
Planning Statement

16 Avenue Road, NW8 6BP





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1. Introduction

- 1.1. This Planning Statement has been prepared on behalf of the applicant, Ms Lin Zhu, and is submitted in support of an application for full planning permission for the following development:

'Demolition of existing two storey single dwelling house and erection of replacement single dwelling house, comprising of basement, ground, first and second floor (in roof) and associated landscaping of the site'

- 1.2. This statement provides the background information relating to the site and a detailed assessment of the proposals in relation to relevant planning policy. Specifically, it sets out that the proposals will result in a development that responds appropriately to the specific characteristics of the site context and the Development Plan.

- 1.3. This document is divided into the following sections:

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

2. Site and Surroundings

- 2.1. The current property is a detached dwelling house with accommodation across ground, first and second (roof space) levels. There is also a small sub-basement providing ancillary storage space.
- 2.2. The building is built predominantly in brick with a slate roof. It sits relatively close to the Avenue Road frontage with a driveway area between the property's boundary wall to the street and the property's front elevation. The boundary treatment is a mixture of brick wall and metal gates providing an entrance and exit to the street.



Figure 1 - The existing building viewed from Avenue Road

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- 2.3. The existing property, whilst not unattractive, does not have any designated architectural merit. Constructed in brick with commensurate detailing and timber sash windows, the building has a broad 'L' shape in terms of footprint with a wing extending into the rear elevation.
- 2.4. The front elevation includes two bays either side of a central front door and lobby to the property's main entrance. The building presents to the street as a single dwellinghouse although views of the building from the public realm are limited by the strong existing boundary treatment.
- 2.5. To the rear, the elevation is effectively split in two between the extended wing of the 'L' shape and the setting back of the main rear flank elevation. The space between these two parts is partially filled by a flat roofed single-storey element which increases the footprint of the ground floor level.



Figure 2 - The rear elevation from the property's garden

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- 2.6. Living space for the property is predominantly at ground level. The first and second floors offer a total of 7 bedrooms together with ancillary bathrooms, storage and rooms used for facilities such as a home gym.
- 2.7. At roof level, the property features a number of dormer windows including some within the side elevations that face into the adjacent residential properties.
- 2.8. Internally, although usable the building is somewhat tired and dated. This relates not only to the decorative finish but also how the building is serviced, cooled and heated. A significant proportion of the accommodation on the upper floor is compromised by the limited head height at this level. The existing building therefore does not offer a quality of accommodation commensurate with similar properties in Avenue Road.



Figure 3 - Accommodation on the existing second floor level is limited in terms of usable head height

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- 2.9. A separate plant enclosure is located within the rear garden, adjacent to the property's southern boundary and adjacent to the neighbouring residential properties. The existing property is separated from party boundaries by narrow passageways that allow external access between the property's front and rear gardens.



Figure 4 - The passageway between the property and the adjacent building

- 2.10. The immediate surrounding area is residential in nature and made up predominantly of large, standalone single dwelling houses similar to the existing property on the application site.



Figure 5 - The flank of the adjacent residential terrace to the south

- 2.11. However, the immediately neighbouring sites are actually slightly at odds with this, being a large flatted building and a small terrace of houses as opposed to the single dwellinghouses that predominate locally. The property is also flanked by a large flatted block to the rear.
- 2.12. There are no listed buildings within the vicinity of the site.
- 2.13. Immediately opposite the street forms part of the St John's Wood Conservation Area designated by the neighbouring authority, Westminster. However, there is little substantive reference to Avenue Road within Westminster's adopted Conservation Area Audit other than the presence of large, detached houses on the street.

Planning Designations

- 2.14. A review of all relevant planning policies, the Policies Map and other sources such as heritage and listing records have not revealed any specific planning designations relevant to this site. As noted above, the property is not statutorily or locally listed, nor noted within any available documents in terms of specific protection for design or other matters.

3. Planning History and Pre-Application Discussions

Planning History

3.1. A review of the Council’s online planning history records has highlighted the following previous applications on this site:

Reference	Description	Date of Decision	Decision
2013/5078/NEW	NOT IN CA. NO TPOs ON THE TREES. PERMISSION NOT REQUIRED.	N/A	Withdrawn Decision
P9601675R1	Retention of air-conditioning unit and chamber in the rear garden. As shown on drawing nos. 95/60/01, 29B, and 32B.		Grant Full Planning Permission (conds)
9500957	erection of a single storey extension at the rear ground floor erection of railings and gates at the front boundary wall and other external alterations in connection with the use of the property as one single family house as shown on drawing nos. 390-1-7 inc 95/60/15A 29 30 31 32 33 revised on 13.10.95 11.11.95 and letter dated 12.12.95.		Grant Full Planning Permission (conds)
J8/12/1/3366	Erection of enclosures on both sides of the frontage of 16, Avenue Road, N.W.8, comprising wrought iron gates and brick walls exceeding seven feet in height.		Grant permission

3.2. This is therefore a very limited planning history, with little substantive development of the site undertaken previously. The proposed development should therefore be considered on its own merits within the context of extant policies.

