

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>15/11/2016</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>03/06/2016</b>
<b>Officer</b>			<b>Application Number</b>		
Tania Skelli-Yaoz			2016/1808/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
73 - 75 Avenue Road London NW8 6JD			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal</b>					
Demolition of existing building and pool house to provide two new detached single-family dwelling houses with subterranean basement storeys, formation of new access and hard and soft landscaping (Class use C3)					
<b>Recommendation:</b>		Grant conditional planning permission subject to legal agreement			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	05	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>A site notice was displayed 13/05/16-03/06/16. 5 residents were consulted; 1 x objection was received from Sir Stuart Lipton, as follows:</p> <p><u>Consultation:</u></p> <ul style="list-style-type: none"><li>Only 3 residents in locality consulted</li><li>Application should be void as proper consultation did not take place</li></ul> <p><u>Transport</u></p> <ul style="list-style-type: none"><li>CMP doesn't fully address residents needs</li><li>Traffic assessment related to prior proposals and is inadequate</li><li>Construction traffic should be made available only from Avenue Road</li></ul> <p><i>Officers' comments:</i></p> <p><u>Consultation:</u></p> <ul style="list-style-type: none"><li><i>Public consultation was carried out in accordance with the adopted Statement of Community Involvement (pre July 2016 version) to include adjoining residents and site notice.</i></li></ul> <p><u>Transport</u></p> <ul style="list-style-type: none"><li><i>A revised CMP is recommended to be secured via S106 legal agreement with construction traffic proposed via Avenue Road</i></li><li><i>The Transport Team will determine which routes are most suitable for construction traffic</i></li><li><i>A Transport Assessment is not required with this application/development</i></li></ul>					
Local groups comments:	<p><u>Elsworthy Residents Association:</u> Comment.</p> <p>'It is hoped that community liaison will include Elsworthy Residents Association in due course. The construction management plan makes no mention of the Cycle Super Highway that has been suggested will go down Avenue Road. The construction and implementation would affect work at this site. The junction of Avenue/Elsworthy/Queens Grove has been the subject of much negotiation over the years between Camden and Westminster, indeed there is a proposal at present to block access to Queens Grove from Elsworthy Road. The pelican crossing was installed after many years of consultation when the zebra crossing south of the Queens Grove/Elsworthy Rd proved dangerous. Where would it be relocated to? It is much used being the route providing access to Primrose Hill from St Johns Wood. Delighted the original black and white tile road signs are detailed for reinstatement in the new boundary walls.'</p> <p><u>Officers' comments:</u></p> <p><i>The details of the CMP will be assessed once a full revised document is</i></p>					

*submitted. Details of planned cycle routes as well as pedestrian safety are paramount and will be main considerations in the assessment of the CMP.*

## Site Description

- 1.1 The application site is located on the western side of Avenue Road, at its junction with Elsworthy Road and Queen's Grove. The site is currently occupied by a 2 storey plus attic detached single-family dwellinghouse set back from the street with hard landscaped forecourt and parking to the front and two vehicular crossovers onto Avenue Road. There is a 2.0m high boundary wall along the frontage with Queens Grove and part of the frontage to Avenue Road.
- 1.2 The site is not located in a conservation area and the house, which dates from the inter-war years, is not listed. A former property at No. 73 was demolished in 1939 but was never reconstructed as a result of the commencement of the Second World War, thus the site now effectively occupies a double plot. An enclosure housing a swimming pool now stands adjacent to the main house. There are a number of trees close to the boundary of the site.
- 1.3 The St John's Wood Conservation Area lies to the south-west of 38 and 37a Queens Grove and the corner of the Elsworthy Conservation Area lies to the east of the junction of Elsworthy Road with Avenue Road diagonally opposite the site. The surrounding area is predominantly residential in character.

