



MICHAEL SCOTT ASSOCIATES

SUPPORTING STATEMENT

On

**REASONS FOR REDEVELOPMENT
RATHER THAN
REFURBISHMENT**

Of

**No 11 NETHERHALL GARDENS
HAMPSTEAD
LONDON**

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ARCHITECTURAL DESIGN AND PROJECT MANAGEMENT

LEVEL 2 182 HISTON ROAD CAMBRIDGE CB4 3JP

TEL: Office 01223 352162 Fax: 01223 356584

Web: www.michaelscottassociates.co.uk Email: michael.scott11@virgin.net

VAT Registration No. 731 9511 41

Partners: Mr. M. Scott ICIOB AMInst CES, Mr. D. Blayney MRICS

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SUPPORTING STATEMENT

REASONS FOR REDEVELOPMENT RATHER THAN REFURBISHMENT OF No 11 NETHERHALL GARDENS, HAMPSTEAD, LONDON (Issue No 3- January 2006)

1.0 Introduction

The subject building is located on the western fringe of the Fitzjohns/Netherhall Conservation Area and faces directly onto Netherhall Gardens opposite the Southbank International School close to the junction of Nutley Terrace. Netherhall Gardens is a side access road off Fitzjohns Avenue. Access via Finchley Road is restricted to pedestrians only and is blocked off to through traffic movements.

No 11 is a substantial three storey late Victorian brick built villa constructed in the 1880's with timber sliding box sash windows featuring leaded top lights with stained glass with segmental brick arches over and band courses of terracotta fluted or floral brickwork. The property also features substantial bay windows to the front. The property was evidently extended to the north side as the window and brick detailing changed and there were later two storey extensions built to the south side of the building of early 20th Century construction under flat roofs.

The building features steeply pitched roofs with gables forming valley roofs with ornate brick dentil coursing to form the verges and large dormer windows. Roof coverings are of clay plain tiles with band courses of scalloped plain tiles. Substantial chimney stacks of red brick construction are topped with ornate brickwork copings. The depth of the building meant that a double pitched roof was required with a central valley and this is still visible to the north side but the central valley was filled in and a flat roof constructed. We assume this was to accommodate the large water storage tanks required for the new flats. **See Photo No1 & 2 - Appendix A.**

This building was converted into ten flats after the second world war. The majority of the internal Victorian features have been removed including fireplaces and doors. The building is not listed but does, according to the Conservation Area Statement make a positive contribution to the character and appearance of the Conservation Area. Its demolition therefore will have to be assessed against the same broad criteria as proposals to demolish Listed Buildings (PPG 15, paragraphs 3.16 – 3.19)

The buildings immediately adjoining are No 9 and 13 Netherhall Gardens.

No 9 is a detached Victorian dwelling house built in 1883 of a differing vernacular style and this is located to the south with the entrance doorway being well elevated above the front footpath. There are kitchen, bathroom

and bedroom windows to No 11 that overlook No 9 at the side of the property.

The later flat roof extensions to No 11 have been constructed along the boundary of No 9 and the south gable end wall to Flat 1 and 10 has been constructed off an old garden wall. There have been discussions regarding the ownership of this wall which is believed to be a Party Wall and is subject to the Party Wall etc Act 1996. There has been a consensus with the successive owners of No 9 that this wall should remain at the same height whatever the proposals regarding the works to No 11.

There is a rooflight glazed with obscured glass on the north roof slope of No 9 and the adjoining owner will have rights of light to this which was originally built as an artist's studio. The room is, however dual aspect with windows and doors situated in the west elevation facing the garden. The adjoining owner will, we understand employ his own right's of light consultant to assess any light lost and whether any compensation is due if 20% of light or more is lost in this room.

No 13 to the north is a substantial three storey Victorian building with Dutch style gables and this building has also been converted into flats. This building is set well away from No 11 and is screened from No 11 by mature horse chestnut or sycamore trees. Bathrooms and kitchens to the flats of No 11 overlook this building. A garage block of single storey construction to No 13 is built along the south boundary adjoining No 11.

This site was the subject of a recent planning appeal to construct a new dwelling. The appeal was refused as the inspector thought the scale of the infill dwelling would *"appear incongruous within the general street scene and out of scale with the surrounding development"*

The appeal inspector also noted that settlement was occurring to No 11 in his appeal notes as we allowed full access to No 11 during his on site inspection. We have appended a copy of the appeal to the rear of our report - **See Appendix B**

The appeal inspector also thought No 11 was less flamboyant than its neighbour at No 13.

Part of the rear gardens of No 11 are for the sole use of Flat 1 and Flat 2. There is a central access passage that affords access to the rear communal garden area, presently untended and overgrown. A post and chain link fence divides the rear boundary from a parcel of land that is presently leased from Midland Railtrack on a yearly basis. This is for use as a garden but is also untended and overgrown. The land drops steeply at this point. The rear boundary is completely screened by mature trees.

To the front of the site there are two mature horse chestnut trees and laurel screening. The horse chestnut trees are subject to TPO's and will require protection during the building works. Pedestrian and vehicular access is via two entrances to the north and south. There is at present parking for five vehicles.

The belsize underground railway tunnel is located under the north side of the building.

2.0 Tenure

There are six lessees that own the freehold of the building and have formed a Management Company. There are three further flats that are held leasehold with varying leases to run on the flats before they revert to the freeholder.

The previous freeholder who lived in Flat 7 let the flats deteriorate and carried out little in the way of maintenance. Due to this neglect this owner was taken to court by the existing leaseholders and subsequently this resulted in the change of freehold. This action was taken over a 10 year period and the Management Company was formed in 2000.

