

Planning Statement

**Unit 01 and 02,
66 Fitzjohns Avenue
London NW3**

London Borough of Camden

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1. INTRODUCTION

1.1 This statement has been prepared in support of the planning application at Units 01 and 02, 66 Fitzjohns Avenue, London NW3. The description of development is as follows:

Demolition of existing building (2no 2 storey, 1 bedroom residential units), construction of new building (2no 3 storey + basement, 3 bedroom residential units). Alteration of external area including introduction of pedestrian access ramps, retention of 2no car-parking spaces, introduction of pavement / rooflights, new planting and hardstandings.

1.2 This statement is set out as follows:

- A description of the site and its local context.
- Overview of the planning policy context and framework
- Planning appraisal
- Conclusions

2. SITE DESCRIPTION AND CONTEXT

- 2.1 Fitzjohns Avenue is a main road running from Swiss Cottage to Hampstead. The avenue typically has large villa style properties which have largely been divided into flats. There is a wide range of architectural styles in the avenue.
- 2.2 Units 01 and 02, 66 Fitzjohns Avenue are accessed by a private side road.
- 2.3 The planning history of the properties is not completely clear but we believe that the properties were converted from outbuildings to residential in the 1980s and that further alterations were approved through planning approvals in the mid 1990's.
- 2.4 The houses have two floors (ground and first). They have living and kitchen accommodation at ground floor and bedroom and bathroom at first floor. A hard-standing at the front of the properties does not appear to be designated to individual units and open to use for amenity and car parking.
- 2.5 The architectural style of the properties could be described as post modern which was popular for a period in the late 1980s and early 1990s. The horizontal arched windows, exaggerated arched lintol band, vertical band of decorative stucco, 'gable end' parapets are elements that have been borrowed from traditional architectural styles but have been distorted and used in a combination that is not a recognised historic pattern. The brickwork and render of the front façade is painted white. There is no evidence that the style of the front façade has any relation with the building that occupied the site prior to residential use in the 1980s. Three of the facades are against the property boundary and are unadorned fairfaced brickwork.
- 2.6 The properties sit behind 64 Fitzjohns Avenue, which is a Victorian Villa displaying Gothic and Queen Anne revival style of the 1870s and 1880s. The rear of this property has been subjected to a number of modifications. The property is now divided into flats and includes a basement / lower ground floor level over the entire footprint of the property and with basement lightwells to the rear and front. A tall screen of planting (bamboo and birch tree) exists between 64 Fitzjohns Avenue and 66 Fitzjohns Avenue.

Site Designation

- 2.7 The site lies within the Fitzjohns and Netherhall Conservation Area.
- 2.8 The CA Statement identifies 66 Fitzjohns Avenue 'timber fence and building' as a negative feature in the Conservation Area.

Planning History

- 2.9 Permission was granted in July 1996 for the 'retention of various works of alteration' (ref 9501009R3) and 'partial demolition in association with works of alteration (ref 9560129R3). Documents are not currently available to the public but we understand that the permissions were for the retention of previous works which converted the properties to residential use and also significant re-building of the property including the front façade.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposed development comprises:

Demolition of the existing building (2no residential units).

Erection of new building (2 no residential units) comprising:-

ground floor and first floor on the existing building footprint;

second floor set back from the existing frontage;

basement level under the footprint of the building and extending under the front external area;

alteration to existing parking arrangement;

new landscaping, planting, hardstandings;

access for all ramps to entrance.

3.2 Full details of the proposed development are included in the accompanying Design and Access Statement and are summarised below:

4. PLANNING POLICY CONTEXT AND FRAMEWORK

- 4.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, if regard is to be had to the development plan determination must be had within accordance with the plan unless material considerations indicate otherwise. Relevant to this site is the following development plans; The London Plan (2011), London Borough of Camden Local Development Framework: Core Strategy and Development Policies (Adopted November 2010) and Supplementary Planning Documents.
- 4.2 National Planning Guidance, emerging Development Plan Documents (DPDs) Supplementary Planning Guidance notes (SPGs) and Supplementary Planning Documents (SPDs) are also all relevant material considerations.
- 4.3 This section considers the relevant planning policies at national, regional and local levels.

