



22 FROGNAL WAY

PLANNING STATEMENT

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Appendix 1 – Planning History Summary

1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by DP9 Ltd (DP9) on behalf Mr and Mrs San in support of a full planning application for the redevelopment of the site at 22 Frognal Way. The site is bound to the west by Frognal Way, to the north by the rear gardens of Church Row, to the east by 20 Perrins Walk and The Cottage, and to the south by 20 Frognal Way (Gracie Fields House).

1.2 The redevelopment of the site will provide a new family home for a local family. The description of development for the proposed planning and demolition in a conservation area consent is set out below:

“Demolition of existing dwelling house at 22 Frognal Way and redevelopment to provide a single detached family dwelling house and all other necessary works”.

1.3 The submission of this application follows pre-application discussions with planning, design and conservation officers at the London Borough of Camden (LBC) as well as local groups and local residents.

1.4 This statement should be read and considered in conjunction with the plans and drawings submitted as part of this planning application. The Council has confirmed that the following documents are required for the validation of the planning application:

- Design & Access Statement (including Plans and Landscaping) – KSR Architects;
- Application Forms and Certificates – DP9 Limited;
- CIL Additional Information Form – DP9 Limited;
- Heritage Statement – Heritage Collective;
- Archaeological Written Scheme of Investigation – Heritage Collective;
- Daylight and Sunlight Assessment – Deloitte;
- Energy and Sustainability Statement (including Whole Life Carbon Assessment) – Skelly and Couch;
- Transport Statement – Motion;
- Draft Construction Management Plan Proforma – Motion;
- Construction Method Statement and Basement Impact Assessment – Price & Myers; and
- Arboricultural Report – Landmark Trees.

1.5 This document provides an overview of the site and the development proposals and an evaluation of the proposed development against the relevant national, strategic and local planning policy and guidance. The Planning Statement is structured as follows:

- **Section 1** provides an introduction to document;
- **Section 2** describes the site and the context of the surrounding area;
- **Section 3** provides a description of the proposed development;
- **Section 4** summarises the planning consultations undertaken;

- **Section 5** sets out the national, regional and local planning policies relevant to the planning application and provides an assessment of the proposed development against these policies; and
- **Section 6** sets out our conclusions.

2.0 SITE & SURROUNDING AREA

The application site

- 2.1 The application site relates to the property at 22 Frognal Way, located at the end of a private road with vehicular access from Frognal. A pathway connects Frognal Way with Church Row. The site covers an area of approximately 0.22 hectares and is located in the Frognal and Fitzjohns ward of the London Borough of Camden (LBC).
- 2.2 Number 22 Frognal Way is a detached family house. The site was originally built in c.1975 by the architect Philip Pank for his client Mr Harold C Cooper. The building has an individualistic design, and a peculiar footprint which features a central rotunda which provides an entrance hall, and three wings which protrude from the hallway. The existing building has two levels; the ground floor level, which appears as a single level dwelling from Frognal Way; and the lower ground floor below, which provides access to the garden. The building is situated within a generous plot of land, and benefits from mature landscaping.
- 2.3 The building has been vacant for nearly ten years, but previously comprised a residential dwelling, a garage (which has since been demolished), and an open-air swimming pool in the garden (currently a pond). The building is currently in a poor condition following the partial implementation of the 2009 planning consent (please refer to the planning history section below for further details).
- 2.4 There is a significant level change across the site. From the entrance point of the site, the site topography drops almost a storey between the entrance level and the southern portion of the site by approximately -3 metres. The site levels rise towards the north east, which is approximately +3 metres from the entrance level.

Heritage and conservation

- 2.5 The site is located in the Hampstead Conservation Area.
- 2.6 The building itself is not listed, and is not identified on Camden's Local List which was adopted in January 2015. The building was cited as making a neutral contribution to the Conservation Area in the Hampstead Conservation Area Statement (2001). As discussed later in this report (Section 5), the building was subsequently held by a Planning Inspector to make a positive contribution to the Conservation Area.
- 2.7 There are several listed buildings in the vicinity of the site, including Sun House (Grade II* listed) and Shepherds Well (Grade II listed), both on Frognal Way. The six bollards at the end of the path linking Church Row to Frognal Way are Grade II listed. To the west of the site, St John's Church is Grade I listed, as are many of the tombs in the St John's churchyard. To the north of the site, the houses along the south side of Church Row closest to the site are all Grade II or Grade II* listed.

- 2.8 It should be noted that the planning application does not include any proposed works in relation to the historic wall associated with 20 Perrins Walk, which falls outside the red line boundary.
- 2.9 Further information regarding the location of listed buildings and their settings in the wider area surrounding the site can be found in the heritage reports prepared by Heritage Collective.

Accessibility

- 2.10 The site is located in close proximity to Hampstead town centre, and is only a four minute walk (270 metres) from Hampstead underground station. The site has good pedestrian accessibility and connections to the town centre. The site has a PTAL rating of 3 (moderate).
- 2.11 In terms of vehicular access, Frognal Way is a private road, which is managed by the Frognal Way Residents Association. Pedestrian access includes the public footpath which runs to the west of the site, which links Frognal Way to St John's Church and Church Row.

The surrounding area

- 2.12 The surrounding area comprises a mixture of predominantly residential properties, with varying building heights and styles along Frognal Way, Church Row and Perrins Walk. The building is also close to St John's Church and churchyard, which itself is raised above the height of the existing building at 22 Frognal Way.
- 2.13 Frognal Way is characterised by large detached family dwellings which have been individually designed and commissioned within large plots. These buildings vary in height, scale, bulk, mass and architectural style.
- 2.14 The site falls outside the boundary of the Church Row and Perrin's Walk Neighbourhood Forum Area, however the buildings within the Neighbourhood Forum Area Boundary are of relevance to the context of the site.
- 2.15 Perrins Walk is a private road with small mews houses (previously Church Row Mews) which are between 2 and 3 storeys in height. In contrast, tall townhouses of between 3 and 4 storeys characterise Church Row, whilst the rear elevations of these properties appear to be approximately five and six storeys tall when viewed from Frognal Way as a result of the sloping topography.

Planning history

- 2.16 A detailed planning history of the site is provided in Appendix 1 of this report.
- 2.17 The existing house was constructed following the grant of planning permission in approximately 1975.

- 2.18 More recent planning history is demonstrated by applications for redevelopment, and subsequently alteration and extension of the existing house. The main applications of relevance are summarised below.

The 2007 Dismissed Appeal - 2007/3790/P and 2007/3791/C

- 2.19 An application for the demolition of the existing building and the erection of 2 x two storey family dwellings was submitted to the LBC in August 2007 (application reference 2007/3790/P and 2007/3791/C). The previous owner of the building appealed against non-determination, and the application was considered by a Planning Inspector. The Inspector considered that the building at that time made a positive contribution to the conservation area, and considered that the main interest of the building is that:

- The building has an entry in Pevsner, indicating a degree of architectural interest. It has an unusual design that is interesting and distinctive;
- The form and design of the building reflect a specific design brief to accommodate the client's disabled wife; and
- The building has a low profile that does not dominate or detract from the adjoining houses, and limited impact on important local views.

