

**HEATH HOUSE PROPERTY
PARTNERSHIP**

**HEATH PARK
NORTH END WAY
HAMPSTEAD
LONDON NW3**

PLANNING STATEMENT

**Planning Application
Conservation Area Consent**

January 2008

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1.0 INTRODUCTION

- 1.1 This planning statement is submitted in support of an application for the development of land to the rear of Heath House, North End Way, Hampstead NW3 (See plan ME1 Appendix 1). The development is to be known as Heath Park. The application site is situated behind high brick boundary walls and comprises a large single dwelling set within landscaped grounds. It is located within the Hampstead Conservation Area. The application has been made on behalf of Heath House Property Partnership, the freehold owners of Heath Park. The applicant also proposes the subdivision of the grounds and the extension and renovation of Heath House. This will be subject of a separate planning application. Works are also proposed to the Grade II listed boundary wall and these are covered by a separate Listed Building Consent application.
- 1.2 The full planning application and application for Conservation Area consent are for the demolition of the existing dwelling and self-contained detached former staff accommodation, and the erection of a replacement dwelling. The demolition works and justification are covered in the accompanying PPG15 Justification Statement.
- 1.3 The proposals for Heath Park have been discussed in several pre-application meetings with planning officers. The submitted proposals respond to and have been revised following comments by officers relating to the design of the building and the potential impact on the setting of the Hampstead Conservation Area. In addition, the English Heritage officer for Camden has been consulted on the proposals for both Heath House and Heath Park.
- 1.4 Two public consultation events have been held to inform the local community of the proposals for Heath House and Heath Park. These comprised separate events for local amenity groups and local residents, at which approximately 250 people attended. The overwhelming response from both events was positive and supportive of the proposals. A Statement of Community Involvement has been prepared and submitted with this application. This document provides details of the public consultation and the responses received.
- 1.5 As a result of the public consultation, the applicant is also considering entering into a unilateral undertaking to provide a contribution for improvements to the public realm outside of the site boundary, including pavement surfaces and works to the War Memorial.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site, Heath Park, is located to the rear of Heath House, North End Way, Hampstead NW3. The existing building was constructed as a residential house with swimming pool. It has been in use as a separate dwelling for a number of years. A Certificate of Lawful Existing Use Development (CLEUD) (ref: 2007/4089/P) has been issued by the London Borough of Camden, 10 October 2007, for the use of this property as a separate dwelling. The dwelling is a large double volume single storey building with the following accommodation; five bedrooms, two reception rooms, kitchen, three bathrooms and other facilities.
- 2.2 Current access to the dwelling is via a separate vehicular entrance from North End Way. A paved area runs inside the boundary with North End Way and Spaniards Road providing pedestrian and vehicular access to the building. A smaller self-contained building to the west of the dwelling, which provided additional staff accommodation, is also to be demolished.
- 2.3 Heath Park lies within the Hampstead Conservation Area and is adjacent to Heath House, a Grade II* listed building. The footprints of the existing Heath Park and the proposed dwelling are surrounded by Metropolitan Open Land (MOL). Heath Park is adjacent to Hampstead Heath. The boundary wall is also listed at Grade II.

3.0 PLANNING HISTORY

- 3.1 A conditional planning permission (ref D6/2/1/27436) was granted in 1979 for the erection of a single storey detached building in the rear garden of Heath House, comprising an indoor swimming pool and additional residential accommodation. Condition 1 of the planning permission restricted the use of the annexe to additional accommodation to Heath House and it was not to be used as a separate dwelling. The annexe was completed in 1982.
- 3.2 An application for planning permission to construct a glazed roof light over the pool to provide access to the roof was refused in 1980 (ref: CTP/D6/2/1/30177).
- 3.3 An application for a Certificate of Lawful Existing Use Development (CLEUD) (ref: 2007/4089/P) was issued by London Borough of Camden on 10 October 2007 for the use of the Annexe as a separate dwelling.
- 3.4 A Tree Preservation Order (TPO) was issued for Heath House on 25 October 1971 for the protection of twelve trees.

