

Note: See also section 5 “Tree Report” for details regarding an on site meeting with Tom Little of Camden’s Tree Section.

Planning Report

This section of the Statement details the ways in which the proposed scheme addresses a range of generally applicable and more routine planning guidance. A more lengthy and detailed discussion of the schemes approach to the more particular and complex aspects of the design and its relation to the site and context is made in the “Design Development” section of the statement under “Current Scheme”

Access

- See section 4 “Lifetime Homes Standards”

Air Pollution

- The proposed building is a residential house, and there is no reason to believe that there will be any particularly unusual problems with air pollution during its development or its occupation.
- Demolition and Construction: It is a relatively small building and demolition should not produce excessive pollution. The contractor must work to control any possible pollution in accordance with good practice and relevant legislation.
- Asbestos has not been found in the property. The construction contract will require the contractor to take all necessary steps in accordance with good practice and the relevant legislation if any such substance is found during demolition.

Biodiversity

A variety of features in the present proposals will encourage bio-diversity:

- Climbing plants are proposed and accommodated in the scheme in a number of locations:
 - Over the pedestrian entry gate and car drive to the front elevation.
 - To portions of the front and rear elevations.
 - Within the courtyard at ground level on the west elevation.
 - Within the hidden, slot rooftop terrace at attic level.
- Locations for compost heaps are designated in the front and rear garden.
- nest boxes
- The garden plan calls for the planting of additional trees.
- Existing concrete slab paving in the front garden is to be removed, and porous paving generally is proposed. This will increase the planted area of the front garden and should improve the soil surrounding the lime trees.
- Excavation for a new basement is limited to providing additional storage and service space to the property. The excavation has been configured to avoid the root protection zone of the two lime trees to the front garden which are subject to a tree protection order.

Conservation Area

The present building is not cited as making a contribution to the conservation area. Permission is required for demolition and will only be granted if the proposed building will preserve or enhance the conservation area. Details on how the proposed new building will contribute to the area are contained in the “Design Development: Current Scheme” section of this report.

Construction & Demolition

- The proposed new development will take place adjacent to an existing party wall. The existing brickwork, and roofing at the junction to the new building is to be altered.
- This work and other work along the boundary is not particularly unusual or difficult, but it will be subject to the regulations of the Party Wall, Etc. Act. A party wall agreement prior to the start of the works will be sought. In the normal way, full details of the work and a schedule of conditions will be prepared, and all details agreed with adjacent owners. All this will be done at the cost of the owner of 48B Netherhall Gardens.
- A new partial basement is proposed. The location of the basement has been designed to limit impact on adjacent owners. Excavation for the basement will very largely take place down the centre of the site with one small area of excavation approximately 1000 mm from the boundary with 48C. There is no reason to believe that underpinning of the party wall will be required. Full details on the construction and temporary works with input from a structural engineer will be provided prior to the start of the works as part of a Party Wall Agreement.

- Protective hoardings will be provided to exclude entry to the site during construction.

Contaminated Land

• Prior to the construction of the present house the site was in use as a residential garden. Maps from the late 19th century show the site in agrarian use. Based on this there is no reason to suspect contamination. If anything otherwise is found during demolition or excavation then the council and other relevant authorities would be consulted, and remedial works, etc. undertaken as required.

Materials and Resources

- The proposed house makes use of a mixture of modern materials and construction methods to produce a construction which is well insulated and relatively lightweight, but with a good degree of thermal mass. Hanging tiles resonate with the historic context, but as a construction are much lighter and have a smaller carbon footprint than a double leaf of masonry with a brick skin.
- The proposed materials for the construction of the house are traditional and can very largely be sourced locally.
- It is proposed to reuse the existing yellow stock brick for the construction of the west boundary wall. This is subject to the strength of the existing mortar mix, but it appears weak so it should be possible to clean and reuse the existing bricks.
- Where possible and appropriate, rubble from the existing building will be used as hardcore in the buildup of sub-floors for the new building.
- The proposed new house makes use of the existing topography generally. Very limited alteration of external levels is proposed, and this is in accordance with the requirements of level access under the Lifetime Homes Standards.
- The size of the basement has been limited to provide a reasonable level of storage and servicing space given the habitable size of the house above. The quantity of excavation arising from the site is thereby limited.