- 2.20 The contribution that the building makes to the conservation area, identified by the Inspector, was that:

- Frognal Way is characterised by individually designed and commissioned detached houses in substantial plots;
- The styles and materials are highly individual, and at the time were a good example of an architect designed house;
- As a commissioned house, it adds to the theme of individual houses on Frognal Way, which defines its character; and
- There is a degree of local connection between the architect and the area.

- 2.21 The Inspector subsequently refused the appeal on the grounds that the proposed development *'would harm the character and appearance of this part of the conservation area and would interrupt important local views and views from St John's churchyard. I also conclude that the proposed houses would harm the setting of nearby listed buildings and I am not convinced that the suggested condition and Section 106 agreement would restrict parking availability to ensure less reliance on the car and the use of alternative modes of transport. For these reasons, I conclude that Appeal A should be dismissed and planning permission refused'* (Appeal Decision, Paragraph 28). The appeal was dismissed on 20 October 2008.

The 2009 Extension Consent – 2009/3168/P

2.22 Following the refusal of the 2007 appeal scheme, planning permission was granted by LBC in September 2009 for an extension scheme (application reference 2009/3168/P), which included various alterations to the existing building, including, inter alia:

- extensions to the existing basement;
- curved extensions between the three wings creating new lightwells;
- the demolition and replacement of the garage including the insertion of a car lift;
- substantial excavation works to alter the ground levels;
- replacement of the flat felt roofs and the introduction of a sedum green roof;
- Demolition of the porch;
- a new lantern light over the lounge; and
- the addition of stone coping to the rotunda and other associated works.

2.23 This application has been part implemented but left uncompleted. In the event that permission is refused the Applicant will have to implement fully the 2009 Permission (or similar) and has confirmed that he would do so. The full implementation of the partially implemented and extant 2009 Permission is thus the baseline for consideration of this application.

The 2011 Brickwork Replacement Consent – 2011/0924/P

2.24 An application was subsequently approved in March 2012 for the removal of the existing external brickwork and replacement with custom manufactured bricks in association with the extension scheme (application reference 2011/0924/P).

Tree Applications

2.25 Most recently, two tree applications have been submitted and approved for: i) the felling of a willow tree (application reference 2014/4872/T); and ii) the reduction of the lower north limb of a lime tree by 15% (application reference 2014/4899/T).

3 THE DEVELOPMENT PROPOSAL

Development concept

- 3.24 A full assessment of the proposed development is contained within the Design and Access Statement prepared by KSR Architects. This Planning Statement should be read in conjunction with the plans and drawings submitted as part of the application.
- 3.25 The concept behind the proposal is to demolish the existing building, and to provide a replacement family dwelling, of exceptionally high design quality. The objective is to make a significant enhancement to the character and setting of the Hampstead conservation area.

The proposed scheme

- 3.26 The application seeks full planning permission for:

“Demolition of existing dwelling house at 22 Frognal Way and redevelopment to provide a single detached family dwelling house and all other necessary works”.

- 3.27 The proposed scheme seeks to demolish the existing building and to develop a new seven bedroom dwelling for a local family. The proposals include vehicular entrance from Frognal Way in the position of the existing gates, with garaging to be located in a similar position of the (now demolished) previous garage.
- 3.28 The house entrance will be at the upper ground floor level of a similar level to the existing main door. This entrance level will provide the family bedroom accommodation, and an office space. The level change ensuring that the building appears to be a single storey building when viewed from either Frognal Way or Church Row.
- 3.29 The main living accommodation is provided at lower ground floor level, including living rooms, kitchen, dining rooms, children’s play room and offices. Below this at basement level recreational space is proposed, including a gym, cinema and swimming pool.
- 3.30 The existing building has a floorspace of 594 sqm GIA (704 sqm GEA) residential floorspace. The implemented scheme (2009/3168/P) provides approximately 890 sqm GIA (983 sqm GEA) residential floorspace.
- 3.31 The proposed dwelling has a floorspace of 1,815 sqm GIA (2,009 sqm GEA), residential floorspace, of which 1,149 sqm GEA is habitable floorspace which has access to natural light. The existing and proposed floorspace schedule is provided in in the Design and Access Statement prepared by KSR, and summarised below.

Table 3.1 – Existing and proposed residential floorspace

	Total Residential Floorspace (GIA)	Total Residential Floorspace (GEA) [of which has natural light in brackets]
Existing	594 sqm	704 sqm
Consented / Implemented*	890 sqm	983 sqm [870 sqm]
Proposed	1,821 sqm	2,009 sqm [1,149 sqm]

*note that the consented scheme areas do not include the courtyard gardens

- 3.32 The design proposals incorporate a green roof which slopes upwards towards the south of the site away from Church Row, forming a ha-ha style roof, when viewed from Church Row. It is proposed that the green roof will feature meadow style planting, rather than a sedum roof.
- 3.33 In terms of materials, a mix of brick, render and timber cladding has been chosen to complement and sympathise with the surrounding buildings and the conservation area. The green roof will include copper seam at the base, and sections of the elevations will also provide a green living wall in some areas.
- 3.34 Randle Siddeley has developed a landscape scheme to seamlessly integrate the nature, topography and context of the site with the proposed architecture. A south facing garden has been developed in the lower southern part of the site to benefit from sunlight and to ensure the privacy of this space from neighbouring properties.
- 3.35 The development proposals include a double garage which is large enough to accommodate wheelchair access to cars, and covered parking for up to six bicycles. In addition, electric car charging points will be included within the garage.
- 3.36 A key driver behind the scheme design has been to include a range of sustainability measures, including the latest innovative building services and technologies in order to meet and exceed the required energy and sustainability targets. As a result the proposed development incorporates significant energy and sustainability benefits.

4 CONSULTATION

Pre-application Consultation

- 4.24 The submission of this planning application follows extensive consultation undertaken over a period of more than seven months with planning and design officers from the London Borough of Camden (LBC). In addition, individual presentations have been provided to neighbours, and two public exhibitions have been held on site with local residents.
- 4.25 Further detail regarding the consultation process and feedback can be found in the Statement of Community Involvement (SCI), prepared by DP9 Limited.

London Borough of Camden

- 4.26 The proposed development of the site has been subject to extensive consultation with the planning and design officers from LBC through three formal pre-application meetings which took place in October and December 2014 and February 2015. The pre-application meetings have covered both heritage and design matters in detail.
- 4.27 Discussions took place regarding the quality of the existing building and the contribution that the building makes to the conservation area and the setting of surrounding listed buildings. It was agreed that the most important features of the existing building, in terms of its contribution to the conservation area, relate to: i) how the building integrates into the site; ii) how it is a bespoke, architect designed house of unusual form; and iii) it being a low profile building with little impact on its surroundings.
- 4.28 Council officers have acknowledged that the existing building is in a poor condition, and that significant alterations to the building have already been consented. In relation to the principle of demolishing the existing building, the Council consider that a replacement building could be envisaged, subject to ensuring that the proposed design makes an improved contribution towards the conservation area.
- 4.29 In relation to the design of the proposed development, officers have acknowledged that the proposed height and mass addresses the key requirements in relation to the character and appearance of the conservation area. Design discussions with officers have focused on the materials proposed, and the team have adjusted the scheme accordingly through the increased use of brick on the building facades in order to better relate to the character of the conservation area. No significant amendments to the bulk and massing of the scheme, or other substantive design considerations were raised by officers.
- 4.30 Planning officers emphasised the importance of public consultation. It was agreed that residents should be involved at an early stage in the design process.