National Policy Context (2012)

- 4.4 The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how they should be applied. The purpose of the planning system is to contribute to the achievement of sustainable development and the entire thrust of the NPPF is that there is a presumption in favour of sustainable development (Para 14). The NPPF identifies a set of 12 core land use planning principles that should underpin both plan making and decision taking.
- 4.5 The NPPF states that housing applications should be considered in the context of the presumption in the favour of sustainable development (Para 49). The NPPF acknowledges that to 'deliver a wide choice of high quality homes there is a need to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups.' The NPPF requires local authorities to 'identify the size, type, tenure and range of housing that is required in particular locations reflecting local demand' (Para 50)

- 4.6 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 (Para 56). It is important to plan positively for the achievement of high quality and inclusive design for all development (Para 57). Para 58 states that ‘planning policies should respond to the local character and history and reflect the identity of local surroundings and materials while not preventing nor discouraging appropriate innovation.’
- 4.7 The NPPF recognises that heritage assets are irreplaceable resources and should be conserved in a manner appropriate to their significance. It defines heritage assets as ‘a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions. Heritage asset includes designated assets and assets identified by the local authority (Annex 2: Glossary).
- 4.8 The NPPF states that ‘the applicant should be required to describe the significance of any heritage assets affected (by a proposal), including any contribution made by their setting, with the level of detail proportionate to the assets importance’. (Para 128)
- 4.9 The NPPF also states that the LPA should take account of the ‘desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable uses consistent with their conservation.’ (Para 131)
- 4.10 Para 135 relates to non-designated heritage assets and ‘the effect of an application on the significance of a designated heritage asset should be taken into account when determining applications... with a balanced judgement will be required having regard to the scale of harm or loss and the significance of the heritage asset’.

The London Plan (2011)

- 4.11 The London Plan 2011 sets out the overall spatial framework for development across London up until 2031. It indicates the amounts and types of development required over the next 20 years across London as a whole. A revised London Plan was published in July 2011; this replaces the previous version adopted in February 2008.

- 4.12 London Plan Policy 3.3 'Increasing housing supply' seeks the provision of 32,100 additional homes per year across London. The policy also sets out an additional Borough specific target for Camden of 6,650 homes to be completed up to 2021 (Table 3.1) this requirement translates into an annual target of 665 dwellings/year for the borough. Policy 3.3 states that the Boroughs should seek to exceed their Borough targets.
- 4.13 In accordance with Policy 3.4, the London Plan states that having regard to local context, the London Plan's design principles and public transport capacity development should seek to optimise housing output for different types of location within the relevant density ranges. Table 3.2 presents density ranges for suburban, urban and central locations, based upon their PTAL rating. Central locations are defined as areas with very dense development with buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre. Urban locations comprise areas with predominantly dense development such as terraced houses and mansion blocks buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. Suburban locations are areas with predominantly lower density development such as detached and semi-detached houses with buildings of two to three storeys.
- 4.14 Policy 3.5 relates to the quality and design of new housing and seeks to ensure that all new development enhances the quality of local places. It goes onto state that Boroughs should include residential space standards in line with Table 3.3 of the London Plan, and notes that Boroughs should seek to ensure that new development reflects these standards. The table identifies the minimum space standards by dwelling type (flat, two and three storey houses) bedroom / person bed spaces and gross internal floor area for example one bed, two person flat would require 37 sq.m; a three bed, four person bed spaces would require 87 sq.m GIA.
- 4.15 Policy 3.8 relates to housing choice and the need for Londoners to have 'genuine choice of homes that they can afford and which meet their requirements for different sizes and requirements'. This policy requires all new housing to be built to lifetime homes standards.

- 4.16 Policy 3.14 sets out the approach to existing housing. This states that the loss of housing should be resisted unless the housing is replaced at existing or higher densities with at least the equivalent floorspace.
- 4.17 Policy 8.3 Community Infrastructure Levy, the Mayor will prepare guidance for Boroughs setting out a clear framework for the application of the CIL to ensure costs incurred in providing infrastructure which supports the policies in the London Plan.

Local Development Framework (2010)

Core Strategy

- 4.18 Camden's Core Strategy sets out the key elements of the Council's planning vision and strategy for the Borough. It is central to the Local Development Framework and was adopted in November 2010 and covers the plan period up to 2025. The overall vision for the Borough is the 'Camden will be a borough of opportunity'. The Core Strategy provides a number of strategic objectives that guide the delivery of the vision.
- 4.19 The Core Strategy aims to manage growth in the Borough. Policy CS6 'Providing quality homes' aims to make full use of Camden's capacity for housing by:
- Meeting or exceeding Camden's target of 5,950 homes from 2007 – 2017
 - Maximising the supply of additional housing over the entire plan period up to 2025 of 8,925 including the target of 6650 additional self-contained homes
 - Minimising the net loss of existing houses.
- 4.20 The Council will aim to seek a diverse range of housing products in the market and seek a range of self-contained homes of different sizes.
- 4.21 The Council will monitor the delivery of additional housing against the target for housing supply and will seek to maintain supply at the rate necessary to meet or exceed the target.

