
Planning Statement

42 Avenue Road, London, NW 6HS



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1. Introduction

1.1. This Planning Statement has been prepared on behalf of the applicant, Mr. N. Capstick-Dale, and is submitted in support of the following works to 42 Avenue Road:

“installation of car lift within existing front forecourt and excavation at sub-basement level to provide two car parking spaces”

1.2. The proposed development has been designed having due regard to the LPA’s adopted planning policy as discussed in subsequent sections of this report. This report considers the planning issues arising from the proposed development. It assesses the proposals in the context of relevant planning policy and guidance and with regard to relevant material considerations.

1.3. This document is divided into the following sections:

- **Section 2** describes the existing premises and surrounding area;
- **Section 3** outlines the planning history of the site;
- **Section 4** describes the pre-application process;
- **Section 5** provides a description of the proposed development;
- **Section 6** outlines the relevant Planning Policy Framework;
- **Section 7** analyses the main planning and design considerations in the determination of the application;
- **Section 8** draws together our conclusions in respect of the overall proposals.

1.4. This statement is supported by the following documents:

- Drawings and Plans prepared by Greenway Architects
- Design and Access Statement prepared by Greenway Architects
- Arboricultural Report prepared by Landmark Trees
- Manufactures car lift technical data sheet
- Construction Transport Management Plan prepared by Knowles
- Basement Impact Assessment prepared by Vincent & Rymill Consulting Engineers
- Preliminary Ground Investigation Report prepared by Ground and Water Geotechnical and Environmental Consultants

2. Site and Surroundings

- 2.1. No. 42 Avenue Road is a detached residential dwelling, over two lower ground levels, ground, first and second floors. An existing basement extends below the dwelling and rear garden.



Figure 1 - Site Location Plan

- 2.2. The dwelling fronts Avenue Road, a residential street characterised by large detached residential dwellings set back within individual plots. The majority of dwellings have off-street car parking to the front.

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- 2.3. The dwelling has an existing private off-street forecourt, accessed from Avenue Road, by two vehicle entrances forming an “in and out” arrangement. This forecourt is used for car parking associated to the dwelling only.



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- 2.4. A mature Asch, Common tree is located within the forecourt close the boundary to No.44 Avenue Road.



- 2.5. The application site is not listed, and is located within the Elsworthy Conservation Area.
- 2.6. The site is not located within a Flood Risk Zone.
- 2.7. No. 42 Avenue Road has good access to public transport links, with a PTAL rating of 4 (Good). The site is within close proximity to both Swiss Cottage and St. John's Wood underground stations (both 0.4 miles away). Both stations are located on the Jubilee line. In addition to the underground links, numerous bus services run along the A41, which is approximately a 10 minute walk away.

3. Planning History

3.1. A review of the London Borough of Camden's online planning history register in respect of 42 Avenue Road has been undertaken. These are summarised below.

Application ref number	Development description	Decision and date
015/3173/P	Erection of rear roof extension at second floor level. Installation of solid white balustrade atop of the existing front door portico. Increase height of existing front side extension. Replace existing glass balustrade with traditional metal railings at rear ground floor level. Installation of 2 no. bay windows, central French door and central terrace with traditional metal railings at first floor level. Replacement of existing sliding and fixed doors at rear ground floor with timber frame French doors.	Granted – July 2015
2013/7542/P	"Replacement of windows and door leading out onto external balcony within existing opening."	Granted – February 2014
2012/5762/P	"Enlargement of existing basement to create mezzanine level together with external alterations comprising erection of terrace at first floor rear level, alterations to rear windows at ground and first floor level, alterations to front and rear dormers and repositioning of skylights in rear garden to existing dwelling house (Class C3)"	Granted subject to S106 – August 2013
2011/3866/P	"Amendment to planning permission granted 17/05/10 (Ref. 2010/0727/P) for renewal of planning permission granted 26/07/05 (Ref. 2005/1921/P) for the demolition of existing single storey side extension and erection of a basement and ground floor side extension and a single storey, full width, ground floor rear extension, including excavations to erect a swimming pool, gym, sauna, and guest room with ancillary facilities, in a new basement and sub-basement at the rear namely, to include a smaller courtyard by extending into the space, construction of a sub-basement and a car lift to house a 5 car garage and a pool plant room below the main	Withdrawn – July 2011