Public consultation

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- 4.31 The initial public consultation involved two stages: one to one presentations to neighbours and an open public exhibition. A public exhibition was held on site on Sunday 25 January (between 4.30 and 7.30 pm), and on Monday 26 January (between 3 and 7 pm).
- 4.32 Invitations to the public exhibition were hand delivered to residents of Frognal Way, Church Row, Perrins Walk and Ellderdale Close. Overall 44 people attend the initial public exhibition over two days. A total of 14 feedback forms were completed, which have provided useful feedback to the team in relation to the key concepts to be addressed in redeveloping the site. No comments were received in relation to changing the proposed design of the building.
- 4.33 A letter of objection has been received from the Church Row and Perrins Walk Neighbourhood Forum on 7 February stating that that the Applicant has no right to demolish the existing building and raising concerns about size, bulk and hydrology on site.
- 4.34 Following the objection from the Neighbourhood Forum, a significant amount of work has been undertaken in relation to the hydrology as part of the Basement Impact Assessment (submitted as part of this planning application).
- 4.35 A follow up public exhibition was held on site on Sunday 19 April (between 4 and 7pm). Leaflets were distributed to the same households as the initial public exhibition. Overall 47 people attended this exhibition. The exhibition provided further detail about the proposed design of the scheme as well as additional information regarding basement impact, construction management, energy and sustainability.
- 4.36 A total of 12 feedback forms were received and the feedback provided was generally supportive. A further letter of objection was received from the Church Row and Perrins Walk Neighbourhood Forum on 30 April 2015. The letter raises concerns about the consultation process, the demolition of the building, size and bulk, hydrology, environment, listed trees and listed building consent.
- 4.37 Further detail of the exhibitions and the feedback received is provided in the SCI.

Conclusion

- 4.38 The consultation strategy sought to engage with neighbours living in close proximity of the site, as well as the adjacent Neighbourhood Forum. Two public exhibitions have provided an opportunity for local residents and neighbours to raise their concerns and voice their opinions regarding the proposals. Local residents (particularly those from Frognal Way) have welcomed the early and committed engagement from the Applicant and the project team, and the team have been pleased to see enthusiasm shown towards the design proposals.
- 4.39 Overall, there is strong support for the proposed development from neighbours on Frognal Way, and also from Perrins Walk, and a clear desire to bring the site back into use through the development of a new family home. During the initial public exhibition, verbal support for the principal of redeveloping the site was given from some residents of Church Row,

however the Church Row and Perrins Walk Neighbourhood Forum have subsequently raised objections regarding the principle of demolishing the existing building.

- 4.40 The feedback and support for the development proposals in the second exhibition was overwhelmingly positive in relation to the proposed design of the building, and no specific changes to the proposed design were mentioned within any of the feedback forms which were completed. We have subsequently received a further letter of objection to the scheme from the Church Row and Perrins Walk Neighbourhood Forum reiterating their concerns about various aspects of the development proposals.

5 PLANNING POLICY AND ASSESSMENT OF PLANNING ISSUES

Introduction

- 5.24 This section identifies the statutory development plan which is relevant to the application site, and provides an evaluation of the proposed development against the relevant planning policies. The planning policy context comprises three levels of adopted and emerging policy – national, regional and local. Within each level there is both planning policy and guidance which combine to provide the framework for the consideration of the proposed development.

National planning policy

- 5.25 The National Planning Policy Framework (NPPF) was adopted on 27 March 2012 and provides planning policy guidance at a national level and is a material consideration in the determination of planning applications.
- 5.26 At the heart of the NPPF is a presumption in favour of sustainable development, for both plan making and for decision taking. The NPPF directs local planning policies to approve development proposals that accord with the development plan without delay. The NPPF supports sustainable economic development and also seeks to significantly boost the supply of new housing.
- 5.27 The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants. The design has been informed by the principles of sustainability and is therefore compliant with the underlying principles of the NPPF.
- 5.28 The Government published National Planning Policy Guidance (NPPG) on 6 March 2014, which effectively cancels the majority of previous planning practice guidance documents. This online, up-to-date planning practice guidance is a material consideration in the determination of planning applications, and has been considered as part of our assessment of the development proposals considered within this section.

The development plan

- 5.29 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that the determination of planning applications should be in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan for the site is:
- The Further Alterations to the London Plan (2015)
 - Camden Core Strategy (2010)
 - Camden Development Policies (2010)
 - Camden Planning Guidance documents (various).

- 5.30 The London Plan was published in July 2011, and Further Alterations to the London Plan were formally adopted in March 2015. This document provides the overall strategic plan for London, setting out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031.
- 5.31 The London Borough of Camden LDF comprises a suite of planning policy documents to guide and inform development within the borough. The principal documents within the LDF are the Core Strategy and the Development Policies documents which were both adopted in 2010. The Council has started to review these documents and recently consulted on its Draft Local Plan. The Local Plan is being prepared to replace the existing Core Strategy and Camden Development Policies Documents, and when adopted will form the basis for planning decisions and future development in the borough.
- 5.32 LBC has also prepared a number of Camden Planning Guidance documents. Where relevant these documents have also been considered.
- 5.33 The site falls within the Hampstead Neighbourhood Forum Area, and therefore when a Neighbourhood Plan for this area is adopted, this will also form part of the development plan.

Site designations

- 5.34 The site is identified within the Camden Proposals Map (2010) as having the following site specific designations:
- Hampstead Conservation Area; and
 - Archaeological Priority Area.

Planning policy assessment

- 5.35 This section reviews all of the above policies which are relevant to the proposed development and provides an assessment of how the proposed development complies with planning policy in respect of the following:
- i. Principle of residential use;
 - ii. Residential accommodation;
 - iii. Principle of demolition, townscape and conservation matters;
 - iv. Architectural assessment;
 - v. Subterranean development and construction management;
 - vi. Landscape and trees;
 - vii. Energy and sustainability;
 - viii. Transport, parking and construction management; and
 - ix. Daylight, sunlight and overlooking.