Development Policies

- 4.22 The Development Policies 2010 - 2025 support the Core Strategy by setting out additional planning policies that the Council will use when making decisions on applications for planning permission. This document was also adopted in November 2010.
- 4.23 Policy DP2 Making full use of Camden's capacity for housing seeks to maximize the supply of additional homes in the Borough. Policy DP2 will seek to minimise loss of housing in the Borough by:
- (d) Protecting residential uses from development that would involve a net loss of floor space*
- (f) Resisting residential development that would involve net loss of 2 or more homes unless they create large homes in a part of the Borough with relatively low proportion of large dwellings or enable sub-standard units to be enlarged to meet residential space standards.*
- 4.24 Para 2.19 states that 'For the purposes of Policy DP2, the Council will regard losses of residential floorspace as material if they reduce the number of people who can occupy a home or property'.
- 4.25 Policy DP5 Homes of different sizes seeks to secure a mix and range of self-contained homes. This is reflected in the dwelling size priority table (this includes conversion of existing residential). This shows there is a very high need for two bedroom market houses/ flats, a lower need for one bedroom market properties and medium need for three bed and four bedroom market properties.
- 4.26 Policy DP6 Lifetime homes and wheelchair housing requires that all new housing should meet the lifetime homes standards. Further guidance is provided in the CPG 2 housing section five on lifetime homes and the standards required to meet this.
- 4.27 All development should comply with Policy DP18 Parking standards (and Appendix Two) which shows low parking provision areas (defined as Central

London, town centres and areas with high public transport accessibility) with a maximum of 0.5 spaces per dwelling and the rest of the Borough maximum of one space per dwelling.

- 4.28 Policy DP19 Managing the impact of parking seeks to ensure that the creation of additional parking does not have a negative impact on parking, highways or the environment. The policy identifies a number of scenarios in which it would resist development including harm to highway safety or passenger movement, add to on-street parking demand where it cannot already meet current demand. Off street parking will need to preserve the buildings setting and character or surrounding area, preserve any means of enclosure and provide adequate soft landscaping.
- 4.29 Policy DP22 Promoting sustainable design and construction requires development to incorporate sustainable design and construction measures. Schemes must demonstrate how sustainable design principles have been incorporated into the design and proposed implementation and incorporate green or brown roofs and green walls where suitable. The Council also requires development to be resilient to climate change by ensuring schemes include appropriate climate change adaptation measures.
- 4.30 Policy DP24 Securing high quality design requires all development including alteration and extensions to existing buildings to be of the highest standard of design and identifies a number of criteria that need to be considered, including but not limited to; character, setting, context, form and scale of neighbouring buildings.
- 4.31 Policy DP25 Conserving Camden's Heritage seeks to maintain the character of conservation areas. The Council will take account of Conservation Area statements when assessing applications and only permit development that preserves and enhances the character and appearance of conservation areas. The policy prevents the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of the conservation area.

- 4.32 Policy DP26 Managing the impact of development on occupiers and neighbours which seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that does not harm amenity including, visual privacy, overlooking overshadowing and outlook, sunlight, daylight and artificial levels, noise, odour etc.
- 4.33 Policy DP27 Basements and Lightwells requires an assessment of the proposals impact on drainage, flooding, groundwater conditions and structural stability where appropriate.

Supplementary Planning Documents - Camden Planning Guidance

- 4.34 This is a Supplementary planning document (SPD), these give detailed guidance, and although they do not form part of the statutory development plan and does not have the same weight it will be a material consideration in decision making.

Camden Planning Guidance (CPG) 2 Housing.

- 4.35 This sets out the residential development standards and defines self-contained units and habitable rooms. Internal space standards include minimum ceiling heights (2.3m), space and room sizes (by person / minimum floorspace), storage and utility spaces, daylight, sunlight and privacy and security. It also looks at noise and soundproofing, outdoor amenity space. Para 4.26 provides initial guidance on basement development.

Camden Planning Guidance (CPG) 4 Basements and Lightwells

- 4.36 This guidance provides information on basement and lightwell issues including basement impact assessments, principles of impacts of basements in Camden, planning and design considerations, lightwells and streets at risk from flooding.
- 4.37 Particular attention will need to be made to the identified planning and design considerations, particularly in relation to the site's location within the conservation area.