Michael Scott Associates were instructed carry out investigations in January 2001 to put the building back into a satisfactory standard of repair. This also included bringing the flats up to a mortgageable condition as the flats are not mortgageable in their present state due to a history of subsidence occurring.

3.0 Investigations into Structural Condition

(Existing Drawings No 23596/ 1, 2, 3, 4 & 5A plans and elevations together with site location plan. See Appendix C) Reduced to A3

The first task was to carry out a dimensional survey of the flats which was undertaken in the first quarter of 2001.

Andrew Firebrace Consultants who are our client's appointed structural engineering consultants were engaged to advise on structural problems occurring to both internal and external walls together with deflection of floors. The consultant was asked to make enquiries to Midland Railtrack as Belsize Underground Tunnel runs under the north side of the building. This was to ascertain whether there was any connection with the underground affecting the building.

The results of the initial structural investigation identified the need to underpin approximately half the building. Later subsidence was detected in the dry summer of 2003 in a new area of the building. The consultant later advised the whole building needed underpinning. In our original report we advised there may be further works in connection with the underpinning and our advice has proved to be correct.

The building does not have the benefit of buildings insurance to cover subsidence occurring and no insurer would be willing to take on the risk without a full underpinning scheme having been devised and implemented. The structural investigations are detailed in **Appendix D** of this report.

The investigations and report dated 2nd January 2004 with photo's are also contained within the above appendix.

In addition to underpinning the building the majority of internal partition walls forming the stair and dividing walls were found to be too slender in relation to their height and are only built off timber suspended floors leading to overloading and severe cracking of the walls. These require taking down and rebuilding on steel beams. We have indicated the walls to be demolished appended to the rear of this report, **See Appendix E**. The suspended ground floor slab is constructed of reinforced concrete and is under-designed and is deflecting and requires replacement. This has also caused settlement to occur and sever cracking to the internal walls.

A drains test was carried out and all foul and surface water drains require replacement due to general settlement, their age and the encroachment of roots into drains.

Externally the building is rendered and the render is in a poor state of repair. This is due to subsidence and additionally it has lost its key from the external brickwork. This is due to poor adhesion and frost action. All render needs hacking off and replacing. The render used is a hard cement/ sand render which causes major damage to the walls of old buildings built in lime mortar and any new render applied should be compatible and a lime render should be used which is generally more expensive to apply and purchase than a cement render.

The external walls require stitching where cracks are visible and the chimney stacks require rebuilding as they are in a poor state of repair. The brick arches over windows have dropped and require rebuilding. All front boundary walls and pathways require renewal as they are in a poor state of repair.

The pitched tiled roofs and flat roofs require renewal as they have reached the end of their serviceable life.

The external joinery is in a poor state of repair and major repairs and renewal is required together with external decorations. The external paintwork requires burning off completely before redecorating.

The wiring to all flats is in a poor state of repair, does not meet current safety standards. The wiring will also have to be renewed due to structural repair works internally. All heating and plumbing systems will have to be completely stripped out together with kitchens and renewed on completion. The water tanks in the loft are corroded and require replacement.

All lagging to pipework which is suspected of containing asbestos in the loft voids will require stripping out as part of the works.

We have advised the Management Company that due to the extent of the works all occupants will have to vacate the building for 15-18 months.

We have produced detailed costings for the repairs which is produced in a separate costing report. These only allow for a very basic kitchen, bathroom and wiring specifications and we have not included improvements to the means of escape or any facilities for disabled access. The refurbishment cost is over £2.0 Million to carry out the work.

We previously met with the Planning and Conservation Department at Camden Council's offices and discussed the reasons why the building cannot be repaired. It was suggested we consider "other alternatives" and questioned the need to underpin the building. We have discussed this matter with our client and met with the Conservation and Planning officer in March 2004. **See Appendix F** The present flats are not mortgageable and floors and walls are out of plumb and the flats continue to deteriorate. The building will eventually become unsafe to use and it is our opinion that technically the flats are now unfit for human habitation. The market value of each flat is very low and only suitable for a "cash buyer".

Our client is extremely distressed about the current situation and a number of the owners have lived in the property for up to 40 years and have now accepted that the building is not in a repairable condition. We have also warned our client that if a scheme of major underpinning and refurbishment works were implemented there is always a degree of risk about a buildings condition before opening up and a large contingency is usually required to cover unforeseen works. As professionals we have wide experience of carrying out restoration schemes to Grade I and II Listed buildings and our advice is based on this previous work.

The building would not attract any grant monies due to its unlisted status. The flats have now reached the end of their serviceable life with all components worn out and we have to arrange emergency repairs on a regular basis. The roofs leak ,there are problems caused by water ingress into the structure due to faulty rainwater goods and faulty heating systems with recent leaks causing major damage to the interior of the flats with ceilings collapsing. Flat 4 is not habitable and has been empty for six years.

The current freeholders have not let the building deliberately deteriorate and we attach a letter from the Management Companies solicitor on the history of the building and why it is in its present poor state of structural repair. **See Appendix G.**

We note the buildings opposite 16-18 Netherhall Gardens were allowed to be demolished and rebuilt and the Appeal Inspector agreed that the buildings were in a state of terminal decline with all main elements of the building worn out and beyond economic repair. (**See Appendix H** Ref K87/N006-031)

Our conclusion is that the building is not in a repairable condition, is severely dilapidated and is uneconomic to repair.