Pre-Application Discussions

3.3. Pre-Application discussions took place with planning officers (Ref: 2016/3915/P) with a formal written response issued on 12 September 2016. This set out the following key points:

- *There is no objection in principle to the demolition of the existing dwellinghouse in design terms;*
- *The proposed design of the replacement dwelling is considered appropriate;*
- *The dwelling will be in character with the local streetscene and the neighbouring conservation area;*
- *The overall massing of the proposed dwelling will not have any substantial impact upon outlook from neighbouring properties;*

- *There is no objection in principle to the development of a subterranean level below the house and garden;*
- *As proposed, the existing setback and boundary treatments along the side boundaries should be maintained;*
- *The proposed lightwell had the potential to impact upon nearby trees and alternatives should be considered;*
- *There is the potential for overlooking to arise from the first floor terrace without measures to mitigate against this;*
- *Some further detailing to the front elevation, particularly around the bay windows, should be considered in order to provide greater articulation; and*
- *Appropriate landscaping of the site should be proposed as part of any planning application.*

3.4. Broadly, the pre-application discussions have reiterated that the general principles of the proposed development should be acceptable. As such, the development as now formally submitted for assessment is predominantly similar to that which was the subject of pre-application discussions.

3.5. However, some detailing has been updated in response to officers' comments. Specifically:

- *The proposed lightwell has been altered and reduced in size;*
- *A full landscaping proposal has been prepared;*
- *Screens to mitigate against any risk of overlooking from the first floor level have been introduced; an*
- *Details of relevant cycling and refuse storage have been added to the proposals;*
- *Further articulation around the bay windows on the front elevation has been included; and*
- *Detailed reports on basement structural impacts and the relationship with existing retained trees have been prepared.*

3.6. It is therefore considered that the proposal has been appropriately altered in order to reflect the advice given by officers to further enhance the development.

4. The Proposed Development

- 4.1. It is proposed to demolish the existing dwelling house on the site and erect a replacement single dwelling house, comprising of basement, ground, first and second floor (in roof).
- 4.2. The replacement dwelling would provide three levels of accommodation above ground level in the form of two full storeys and a single level of accommodation within the roof form. A total of seven bedrooms will be provided.
- 4.3. The main basement level will be provided below the new dwelling house and the garden area, set in from the boundaries of the site. This will contain ancillary facilities to support the use of the property as a single family dwellinghouse including pool room, gym, home cinema, and accommodation for household staff.
- 4.4. The sub-basement will not provide usable floorspace – instead, this will house the plant equipment and machinery necessary to support the proposed accommodation on the floors above. The sub basement will not extend to the same footprint as the subterranean living level above.
- 4.5. The accommodation on each level breaks down as follows:
 - *Subterranean Level: Ancillary leisure facilities including swimming pool, games room, gymnasium and cinema room and car viewing/showroom area;*
 - *Ground Floor: Main reception spaces including living room, dining room, study, play room and family kitchen;*
 - *First Floor: Main bedrooms, including master suite, en-suite bathrooms and additional study; and*
 - *Second Floor (within Roof Form): Further bedrooms and associated dressing room.*
- 4.6. The area of the existing dwellinghouse is 866 sq m GEA.
- 4.7. The proposed new dwellinghouse will be 1848 sq m GEA, an overall increase of 982 sq m GEA relative to the existing building.
- 4.8. The increase in floorspace at ground and first floor levels is comparatively limited, meaning the overall increase in the footprint of the building is modest. Instead, additional floorspace is created within the additional storey within the roof structure and also the basement level which will not be visible from neighbouring properties.
- 4.9. The overall design is intended to increase the amount of accommodation provided without leading to a consequential increase in the overall appearance of the property within its existing plot.