Elsworthy Conservation Area (2009)

- 4.38 The site is located within the Elsworthy Conservation Area (ECA) which was designated in 1973, with subsequent extensions in 1985 and 1991. The ECA has an appraisal and management strategy that was adopted in July 2009. The appraisal and strategy provide a basis for guiding development within conservation areas.
- 4.39 The appraisal sets out the special interest of the conservation area, its location and setting and historic development. Para 4.7 describes the area's prevailing use as 'retaining its status as a fashionable residential neighbourhood with large family dwellings... although a larger number of houses were subdivided into flats in the post war period, they have since reverted to family houses. The area is principally residential in character...'
- 4.40 The heritage audit identifies those buildings and groups of buildings that make a positive contribution to the conservation area. These are detailed in Appendix 7: Built Heritage Audit Elsworthy Road No 2-6, (even), 7-16 (consecutively), 21-26 (consecutively), 28-42 (consecutively) and 44-68 consecutively. This suggests that the site property at 53 Elsworthy Road is identified as a positive contributor .
- 4.41 The general approach to maintaining the character is detailed in Section 10, Para 10.1.3, which states that 'Applications for development will be determined having regard to the special interest of the Conservation Area and the specialist advice of conservation officers. Applications for development will be required to include a design and access statement. The Council will ensure that the 'historic details which are an essential part of the special architectural character of the Conservation Area are preserved, repaired and reinstated where appropriate' (10.1.6).
- 4.42 Section 12 details the current issues. It identifies the approach to new development (Para 12.2 -4) and alterations to existing buildings as outlined below:

- All alterations and extensions have to be carefully considered and should be subsidiary to the existing building and not detract from its character by becoming over dominant (para 12.6).
- Para 12.7 goes on 'where alterations and extensions of a sympathetic scale are appropriate, attention to detail and an imitative, historicist approach are to be encouraged...'
- Where original features and key details have survived they should be retained and preserved in all but most mitigating circumstances. (Para 12.8)
- Alterations to and the loss of original boundary treatments are to be discouraged and the removal of boundary treatments to create areas of hard-standing for parking is in most cases inappropriate. (Para 12.10)

4.43 Para 12.11 outlines the approach to changes of use within the ECA. The ECA 'retains substantially its residential character and few changes have occurred. It is the current uniformity of scale, lack of division of property and nature of use that contributes to its character'. Changes that impact character include:

- Unsympathetic division of buildings to accommodate multiple residential units
- Interruption or removal of the pattern of boundary treatments along villa frontages or the addition of unsympathetic boundary treatments or gates.
- Loss of trees within property boundaries or from along the street

4.44 The Conservation Area statement identifies that the main pressure for development is likely to be 'small scale from individual property owners wishing to make additions or alterations to their properties, grounds and boundary treatments, or from changes of use or subdivisions'. As such new development will resist the loss of existing buildings that positively contribute to the character of the area.

4.45 General guidance for development proposals in the Conservation Area (Para 13.14 – 13.25):

- Must preserve and enhance the character or appearance of the Conservation Area.
- High quality design and high quality execution will be required of all development.
- Design and Access statements will accompany any application.
- The council will resist the loss of original boundary treatments.
- All original architectural features and detailing to be retained, protected, refurbished in the appropriate manner and only replaced where it can be demonstrated that they are beyond repair.

4.46 The Council will normally resist basement development fronting the highway due to its impact on the appearance of the conservation area due to the harm it can cause to the recognised architectural character of buildings and surrounding areas. (Para 13.27)

4.47 Appendix Seven also identifies a number of elements of streetscape interest. This includes granite kerbs, cast iron bollards, York stone paving, cobbled crossovers, cobbled road drainage channels in places, some cobbled drives, tiled street markers, metal street markers, some original fence and gate posts, low boundary walls and decorative stone gate posts hedged boundaries and mature trees.

Community Infrastructure Levy (CIL)

4.48 The community infrastructure Levy was introduced by the Mayor of London to help pay for Crossrail. In Camden this is a flat charge of £50 per sqm of net increase in floorspace. The CIL will apply to all proposals which add 100sqm of new floorspace or one dwelling or more.

Camden Council have also introduced a community infrastructure levy which is currently set at £500 sqm of net increase in floorspace for this type of development.

5. PLANNING CONSIDERATIONS

5.1 The following section considers the planning merits of the proposal having regard to the planning policy context of the site as set out in the previous section. The planning considerations discussed below are as follows:

- Principle of development
- Housing Quality
- Design
- Residential amenity
- Car Parking

Principle of Development

5.2 The property enjoys use as residential dwellings historically and this was formalised in permissions granted in 1996. This application is for the extension of the two properties to ensure a high quality residential property. The nature of the extension of the properties will necessitate demolition of the existing fabric.