i. Principle of residential use

- 5.36 One of the core planning principles of the NPPF is to *‘encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’* (Paragraph 17). The NPPF states that *‘housing applications should be considered in the context of the presumption in favour of sustainable development’* (Paragraph 49). Of particular relevance to the development proposals, Paragraph 51 states that *‘local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies’*.
- 5.37 The overarching principle advocated in Policy CS1 of the Camden Core Strategy requires that developments promote the most efficient use of land and buildings in Camden. Policy CS1 also seeks to ensure that development makes full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site.
- 5.38 Policy CS6 of the Core Strategy seeks to minimise the loss of existing homes, and housing is identified as the priority land use within the Camden Local Development Framework. The Council recognise the contribution that small sites and vacant units being returned into use can make to meeting housing needs (Core Strategy Paragraph 1.7 and 6.9).
- 5.39 Camden Development Policies Policy DP2 seeks to make full use of Camden’s capacity for housing, by expecting the maximum appropriate contribution to supply of housing on sites that are underused or vacant, and resisting alternative development of sites considered particularly suitable for housing.
- 5.40 The site has historically been in residential use, and is located in an area of Hampstead which is predominantly residential in nature, and therefore the continued use of the site for residential is considered to be acceptable in principle. The development proposals seek the demolition of a vacant building which is in disrepair, which is being redeveloped in order to secure the future residential occupation of the site.

ii. Residential accommodation

- 5.41 The proposal seeks to ensure that the existing site and building can respond to the requirements of a large family, with five children. The proposed development includes five bedrooms (plus one guest bedroom and a bedroom for the nanny). The proposed accommodation has been designed to a high standard to respond to the specific needs of the client.
- 5.42 The FALP advocates that new development in London should achieve the highest standards of accessible and inclusive design, to ensure that developments can be used safely, easily and with dignity by all regardless of age or disability.
- 5.43 Camden Development Policies document identifies that the Council will seek a variety of housing types which are suitable for people with mobility difficulties (Paragraph 6.1). Policy

DP6 requires that all housing should meet lifetime homes standards, and that 10% of homes developed should either meet wheelchair housing standards, or be easily adapted to meet them.

- 5.44 The proposed dwelling has been carefully designed to ensure that the building benefits from the highest levels of accessibility and inclusive design, including the provision of a lift between all floors, and ensuring the width of hallways and doorways achieve accessibility requirements. The scheme has been designed to Lifetime Homes standards. This will provide substantially improved accessibility by comparison with the implemented scheme for the property – whilst the existing building was originally designed with wheelchair accessibility in mind – it would fail to meet the standards now required.
- 5.45 Camden’s planning policy position regarding affordable housing is set out in Policy CS6 of the Core Strategy which sets a borough wide target of 50% of new housing floorspace to be affordable, subject to viability and Policy DP3 outlines that all residential developments with a capacity for 10 or more additional homes (which is assumed to be equivalent to 1,000 sqm GEA) are required to make a contribution to the supply of affordable housing.
- 5.46 Camden Planning Guidance 2 (Housing) sets out criteria for which developments should contribute to the supply of affordable housing. The Council state that *‘we acknowledge that an addition of 1,000 sqm residential floorspace will not have a 10 dwelling capacity in every single case. In assessing the capacity, the Council will take into account whether the additional area is capable of contributing to the number of homes in the scheme (e.g. does it have access to natural light?). We will also take into account any other constraints that would prevent 10 dwellings from being developed, such as where it would be impractical to provide safe vehicle access’* (Paragraph 2.23).
- 5.47 On the basis of the criteria above, KSR have calculated that the proposed residential area, excluding areas which are not served by natural light (ie. excluding the double garage, plant rooms and basement areas which are not served by lightwells), equates to 1,149 sqm GEA. This represents an uplift of 445 sqm GEA, and therefore the proposed development does not fall within the required floorspace threshold to contribute towards affordable housing provision.

iii. Principle of demolition, townscape and conservation matters

Legislation and policy summary

- 5.48 The proposed development seeks the demolition of an existing building in a conservation area. Legislation relating to listed buildings and conservation areas is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act does not prevent change within conservation areas, rather it provides a duty to ensure that the special interest of listed buildings and conservation areas are given considerable importance and weight in the determination of planning applications. A Heritage Assessment prepared by Heritage Collective has been submitted as part of this application and provides further detail of heritage considerations.

- 5.49 The NPPF recognises that new development can be desirable and make '*a positive contribution to local character and distinctiveness*' (Paragraphs 138 and 131). In determining applications, the NPPF directs that applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance (Paragraph 128).
- 5.50 When considering the impact of a proposed development on the significance of a designated heritage asset, the NPPF directs that great weight should be given to the asset's conservation, and that '*the more important the asset, the greater the weight should be*' (Paragraph 132). Where a development proposal will lead to a less than substantial harm to the significance of a designated heritage asset, the NPPF states that '*this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*' (Paragraph 134).
- 5.51 Importantly, Paragraph 137 states that local planning authorities should look for opportunities for new development within Conservation Areas, and that '*proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably*'.
- 5.52 The planning policy position is clear that the desirability of preserving and enhancing the significance of the conservation area should be given great weight and should be the starting point in the assessment. It is evident that any harm to the conservation area by the loss of a building which makes a positive contribution, needs to be supported by a strong justification, which is evident in Camden's local planning policies.
- 5.53 Camden Core Strategy Policy CS14 which seeks to preserve and enhance Camden's heritage assets and their settings, including conservation areas and listed buildings. In addition Development Policies Policy DP25 seeks to only permit development within conservation areas that preserves and enhances the character and appearance of the area.
- 5.54 Policy DP25 also seeks to prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of the conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention. It should be noted that Camden's local policy is silent in relation to balancing any harm against the proposed benefits of a development, and therefore in this respect the NPPF must be considered carefully as adding to the local plan in this regard.

The significance of the heritage asset

- 5.55 The NPPF directs that LPAs should identify and assess '*the particular significance of any heritage asset*'. It is the significance of the heritage asset which should be taken as the benchmark against which the impacts of a development proposal are to be assessed (Paragraph 129).

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- 5.56 The Inspector's decision regarding the dismissed appeal scheme in October 2008 identified that at that time the building was a positive contributor to the heritage significance related to: the interesting and distinctive form of the building; that it was designed by an architect of some local importance following a commission from a specific client with a disabled wife; and that the form and design of the building assimilated into the site without detracting from nearby houses with little impact on local views.
- 5.57 Following the Inspectors assessment of the 1975 Pank house, permission was granted in 2009 for alterations and extensions to the building, which have been part implemented but are currently uncompleted. Excavation work as part of the implementation of the 2009 consent revealed poor quality subterranean brickwork and in 2011 planning permission was granted for the complete replacement of the brickwork as part of an amendment to the 2009 planning permission.
- 5.58 For the purpose of this assessment Heritage Collective have considered that the poor state of the existing building is a temporary condition and that the partially implemented 2009 consent is the benchmark against which the significance of the heritage asset must be assessed. The baseline position for the heritage assessment is outlined in paragraph 77 of the Heritage Statement. In summary, the full implementation of the 2009 permission would result in a building with the existing poor quality brickwork at lower levels, which would set an inherently negative baseline. In order to provide a more appropriate baseline position the Heritage Statement considers the implications of the implemented 2009 permission and an enhanced baseline position involving replacing the bricks.
- 5.59 The Heritage Assessment considers that against this baseline position, whilst it could not be said that the elevations to be altered are especially significant (they are relatively plain and unremarkable), or the (now demolished) garage and canopy, or the roof over the lounge, and so, on, the cumulative effect of all of these changes combined would undoubtedly result in a building that would be different in appearance and character to that designed and envisaged by Pank in 1975.
- 5.60 The Heritage Assessment identifies that against the baseline position the building's contribution to the conservation area *'would largely be attributable to its distinctive form, design and low profile. In other words, its positive contribution would be that of a substantially modern building which would still complement the group of earlier, remarkable, architect-designed houses of the interwar period in the same street'* (paragraph 83).
- 5.61 The contribution of the baseline position of the building to the significance of the listed buildings on Church Row is essentially that it allows views of their rear elevation and in giving a sense of a largely open plot, which reinforces the sense of their rear gardens. In relation to the church and churchyard, the contribution the building makes is by providing an openness in the sense of the low lying roofscape.