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	house and the proposed basement extension, enlargement of basement to front and rear, minor changes to the elevations and re-landscaping of the front drive (including new car lift) and alterations to boundary wall and entrance gates.”	
2010/0727/P	“Renewal of planning permission granted on 26/07/2005 (2005/1921/P) for the demolition of existing single storey side extension and erection of a basement and ground floor side extension and a single storey, full width, ground floor rear extension, including excavations to erect a swimming pool, gym, sauna, and guest room with ancillary facilities, in a new basement and sub-basement at the rear.”	Granted – May 2010
2009/1861/P	Amendment to planning permission granted 26/07/05 (Ref. 2005/1921/P) for demolition of existing single storey side extension and erection of a basement and ground floor side extension and a single storey, full width, ground floor rear extension, including excavations to erect a swimming pool, gym, sauna, and guest room with ancillary facilities, in a new basement and sub-basement at the rear, namely enlargement of rear basement and provision of sunken courtyard in garden with steps from basement to garden level”	Granted subject to S106 – March 2010
2008/5175/P	“Excavation of a basement area to the rear and a lightwell to provide access to the basement extension from the garden”	Withdrawn – October 2008
2006/1093/P	Revisions to planning permission granted on 26th July 2005 (2005/1921/P) for the demolition of the existing single storey side extension, erection of a basement and ground floor side extension and a single storey, full width, ground floor rear extension, including excavations to provide a swimming pool, gym, sauna, and guest room with ancillary facilities in a new basement and sub-basement at the rear. Revisions relate to the erection of a first floor side extension, bow windows at rear ground floor level and fenestration alterations to the northwest side elevation.”	Refused – May 2006

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2006/1027/P	"The erection of a new basement and ground floor side extension and a two storey rear extension, as an amendment to the scheme approved by letter dated 26th July 2005 (ref: 2005/1921/P) for the demolition of the existing single storey side extension and erection of a basement and ground floor side extension and a single storey ground floor rear extension, including excavations to provide a swimming pool and other facilities in a new basement and sub-basement at the rear."	Refused – April 2006
2005/1921/P	"Demolition of existing single storey side extension and erection of a basement and ground floor side extension and a single storey, full width, ground floor rear extension, including excavations to erect a swimming pool, gym, sauna, guest room and ancillary facilities in a new basement and sub-basement at the rear."	Granted – July 2005
9100316	"The erection of a new front garden wall and iron gates"	Granted – July 1991
9005202	"Erection of single storey extension at first floor rear and works to rear at existing residential premises"	Granted – July 1991

3.2. A planning history search of neighbouring properties at 38-40 Avenue Road has been undertaken.

3.3. It is noted that the neighbouring property has planning permission for the introduction of a car lift and basement extension to accommodate car parking. The principal planning applications are listed below:

Application ref number	Development description	Decision and date
2008/3491/P	38-40 Avenue Road - Alterations to facades to previously approved consent ref: 2006/4510/P granted on 12/03/2007, which allowed for the erection of 2x 3-storey detached single dwelling houses with basement accommodation and associated landscaping, following the demolition of the existing dwellinghouse (site incorporates 38 Avenue Road); and as previously amended by consent ref: 2007/5687/P on 11/01/2008	Granted - 04-09-2008