## Relevant History

### Application site

- 2.1 Recent planning permission ref. **2015/1928/P** was granted for the demolition of existing building and pool house to provide two new detached single-family dwelling houses with 2x basement storeys, formation of new access and hard and soft landscaping on 02/11/2016 subject to a legal agreement.
- 2.2 The legal agreement associated with the above (ref. 2015/1928/P) PP included:
  - Affordable Housing contribution (£868,283)
  - Car capped development
  - Construction Management Plan
  - Highways Works contribution (£14,710)
  - Local Employment and Training Plan (including 5 construction apprentices with a supporting training contribution of £1,700 per construction apprentice and 11x work placements)
  - Local Procurement Code
  - Energy Efficiency and Renewable Energy Plan
  - Sustainability Plan
- 2.3 Planning permission ref. **2011/2388/P** was granted for the erection of single-family dwellinghouse comprising basement, lower ground, ground, first and second floor level, erection of a new boundary wall, hard and soft landscaping and associated works (following demolition of existing building) on 28/03/2012 subject to a legal agreement.
- 2.4 Pre-application advice ref. **2014/7902/PRE** for the demolition of the dwelling and pool house and replacement with 2x single-dwelling-houses with double basements, off-street basement car parking and landscaping was issued in February 2015.
- 2.5 Prior to that, in 1984 planning permission was granted for the erection of a replacement cover to the swimming pool (**8400150**).
- 2.6 There have been a number of applications for works to trees on the site.

- 2.7 Planning permissions were granted in 1939 and 1949 for the erection of a house and garage with flat over were never fully implemented.

### **Nearby sites**

#### 77 Avenue Road

- 2.8 Planning permission was granted subject to a legal agreement for the erection of a new three-storey single family dwellinghouse (Class C3), following demolition of existing three-storey single family dwellinghouse in May 2010 (**2010/0351/P**). The proposed dwelling included a two storey basement and was renewed in 2013 (ref. **2013/2043/P**), but has yet to be implemented.

#### 62 Avenue Road

- 2.9 Planning permission ref. **2011/5539/P** was granted on 15/06/2012 for the erection of building comprising sub-basement, basement, two storeys and roof level to provide a single-family dwellinghouse (Class C3) (following demolition of the existing building) and later increased by planning permission ref. **2012/6103/P** to include increase in basement and roof height.

#### 87 Avenue Road

- 2.10 Planning permission was granted on 25/02/2013 for the erection of two storey building plus roof level, basement and sub-basement for use as a single-family dwellinghouse (following demolition of existing two storey dwelling house) (Class C3) **2012/4594/P**.

#### 42 Avenue Road

- 2.11 Planning permission was granted for the 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 in May 2010 (2010/0727/P).

### **Relevant policies**

- 3.1 **NPPF 2012**  
Paragraphs 14, 17, 30, 49, 56-66, 126-141 and 173

- 3.1 **The London Plan 2016**

- 3.2 **LDF Core Strategy and Development Policies 2010**
- CS1 (Distribution of growth)
  - CS4 (Areas of More Limited Change)
  - CS5 (Managing the impact of growth and development)
  - CS6 (Providing Quality Homes)
  - CS11 (Promoting sustainable and efficient travel)
  - CS13 (Tackling climate change through promoting higher environmental standards)
  - CS14 (Promoting high quality places and conserving our heritage)
  - CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)
  - CS17 (Making Camden a Safer Place)
  - CS18 (Dealing with Our Waste and Encouraging Recycling)
  - CS19 (Delivering and Monitoring the Core Strategy)
  - DP2 (Making Use of Camden's Capacity for Housing)
  - DP3 (Contributions to the Supply of Affordable Housing)
  - DP6 (Lifetime Homes and Wheelchair Homes)

- DP16 (The Transport Implications of Development)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking Standards and Limiting the Availability of Car Parking)
- DP19 (Managing the impact of parking)
- DP20 (Movement of Goods and Materials)
- DP21 (Development Connecting to the Highway Network)
- DP22 (Promoting sustainable design and construction)
- DP23 (Water)
- DP24 (Securing high quality design)
- DP26 (Managing the impact of development on occupiers and neighbours)
- DP27 (Basements and lightwells)
- DP28 (Noise and vibration)