Assessment regarding the conservation area and setting of listed buildings

- 5.62 The Heritage Assessment concludes that the positive contribution the building makes (assuming the 2009 permission is completed), essentially relates to the form and design of the building. The fact that the building does have some interest therefore does not necessarily preclude its demolition, or mean that it could not be beneficially redeveloped. It would be possible for a high quality replacement house, which successfully responds to the sensitivities of the site, and with design credentials as a high quality, bespoke, architect designed house, to be capable of making an equal, or greater contribution to the character and appearance of the conservation area and setting of listed buildings.
- 5.63 The Inspector's objections to the dismissed appeal scheme in 2008 have been used as a set of guiding principles that a successful replacement house would have to conform with. In essence these relate to the height, bulk and massing of the replacement house and its impact on views in relation to its setting.
- 5.64 The Heritage Assessment concludes that the proposed development is for a unique and distinctly modern replacement house which will build upon the legacy of exceptional architecture and modern design in Hampstead, as well as sensitively integrating with the surrounding landscape. The form of the proposed building has been carefully considered ensure that the new building makes at least as great a contribution to the conservation area than the baseline position.
- 5.65 It is considered that the proposed development at 22 Frognal Way complies with the planning policy framework and the terms of the 1990 Act, requiring decision makers must have special regard to preserving and enhancing the character and appearance of the conservation area. The scheme would provide an exceptionally designed high quality house, which would enhance the quality, character and appearance of the Hampstead conservation area and the setting of nearby listed buildings.

iv. Architectural assessment

- 5.66 The NPPF states that *'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'* (Paragraph 56). In addition, the NPPF directs that *'planning policies and decisions should not attempt to impose architectural styles of particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms of styles. It is, however, proper to seek to promote or reinforce local distinctiveness'* (Paragraph 60). In addition, although the NPPF acknowledges that the visual appearance and the architecture of individual buildings are very important factors, high quality and inclusive design should also address *'the integration of new development into the natural, built and historic environment'* (Paragraph 61).
- 5.67 The FALP also places great emphasis on the importance of good design, with Policy 7.6 requiring that buildings should be, inter alia: of the highest architectural quality; comprise

details and materials that complement, and not necessarily replicate, the local architectural character; not cause unacceptable harm to the amenity of surrounding land and buildings; incorporate best practice in climate change mitigation; provide high quality indoor and outdoor spaces and integrate well with the surrounding streets; and meet the principles of inclusive design.

- 5.68 Core Strategy Policy CS14 seeks to promote high quality places and buildings and requires developments of the highest standard of design that respects local context and character. Development Policies Policy DP24 states that the Council will require all developments, including alterations and extensions to existing buildings to be of the highest standard of design and will expect developments to consider (inter alia):

- 5.68.1 Character, setting, context and the form and scale of neighbouring buildings;
- 5.68.2 The character and proportions of the existing building;
- 5.68.3 The quality of materials used; and
- 5.68.4 Existing natural features, such as topography and trees.

- 5.69 The Design and Access Statement prepared by KSR and submitted with this application provides an analysis of the constraints and opportunities of the site, and a detailed explanation of the development proposals. The overall approach has been to ensure that the proposed development respects several key concepts of the original building, including:

- Integration into the site;
- Bespoke architect designed house;
- Low profile building.

- 5.70 The design response seeks to ensure that the Inspector's comments regarding the 2008 Appeal Scheme are addressed in a positive way, specifically in relation to: no substantial increase to height; avoiding obscuration of the listed buildings on Church Row; avoiding undue prominence; and avoiding creating a sense of infill development.

- 5.71 Drawing on the context of the existing building, the development proposals seek to ensure that the building is read as a single storey from Frognal Way, the Church Row footpath and St Johns Churchyard. The proposed development does not exceed the maximum height of the existing rotunda, and therefore views of the rear of Church Row properties remain visible from Frognal Way, and the building successfully fits into the existing landscape.

- 5.72 The integration of the building into the landscape when viewed from the private residences of Church Row has also been a key concept in the design evolution process. The existing trees and planting in the north of the site provide a natural visual buffer between Church Row and 22 Frognal Way. Building on this, KSR have devised the ha-ha concept to address the relationship between the existing landscaping including the level change at the north of the site. The introduction of a planted green roof with a gently inclined sloping roof will provide an almost continuous garden landscape when viewed from Church Row rear windows. The

ha-ha concept has the effect of screening the southern part of the building, and thereby further minimises potential impacts on visual amenity and overlooking.

- 5.73 The new house will be built behind a new wall and entrance gates, and the visibility of the building behind this will be limited. The driveway leads to a single storey double garage, and the entrance hallway, which features a curved roof form, which seeks to provide a new interpretation of the curved rotunda element of the existing building. The entrance hallway leads to accommodation provided at upper ground floor level, which accommodates the bedrooms, an office, and a void overlooking the living space provided in the lower ground floor level below. Access to the lower ground floor is provided via two staircases and a lift.
- 5.74 The lower ground floor level provides the family living accommodation, and has been arranged to ensure that the living and dining rooms are south facing and open out on to the family garden area, which due to the nature of the levels on the site falls at this lower ground floor level. Plant spaces to accommodate M+E, which require no natural light, are provided to the north western corner of the site where the levels are higher.
- 5.75 Staircases and the lift lead down to the basement level, where family recreational space is provided, including a gym, home cinema, swimming pool and spa. Additional plant and services are provided at basement level.
- 5.76 In accordance with Development Policy DP24, high quality materials such as brick, timber, green walls and copper will be used to provide sensitive facades which relate well to the nature of the surrounding area. The Design and Access Statement submitted as part of this application provides more detail regarding precedent materials and finishes.
- 5.77 Overall the proposed building is considered to provide a very sensitive architectural response to the setting and context of the neighbouring buildings and the existing site, and significant consideration has been given to the surrounding conservation area. The proposed design seeks to complement the surrounding area, and particular care has been given to respecting the maximum height of the existing building to avoid any adverse impacts on neighbouring buildings. The external appearance of the building and materials chosen, whilst barely visible from outside the site, has been developed to respond to the character of the Hampstead area. Internally the building has been designed to a high standard to accommodate the needs of a growing family. The proposed design of the development accords with national, regional and local policy requirements for exemplary design.

v. *Subterranean development and construction management*

- 5.78 Camden Development Policies Policy DP27 sets out the Council's requirements in relation to subterranean development. The policy requires that in determining proposals for basement development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement development where it does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability. Accordingly proposals are required to demonstrate that they:

- Maintain the structural stability of the building and neighbouring properties;
- Avoid adversely affecting drainage and run-off or causing other damage to the water environment; and
- Avoid cumulative impacts upon structural stability or on the water environment in the local area.