Cycle Parking

Dedicated and secure space for the storage of bicycles is provided within a cupboard located next to the entry door of the house.

Visual Privacy and Overlooking

The existing house and several adjacent properties suffers from problems with overlooking and a loss of privacy. To some extent this is inherent in the circumstances of the site. The proposed scheme will very significantly reduce overlooking and increase privacy between 48B and all its neighbors. This is achieved by completely re-conceiving the form and layout of the house on the site. A detailed discussion of visual privacy and overlooking is made in section 2, "Design Development & The Current Scheme" and section 7, "Overlooking & Loss of Privacy"

Daylight and Sunlight

The scheme maintains good daylight levels to all habitable rooms in adjacent properties in accordance with BRE "Site Layout Planning For Daylight and Sunlight: A Guide to Good Practice." There are several instances where the potential issue of a loss of daylight and sunlight might arise as a result of the scheme, and these are considered within section 2, "Design Development & The Current Scheme"

Artificial Light Levels

- The proposed external lighting is limited.
- Low level lighting to the entry drive and walk in the front garden will be provided for safety and security.
- Lighting to the side and back garden will also be very limited and at low level.
- The ambient light levels from windows will be typical for a residential house and there is no reason to believe that these will cause a problem.
- In the new scheme the habitable rooms and windows are generally oriented towards the front and back elevations where ambient light is less likely to cause nuisance to adjoining neighbors.
- There will be less windows along the side elevation and arguably this will result in an overall reduction of nuisance ambient light.

Noise and Vibration Levels

- Typical domestic extract, ventilation and servicing extract equipment will be used. Given this and the circumstances of the site there is no reason to believe that the equipment will cause nuisance.
- During demolition and construction of the house the contractor will need to consider and abide by regulations regarding noise and vibration. The Council's normal working hours are to be followed in the normal way.

Odour, Fumes, & Dust

- The levels produced by domestic life in a house will be dispersed in the normal way and there is no reason to believe that these will cause a problem.
- During demolition and construction of the house the contractor will need to consider and abide by regulations regarding odour, fumes, and dust.

Facilities for Storage, Recycling and Waste Disposal

- The proposed new house provides good levels of storage in internal cupboards and at basement level.
- An external closet by the entry door provides space for more than one bicycles, etc.
- An easily accessible but screened area off the front drive provides a place for rubbish and recycling.
- Dedicated composting areas are designated in the front and back garden
- The rainwater goods are arranged to serve a discretely located water butt in the rear garden.

Micro-Climate

The present house does not have any deliberate architectural devices for taking advantage of micro-climatic effects. The existing stepped back elevation creates a long east/northeast facing. This wall arguably causes overshadowing within the resulting slot garden space. The proposed house has several architectural devices which take advantage of micro-climatic effects:

- South Facing Back Elevation:
 - Large deciduous trees in the existing and adjacent gardens to the south provide shade during summer and allow more direct sunlight in winter.
 - In response to the direct sunlight levels on this south facing elevation the lower windows are relatively large and progressively smaller areas of glazing are proposed on the upper floors.
 - Climbers on dedicated wires will also encourage summertime cooling and winter insulation of the facade.
- Side Courtyard Garden:
 - This proposed new garden space has a west/southwest orientation with a south facing wall. The space will act as a sun trap which be warmer than the surrounding environment throughout the year. Climbers and a small tree will provide shade to temper summer heat.
 - The space will bring light into the depth of the plan of the house. It will provide light to the dining room and a southern aspect to the otherwise north/northwest facing kitchen.
- Attic Floor Slot Terrace:
 - This linear terrace faces west/southwest with a good view of the southern sky and excellent light levels. The volume of the terrace itself is recessed discretely into the attic and is largely invisible from external views.
 - This terrace will act as a sun-trap and will create a micro-climate which will support extensive greenery in planters and on the terrace walls.
- Stair Hall Roof Light:
 - Automatically opening roof lights with heat and humidity sensors will provide solar gain in winter and central, stack effect driven passive ventilation to the deep core of the house in summer.
 - The roof lights will bring light into the depth of the plan and critically to some of the north facing spaces of the house.
- First Floor Bedroom Roof Lights:

- Automatically opening roof lights with heat and humidity sensors will provide solar gain and passive ventilation to the larger bedrooms of the house.
- The roof lights will balance light levels across the space by providing natural illumination to the back corners of the rooms.