### 3.3 **St John's Wood Conservation Area Statement** **Elsworthy Conservation Area Statement** **Camden Planning Guidance 2015 and 2013**

#### **Assessment**

- 4.1 The proposal involves the demolition of the existing building and the erection of 2 single-family dwellinghouses comprising basement, lower ground, ground, first and second floor level (the second floor would be a roof storey), erection of a new boundary wall and gates, hard and soft landscaping and associated works. No. 73 includes a sub-station to the Queen's Grove elevation. The existing house comprises 601sqm. The development comprises 3600sqm (GEA) of new floorspace.
- 4.2 Each building would be positioned in a traditional manner within the front centred in each plot with a width of approximately 16.5m to the main facade (compared to 15m at present, 13 as recently approved and 23.5m to that approved for a single house in 2012), plus a setback single-storey wing of 4.5m in width (previously approved at 3.5 and 5m respectively). The majority of the house would be 15.5m in depth (16m and 18m as previously approved), though a single storey orangery would now project 10m beyond the main rear wall of the house (previously 11m) at no. 73 on the southern side.
- 4.3 A two storey basement (depth of 8.5m as previously approved) is proposed that would be under the footprint of the house and would also extend beyond the rear wall of the house into the rear garden.
- 4.4 The proposed houses would have 8 bedrooms each (including 2 guest bedrooms in the lower ground floor), several rooms for leisure activities, including a swimming pool and a series of other habitable rooms and areas for staff.
- 4.5 The proposal is similar to that approved recently and would include a car lift for each house, 2 car parking spaces and 4 cycle spaces each. An electric vehicle charging point is also proposed to each dwelling within the basement car parking area.
- 4.6 The main difference between the recently approved development (2015/1928/P) and the current one is the modern design to the rear ground floor extensions.

#### **Revisions**

- 4.7 Amendments were made during the course of the application as mentioned above and include:
- Kitchens set back from rear elevation with small balcony within set back; brick and glazed finish with lowered roof coping.

- Rear balcony to no. 73 reduced to previously approved length and doors retuned to windows on this level to reduce prominence from public realm.
- Front crossover and pier positions amended to allow for improved pier position for entrance driveway.
- First floor window to side elevation removed to reflect internal first floor amendments to master suite.
- Glazing reconfigured in the rear Courtyard to reflect amended glazing on the ground floor.

## **5.0 ASSESSMENT**

5.1 The principal considerations in the determination of this application are summarised as follows:

- Principle of redevelopment
- Affordable housing
- Density
- Design
- Sustainability
- Basement considerations
- Amenity
- Transport
- Trees, drainage and landscaping
- CIL

### **Principle of Redevelopment**

5.2 The principle of replacing the existing dwelling with 2 new ones is acceptable in terms of housing policy (Policies CS6 and DP2) and has previously been established by the granting of planning permissions 2011/5539/P and 2015/1928/P.

### **Affordable Housing**

5.3 Policy DP3 and CPG2 provides a clear rationale for seeking affordable housing in schemes of with capacity for 10 or more additional dwellings, where 1000sqm of floorspace GEA (Gross External Area) is generally considered to have capacity for 10 dwellings. The percentage target in this case was assessed at the pre-application stage as 30% according to the sliding scale.

5.4 This figure has been adjusted during the recent application as only space that is habitable should be taken into account for the purposes of calculating the capacity in terms of dwellings. The floor areas for the pool house and the 2x sub-basements (car parking and plant) have been excluded to leave a floorspace increase of 1,820.3sqm. According to the sliding scale the revised on-site target is  $18\% \times 1,823.7 = 328.266\text{sqm}$ . The current scheme is slightly larger and therefore totals at 3,361sqm (GIA).