4.0 DESCRIPTION OF THE APPLICATION PROPOSALS

- 4.1 The proposals comprise the demolition of the existing dwelling and staff house to the rear of Heath House and the construction of a detached dwelling, to be known as Heath Park on basement, ground and first floors. The dwelling will have six bedrooms at first floor level, and kitchen, drawing room and lounge areas at ground floor. The basement level will include a swimming pool/health suite and staff accommodation. The dwelling will have two car parking spaces at basement level with informal parking at ground level adjacent to the main entrance. A cycle storage/parking area is allocated within the basement accessed via a ramp. A Transport Statement accompanies this application.
- 4.2 At ground floor the proposed dwelling occupies almost the same footprint as the existing main dwelling, although the proposal occupies a lesser site area if the existing staff house is taken into account. The ridge height of the proposed dwelling would be at 7.7m from existing ground level with the height of the parapet at 6.4m. The ridge height of the existing dwelling is at 6.3m consistent with the parapet height of the proposal.
- 4.3 Vehicular access to the dwelling will be via a gravelled driveway located along the boundary with North End Way. This in turn will be accessed from North End Way. A secure vehicular vestibule will allow access both to Heath Park and to Heath House. To accommodate this access and the size of modern vehicles and ease of movement, the current gateway entrance from North End Way will be slightly enlarged. Works to the Grade II listed boundary wall and entrance are also covered by a separate Listed Building Consent application.
- 4.4 The garden of Heath Park will be landscaped and the boundary with Heath House will be demarcated by the planting of mature shrubs and a hedge and simple metal railings. This demarcation will not be visible from outside the walled enclosure to Heath Park and Heath House. A landscaping method statement accompanies this application and it is the intention to introduce native plant species to encourage biodiversity. The ground level will be landscaped and reduced by 1.5m in the area of the proposed replacement dwelling.

5.0 PLANNING POLICY FRAMEWORK AND ASSESSMENT

General Context

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with policies of the Statutory Development Plan, unless material considerations indicate otherwise.
- 5.2 The Statutory Development Plan to be considered for this application comprises the Replacement Unitary Development Plan (June 2006) and is supported by the Spatial Development Strategy for Greater London; the London Plan.
- 5.3 The Development Plan should be read in conjunction with the relevant national planning policy guidance and statement, government circulars, and supplementary planning guidance and documents.

National Planning Policy

- 5.4 A number of National Planning Policies have been identified as relevant to the proposed development and these are discussed briefly below.

Planning Policy Guidance 2 (PPG2): Green Belts (1995)

- 5.5 The footprint of the existing dwelling has been excluded from the land designated as private Metropolitan Open Land at Heath Park. However, the Government's policy for the MOL is briefly considered below. Metropolitan Open Land (MOL) is subject to the same national policy provisions as Green Belt land. The staff house although in existence for many years has not been excluded from MOL indicating the errors in defining MOL exclusions has occurred. Government planning policy guidance for development of the Green Belt, including Metropolitan Open Land (MOL), is contained in PPG2. The replacement of existing dwellings located within the Green Belt/ MOL is considered to be appropriate development, provided it does not result in disproportionate additions over and above the original size of the dwelling (Paras 3.4 and 3.6).
- 5.6 The proposed replacement dwelling, Heath Park, has been designed to fall within the footprint of the existing dwelling to ensure there is no encroachment into MOL. A visual assessment of the impact of the proposed building on the setting of the MOL has also been carried out and is submitted as part of this application. Only very limited glimpses are obtained of the proposed dwelling when walking along North End Way. The proposed building would not be visible from Hampstead Heath which extends around three sides of the site.
- 5.7 The design of the proposed building takes into account its location surrounded by MOL and responds positively to this, providing a high quality building in keeping with this location.

- 5.8 As the building is outside of the MOL and as visual impact upon the MOL is similar to the existing structure when viewed from places of public resort, it is considered that the scheme does not harm the MOL. Furthermore, as it is intended to demolish the staff house and not replace it there is a net gain of MOL.

PPG 15 - Planning and the Historic Environment (1994)

- 5.9 Heath Park is located within the Hampstead Conservation Area. PPG15, *Planning and the Historic Environment*, contains the advice from Central Government as to how developments should treat the historic context of their surroundings and any listed buildings.
- 5.10 The replacement of buildings which are not considered to make a positive contribution to, or detract from, the character or appearance of a conservation area should be seen as a stimulus to imaginative, high quality design and an opportunity to enhance the area.
- 5.11 Neither the dwelling within the grounds of Heath House nor the staff house are considered to make a positive contribution to the character of the Hampstead Conservation Area and is not defined as such in the Hampstead Conservation Area Statement (2002). The proposed replacement building is of high quality design and we consider that it will enhance the character and appearance of this part of the Conservation Area. A PPG15 Justification Statement has been prepared and accompanies this application.
- 5.12 Both the existing buildings and the proposed replacement dwelling lie to the rear of Heath House, a Grade II* dwelling house. In accordance with PPG15 the impact of the proposed dwelling on the setting of the listed building has been assessed (see PPG15 Statement/ Conservation Area Statement which accompanies this application).