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	namely to increase the size of the basement.	
2008/2653/P	38-40 Avenue Road - Amendments to planning permission dated 12/03/07 for the erection of 2 x 3-storey detached single dwelling houses with basement accommodation and associated landscaping, following demolition of the existing dwellinghouse (2006/4510/P), as amended by planning permission dated 11/01/08 to extend the proposed basement (2007/5687/P), namely, further extension of the proposed basement towards the front boundary wall and 36 Avenue Road in order to provide a turntable within the garage.	Granted - 12-09-2008 Further extend basement car park to provide a turntable within the garage for better manoeuvrability of vehicles.
2007/5687/P	38-40 Avenue Road - Revisions to extend proposed basement areas as a variation to planning permission dated 12th March 2007 (ref. 2006/4510/P) (for the erection of 2 x 3-storey detached single dwelling houses with basement accommodation and associated landscaping, following the demolition of the existing dwellinghouse (site incorporates 38 Avenue Road)).	Granted - 11-01-2008 Extended footprint at lower ground, and further full basement level proposed below with car parking.
2006/4512/C	38-40 Avenue Road - Demolition of the existing dwellinghouse.	Conservation Area Consent Granted - - 12-03-2007
2006/4510/P	38-40 Avenue Road - Erection of two, three storey detached single dwelling houses with basement accommodation and associated landscaping, following the demolition of the existing dwellinghouse (site incorporates 38 Avenue Road).	Granted - 12-03-2007 Basement accommodation in 2 x 3 storey detached dwelling houses. Basement pool plus further half floor for plant room.
2005/0439/P	40 Avenue Road - Demolition of existing rear extension, and erection of new rear extension with first floor roof terrace, various external alterations to fenestration on side and rear elevations, and excavation for a new rear basement level, for the single family dwellinghouse	Granted - 23-03-2005 Permission granted for basement pool, changing rooms and plant.
J8/4/24/24013	Alterations to all existing elevations, the erection of an extension at the rear for a swimmingpool and the erection of an additional storey	Granted (Conditional) - 24-03-1977 Permission granted for swimming pool at half lower ground level

4. The Proposed Development

- 4.1. It is proposed to install a car lift and excavate a sub-basement to accommodate 2 parked cars within the existing front forecourt of 42 Avenue Road.
- 4.2. The lift will be positioned within the existing forecourt area.
- 4.3. Currently, 42 Avenue Road has a two story basement. The proposed sub basement will be located at basement level two level, with an interconnecting access door linking the proposed basement with the existing basement.
- 4.4. The underground car parking will provide provision to park two cars in a secured location. The car parking spaces will be solely associated to the use of the existing dwelling house.
- 4.5. As demonstrated by the swept paths on drawing ref: 1920 - P203, the proposed basement has been designed so that there is ample space for cars to enter and leave the proposed car parking area easily and safely.
- 4.6. The proposed sub-basement will have no material visual impacts on the host building. No lightwells are proposed and thus the only external manifestation will be the car lift platform.
- 4.7. With regards to the existing forecourt, it is proposed to change the existing resin coated floor with fan pattern square granite setts. The car lift cover will also be covered with the same granite setts so it will be invisible from the street. This material is more in keeping with the Elsworth Conservation Area.
- 4.8. For further information, please refer to the technical data that is submitted in support of this planning application.

5. Policy Framework

5.1. The proposals take account of relevant national, regional and local planning policy. This section of the Planning Statement sets out the relevant national, regional and local policies, and demonstrates the support of the adopted and emerging policy framework for the proposals.

Adopted Planning Policy Framework

5.2. Section 38 of the Planning and Compulsory Purchase Act 2004 (PCPA), requires that the determination of any planning application shall be in accordance with the development plan unless material considerations indicate otherwise.

5.3. *The Development Plan for the site comprises:*

- (a) Further Alteration to the London Plan (adopted March 2015)*
- (b) Camden's Core Strategy 2010-2025 (adopted November 2010);*
- (c) Camden's Development Policies DPD 2010-2025 (adopted November 2010);*
- (d) Camden's Site Allocations DPD (2013); and*
- (e) The London Borough of Camden Local Development Framework Proposals Map 2010.*

5.4. In considering the development proposals, the National Planning Policy Framework (2013) (NPPF) and Planning Practice Guidance (2014) (PPG) is also of relevance as a material consideration. The publication of these documents has revoked the guidance previously set out in the Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs) and so no further reference is made to these documents.

6. Planning Considerations

6.1. This section sets out the justification for the development proposals against the key planning policy considerations contained within Camden's adopted development plan.

6.2. The main planning considerations are as follows:

1. **Car Parking Provision**
2. **Basement excavation works**
3. **Impact on trees**
4. **Heritage and Design Considerations**
 - **Elsworthy Conservation Area.**

Car Parking Provision

6.3. The applicant has recently purchased 42 Avenue Road with the intention to make the dwelling his private family home. Consequently, the applicant's requirements and those of his family have shaped the design of the development proposal to create a living environment suitable for his family needs.