5.79 Schemes must also consider whether the development will:

- Harm the amenity of neighbours;
- Lead to the loss of open space or trees of townscape or amenity value;
- Provide satisfactory landscaping, including adequate soil depth;
- Harm the appearance or setting of the property or the established character of the surrounding area; and
- Protect important archaeological remains.

5.80 A Construction Method Statement and Basement Impact Assessment has been prepared by Price & Myers and GEA which provides a site-specific ground investigation. The part implemented 2009 consent included permission for excavation works in relation to the creation of a two storey building, at ground and lower ground floor levels. It is important to note that due to the change in levels across the site, the lower ground floor provides habitable, sunlit spaces, and the rooms open out on to garden areas. The proposed development seeks to develop an additional basement storey under the lower ground floor level. Therefore whilst the building has the appearance of a single storey building from street level, a lower ground level provides access to the garden spaces surrounding the building, and a basement level is proposed underneath this.

5.81 The Church Row and Perrins Walk Neighbourhood Forum have raised concerns in relation to knowledge of a historic underground river running across the site. Price & Myers and GEA have undertaken extensive research through historic records to obtain evidence in relation to neighbours concerns. They confirm there are no records of an underground river running beneath the site, and the site investigation has not indicated any evidence for the presence of such a feature.

5.82 The findings from the Basement Impact Assessment identify that excavations for the proposed basement structure will require temporary support to maintain stability and prevent any excessive ground movements and there will be some level of groundwater control required. The Basement Impact Assessment identifies that the potential impacts associated with the basement development can be satisfactorily mitigated through appropriate design and standard construction practice.

5.83 Whilst groundwater is expected to be encountered within the basement excavation, inflows from within the Claygate Member ground conditions would be expected to occur at a very slow rate such that they could be suitably controlled by sump pumping. Overall the proposed works will not have any detrimental effect on the local groundwater regime.

- 5.84 GEA conclude that the proposed development is unlikely to result in any specific land or slope stability issues, groundwater or surface water issues.
- 5.85 The Construction Method Statement prepared by Price & Myers sets out the construction methodology associated with the proposed basement.
- 5.86 Overall the proposals are considered to accord with the Council's planning policies regarding basement development.
- 5.87 In relation to lightwells, Policy DP27 states that the Council will consider whether the architectural character of the building is protected, whether the character of the surrounding area is harmed, and whether the development results in the loss of more than 50% of the front garden or amenity area. Policy DP27 also states that basement schemes which include habitable rooms will not be permitted in areas prone to flooding. It is not proposed that any habitable rooms will be provided at basement level, although natural light is provided via lightwells to the proposed gym and swimming pool rooms.
- 5.88 Camden Planning Guidance 4 (Basements and Lightwells) states that *'where basements and visible lightwells are not part of the prevailing character of a street, new lightwells should be discreet and not harm the architectural character of the building, or the character and appearance of the surrounding area, or the relationship between the building and the street. In situations where lightwells are not part of the established street character, the characteristics of the front garden or forecourt will help to determine the suitability of lightwells'* (paragraph 2.69). In addition, paragraph 2.72 states that excessively large lightwells will not be permitted in any garden space.
- 5.89 CPG 4 advises that *'a lightwell to the side or rear of a property is often the most appropriate way to provide a means of light to a new or extended basement development, and can often provide a link to the rear garden. Lightwells to the side of rear of a property should be set away from the boundary to a neighbouring property'* (paragraph 2.73).
- 5.90 The proposed development incorporates two small skylights over the proposed gym and swimming pool areas of the development. The two skylights measure approximately 8.3 sqm above the swimming pool and 5.2 sqm above the gym, this equates to a very small proportion of the total site area. The skylights have been designed to ensure they are provided at the sides (north and south) of the property in order to avoid any visual impact from the street. The proposed skylights will not be publically visible and will be small scale and therefore it is considered that the proposals accord with Camden's planning policies.

vi. Landscaping and trees

- 5.91 Core Strategy Policy CS15 requires that developments seek to protect trees and promote the provision of new trees and vegetation. Camden Development Policies Policy DP24 relates to high quality design, and expects that developments will consider the existing natural features

on site, such as topography and trees, as well as the provision of appropriate landscaping and amenity space.

- 5.92 Landmark Trees have undertaken an Arboricultural Impact Assessment Report for the proposed development, which has been submitted as part of this planning application. A total of 21 trees were surveyed on the site, the majority of which were found to be classified as low quality (17 trees). Three trees were identified as Category A, one tree was identified as Category B Moderate Quality and one tree as Category B Moderate/Low Quality. A TPO exists regarding lime tree T1 on the site (reference 8H-T26).
- 5.93 Close consideration has been given to the existing trees from the outset of the design process. Consequently, the impacts of the proposals are very low, including minimal impacts arising from the basement and the landscape remodelling. One tree is proposed to be removed and is identified to be of little individual significance, and its loss will not affect the visual character of the area.
- 5.94 Landmark Trees conclude that the site can be developed without impacting significantly on the wider tree population of local landscape. Accordingly, with suitable mitigation and supervision methods, the proposals are considered to be acceptable and fully in accordance with planning policy.

vii. *Energy and sustainability*

- 5.95 The NPPF seeks to support sustainable development and aims to increase the use and supply of renewable and low carbon energy. The FALP Policy 5.2 also seeks to minimise carbon dioxide emissions, requiring planning applications to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy
 - Be clean: supply energy efficiently
 - Be green: use renewable energy.
- 5.96 Core Strategy Policy CS13 and Development Policy DP22 promote sustainable design and construction in all new developments across Camden. Care has been taken to ensure the design of the scheme has evolved to incorporate exemplary sustainable credentials.
- 5.97 The Deregulation Bill 2015 has formally removed the requirement for residential schemes to comply with Code for Sustainable Homes standards or to require a Code for Sustainable Homes pre-assessment for any planning applications submitted after 27 March 2015. In consultation with the London Borough of Camden it has been requested that the Council will no longer apply Code for Sustainable Homes, and instead the Council will seek to secure:
- 5.97.1 Water efficiency of 110 litres per day; and
- 5.97.2 20% renewables.