Camden Replacement Unitary Development Plan (2006)

- 5.13 The Camden Replacement Unitary Development Plan (RUDP) was adopted June 2006 and replaces the previous UDP which was adopted in 2004. The policies of the RUDP will be saved until they are replaced by the Local Development Framework.
- 5.14 For development control purposes, the adopted UDP remains the principal policy document against which any development proposals must be tested, together with any relevant Supplementary Planning Guidance.
- 5.15 The Proposals Map indicates that the application site lies within the Hampstead Conservation Area. The majority of the application site, excluding almost the entire footprint of the annexe dwelling, lies within Metropolitan Open Land (MOL). The site is also at a distance east of an Archaeological Priority Area.

*Principal Adopted RUDP Policies
Strategic Policies*

- 5.16 Strategic Policy S1 seeks to ensure that all development is sustainable with regard to social needs, the protection of the built and natural environment, the sensible use of resources and the maintenance of a viable economy. The Heath Park site is at a sustainable location within 10 minutes walk of Hampstead village and underground services, and a number of buses provide services from the site to Golders Green, Finchley Road, Muswell Hill, Swiss Cottage, Finsbury Park and Brent Cross shopping centre. Bus stops are located in Spaniards Road adjacent to Heath Park. The proposed design will incorporate where possible and where ground conditions allow, renewable energy measures.
- 5.17 Policy S7 seeks to protect and enhance the Borough's historic environment and S8 to protect and enhance open space and biodiversity. The proposed landscaping will enhance the private MOL within the site and reintroduce native plant species.

*Local Policies
Sustainable Development*

- 5.18 The Council's policy on creating sustainable communities is contained in Policy SD1 – Quality of Life, which requires new development to take into account the special needs and characteristics of individual areas and communities. Density of development is covered by Policy SD4 by which proposed developments would be assessed in relation to the character, scale, amenity and density of the surrounding area, the nature of the site, the quality of design, the development to be provided, local facilities, public transport access and impact on the local transport network.
- 5.19 As has been detailed above, the site has a sustainable location and good access to public transport. The development comprises the replacement of an existing dwelling and the demolition of the staff house. There is no intention to increase the density of development at the site. The proposed dwelling would be sited within the footprint of the existing main dwelling. The ground level would be reduced to allow a two-storey building to be constructed, a comparable height building to the double volume building as existing, and in order to reduce the overall height of the development. The parapet of the replacement dwelling would be at a similar height as the ridge of the existing dwelling. The design of the building is of high quality and responds to the setting of Heath House listed building, Hampstead Conservation Area, private MOL and the Heath. The applicant has commissioned verified views which indicate that views of the replacement dwelling would be limited to short section of North End Way (from Jack Straws Castle to the north side of North Brow). The views would be further limited depending on the season and the tree cover. The dwelling would not be visible from the Heath.
- 5.20 The proposed development accords with Policy SD6 as it does not cause harm to neighbouring properties and their occupiers as the site is not directly adjacent to other

properties. The proposed replacement dwelling would not overlook neighbouring properties or associated amenity space.

- 5.21 Policy S7 seeks to protect and enhance the Borough's historic environment and S8 to protect and enhance open space and biodiversity. The proposed landscaping will enhance the private MOL within the site and will reintroduce native plant species.

Housing

- 5.22 Developments of capacity for 15 or more dwellings, residential developments of 0.5ha or more, or an increase in residential development exceeds 1,500 sq m are expected to make a contribution to the supply of affordable housing (Policy H2). Where this cannot practicably be achieved on site, the Council may accept the provision of affordable housing off-site or exceptionally a payment in lieu. The Heath Park development does not qualify for affordable housing provision as the increase in residential GEA falls below the 1,500 sq m threshold.
- 5.23 In accordance with Policy H7, Heath Park will be constructed according to the Lifetime Homes standards Level 3 and a report assessing the design accompanies this application.