5.5 Policy DP3 outlines a clear approach that affordable housing is expected on-site, but where it cannot practically be achieved on-site, off-site affordable housing may be accepted or exceptionally a payment-in-lieu, secured by legal agreement. A payment-in lieu was accepted with the previous development and is considered appropriate as the circumstances of the development have not changed it is accepted here too.

5.6 A Viability Assessment has been submitted and assessed by BPS. BPS has found the assessment acceptable and subsequently an off-site contribution was agreed on the basis of CPG8 and the previous agreed contribution of £868,283. It is considered that the payment in lieu is calculated through the use of the on-site target  $(328.266\text{sqm}) \times £2,650 \text{ per sq m} =$

£869,904.9. The calculation is as follows:

$$\text{In-Lieu payment target} = 18\% \times 1,823.7\text{sqm} = 328.266\text{sqm} \times £2,650 = £869,904$$

- 5.7 This is considered acceptable, in line with the previous permission and the viability assessment. Such a figure is recommended to be secured through the use of a Section 106 Legal Agreement. The applicant has agreed to make this payment in full.

### **Density**

- 5.3 The density for this development is not materially different from the previous development and is considered acceptable, in line with the previous permission and the current policies.

### **Design**

- 5.9 The existing house is not in a conservation area and is not listed. It is an average quality early 20<sup>th</sup> Century dwelling, albeit with an attractive double bay bow rear elevation. It is part of the second major phase of development in the area in the early-mid 20<sup>th</sup> Century and there are other dwellings from this time in the surrounding area that are better examples of the architecture of the area, thus it is not considered to be a non-designated heritage asset and there are no objections in principle to the principle of demolition as part of the proposals for redevelopment.
- 5.10 The existing site contains a two-storey red brick dwelling (No.75) dating from the early/mid-20th Century. The site is the amalgamation of two original plots following the demolition of No.73 in 1939. It should be noted that other houses exist in the vicinity with larger plots around double the width of those typical along this part of Avenue Road, such as at Nos. 52 and 69. However, this proposal differs from the 2012 permission by proposing the re-introduction of a house on the plot of no. 73, on the corner with Queens Grove. This is considered an improvement to the street scene by re-instating the traditional townscape pattern along this road.
- 5.11 The proposal would reintroduce a stronger street frontage to the site compared to the existing arrangement, which has only had a house occupying one half of the plot since the demolition of the original. The façades would be constructed on essentially the same line as the existing and approved building and the roof and parapet would be slightly higher than the existing house but similar to that approved recently.
- 5.12 The proposed proportions and style of the two dwellings is considered in keeping with other properties along this road. The proposed houses are of traditional period style, similar to that approved previously with a strong emphasis on the design of the corner with Queens Grove. The proposed design and architectural style are considered of high-quality design that will complement various adjoining properties in the vicinity and are considered to contribute positively to the appearance of this area.
- 5.13 The brick boundary wall is proposed to be demolished. It is not considered of such quality and historical significance such as to merit listing, therefore this is acceptable. The pedestrian access to the re-instated building at no. 73 is proposed on the corner with Queen's Grove and requires a new insertion into the brick wall. A secondary pedestrian access is proposed to the far end of the Queen's Grove boundary wall. The pedestrian and vehicular accesses to no. 75 are to be combined into a larger gate to the front of the site, at its existing location. The boundary wall is proposed to be re-built with brick and powder coated metal railings.
- 5.14 The houses are proposed to be built of red brick, timber framed double glazed windows, natural stone detailing, glass balustrades to rear, clay tiles and lead roofing. A significant gap (above ground floor level) is proposed to be maintained between no. 75 and no. 77 (6.5m) and 3.5m between the 2 new buildings. The lift overruns are designed to be concealed behind the parapets. All the proposed materials annotated on the drawings are illustrative and are to be

subject to the submission of details and samples by condition.