- Kitchen Roof Light:

- Automatically opening roof lights with heat and humidity sensors will provide solar gain and passive ventilation to the kitchen.
- The roof lights provide critical southern light to the largely north facing kitchen.

- Attic Roof Lights:

- Automatically opening roof lights with heat and humidity sensors will provide solar gain and passive ventilation to the master bedroom.

Use of Energy and Resources

- The present house was built in the late 50's and although most of the windows were subsequently replaced with (white pvc) double glazing, the house generally has poor levels of insulation, low thermal mass, and is relatively thermally unstable. It cools quickly and is heavily dependent on high levels of heating to maintain a comfortable internal environment in winter. The house overheats on warm summer days and inadequate provision is made to temper this with sun shading and ventilation.
- Problems with the building fabric are compounded by both a sprawling plan form which results in a large external surface area to volume ratio, and by the relatively small areas of shared walling with 48C. This results in high levels of heat loss through the building fabric.
- The proposed new house will have high levels of insulation and air-tightness to present building regulations or better.
- A range of services based on high efficiency equipment and renewable resources are proposed. These have been discretely integrated into the design of the house:
 - Air Source Heat Pumps: These are placed in well ventilated, but hidden spaces at the ends of the linear attic terrace.
 - Photovoltaic Panels & Solar Hot Water Heating Panels: These are discretely located on the roof within the linear valley formed by the main ridge of the roof and the master bedroom dormer. The internal valley location means it will be difficult to see the panels from the public realm or adjacent buildings. The panels have a good view of the southern sky and virtually no shading. It will be relatively easy to access the panels from the linear terrace below and the inward slope of the roof will provide a relatively safe working space for servicing. Hot water storage tanks are located nearby in the low headroom space roof space.
- See notes under "Micro-climate" above regarding passive ventilation, solar gain, and daylight.
- A water butt will be provided to the front and back garden

Housing

- Housing is a priority land use in the UDP. The proposed development will provide high-quality, energy and resource efficient, and accessible housing. By reducing overlooking and making a positive contribution to the conservation area it will also contribute to the improvement of adjacent housing.

Density

- The council encourages increases in density where the development is thoughtful and sensitive to the amenity of surrounding neighbors.
- The proposed house will result in a relatively small increase in density. The present house has seven habitable rooms. The proposed house will have nine habitable rooms (This includes one basement level room). The new house will also represent an improvement in the quality of the accommodation in terms of size, light, aspect, privacy, comfort, etc.
- The increase in the number of habitable rooms, and the overall floor space is made possible by the following more deliberate use of the site:
 - The creation of a larger, but less sprawling and more compact building volume. This new arrangement and volume will lessen overlooking and in some cases improve light levels to areas of adjacent properties.

- The lowering of the level of the ground floor slightly. This is consistent with the profile of the existing topography and it reduces the overall height of the proposed three storey building. It also enables level access to the property.
- The addition of an additional attic floor under a sloping roof. This has a smaller area than the other floors, but provides much useful space.
- The excavation of a partial basement. This will provide two windowless rooms for storage, and services, and one new roof lit space. This basement level room will be appropriate for use as a home entertainment room. The size of these additional basement level spaces is appropriate to the size of the proposed house.
- The new house is built out to the historic building line. This combined with details of the buildings form and materials will result in a building which is more appropriate to the conservation area.

Conservation Area

The proposals for a new house at 48B Netherhall Gardens are predicated on the demolition of the existing house which the map in the Conservation Area Statement designates as a property which does not make a positive contribution to the conservation area. We believe the proposed scheme for a new house will reinforce and enhance the character of the conservation area. A detailed comparative discussion of the present and the proposed houses is made in section 2, "Design Development: Current Scheme"

Archeological Sites

48B Netherhall Gardens does fall within an Archeological Priority Area. Based on a review of maps from the 18th and 19th Century there is no reason to believe that the site presents any archeological interest. The Council will be notified if anything is discovered during the course of the works.

Trees

See section 5 "Tree Report"