The Built Environment – General Design Principles

- 5.24 The Council's policy on design principles are contained in Policy B1. As can be seen from the proposed drawings the architect has responded to Policy B1 and the applicant has commissioned reports on sustainability and landscaping. The criteria in B1 which relate to the use of resources, landscaping and the impact of the proposal within the townscape are subject of separate reports.
- 5.25 The design of Heath Park considers its relationship to Heath House, the MOL and the Heath, as well as its location within the Hampstead Conservation Area. The building is of a classical design by reputed architect Robert Adam by classical reference with Greek Doric columns to the projecting bays, resulting in a relatively simple and modestly proportioned order. Heath Park will have lime-based rendered walls and chimneys. Natural stone will be used for the plinth, entrance portico, curved bays, projecting bays, parapet copings, cornices, friezes, architraves, window surrounds and chimney elements. The pitched roof will be of natural slate and the windows and doors of painted timber.
- 5.26 As has been stated above, the existing dwelling and the staff house are not considered to be positive character buildings within the Hampstead Conservation Area. Moreover, the proposed replacement dwelling is considered to enhance the character and appearance of the Conservation Area and accords with Policy B7. The accompanying PPG15 statement provides the justification for the demolition of the existing dwelling and the construction of replacement dwelling.

5.27 In line with Policy B9 the impact on strategic and local views from new development has been assessed. In this case, important local views may include the impact on the setting of Heath House listed Grade II*, views into and out of the Hampstead Conservation Area and Hampstead Heath. These local views have been assessed as part of this application and verified views are included with the PPG15 statement. The view locations were agreed with the Council's Officers. Views of Heath Park from outside of the site are limited due to the existing tree cover and high boundary wall. Limited glimpses of Heath Park are obtained from the western pavement when walking north along North End Way. We consider that the design of the building preserves the setting of the listed building, Conservation Area and MOL.

Natural Environment

5.28 There are a number of policies which seek to restrict development in MOL. Whilst surrounded by MOL, the footprint of Heath Park is excluded from MOL in the UDP proposals map, therefore we refer to the policies on MOL in passing. The staff house which is technically located within the private MOL is to be demolished and not replaced.

5.29 Policy N1 restricts development in MOL to appropriate development including the limited extension, alteration or replacement of existing dwellings. The proposed replacement dwelling is sited within the footprint of the existing Heath Park. Although the proposed basement car park will extend into MOL, it will be landscaped above at ground level. The basement car park is in the area of the existing hard surface tennis court. The proposal complies with Policy N1.

5.30 MOL, including private open space such as the garden of Heath House, is further protected by Policy N2. The garden of Heath Park is designated as such a protected private open space in Appendix 5 of the RUDP. The proposals for Heath House preserve the open nature of the site and garden and, where views into the site are glimpsed, the new dwelling provides a visually interesting building.

5.31 The landscape proposals have been discussed in detail with officers at LB Camden. The proposals will enhance the private open space and will result in a substantial increase in soft landscaping and the removal of much of the existing non-permeable hardstanding. Replacement surfaces will comprise permeable materials. The proposed replacement building sits well within this improved landscape and is considered to greatly enhance the private open space.

5.32 The applicant, in line with Policy N5 *Biodiversity*, has carried out an Ecological Assessment and the report accompanies this application. No protected species have been identified as being present on the site, although mature trees may provide potential nesting and roosting places for birds and bats. The grounds of Heath Park are considered to be of low inherent wildlife value.

- 5.33 A number of the trees in the garden of Heath House are protected by a TPO. An arboricultural survey has been carried out and a report accompanies this application. A landscape strategy has been prepared by the applicant and has been discussed with officers. The proposals comply with Policy N8.

Archaeology

- 5.34 Heath Park does not fall within an Archaeological Priority Area as defined by the Council in its UDP (Policy B8). However, an Archaeological Assessment of the site has been requested and accompanies this application. The site is considered to have low potential for archaeological deposits from the prehistoric to medieval period. Although there is potential for archaeological remains dating from the 18th century, there is low potential for their survival within the area of the proposed replacement dwelling.

Transport

- 5.35 The Council's Sustainable Transport Policy is contained in Policy T1. Development should encourage travel by walking, cycling and public transport. In addition, development should make provision for pedestrians and cyclists (Policy T3). Proposed developments need to comply with the Council's Parking Standards (T7). The parking provision for residential development is:

- Cycles – 1 storage or parking space per unit for residents;
- People with disabilities – one space per dwelling;
- General car parking – maximum of 1 space per dwelling.