- 5.15 It is not considered that the proposed building and the single-storey library would impact adversely on the views or gardens along Queens Grove, considering the height of the proposal and the separation across large amounts of garden from properties on Queen's Grove. It is noted that a number of corner properties, including those on the opposite side of Queens Grove have extended along their flanks creating a pattern that is common in the area.

#### Changes with this application

- 5.16 The above was considered under the previous development proposal and approved. The main changes within this proposal includes the re-design of the rear ground floor which is to be constructed with a modern appearance. The fenestration and architectural details to all elevations would be slightly altered, however, in the context of the location of this site outside a conversation area and given its similarity to the previous approval, the proposal is considered to comply with policy DP24.

#### Access

- 5.17 The proposal includes a sub-station with gated access to its southern elevation on Queen's Grove. The access is not vehicular and includes no encroachment on pedestrian highway as the gates are designed to open inwards. The proposal will be built in accordance with the Building Regulations Part M providing ramped approaches, lifts and an accessible passage throughout the properties, which is recommended to be secured by condition.

#### Residential accommodation standards

- 5.18 Each dwelling would have 8 bedrooms. All rooms have been tested against BRE and CPG2 guidance and are considered acceptable. The proposed accommodation complies with the National Housing Standards and Building Regulations Part M. Each dwelling has access to its own private garden.
- 5.19 All habitable rooms in the basement would have access to sufficient levels of natural lighting by providing a sufficient area of glazing and an outlook into the front lightwells and forecourt area. The application is supported by a Daylight and Sunlight Report which confirms this.

#### **Sustainability**

- 5.20 The proposed dwelling would achieve equivalent of the redundant Code for Sustainable Homes Level 4 rating, which complies with the standard set out in Policy DP23. It is estimated that the development would achieve over 40% average reduction in emissions over Part L (2013) as a result of a variety of measures, including the use of photovoltaic panels and a CHP heating system. This is equivalent to a 37% reduction beyond 2013 regulations. Water usage is stated to be 90 litres per person per day which is above Camden's requirements. A Sustainable Urban Drainage System is proposed (including permeable paving, green roofs and attenuation tanks for temporary water storage) and composting would take place. It is recommended that conditions be imposed on the permission to secure further details of the SuDS and to secure the other sustainability measures via legal agreement.

#### **Basement considerations**

- 5.21 A basement impact assessment (BIA) by Heyne Tillet and Steel has been provided in accordance with the provisions of Policy DP27 and Camden Planning Guidance (CPG No.4). These analyse the impact the proposed development would have structurally upon nearby premises, the land and the impact upon the water environment. The site was identified as previously flooded in 2002 according to Council records. In line with DP23, the applicant is required to demonstrate that this risk has been considered and that the development has been



designed to cope with potential flooding without placing additional pressure on adjoining sites and on the combined sewer system.

- 5.22 The submitted BIA assessed all main elements concerning the basement construction such as subterranean groundwater flow, land stability and flooding impact. This (including a revised report, Flood Risk Assessment and other additional plans) was reviewed independently by Campbell Reith in accordance with policy DP27 and CPG4.
- 5.23 The BIA has confirmed that the proposed basement will be founded on the London Clay and that the surrounding slopes are stable. The BIA reported that the River Tyburn may have formerly crossed the site, however no evidence was found during the ground investigations. Localised perched groundwater may be encountered in the Made Ground above the London Clay, which will need to be controlled to permit excavation of the basement. It is accepted that there are no significant impacts on the groundwater regime.
- 5.24 The proposed basement will be excavated and constructed utilising a combination of bored piles with temporary propping to support the excavation with permanent support provided by reinforced concrete walls constructed within the line of the piles and horizontal props from the concrete floor slabs at basement, lower ground and ground floor levels.
- 5.25 The potential for surface water flooding as a result of the increased hard cover post development has been addressed in the Flood Risk Assessment and SUDS measures proposed. It is noted that the basement layout contains kitchens, bathrooms and laundry rooms and this means that the basement drainage system will require protection against surcharging of the public sewers. The applicant has subsequently confirmed that the basement drainage will be pumped and a non-return valve installed. The basement will therefore be protected from sewer surcharging.
- 5.26 A ground movement assessment has been presented to indicate that damage to the adjacent properties will be Burland Category 0 (negligible) to 1 (very slight). Although the assumed length of the pile may be an under estimation, the level of damage to affected buildings is not considered likely to exceed Category 1 on the Burland scale assuming good control of workmanship and that the buildings are in sound condition. Detailed proposals for the temporary propping and calculations for the piled foundations are to be agreed with the party wall consultants.
- 5.27 It is therefore considered that the BIA and FRA has identified the potential impacts from the basement construction and proposes sufficient mitigation, subject to a Basement Engineer Supervision and SuDS related conditions. The proposal is therefore in compliance with policies DP27 and DP23.