- 4.10. Although the new property utilises a slightly altered position within the plot (a slight shift away from the north western boundary to a more central position) and also proposes additional floorspace overall as noted above, there is only a small increase in the overall footprint of the dwelling.
- 4.11. The replacement dwelling provides a more coherent layout than the existing building with the main living spaces concentrated on the above ground levels and ancillary facilities contained within the subterranean level. This includes the provision of necessary plant equipment within a sub-basement, removing the requirement for plant equipment to be located at ground level and in proximity to neighbouring properties as is the case currently.
- 4.12. The overall architectural style of the proposed building is in-keeping with both the existing property and also neighbouring properties. Materials, predominantly brick, have been chosen to respond to the prevailing character of the other single dwellinghouses in the local area.
- 4.13. This is also reflected in the detailing of the building and the layout of facades, particularly the front facade in terms of the layout of windows and the maintaining of a strong presence on the street.
- 4.14. In this way, the property is in-keeping with the prevailing architectural style of the immediate surrounding area and will offer an enhancement to the overall character of the area.
- 4.15. Across the site as a whole, the proposed landscaping scheme will enhance the overall appearance of the site and the property's setting. This includes an increase in the proportion of soft landscaping to the front elevation of the property, where the existing boundary treatment of brick wall and metal gates will be maintained.
- 4.16. This landscaping proposal is also intended to minimise any perception of the subterranean level to ensure that the main property continues to appear standalone within the plot as a dwelling house of appropriate scale in the context of the site. A single small lightwell is proposed to the side elevation of the main property in a location that is inconspicuous within the overall appearance of the building.
- 4.17. No other physical manifestations of the subterranean areas are proposed at ground floor level and from within the rear garden the house will appear comfortably and proportionally within the landscaping.
- 4.18. The main garden area of the site (to the rear of the property) will be landscaped to ensure that it continues to function as usable garden space to serve the occupants. Existing trees at the boundaries of the site will be maintained and supplemented by further new planting as part of the additional landscaping.

5. Planning Policy Framework

- 5.1. The 2004 *Planning & Compulsory Purchase Act* requires that determination of any planning application must be in accordance with the development plan unless material considerations indicate otherwise.
- 5.2. In this case the development plan comprises;
- *The London Plan (as amended since 2011, including by the Minor Alterations to the London Plan (MALP) published in March 2016);*
 - *The London Borough of Camden Core Strategy and Development Policies (both adopted November 2010).*
- 5.3. Other documents of relevance to the application are:
- *The National Planning Policy Framework, adopted March 2012;*
 - *The National Planning Practice Guidance, first published March 2014; and*
 - *Various Camden Planning Guidance documents which offer more detailed advice with regard to specific aspects of development in the Borough.*

The National Planning Policy Framework

- 5.4. The development that is the subject of this application has been considered in light of the National Planning Policy Framework (*NPPF*), which provides a direction for planning on a national scale and the expectation that all local planning documents will be in general conformity with the *NPPF*.
- 5.5. One of the most important aspects of the *NPPF* is the ‘golden thread’ of a presumption in favour of sustainable development that runs through all of the policies contained within.
- 5.6. In particular, paragraph 7 of the *NPPF* indicates that there are three dimensions to sustainable development: economic, social and environmental, and that these dimensions give rise to the need for the planning system to perform a number of roles:

‘an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.'

5.7. Having regard also to paragraph 14 of the *NPPF*, the second half of this paragraph refers specifically to how the presumption in favour of sustainable development should be seen as a 'golden thread' running through decision-taking. Specifically it refers to:

- *'approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - a. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - b. *specific policies in this Framework indicate development should be restricted.'*

5.8. With regard to the relationship between the *NPPF* and existing local planning policies, paragraph 215 of the *NPPF* set out that where local policies have been adopted since 2004:

'...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework [the NPPF] (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).'

5.9. Although Camden's Local Plan documents were adopted prior to the publication of the *NPPF*, it is considered that policies relevant to this application are predominantly in accordance with the key principles laid down with the *NPPF*. As such, considerable weight should still be given to these policies in determining this application.

5.10. It is acknowledged that a draft replacement Camden Local Plan was submitted for public examination in June 2016. However, at the time of writing the formal examination in public of the replacement Plan by an appointed Inspector has yet to commence.

5.11. Given that the Inspector has yet to review or offer comment on the replacement Plan, it is not considered necessary to give weight to this at the current time. This application should instead be assessed with substantial weight attributed to the currently adopted policies, in accordance with Paragraph 216 of the *NPPF*.

6. Planning Considerations

6.1. Consideration and assessment of the proposed development with regard to local and national planning policies and guidance is set out under the following headings:

1. Design and Heritage

- a. *Principle of Demolition*
- b. *Principle of a Replacement Dwelling*
- c. *Proposed Design*
- d. *Impact upon the Adjacent Conservation Area*
- e. *Accessibility*

2. Residential Amenity

- a. *Daylight/Sunlight*
- b. *Impact of Noise*
- c. *Privacy and Overlooking*
- d. *Managing Construction Impacts*

3. Car Parking, Cycle Parking and Servicing

4. Landscaping and Trees

5. Subterranean Development

- a. *Basement Impact Assessment*
- b. *SUDS*

6. Sustainability

7. Community Infrastructure Levy

8. S106 Obligation

6.2. Further information on a number of these matters is provided within the various supporting documents that are also submitted as part of this application. Due reference is given to relevant supporting documents and these should be considered for a more detailed assessment of relevant matters.