- 5.36 The proposed development provides two car parking spaces and two cycle spaces at basement level. Access from the basement parking area to the internal accommodation will be facilitated by a lift, providing full access for people with disabilities. The parking spaces conform to LB Camden guidelines.

Camden Planning Guidance (December 2006)

- 5.37 Camden Planning guidance provides additional advice and information on the application of the RUDP policies in determining planning applications. It is a significant material consideration in determining applications but does not carry as much weight as the RUDP. Where key issues have been identified for the proposals, the guidance is detailed below.

Affordable Housing

- 5.38 Affordable housing is likely to be sought for sites with a capacity of 1,500 sq m of built development, dependent on use. The qualifying threshold at which residential developments are required to make a contribution to the provision of affordable housing is 15 or more units, or any site of 0.5 ha or more. The restrictions on the site

to accommodate additional housing units (location within MOL) have limited the proposal to the replacement of the existing dwelling. The proposal will result in 1,116 sq m of additional residential floorspace, below the qualifying threshold for affordable housing provision.

Cycle Access – Parking and Storage

- 5.39 The guidance applies to application for one or more dwelling, the creation of 500 sq m or more of additional space, or where there is likely to be an increase in cycle use. Parking for cycles for dwellings should be within the buildings. Cycle parking is provided at basement level.

Residential Development Standards

- 5.40 The proposed room sizes comply with the residential development standards.

Sustainable Construction and Design

- 5.41 The guidance applies to developments of five or more dwellings or involving 1,000 sq m of development, whereby EcoHomes or BREEAM ratings of Very Good or Excellent are required respectively. Heath Park will be constructed to EcoHomes Very Good rating and the Code for Sustainable Development Level 3.

Vehicle Access to Sites, Car Parking or Servicing

- 5.42 Consent is required from Camden for a new or altered access from the public highway onto private land, and must be obtained before any work takes place. Planning permission is also required to create or alter an access from the public highway onto private land. The vehicular access to Heath Park will be via the existing vehicular access from North End Way and only minor changes to the access are proposed in this application.

Other Material Considerations

Highgate Conservation Area Statement (2002)

- 5.43 The site lies within the Highgate Conservation Area, which was first designated in 1968. There are eight sub-areas to the Conservation Area and Heath Park/ House is within Sub-area 7: Whitestone Park. The Statement notes that Heath House along with the Old Court House form a distinguished group around the war memorial. The security grilles attached to the windows of Heath House are considered to be obtrusive. Heath Park is not mentioned in the Statement and therefore is not defined as a building which makes a positive contribution to the character or appearance of the Conservation Area.