### **Amenity**

- 5.28 A BRE sunlight and daylight assessment has been produced which assesses the impact of the development on the closest nearby property 77 Avenue Road. The report indicates that the impact would be within BRE guidelines for daylight (Vertical Sky Component) and sunlight (Annual Probable Sunlight Hours) and will be an improvement on the existing conditions. All rooms on the southern elevation of no. 77 Avenue Road retain a good outlook due to the retained gap and proposed single storey element in this area.
- 5.29 As mentioned above, the bedrooms and lounges to the staff accommodation within the development would comply with BRE Average Daylight Factor guidance, providing a good standard of accommodation to its occupants.
- 5.30 Both properties are designed with plant accommodation in the basement, external condensers, stand by generators and a sub-station in the rear garden of no. 73. All external equipment is set away from neighbouring residential properties and will be housed in acoustic enclosures. A

Noise Impact Assessment was submitted with the application including noise background measurements and their impact on the nearest affected residential occupiers at no. 77 Avenue Road. The Assessment was considered by the Environmental Health Officer and considered to comply with Camden Noise standards, subject to standard noise limit conditions.

- 5.31 The proposed car lift is not considered to raise concerns with regards to noise emissions. Car lifts operate successfully elsewhere in the Borough without creating excessive noise.
- 5.32 The proposed development is not considered to result in any detrimental impact to the amenities of neighbouring occupiers, in terms of outlook, loss of daylight and sunlight, privacy and noise and complies with policies DP26 and DP28.

### **Transport**

- 5.33 The proposal includes 2 car parking spaces with a single vehicular access point on Avenue Road for each house. One of the car parking spaces is designed to be accommodated in the basement area and accessed via a car lift and the 2<sup>nd</sup> in the front forecourt leading to the car lift. The remainder of the front area has been re-designed to provide hard and soft landscaping in order to remove the potential and capacity for additional parking on site and to improve the site's appearance generally. The proposed amount of parking on site is identical to that recently approved and is considered an improvement on the existing and previously 2012 approved provisions. In addition, the site will be secured as car-capped subject to a legal agreement.
- 5.34 The number of cycle spaces proposed of 4 per dwelling meets the requirements required by Camden Parking Standards and is acceptable. A condition is recommended to ensure their provision.
- 5.35 In order to tie the development into the surrounding urban environment, a financial contribution is recommended (secured by legal agreement) for the Council to repave the footway adjacent to the site and to make good any damage caused to the public highway and changes to vehicle crossovers. Any previous payments on this account will be carried over.
- 5.36 An electric vehicle charging point is provided for each dwelling, in accordance with policy DP18.
- 5.37 A preliminary Construction Management Plan (CMP) has been submitted with the application. Access to the site would take place from Avenue Road using the existing points of access on to Avenue Road. A phasing plan has been provided showing the anticipated stages of excavation and construction and construction access. This is considered acceptable in principle, however it is recommended that a CMP be secured via a legal agreement to ensure that residential amenities and traffic safety is maintained as far as is practicable. It is not considered it would be reasonable, however, to place a limit on the duration of the construction period.