1. Design and Heritage

6.3. As noted previously, the existing building is not considered to have an specific architectural merit. Though it incorporates some traditional design features the building dates only from the mid-20th Century and is of limited overall quality, most particularly internally.

6.4. A more detailed assessment of all design matters is provided within the Design & Access Statement prepared by Wolff Architects which forms part of this submission, in addition to those key matters discussed below.

a) Principle of Demolition

6.5. To allow for the construction of the proposed new dwelling, the existing property on the site will be demolished in its entirety.

6.6. The principle of demolition was discussed as part of the pre-application process. In their formal written response, officers noted that '*...there would be no objection to the loss of the dwelling in design terms*'.

6.7. Given the above, it is considered that the principle of demolition of the existing building is acceptable and that there would be no harm to the character of the immediate local area if this building was to be replaced.

6.8. During pre-application discussions, officers also raised the need to consider the sustainability of the demolition of the proposed building. It is intended to recycle and reuse the materials from the existing building within the proposed development wherever possible, including in terms of incorporating materials into the foundations of the new development.

b) Principle of a Replacement Dwelling

6.9. With reference to Policies CS6 and DP2, it is noted that the Council seeks to increase the amount of housing within the borough and thus will protect existing residential uses.

6.10. In this case, there is no loss of residential accommodation proposed – it is a like-for-like replacement of the existing single dwelling with another comparable unit.

6.11. The replacement unit is much enhanced in terms of facilities and amenity relative to that of the existing building, therefore this proposal will also contribute towards policy expectations to improve the overall quality of the supply of housing.

6.12. This principle of replacing the existing dwelling house with a new property was confirmed in pre-application discussions with officers.

c) Proposed Design

6.13. *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.

6.14. This is supported by *Development Policy* DP24 which requires all developments to be of the highest standard of design and will expect developments to consider the character, setting, context and the form and scale of neighbouring buildings; the character and proportions of the existing building and the quality of materials to be used.

6.15. The implications of this policy should be considered in the context of Section 7 of the National Planning Policy Framework (NPPF). This sets out national guidance on the relevance of design in achieving good planning outcomes.

6.16. Of greatest relevance here are Paragraphs 59 and 60 of the NPPF which states that:

Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

6.17. The key therefore is not to limit the appearance of a building to a specific design but instead to ensure that it responds, reflects and contributes to the overall character and form of any existing built form and streetscene.

6.18. The proposed new building incorporates those elements of the existing building that are considered to be positive, most particularly its 'Arts and Crafts-esque' detailing. The result is a new property that presents a very similar appearance to the public realm as the existing building, albeit with all detailing enhanced and the building providing a much improved overall quality.

6.19. Enhancements internally are particularly prevalent. All of the proposed floorspace has much enhanced usability compared to the existing house. This is most noticeable at the roof level – where much of the equivalent existing floorspace at second floor level is limited in terms of available headroom, the new property creates more usable spaces in this area of the house without increasing the overall ridge height of the building.

6.20. This proposal therefore takes the most positive elements of the existing building, specifically the overall idiom of its character, and reutilises these into a new property that delivers much enhanced usability. This reflects the expectations of Policies CS14 and DP24 together with the overall principles of positive design provided by the *NPPF*.

6.21. Greater detail of the proposed design, how the property sits within its local context and the process of design evolution that has led to the final proposal now presented are set out within the Design & Access Statement that forms part of this submission.

d) *Impact upon the Adjacent Conservation Area*

- 6.22. Policy DP25 makes clear that any development which has the potential to impact upon a heritage asset must take into account the quality, character and value of that asset when considering the design of a new building.
- 6.23. As previously noted, although the application site is not within a designated conservation area, it does immediately adjoin the boundary of the St John's Wood Conservation Area. Although this sits within the neighbouring borough (City of Westminster), it is reasonable to still assess the impacts of development upon this area.
- 6.24. Paragraph 128 of the National Planning Policy Framework (NPPF) states (in part) that:

'In determining applications, local planning authorities should require an applicant to 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. As a minimum the relevant historic environment record should have been consulted'

- 6.25. At this location, the site is only adjacent to the Conservation Area and is not subject to any other heritage designation, therefore a review of the relevant 'historic environment record' is an appropriate assessment of the significance of the heritage asset.
- 6.26. In this case, the appropriate historic record is the *St John's Wood Conservation Areas Audit* (June 2008). However, as already noted, there is little substantive reference to Avenue Road within this Audit other than confirming the presence of large, detached houses on the street.
- 6.27. Given that this development also proposes a replacement large, detached house, the proposed development will be entirely in-keeping with the character of the adjacent conservation area. This therefore responds positively to the requirements of both Policy DP25 and the NPPF to maintain the quality of the adjacent Conservation Area as set out within the Conservation Area statement.