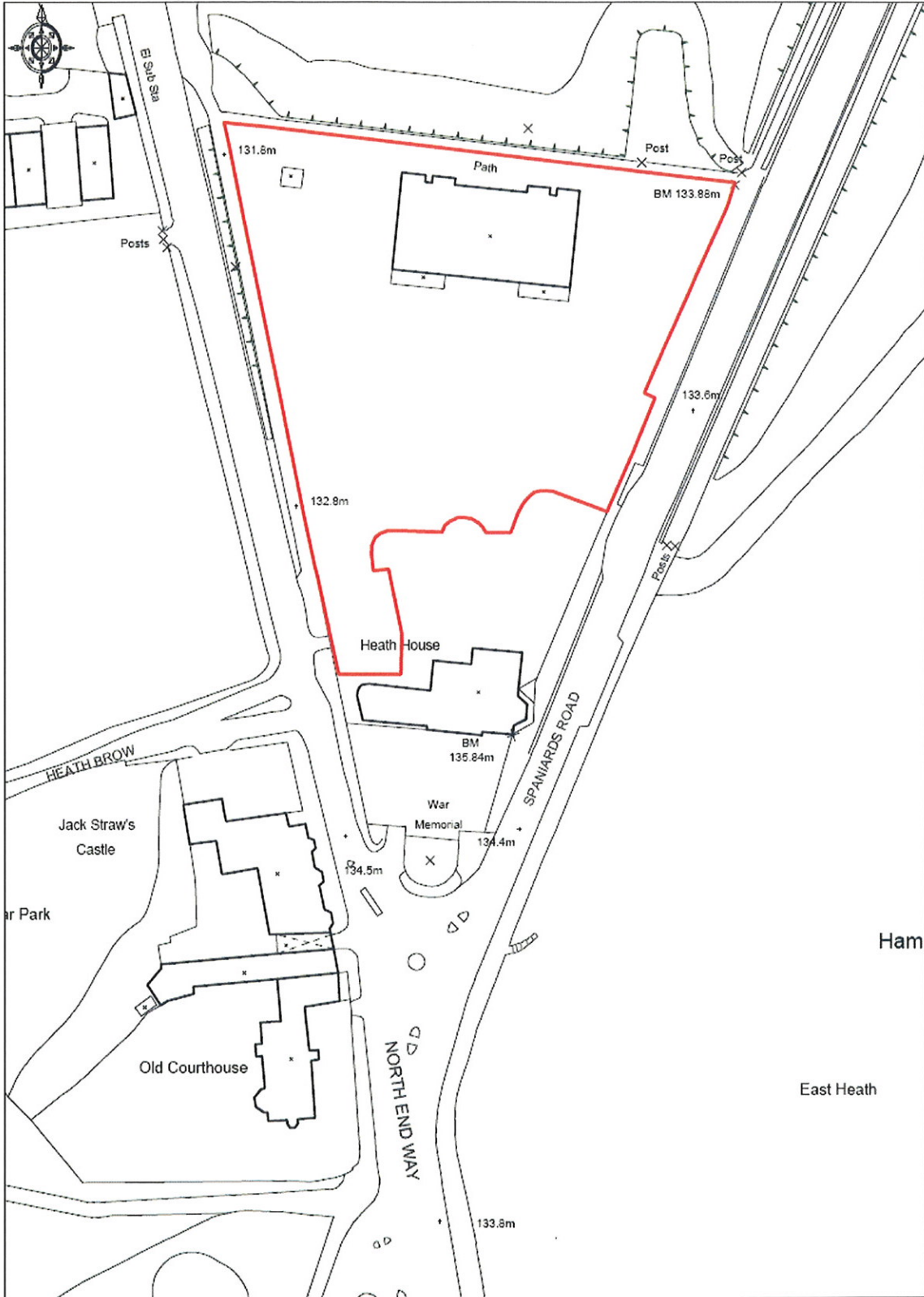
6.0 SUMMARY AND CONCLUSIONS

- 6.1 Having regard to the Development Plan and other Material Considerations, we consider that planning permission and conservation area consent should be granted for the proposed development as it accords with the Development Plan. In addition, the existing dwelling and the staff house make little or no contribution to the setting of the listed building, nor the character or appearance of the Conservation Area.
- 6.2 The replacement building has been designed to preserve the contribution made by the existing building, which seen only in glimpses from a few locations where the upper parts of the dwelling can be discerned beyond the high boundary wall that encloses the site.
- 6.3 The proposal provides a high quality replacement dwelling at a sustainable location providing access to a variety of transport services. The dwelling will be built to Level 3 of the Code for Sustainable Homes (equating to EcoHomes Very Good to Excellent standard).
- 6.4 Improvements to the landscape are an important part of the proposals and these will provide a high quality landscape, incorporating natural species to enhance local biodiversity.
- 6.5 The proposed development complies with local, regional and national planning policies, providing a high quality replacement dwelling, at a sustainable location with good access to public transport.

4/10/10

APPENDIX 1

Site Location Plan ME1



Heath Park, Hampstead, NW3 7ET



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Date : January 2008

ME01

North A

APPENDIX 2

Site Photographs

Heath Park
Photographs

4/10/17



Heath Park

Photographs

4/16/11



APPENDIX 3

Schedule of Supporting Documentation

Schedule of Supporting Information

PPG 15 Justification Statement	Heritage Architecture
Arboriculture Report	ACL
Landscape Strategy	Clifton Nurseries
Ecology Assessment	Richard Kilshaw Ecological Services
Archaeological Assessment	MoLAS
Transport Statement	Savell Bird & Axon
Geotechnical desk-based assessment	STATS
Code for Sustainable Development Design Stage Pre-Assessment	South Facing
Preliminary Energy Study	South Facing
Strategy for the Provision of Building Services	KUT
Flood Risk and Sustainable Drainage	Conisbee
Planning and Noise Assessment	Acoustic Plus
Design and Access Statement	Robert Adam Architects
Statement of Community Involvement	Quatro