- 5.98 An Energy Assessment has been prepared by Skelly and Couch Ltd and submitted as part of this planning application. The Energy Assessment identifies that there will be an overall carbon saving of 43% against the baseline following the Be Lean, Be Clean, Be Green energy hierarchy.
- 5.99 Under the Be Lean considerations, the proposals seek to incorporate the following sustainability measures: use of low energy fixed lighting; whole house mechanical ventilation with heat recovery; low building air permeability; building fabric with improved U values; a highly efficient hot water storage system; total water use of not more than 110 litres per day; waste water heat recovery system; primary heating system; minimised overheating risk; use of night time ventilation.
- 5.100 As part of the Be Clean considerations, the use of combined heat and power (CHP) technology was assessed and discounted due to the size of the dwelling. The London Borough of Camden has confirmed that the site is not required to make provisions to connect to a decentralised energy network due to the scale of the development proposals.
- 5.101 Renewable energy measures have been incorporated into the scheme in the form of photovoltaics and ground source heat pumps. These technologies meet the Camden requirement for renewables in accordance with the Be Green considerations.
- 5.102 In addition, Sturgis Carbon Profiling LLP have prepared an Embodied and Whole Life Carbon Report in order to identify the potential for embodied and whole life carbon emissions reductions. The report has been submitted as part of this planning application, and identifies a number of measures, which if implemented, would lead to approximately 10% saving of the building's Whole Life Carbon Footprint, more than 25 years carbon emissions from Part L regulated energy.
- 5.103 Overall the proposed development has been designed to incorporate extensive sustainability measures in order to reduce the carbon emissions and to promote renewable energy measures. The proposed development achieves excellent levels of sustainability and is considered to accord with policy requirements at all levels.

viii. Transport, parking and construction management

- 5.104 Frognal Way is an unadopted cul-de-sac, which is controlled by an automatic rising arm barrier at the junction with Frognal. A full evaluation of the proposed development in terms of traffic and transport is provided within the Transport Statement prepared by Motion, submitted as part of this planning application.
- 5.105 The NPPF seeks to promote sustainable transport solutions, and requires that transport effects of a development should be fully considered so that safe and suitable access to the site can be achieved for all people.
- 5.106 Parking Policy 6.13 of the FALP outlines the maximum standards for residential developments, with developments providing 4 or more beds falling within the up to 2 car

parking spaces per unit category. In addition, the FALP requires that adequate parking spaces for disabled people must be provided preferably on site. The Camden Development Policies DP18 identifies that within areas outside of low parking provision areas (such as the application site), residential units should provide a maximum of up to 1 space per dwelling.

- 5.107 The 2009 part implemented consent includes the provision of a vehicle lift and an area of hard standing outside the house to accommodate car parking for two vehicles. In line with the 2009 consent, the proposed development seeks consent for the provision of two car parking spaces located within a double garage located on site. The dimensions of the garage allow of the use of the parking by wheelchair users. There will be no net increase in car parking numbers as a result of the proposed development.
- 5.108 The driveway provides sufficient space to accommodate home delivery vehicles which will enable deliveries to take place on site, rather than impacting on the road network.
- 5.109 In addition Policy DP18 requires that 10% of spaces must be for electric vehicles. Electric car charging points are proposed within the garage of the proposed development, and therefore the proposed development exceeds this policy requirement.
- 5.110 In relation to cycle parking, the FALP requires that 2 cycle parking spaces are provided for dwellings providing more than 2 bedrooms. Camden Development Policy DP18 Table 2.3 outlines that 1 cycle parking space must be provided per residential unit. The development proposals will provide up to six cycle parking spaces which will be located within the garage. This is in excess of both the GLA and Camden minimum cycle parking standards.
- 5.111 The site has a PTAL of 3, which is considered to be a moderately accessible location, and is well placed for undertaking journeys by foot, cycle and public transport. Hampstead town centre is within close walking distance. Refuse collection will take place from Frognal Way, as per the current arrangement.
- 5.112 In order to minimise disturbance to the occupiers of neighbouring properties, a number of mitigation methods are proposed within the Construction Management Plan (CMP) Proforma, prepared by Motion transport consultants, in consultation with the Frognal Way Residents Association. The proforma CMP seeks to minimise the impacts arising from construction, including proposing provisional working hours on site (between 8am and 6pm Monday to Friday and between 8am and 1pm on Saturdays).
- 5.113 In addition the CMP provides details of construction vehicle movements, traffic management, storage of materials, access and egress routes, parking and loading arrangements, and time restrictions for noisy activities. The CMP proforma confirms that the main contractor will be registered with the Considerate Contractors Scheme and will follow Camden's Considerate Contractors Manual. It is proposed that community liaison is ongoing throughout the construction prior to ensure that community concerns are effectively addressed and that the community are kept up to date about forthcoming works.

- 5.114 Overall it is considered that the proposed development complies with the Council's transport planning policies and that the proposals would not adversely impact on the local road network.

ix. Daylight, sunlight and overlooking

- 5.115 Camden planning policies including Policy DP26 and CPG6 (Amenity) seek to ensure that the impact of development on occupiers and neighbours is managed, in order to protect the quality of life and amenity. Accordingly, the Council will consider impacts on (inter alia) visual privacy and overlooking, and sunlight and daylight levels.
- 5.116 In relation to visual privacy and overlooking, the scheme has been developed in order to ensure that the residents and also neighbours of the scheme benefit from minimal levels of overlooking. At present the existing building is orientated in such a way that residents have several outlooks over neighbours and vice versa. The proposed development seeks to orientate the main living spaces and family garden to the south of the site, minimising potential overlooking from residents of Church Row. The southern part of the site benefits from the use of the ha-ha concept on the green roof, which reduces the visibility of this private residential space.
- 5.117 In comparison to the consented extension scheme, which extended up to the property boundary with 20 Frognal Way, the proposed scheme has been set back from the northern flank of 20 Frognal Way in order to increase privacy within this part of the site.
- 5.118 Accordingly, the development proposals would not result in any adverse impact on visual privacy and overlooking. The appearance of the existing derelict building is an eyesore, and the proposed building has been purposefully designed to integrate well into the landscape, and is considered to vastly improve the visual amenity of the site and surrounding area.
- 5.119 A Daylight and Sunlight Assessment has been undertaken by Deloitte, which has been submitted as part of this planning application. The report includes an assessment of the impact of the proposed development upon existing properties surrounding the site. Due to the limited scale of the development, daylight and sunlight implications are required to be tested only in relation to 20 Frognal Way (Gracie Fields house), which is adjacent to the south of the site. In accordance with the BRE guidance, the Daylight and Sunlight Assessment focuses on rooms which are habitable. KSR undertook a site visit in February 2015 to establish the room uses and internal layout of 20 Frognal Way. Only one habitable room was identified for assessment on the second floor, which serves a bedroom. The results of the Deloitte Daylight and Sunlight report indicate that the window and room assessed meets the BRE Guide in respect of daylight and sunlight assessments and full BRE compliance is demonstrated.
- 5.120 The proposals are fully in accordance with the BRE daylight and sunlight requirements, and therefore the proposed development is not considered to have an adverse impact on residential amenity.