6.4. As detailed in section 3 above, planning permission was granted in July 2015 for the following works:

"Erection of rear roof extension at second floor level. Installation of solid white balustrade atop of the existing front door portico. Increase height of existing front side extension. Replace existing glass balustrade with traditional metal railings at rear ground floor level. Installation of 2 no. bay windows, central French door and central terrace with traditional metal railings at first floor level. Replacement of existing sliding and fixed doors at rear ground floor with timber frame French doors."

6.5. In line with these works, the applicant wishes to develop a sub-basement in which to park two cars. Currently, there is no garage or secure car parking facility on site.

6.6. The development proposal will create secure underground car parking, so that cars can be stored safely and securely, whilst also enabling direct access into the family dwelling from the proposed sub-basement level two car parking area.

6.7. As with the majority of dwellings along Avenue Road, No.42 has the provision to park between 4-6 cars on the front forecourt. There are no restrictions upon the number of cars that can be parked within the curtilage of this dwelling house at the present time..

- 6.8. Introducing a sub-basement car parking area will not result in additional car parking on site. Instead, introducing underground car parking will provide an alternative, safer location to store cars. The development proposal will therefore not intensify the usage of the residential site, as a single family dwelling house and thus, there would not be a greater stress on the surrounding road network as a result of the development proposal.

Basement excavation works

- 6.9. Core Strategy Policy CS14 specifies that the Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:
- a. requiring development of the highest standard of design that respects local context and character;
 - b. preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;
 - c. promoting high quality landscaping and works to streets and public spaces;
 - d. seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;
 - e. protecting important views of St Paul's Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views.
- 6.10. Development Policies Policy DP27 specifies that in determining proposals for basement and other underground 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 and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. The Council will require developers to demonstrate by methodologies appropriate to the site that schemes:
- b. maintain the structural stability of the building and neighbouring properties;
 - c. avoid adversely affecting drainage and run-off or causing other damage to the water environment;
 - d. avoid cumulative impacts upon structural stability or the water environment in the local area;
- and the Council will consider whether schemes:
- e. harm the amenity of neighbours;
 - f. lead to the loss of open space or trees of townscape or amenity value;
 - g. provide satisfactory landscaping, including adequate soil depth;

- h. harm the appearance or setting of the property or the established character of the surrounding area; and
 - i. protect important archaeological remains.
- 6.11. Policy DP27 goes onto specify that the Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding. In determining applications for lightwells, the Council will consider whether:
- j. the architectural character of the building is protected;
 - k. the character and appearance of the surrounding area is harmed; and
 - l. the development results in the loss of more than 50% of the front garden or amenity area.
- 6.12. CPG 4 Basements and Lightwells (2013) is supporting guidance that should be read alongside the Borough Council's Development Plan Policy. CPG4 provides guidance, detailing the design principles that should be adhered to when introducing basement excavation works.
- 6.13. As per the Borough Council's guidance detailed in Policy DP27 and CPG4, a fully detailed Basement Impact Assessment (BIA) has been prepared by Vincent & Rymill Consulting Engineers and accompanies this application. The purpose of the BIA is to demonstrate that there will be no damage to neighbouring properties and that the water environment is acceptable.
- 6.14. In addition to the BIA, a Construction Traffic Management Plan (CTMP) is submitted in support of this planning application. The CTMP outlines the principles of the proposed construction and details how the applicant will ensure that mitigation measures are in place to minimise disruption to the site, the surrounding area and neighbouring residents.
- 6.15. Given the design of the proposed basement and the supplementary reports which demonstrate that the construction process will be sensitive to the amenity of neighbouring residents and the operation of the public highway, the proposed works are in accordance with the Borough Council's policy guidance.

Impacts on trees

- 6.16. Policy CS14 encourages the preservation and enhancement of Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens. Furthermore, policy CS14 promotes high quality landscaping and works to streets and public spaces.
- 6.17. Policy CS15 specifies that the Borough Council will protect trees and promote the provision of new trees and vegetation, including additional street trees.
- 6.18. Development policy DP25 specifies that in order to maintain the character of Camden's conservation areas, the Council will preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.