e) *Accessibility*

- 6.28. Policy DP6 sets out that all housing development should meet Lifetime Homes standards. However, Following the rescinding of the Lifetime Homes Standards as a part of the adoption of the Nationally Described Space Standards in March 2015, accessibility for residential development is now based upon relevant Building Regulations.
- 6.29. Specifically, as set out under Policy 3.8 of the updated London Plan it is a requirement that 90% of new residential units meet Part M4(2) 'accessible and adaptable dwellings' and 10% meet Part M4(3) 'wheelchair user dwellings' where units are easily adaptable for a wheelchair user.
- 6.30. In this case, the proposal is for only a single dwelling. This has been designed to be fully accessible and adaptable has required by the relevant Building Regulations – further details are noted within the Design & Access Statement and proposed drawings that forms part of this submission.

- 6.31. As such, the proposed development ensures accessibility for potential occupants with a range of different access and mobility requirements and therefore accords with the requirements of Policy DP6.

2. Residential Amenity

- 6.32. *Development Policy DP26* states that the Council will only grant permission for development which does not cause harm to amenity. Factors it will consider are privacy and overlooking, sunlight and daylight and noise, with reference to both the residents of both the proposed development and also those within existing neighbouring buildings. Each of these matters have been considered and appropriate technical reports completed where required.

a) *Daylight/Sunlight*

- 6.33. There is a substantial dwelling house at the site in its existing state. The proposed development replicates this situation by providing a house of a predominantly similar footprint. The existing dwelling is therefore the starting position against which any new proposal must be compared to consider the effect upon daylight/sunlight matters for neighbouring properties.
- 6.34. When assessing the impact of new development upon existing neighbouring properties in terms of daylight and sunlight matters, reference is normally made to the Building Research Establishment's guidance *Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011)*. This provides non-mandatory guidelines to assess the impact of new development upon existing neighbouring properties.
- 6.35. A Daylight / Sunlight assessment has been undertaken by Brooke Vincent and Partners and is submitted as part of this application.
- 6.36. This confirms that all windows on neighbouring properties will, given the central London location and existing relationships with neighbouring buildings, continue to meet all of the relevant BRE standards in terms of the amount of daylight and sunlight that will still be received if the proposed dwelling was constructed.
- 6.37. On the other side of this, all rooms within the proposed property will also enjoy an appropriate level of lighting in accordance with the BRE standards.
- 6.38. As such, the development will ensure appropriate amenity to all properties in terms of daylight/sunlight matters. On this basis it is clear that no given that no possible harm could arise to the amenity of neighbouring properties by way of any possible loss of daylight and sunlight. Therefore, the application fully complies with Policy DP26

b) *Impact of Noise*

- 6.39. Policy DP28 sets out the Council will control development to ensure that it does not lead to inappropriate levels of noise to either new or existing residents. Maximum noise levels are provided and all new development will be assessed against these.

- 6.40. This application does not propose any form of noisy development. This will be a replacement residential use in an area that is predominantly residential in character. As such, the overall proposal is entirely appropriate for this site with a like-for-like development maintaining the existing character of the site.
- 6.41. This development will require a range of plant machinery to support the facilities within the building. It is proposed to locate these within a sub-basement area (effectively space within the undercroft below the swimming pool). This location responds to advice set out within *CPG6 Amenity* to separate noise producing sources from main habitable areas and use attenuation (including the form of the proposed building) to reduce any noise effects.
- 6.42. Currently, plant equipment serving the existing property is housed at ground level in an enclosure within the rear garden that is adjacent to the party wall with the properties at 14 Avenue Road. In placing plant equipment below ground level as part of the new development (and thus removing the existing equipment from the garden area), this will improve conditions for neighbouring residents compared to the existing situation. Though a small number of condenser units remain at ground level, these will be contained within an acoustically treated enclosure and placed at a point most distant from neighbouring properties and thus an improvement relative to the existing situation.
- 6.43. A full acoustic assessment has been undertaken by Anderson Acoustics with reference to the existing measured background noise levels on the site. This assessment confirms that, subject to appropriate attenuation methods (as specified), the proposed plant equipment can be operated whilst also maintaining an appropriate level of background noise for both residents within this building and also neighbouring properties, in full compliance with the standard LPA conditions.
- 6.44. As such, this development will not lead to harm to residential amenity in terms of noise.
- 6.45. The effects of noise during demolition and construction phases can also be managed to minimise disturbance to neighbouring residents. Relevant safeguards can be incorporated into a Construction Management Plan which will manage the construction process (as discussed in more detail below).
- 6.46. Further information is provided within the acoustic assessment submitted as part of this application.

