

<b>Address:</b>	36 Redington Road London NW3 7RT	
<b>Application Number:</b>	2015/3004/P	<b>Officer:</b> David Peres Da Costa
<b>Ward:</b>	Frognal and Fitzjohns	
<b>Date Received:</b>	27/05/2015	
<b>Proposal:</b> Erection of 3-storey including basement 4-bed house, front and rear lightwell and associated landscaping following demolition of existing dwelling.		
<b>Background Papers, Supporting Documents and Drawing Numbers:</b> Site location plan; 1048 (10): 02 D; 03 D; 04 C; 05 C; 06 C; 07 C; 08 C; 09 E; 10 D; 1048 (00): 04; 03; 05 Addendum to Arboricultural Impact Assessment prepared by Landmark Trees dated 13 <sup>th</sup> April 2016; Flood Risk Assessment dated March 2016; Letter from Zussman Bear dated 17 <sup>th</sup> Dec 2015; Structural Engineering Report prepared by Zussman Bear dated May 2015; Letter from Southern Testing dated 8 <sup>th</sup> Oct 2015; BIA prepared by Southern Testing dated May 2015; Arboricultural Impact Assessment prepared by Landmark Trees dated 27 <sup>th</sup> May 2015; Design and Access Statement prepared by Archetype dated April 2015; Code for Sustainable Homes Pre-Assessment dated Nov 2010; Construction Method Statement dated May 2015; Planning Statement prepared by PDA; Basement Impact Assessment Audit prepared by Campbell Reith dated April 2016		
<b>RECOMMENDATION SUMMARY:</b> Grant conditional planning permission subject to a Section106 legal agreement		
<b>Applicant: Mr Ahmad Zolfaghari</b>		<b>Agent: Archetype Associates</b>
7/8 Regency Parade 121 Gloucester Place London NW3 5EG		121 Gloucester Place London W1U 6JY

## 1 ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3	Dwellinghouses	190m <sup>2</sup>
Proposed	C3	Dwellinghouses	385m <sup>2</sup>

## 2 Residential Use Details:

	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	House				1					
Proposed	House				1					

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	2	
Proposed	2	

## OFFICERS' REPORT

**Reason for Referral to Committee:** The application is reported to committee as the development involves the total demolition of a building in a conservation area [Clause 3(v)]

### 1. SITE

- 1.1. The site is on the north-east side of Redington Road, a short distance to the north of Heath Drive, within the Redington-Frognaal Conservation Area. The site contains a modest two-storey brick-built house dating from the post-war period, which was built on previously undeveloped garden land as one half of a pair of semi-detached houses.
- 1.2. The site is in sub-area 4 of the conservation area. The existing house is not identified as making a positive contribution to the conservation area in the Conservation Area Statement. The other half of the semi-detached pair has been demolished and replaced with a larger house (immediately to the north).

### 2. THE PROPOSAL

#### Original

- 2.1 The application seeks permission for a 2 storey house plus basement and accommodation at 2<sup>nd</sup> floor level within the roof space.

#### Revision[s]

- 2.2 Following officer's concerns, the pitched roof and accommodation at 2<sup>nd</sup> floor level has been omitted therefore reducing the height of the proposed house. The basement footprint has also been reduced as there was a concern it would impact on neighbouring trees. This has resulted in the car lift being omitted from the scheme.

### 3. RELEVANT HISTORY

36 Redington Road

- 3.1. **9120/88/1:** The erection of 2 semi-detached houses and 2 private garages and the formation of a new means of access to the highway at Plot 2, 42 Redington Road. Granted 18/03/1955
- 3.2. **10977/349/4:** Erection of a single-storey two room extension at the rear of 36, Redington Road, Hampstead. Granted 19/09/1960
- 3.3. **18568/R:** The erection of an extension to provide larger kitchen on the ground floor and bathroom and bedroom on the first floor. Granted 04/10/1974
- 3.4. **2014/6143/P:** Demolition of existing property and erection of a new build 3-storey single dwelling plus a basement and a sub-basement with front and rear light wells. Withdrawn 18/03/2015 (following significant concerns with the design and the BIA)  
  