6 CONCLUSIONS

- 6.24 The application provides an opportunity to redevelop a site which has been vacant for nearly ten years, through the demolition of the existing building and replacement with a new family dwelling. The site is considered to be suitable for continued residential use, for a single dwelling.
- 6.25 The proposed development has been informed following a series of meetings, discussions and public exhibitions with officers from the London Borough of Camden, local residents and other local groups. There is widespread support for the redevelopment proposals from residents of Frognal Way.
- 6.26 KSR Architects have designed a building of very high architectural quality, which in summary provides the following benefits:
- The scheme has been formulated to respond to the positive architectural features of the existing building. Consequently, the proposed building: integrates into the site; it is a bespoke architect designed house of unusual form; and it has a low profile with little impact on its surroundings. Accordingly, the proposals are considered to be sympathetic to the setting of the site and the Hampstead conservation area.
 - The proposed dwelling and its associated new landscaped garden is considered to be of exceptional architectural quality that would enhance the character and appearance of the conservation area, and the setting of nearby listed buildings;
 - The proposed dwelling exceeds energy and sustainability targets to provide an substantial carbon dioxide reductions;
 - The Basement Impact Assessment has demonstrated that there would be no adverse impact arising on groundwater flow, or structural stability on or adjacent to the site;
 - No material harm would be caused to the amenity of neighbours from the proposed works, since no new overlooking, loss of privacy or daylight and sunlight impacts would occur; and
 - The development proposals would not result in any adverse impact on highways.
- 6.27 The proposed scheme has been subject to a detailed planning assessment and has been found to be fully compliant with planning policies at the national, regional and local level. The proposal will not only regenerate a site which has blighted the local area for several years, but importantly it will enable a local family to continue to reside within Hampstead.



APPENDIX 1

PLANNING HISTORY SUMMARY

Application Information	Description	Decision
Application reference: 35978	Erection of single storey extension. To provide additional bedroom and bathroom for resident nurse.	Granted 25/05/1983
Application reference: 8692174	Pruning of copper beech, lime and willow tree.	Approved 17/09/1986
Application reference: 8992101	Pruning of trees.	Approved 21/06/1989
Application reference: 9192184	Works to trees.	Approved 04/09/1991
Application reference: 9492213	Notification of intended works to tree in a Conservation Area – Tree work on Copper Beech – lightly thin crown by 15% smaller branches only. Willow – thin crown by 25% smaller branches only and lift lowest branches over lawn.	Approved 07/09/1994
Application reference: TC9706552	Notification of intended works to tree in a Conservation Area – Prune 1 x Lime and 1 x Weeping Willow in rear garden.	No objection to works to tree in conservation area 02/10/1997
Application reference: 2005/3055/T Validation date: 25/07/2005 Case officer: Kevin Fisher	Notification of intended works to tree in a Conservation Area - Rear garden: 1 x weeping willow to reduce overhang to within 1m of boundary, back to suitable growing points.	No objection to works to tree in conservation area 22/08/2005
Application reference: 2005/3737/T Validation date: 15/09/2005 Case officer: Kevin Fisher	Notification of intended works to tree in a Conservation Area - Rear garden: 1 x weeping willow – reduce back to boundary.	No objection to works to tree in conservation area 06/09/2005
Application reference: 2007/3790/P Validation date: 14/08/2007 Case officer: Cassie Plumridge	Erection of 2 x two storey single family dwellings together with basement parking and associated landscaping.	Appeal against non-determination lodged 25/04/2008. Appeal decision: Dismissed 20/10/2008
Application reference: 2007/3791/C	Demolition of existing house, garage and swimming pool.	Appeal against non-determination

<p>Validation date: 14/08/2007</p> <p>Case officer: Cassie Plumridge</p>		<p>lodged 25/04/2008.</p> <p>Appeal decision: Dismissed 20/10/2008</p>
<p>Application reference: 2009/3168/P</p> <p>Validation date: 17/08/2009</p> <p>Case officer: John Sheehy</p>	<p>Extension to existing basement, conservatory extension at ground floor level, insertion of car lift to basement, introduction of green roof, lightwells, lantern light roof extension and associated works to existing dwelling house.</p> <p>Key alterations proposed:</p> <ul style="list-style-type: none"> • Extension to the existing basement area underneath all three 'fingers' of the building, including excavation of a swimming pool under the eastern 'finger' and creation of a lightwell between the eastern and northern 'fingers'; • Conservatory extension at ground floor level between the eastern and southern 'fingers'; • Existing door and rear wall to the garage to be removed; • Insertion of a car lift to basement; • Existing front porch to be removed; • Interlocation of green roof to all roofed areas; • Insertion of lantern light roof to eastern 'finger'; • Infilling of the existing open air swimming pool in the rear garden. 	<p>Granted: 28/09/2009</p> <p>Determination level: Members Briefing</p>
<p>Application reference: 2010/0915/P</p> <p>Validation date: 03/03/2010</p> <p>Case officer: Eimear Heavey</p>	<p>Approval of details pursuant to conditions 4 (details of tree protection measures) and 5 (construction management plan) of permission 2009/3168/P (granted 28/09/2009) for the extension to existing basement, conservatory extension at ground floor level, insertion of car lift to basement, introduction of green roof, lightwells, lantern light roof extension and associated works to existing dwelling house.</p>	<p>Details approved 27/04/2010</p>
<p>Application reference: 2010/2938/P</p> <p>Validation date: 11/06/2010</p> <p>Case officer: John Sheehy</p>	<p>Full application for the removal of existing facing brickwork and recladding of existing residential dwelling (Class C3) with 'Roman' proportioned bricks in connection with planning permission reference 2009/3168/P (granted 28/09/2009) for the excavation and enlargement of a basement including fenestration alterations (in association with conservation area consent application also registered).</p>	<p>Application withdrawn</p>
<p>Application reference: 2010/4277/C</p> <p>Validation date: 11/08/2010</p>	<p>Conservation Area Consent for removal of existing facing brickwork and recladding of existing residential dwellings with 'Roman' proportioned bricks in connection with planning permission reference 2009/3168/P (granted 28/09/2009) for the excavation and enlargement of a basement including fenestration alterations.</p>	<p>Application withdrawn</p>

Case officer: John Sheehy		
Application reference: 2010/3729/T Validation date: 19/07/2010 Case officer: Kevin Fisher	Notification of intended works to Tree in a Conservation Area - Rear garden 1 x weeping willow crown lift to 2.5 – 3m Crown reduce by 30% - (approx. 2-3m) Crown thin by 20% and crown clean.	No objection to works to tree in conservation area 17/08/2010
Application reference: 2011/0924/P Validation date: 01/03/2011 Case officer: John Sheehy	Replacement of existing external brickwork of existing residential dwelling with custom manufactured bricks as an amendment to planning permission granted 28/09/2009 (ref 2009/3168/P) for extension to existing basement, conservatory extension at ground floor level, insertion of car lift to basement, introduction of green roof, lightwells, lantern light roof extension and associated works to existing dwelling house.	Granted: 07/03/2012 Determination level: Members Briefing
Application reference: 2014/4899/T Validation date: 05/08/2014 Case officer: Nick Bell	(TPO Ref: 8H) REAR GARDEN: 1 x Lime - Reduce the lower north limb only by 15%.	TPO Works approved: 20/10/2014
Application reference: 2014/4872/T Validation date: 05/08/2014 Case officer: Nick Bell	Rear garden: 1 x willow – fell.	No objection to works to tree in Conservation Area: 29/09/2014