- 6.19. None of the trees on site are protected by Tree Preservation Orders, however as the application site is within a Conservation Area, the trees on site are afforded protection under the provisions in section 211 of the Town and Country Planning Act 1990.
- 6.20. A detailed Arboricultural Impact Assessment (AIA) prepared by Landmark Trees is submitted in support of this application.
- 6.21. The AIA establishes that there are two trees on site which may be impacted upon by the proposed excavation works. Both trees (Ash, Common and Plane, London) are identified as category B trees, suggesting they are of moderate quality.
- 6.22. Due to the presence of trees on site, a careful development strategy has been tabled to avoid untoward harm to the trees and their associated roots. Firstly, it is proposed to locate the sub-basement at basement level 2, as this approach will help to avoid the principal mature tree roots by excavating under them.
- 6.23. Secondly, the AIA specifies that the following mitigation and supervision measures should be introduced to avoid any harm to the trees on site:
- Excavating foundations through Root Protection Areas should be undertaken manually.
 - Excavation works should be undertaken under arboricultural supervision.
 - No excavation should take place in the presence of roots.
- 6.24. Given the nature of the proposed works and the planned arboricultural mitigation strategies outlined above, the development proposal is in full accordance with the development plan as the works will not be of detriment to the trees on site.

Design impacts on the Elsworthy Conservation Area

- 6.25. As outlined above, as the site is located within the Elsworthy Conservation Area, careful consideration has been given to make sure that the introduction of the proposed car lift and sub basement would not impact adversely on the conservation area.
- 6.26. Core Strategy Policy CS14 states that the Council will require development of the highest standard of design that respects local context and character; and preservation and enhancement of Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 6.27. Development Policy DP24 echoes the principles outlined in policy CS14(a) in seeking the highest standard of design. The supporting text goes on to explain this, detailing that "the Council is committed to design excellence, whilst a key strategic objective of the borough is to promote high quality, sustainable design".
- 6.28. Development Policy DP25 specifies that the Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area.

- 6.29. In addition to the above polices, Camden Planning Guidance CPG1 on 'Design' sets out good practice principles for extensions and alterations. The guidance specifies that development proposals should always take into account the character and design of the property and its surroundings.
- 6.30. The Elsworth Road Conservation Area Appraisal and Management Strategy specifies that Avenue Road is characterised by grand detached houses made from dark red or brown brick, or painted stucco finishes echoing carved stone buildings. The appraisal goes onto specify the following;
- "The large detached houses of Avenue Road reflect the desirability and importance of this main thoroughfare as a route north from Regents Park; its ambiance is distinct from the rest of the Conservation Area. Most of the villas are replacements, the originals having been demolished and rebuilt, in some cases more than once, with noticeable rebuilding taking place in the post World War II era. Plots have also been amalgamated to create more extensive villas with larger grounds, as can be seen in the cases of Nos 34, 40 and 52 each of which were originally two plots in the 1840s layout. As such, the current pattern of development along Avenue Road is less dense than the original plot layouts illustrated by the historic plans from 1871 and 1894. Notably, one villa was lost at the time of the Willett development when Elsworth Road was linked to Avenue Road."*
- 6.31. As detailed in section 2 of this statement, there will be no external manifestations resulting from the proposed works. The car lift will sit flush with the driveway, and thus will be all but invisible when viewed from street level. it should be noted that it is proposed to change the existing resin floor with granite setts.
- 6.32. The proposed works will be entirely subservient to the application site and will not be of detriment to the surrounding conservation area. The proposed development is therefore considered to be entirely in accordance with Core Strategy Policy CS14, Development Policy DP25 and the design guidance set out in CPG1.

7. Conclusion

- 7.1. This development proposals subject to this planning application relate to a family dwelling house.
- 7.2. The proposed installation of a car lift and sub-basement to park two cars will result in an alternative way in which to park and store cars on site. Consequently, the proposed works will not intensify the residential use on site and will not increase car parking pressures on site
- 7.3. As detailed within the accompanying BIA and CTMP, the development proposal and the construction process will be sensitive to the amenity of neighbouring residents and the operation of the public highway.
- 7.4. The presence of two category B trees on site has dictated the planning strategy. Developing underground car parking at basement level 2 will enable the excavation works to be conducted without damaging the trees or their roots. To mitigate against any potential impacts on the trees, mitigation and supervision measures will be adopted as detailed in section 6 above.
- 7.5. The proposed works would have no external manifestations and thus, the integrity of the application site and surrounding conservation area would be preserved.
- 7.6. Given the nature of the proposed works and the sensitive design approach that has been adopted, the development proposal is considered to be entirely in accordance with the Borough Council's development plan.