### **Trees, landscaping and drainage**

- 5.38 There are a large number of trees and vegetation on the site close to the boundaries particularly along the Queens Grove frontage where a group of mature trees are protected by a Tree Preservation Order and around the boundaries to the rear garden, as well as just outside the site, such as mature street trees on Avenue Road.
- 5.39 The vast majority of the trees would be retained, however three small areas of unprotected small trees of poor condition and shrubs are proposed to be removed. The removal of these comprise only a small proportion of this group and they are not particularly evident from outside of the garden and thus their loss would not harm the character of the area and no objection is raised to their removal.

- 5.40 An arboricultural Report by Landmark Trees has been submitted with this application and assessed by the Trees & Landscaping Officer. The arboricultural report submitted is considered sufficient to demonstrate that the trees to be retained both on site and on neighbouring sites will be protect during the proposed development in line with BS5837:2012 – Trees in relation to Design, Demolition and Construction. Some degree of encroachment into the root protection areas of a number of trees has been proposed but the degree of encroachment, in conjunction with the findings of the trial pit excavations, is considered to be acceptable. The proposed removal of T2, a birch, is considered acceptable due the presence of a major structural defect at the base of the tree which significantly reduces the safe useful life expectancy of the tree. The loss of canopy cover from T2 would be mitigated through a replacement tree planting condition as recommended.
- 5.41 G2 is a group of low level, densely planted group of shrubs. It is not a group of trees so has not been included in the tree survey. The removal of G2 is acceptable in planning terms. T1 is no longer present on site and was a small, insignificant specimen. T25 should have been included in the tree survey but is in such condition that it warrants cat. U status in line with BS5837:2012 Trees in relation to design, demolition and construction. Cat. U trees are those that are in such poor condition that they could be removed irrespective of development and are not considered to be a constraint.
- 5.42 The green roof (lawn) in the rear garden on the basement roof would have a soil depth exceeding 0.5m and would meet with guidelines set out CPG4 and is considered to be acceptable. There is also sufficient rooting area around the outline of the basement to support the trees to be retained and any future replacements.
- 5.43 The design and access statement gives an outline description of the landscaping strategy proposed, including new soft landscaping to the front tarmacked area, hedges near the boundary and the rear basement lightwell, a series of small trees and other vegetation in pots, a patio with permeable paving, diverse species of shrubs and plants, a formal lawn, a garden path and a SuDS, as mentioned above. The approach proposed is acceptable having been approved under the previous proposal granted permission in 2016 and would be controlled by condition.

#### **Mayor of London's Crossrail CIL and Camden's CIL**

- 5.44 The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of new dwellings. The site lies within Zone B / Swiss Cottage Ward. Based on the Mayor's CIL and Camden's CIL charging schedules and the information given on the plans the charge is likely to be £150,000 (3,000 x £50) for Mayoral CIL and £1,500,000 (3,000sqm x £500) for Camden's CIL (Zone B Residential). The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

#### **6.0 CONCLUSION**

- 6.1 The redevelopment of the site to provide 2 new large houses of the style proposed is considered to be acceptable in this location. The accompanying information submitted with the application demonstrates that the proposal would comply with the Council's policies in relation to basements. The proposal is considered largely similar to that recently approved under planning permission ref. 2015/1928/P and would be an improvement. The proposal would sit comfortably with neighbouring properties and within the streetscene and would not be harmful to the area's character, the amenity of nearby properties or to traffic conditions in the area.

#### **6.0 RECOMMENDATION**

- 7.1 Planning permission is recommended subject to a S106 Legal Agreement covering the following heads of terms:

- Affordable Housing contribution (£869,904)
- Car capped development
- Construction Management Plan
- Highways Works contribution (£14,710)
- Local Employment and Training Plan (including 5 construction apprentices with a supporting training contribution of £1,700 per construction apprentice and 11x work placements)
- Local Procurement Code
- Energy Efficiency and Renewable Energy Plan
- Sustainability Plan