c) Privacy and Overlooking

- 6.47. As previously noted, the application site features significant mature planting and solid boundary treatments where it adjoins neighbouring properties. These will be maintained with some new planting also proposed, therefore the existing separation of the property from its neighbours will be maintained – this immediately supports the maintaining of privacy to all residents.
- 6.48. The new dwelling also maintains predominantly the same footprint as the existing building. Therefore, the relationship between the site and neighbouring properties will not be materially altered relative to the existing relationship. Any minimal change in this relationship will be positive in terms of maintaining privacy given that there will be a minor increase in the distance to each of the site boundaries on the side elevations.

- 6.49. The existing building contains a number of windows that offer views towards neighbouring properties. Towards Avenue Close, any potential for overlooking is limited by the considerable mature tree planting at the shared boundary that will be maintained.
- 6.50. Towards the properties around 14 Avenue Road, the existing relationship includes some windows that look across the properties. None of these neighbouring buildings have windows in the flank elevations facing 16 Avenue Road and therefore there is no direct overlooking or sightline between the site and its neighbours.
- 6.51. In the proposed new building, the number of windows on the side elevations have been minimised – indeed, there will actually be a reduction in the number of windows in these elevations relative to the existing property. Of those windows within the side elevations, the majority of these serve only circulation spaces or bathrooms – these are already less intensively used spaces compared to main living accommodation and could also be provided with obscured glass if considered necessary.
- 6.52. In response to a query raised by officers during pre-application discussions, privacy screens have been added to the terrace proposed at first floor level. These screens will ensure privacy to both the users of the terrace and neighbouring residents.
- 6.53. Taken together, the relationship between this property and its neighbours reflects a typical relationship between residential properties. The proposed scheme also introduces a number of elements that will improve the relationship compared to that which currently exists. This is a net benefit that results from the proposed development..

d) Managing Construction Impacts

- 6.54. The applicant is conscious of the importance of ensuring that all effects of the proposed construction programme are properly managed and minimised wherever possible.
- 6.55. As recommended within *CPG6 Amenity*, given that this development proposes subterranean development then a draft Construction Management Plan has been prepared by Motion within the Council's standard pro-forma. This is intended to provide details of how the construction programme will be managed in a range of factors including the movement of vehicles to and from the site, minimising and attenuating noise and other emissions including dust that may arise from demolition and also the general operation of the site.
- 6.56. In drafting the Construction Management Plan, full reference has been made to the Council's minimum requirements. The draft submitted demonstrates that the effects on construction can be managed to ensure that impacts upon neighbouring residents during this time can be kept to a minimum.
- 6.57. It is assumed that the completion of a final Construction Management Plan will be secured through the use of an appropriately worded planning obligation with a finalised Plan approved prior to the commencement of works on-site.

3. Car Parking and Cycle Parking

- 6.58. It is noted that under the terms of Policy DP18, it is expected that new residential development would be 'car-capped' and thus occupiers would not be eligible to apply for on-street car parking permits. It is arguable that this policy is not applicable in this case since there is no net uplift in the number of residential units on the site (one single dwelling replacing another).
- 6.59. Nonetheless, the applicant is not opposed to agreeing such a limitation. This matter is discussed further later in this statement in the context of the wider requirements for S106 obligations.
- 6.60. The existing driveway/forecourt area can accommodate at least four vehicles with access still possible via the 'in and out' gated layout of access to the property from the public highway. The forecourt and the existing access/egress are intended to be maintained as part of the new development.
- 6.61. Within the forecourt, it is proposed to install a lift to provide access to a car display area at basement level. This 'showroom' type space will be an integral part of the living/recreational accommodation with the cars on display through a glass wall which will also offer direct access to and from the cinema room / social spaces.
- 6.62. Such a display facility is a specific requirement of the applicant whose family has accumulated an extensive collection of high end road and racing cars. Whilst these vehicles are not used regularly on a day-to-day basis, the applicant enjoys them as a display and wishes to include a part of their collection within their private recreational space.
- 6.63. In this way, the display of these vehicle can be considered in the same way as another party may display works or art or sculpture.
- 6.64. The lift will allow direct access to the display area from the front forecourt and will allow the property owner to circulate which vehicles from their collection are available to view (other vehicles are retained in storage off-site).
- 6.65. When not in use, the lift will sit flush to the surface of the front forecourt. It will raise when a vehicle is being brought in or out of the display area but the 'resting' position will be lowered into the subterranean space. With the lift's top finished in the same material as the driveway, this element will have no material impact upon the appearance of the property.
- 6.66. With regard to cycle parking, dedicated storage space for two cycles will be provided within the basement level of the property. This provisions accords with the requirements set out under both Policy DP18 and the London Plan.