5.3 The proposal will result in an increase in residential floorspace and, therefore, is in accordance with the requirements of Policy DP2. For this reason, the principle of the proposal is acceptable.

Design

5.4 Details of the design approach and context is set out in the accompanying Design and Access Statement while the key aspects of the proposals are summarised below.

General design

5.5 Policy DP24 seeks to secure high quality design requiring all new development to consider character, setting, context, form and scale of neighbouring buildings. Policy DP25 seeks to maintain the character of conservation areas.

- 5.6 The development of the basement has taken the principles adopted at other properties in the locality to ensure its form and scale is acceptable. The scale and form of the rear and side elevations have been designed taking account of the scale of extensions at neighbouring properties. For this reason, the basement and extended re-building are considered to be in accordance with Policy DP24 and DP25.
- 5.7 Generally other revisions to the façades and fenestration of the property have been designed to respect the character of the building and are therefore also in accordance with Policy DP24 and DP25.

Construction of a basement

- 5.8 Camden Planning Guidance 4 (CPG4): Lightwells and Basements say that modest basements are those that do not extend beyond the footprint of the original building. The proposed basement although it does extend beyond the footprint of the original building it does not manifest externally in any significant manner .
- 5.9 In respect of lightwells, it states that where such features are not part of the prevailing character of the street they should be discreet and not harm the architectural character of the building (paragraph 2.66). Additionally, lightwells should not consume large areas of garden space to the front or rear of properties. The addition of lightwells has not been proposed in order to avoid negative impact on the property or the conservation area. Pavement lights within the garden planting have been proposed in lieu of lightwells because of their less obtrusive visual impact (no balustrade) and is therefore considered acceptable in this context.
- 5.10 For these reasons the proposals are in accordance with the requirements of Policy DP27 and Camden Planning Guidance 4 (CPG4).

Housing Quality

- 5.11 Camden Policy Guidance 2 and Policy DP6 set out requirements for new housing in order to ensure they provide a high quality and adaptable form of living space.

- 5.12 The proposals will enable the creation of a spacious and high quality dwelling. The proposals will meet or exceed space standards and also meet all lifetime home requirements.

Landscape

- 5.13 The proposals includes extensive landscape of the private amenity area to the front of the property, this will be a significant improvement on the existing provision at the property. The proposals will result in a garden area of 30 sqm for each dwelling which more than meets requirements set out in CPG2, the GLA's Housing SPG and will provide an excellent amenity space these properties.
- 5.14 For the reasons set out above, the proposals meet the requirements of local and regional planning policy.

Residential Amenity

- 5.15 Policy DP26 requires developments to consider the impact on neighbouring properties. The proposals have been carefully considered to minimise impact on privacy and overlooking between 64 Fitzjohns Avenue and 66 Fitzjohns Avenue and overshadowing by the additional storey.
- 5.16 Views from the property to / from 64 Fitzjohns Avenue have been controlled by:

Use of projecting windows at first floor which have clear glazing with side orientation only, forward facing glazing has obscure glass;

Use of obscure glass to the forward facing bathroom windows on the top floor;

Canopies created by the projecting bays above over the ground floor windows. These windows will also be partially opaque by use of obscure glass:

Boundary screening treatment will be retained and/or reinstated.

- 5.17 Overshadowing of 64 Fitzjohns Avenue has been avoided by setting back the second floor accommodation from the front façade and also by setting the ground floor (and floors above) at a level lower than existing.
- 5.18 For these reasons the proposals are considered to accord with Policy DP26.

Car parking

- 5.19 All development should comply with the parking standards in Policy DP18. Policy DP19 requires that the creation of additional parking does not have a negative impact on the area and that off street parking will need to preserve the building's setting and character or surrounding area. The existing driveway access and provision of 2no off-street parking spaces have been retained.

6. CONCLUSIONS

- 6.1 The proposals are for the rebuilding of unit 01 and unit 02, 66 Fitzjohns Avenue with extended and additional accommodation to enable the creation of a high quality single dwelling.
- 6.2 The principle of the use of the properties as 2no dwellings has already been established and these proposals seek to extend and alter the property to create a high quality dwellings providing an excellent quality living space and a generous provision of amenity space.
- 6.3 The design of the proposals have been carefully considered to ensure it preserves the existing character of the conservation area and the property itself. Additionally, the amenity of the surrounding properties have been maintained.
- 6.4 Overall, the proposals are considered to accord with adopted local, regional and national planning policy.