4. Landscaping and Trees

- 6.67. Policy DP24 sets out that in considering the design of new development, it is necessary to assess the provision for protecting existing natural features, such as trees, and also encouraging the provision of appropriate hard and soft landscaping and boundary treatments.

- 6.68. To support this, a full landscaping proposal has been prepared by Green Square Design and is submitted as part of this application.
- 6.69. In terms of soil above the proposed subterranean level (as discussed in further detail below), at 1.5 metres the depth of this will be considerably in excess of the 0.5 metre minimum depth that is noted under Policy DP27. This will ensure the continued health and usability of the main garden area moving forwards.
- 6.70. With regard to trees, an assessment of existing trees on-site and in neighbouring sites has been prepared by Wood Consulting and is submitted as a part of this application. This assessment has confirmed that where a small number of trees needs to be removed to allow for this development to take place, such trees are of limited quality and their removal will not be harmful to the overall arboricultural contribution of the site.
- 6.71. The majority of existing mature trees on-site will be retained. This is particularly relevant on the site's boundaries where the significant screening of trees that currently exists will be maintained to support the ongoing privacy of all residents locally.
- 6.72. As a part of these assessment, as requested as part of the pre-application response a trial trench was dug adjacent to the site's northern boundary in order to consider the presence of roots from the existing mature trees next door. This trial revealed very few roots in this areas, with the line of the proposed basement adjusted to ensure that those roots revealed will not be affected. Therefore, the proposed excavation in this area will not impact upon the ongoing health of the existing trees on the neighbouring site as further detailed in the submitted report.
- 6.73. It should also be noted that significant new planting to the site is proposed, details of which are set out within Green Square's report. This includes the provision of two replacement trees at the site's front boundary which were removed before the applicant's ownership of the site.
- 6.74. The arboricultural impact assessment has also set out details of the protection methods that should be put in place to protect retained trees during the construction period. These methods have been incorporated into the draft Construction Management Plan and will be respected in full during any construction period.

5. Subterranean Development

- 6.75. Any proposal for subterranean development must be considered in the context of Policy DP27 and CPG4 and specifically for the provision of an assessment of any such development's impact upon drainage, groundwater conditions and structural stability.
- 6.76. To this end, a Basement Impact Assessment has been prepared by Fairhurst and has been submitted as part of this application. The BIA assesses all of the key matters set out above as required and should also be read in conjunction with Structural Engineering Report and Subterranean Construction Method Statement, Flood Risk Assessment and Drainage Strategy prepared by Elliott Wood.

- 6.77. In terms of the overall design of the subterranean level, the proposed basement has been set in from the boundaries of the application site on all sides. In doing this, any subterranean development is also set away from the existing mature trees found on the boundaries of the site. These trees will therefore be protected from development, as discussed further above.
- 6.78. In addition, the containment of the basement level away from existing boundaries will also minimise any impact of the new development upon existing neighbouring properties.
- 6.79. Two small lightwells are proposed to the northern (side) elevation of the dwelling in order to provide light and outlook to some back-of-house service rooms provided at this level. These lightwells have been adjusted following pre-application discussions, to reduce the overall area of the lightwell and further reduce any potential for impact upon retained trees (as confirmed by the arboricultural assessment already discussed).
- 6.80. The lightwells will not be visible from the street and will therefore have no material impact upon the appearance of the local area, with any views from the immediately neighbouring block limited by the retention of the screen of mature trees on the site boundary.
- 6.81. There is no lightwell proposed to the front or rear of the property. Given the very limited scale of the proposed lightwell to the side elevation, the above ground manifestation of the basement level is negligible. As such, the scale of the property's above ground levels will not be impacted or affected by the subterranean level below in any way.
- 6.82. It should also be noted that the provision of a subterranean level of accommodation has been approved at several nearby properties in Avenue Road, Elsworthy Road, Wadham Gardens and Radlett Place in recent years. This includes a series of approvals since both the initial adoption of CPG4 in April 2011 and then also after the adoption of the revised version of CPG4 in September 2013 (as revised further in July 2015). A fuller list of these sites is provided within the Design & Access Statement that forms part of this submission.
- 6.83. As such, the proposed subterranean level is an appropriate form of development in the context of both the surrounding area and the proposed new replacement dwelling house. The BIA confirms that all relevant geotechnical and structural matters will be achieved to ensure the protection of drainage, groundwater and stability matters in accordance with the requirements of Policy DP27 and CPG4.

6. Sustainability

- 6.84. *Core Strategy* Policy CS13 seeks to tackle climate change by requiring development to take measures to minimise the effects of, and adapt to, climate change and encourage all development to meet the highest feasible environmental standards. Carbon emissions should be minimised by implementing in order the energy hierarchy: using less energy; making use of energy from efficient sources; and generating renewable energy on site. This hierarchy follows that found in the London Plan which requires development to be lean: use less energy; be clean: supply energy efficiently; and be green: use renewable energy.
- 6.85. *Development Policy* DP22 requires all new development to incorporate sustainable construction and design methods.

- 6.86. Following the publication by the Government of new technical standards in light of the Deregulation Act taking effect in March 2015, it is no longer a requirement to undertake a full Code for Sustainable Homes Assessment as part of a planning application.
- 6.87. Under Policy 5.2 of the London Plan, residential development should be achieving a 40% reduction in carbon dioxide emissions versus the 2010 Building Regulations (equivalent to a 35% reduction against the 2013 Building Regulations). Policy 5.7 also requires development to target the use of renewable energy on-site. Finally, Policy 5.3 requires new development to adopt sustainable design as far as is possible.
- 6.88. A sustainability assessment has been prepared by Eight Associates. As a part of enhancing the sustainable delivery of the property, it is proposed to place photo-voltaic panels on the roof of the building, as well as incorporating a combined heat and power system alongside sustainable construction methods (including the recycling of material from the existing building as far as is possible) to ensure that the new dwelling minimises demand for energy.
- 6.89. The development will therefore meet the expectations of Policy DP22, and the new nationally revised standards relating to Part L of the Building Regulations.

7. Community Infrastructure Levy

- 6.90. Following the adoption of Camden's local Community Infrastructure Levy in April 2015, this development will be liable for both this and the Greater London Mayoral CIL. In accordance with the relevant regulations, in the event that planning permission is granted then CIL would be liable to be paid upon implementation of that permission.
- 6.91. When assessing the total contribution towards CIL that any development is required to make, as set out within the *Community Infrastructure Levy Regulations 2010* (as amended) it is possible to discount the existing floorspace on a site in some circumstances. Of most relevance in this case is that where existing floorspace has been in continuous use for a period of six months in the thirty-six months preceding the grant of planning permission then the equivalent of this floorspace can be excluded from the liable floorspace within the new development. Effectively, the area of floorspace that is liable for CIL is the net uplift in floorspace from the existing to the proposed buildings.
- 6.92. In this case, the property has been recently occupied for residential use for a continuous period of at least 6 months and this occupation will continue until at least the date upon which any planning permission would be granted. As a result, in accordance with the CIL Regulations it is assumed that only the 'uplift' in floorspace will be used to calculate the appropriate CIL contributions in this case.

8. S106 Obligations

- 6.93. Given the adoption of a local CIL, it is not expected that any further financial contributions will be requested through S106 legal obligations other than the contribution towards the provision of affordable housing discussed above.

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- 6.94. As noted within the pre-application response received, it is normal practice that a legal agreement will be required in order to remove any entitlement to on-street car parking permits and also secure the delivery of a completed Construction Management Plan prior to the commencement of development.
- 6.95. The applicant is not averse to accepting these obligations and it is proposed that an appropriate legal agreement is prepared in the event that a recommendation to grant planning permission for the proposed development is forthcoming.

7. Conclusions

- 7.1. This development proposes to replace the existing single dwellinghouse on the site with an alternative family-sized property. The proposed replacement dwelling is of broadly comparable mass than the existing property with a traditional design that sits comfortably within the existing site, and adopts a detail, scale and form that responds to this secluded location.
- 7.2. By retaining predominantly the same footprint as the existing dwelling, the proposed development will maintain the existing relationship with neighbouring properties. Existing boundary treatments, particularly the extensive mature trees, will be maintained to re-confirm the separation between the development and neighbouring properties.
- 7.3. Furthermore the relationship to the adjacent properties will be maintained such that the proposed development will have no material impact upon neighbouring properties in terms of amenity matters. The proposed development will maintain more than appropriate levels of daylight/sunlight and privacy. The development will not lead to harm to any residents in terms of noise or preventing overlooking between properties – indeed, the combination of the relocation of the plant to the basement area and the reduction of windows in the side elevations will improve the amenity of neighbouring residents compared to the existing.
- 7.4. This is as equally applicable to residents within the new dwelling as to those living within the existing surrounding properties. This development will provide a high quality dwelling to support a family to live within the Borough.
- 7.5. This development will therefore sit comfortably within its context and provide an enhanced dwelling house within a residential location. It is a respectful and sympathetic new dwelling that responds positively to both its immediate setting and the characteristics of the surrounding area and responds to all relevant development standards and Local Plan policies.