38 Redington Road
- 3.5. **2003/2685/P:** The demolition of the existing semi-detached single dwellinghouse and the erection of a new 3-storey plus basement single dwelling house, semi-detached at ground floor level, plus integral garage. Granted 29/03/2004
- 3.6. **2006/1733/P:** The erection of a new 3-storey dwellinghouse with a basement and a sub-basement including front and rear lightwells. Granted 02/06/2006
- 3.7. **2009/5829/P:** Erection of a 3-storey single dwelling house (Class C3) with a two storey basement including green roof, green wall, swimming pool, front and rear light wells, ancillary single storey garage building and the demolition and rebuilding of a terrace of garages adjoining the site. Granted Subject to a Section 106 Legal Agreement 29/10/2010

#### **4. CONSULTATIONS**

##### **Conservation Area Advisory Committee**

- 4.1. No response has been received from the Redington / Frognal CAAC.

##### **Local Groups**

- 4.2. The Heath and Hampstead Society Objection
- 4.3. The basement would extend beyond the footprint of the existing house, especially under the front garden area, although we appreciate that this is largely to accommodate the car lift. No reassurances are provided on public safety or noise from the lift.

The depth of the basement, particularly in the swimming pool area, far exceeds the 3 metres specified in DP27 and CPG 4. A depth of 10 metres is indicated. This is grossly excessive, and out-of-scale with this very small site.

Incomplete BIA; 10 trees are listed, including one Category A oak, mainly on the adjacent site, but close to the boundary. More safeguarding measures are necessary (apart from a mere recommendation that hand-excavation is necessary). The oak, and several of the others, are very important trees, with TPO's.

4.4. **Adjoining Occupiers**

<b><i>Number of letters sent</i></b>	<b>10</b>
<b><i>Total number of responses received</i></b>	<b>4</b>
<b><i>Number in support</i></b>	<b>0</b>
<b><i>Number of objections</i></b>	<b>4</b>

4.5. A site notice was displayed from 15/7/15 to 5/8/15 and the application was advertised in the local paper on 16/7/15.

4.6. Four objections were received including occupiers of 51 Redington Road, 5A Templewood Avenue, 7 Redington Gardens (the neighbouring property to the east) and 18 Lindfield Gardens. The following issues were raised.

**Design**

- This part of London is a Conservation area that should be treasured and sustained
- The proposed design looks awful and inappropriate. Pairs of semi-detached houses are usually symmetrical. However the applicants seem to have accepted that a twin to no 38 would create a massive and over-bearing structure and have tried to reduce the impact of the proposed new house. The new design is a bit less bulky, but it is incongruous beside no 38, while still creating a massive total development.
- Most of the other houses in Redington Road, while being substantial three storey buildings, are lightened by fully pitched roofs above the first floor level, with dormer windows on the second floor set well back in the roof. They also have much more variation (bay windows, decorative brickwork, recessed front doors etc) However nos 36 and 38 together would stand out like ugly sisters.
- The proposed development would together with 38 alter the character of this part of Redington Road to its detriment.
- While the existing house at no 36 is of no great distinction, it does have the merit of being modest in scale and well set back. If it is to be replaced the only satisfactory design solution would be a similarly modest, detached house.
- Unsuitability of the proposal for a Conservation Area: The two modest semi-detached houses on the site of 36 and 38 (38 has already been replaced) which had good sized front and rear gardens are being replaced by two massive buildings squeezed together on to a small site. The architectural features of the proposed building may have fitted into the conservation area if it was a detached house on a larger plot with plenty of open space but looks incongruous as one of a pair of semi-detached.

- Whatever the architectural merits of the original buildings on the site the proposed development does not preserve or enhance the contribution of the site to the conservation area.
- While I accept a taller building here is likely, we should not be permitting extensive damage to the green spaces of the area.

#### Basement

- The extension of the basement forward of the building line is unacceptable. The moving forward of the building line, together with the car lift and light well will mean the loss of almost the whole of the existing front garden. One of the major features of the Redfrog conservation area is the extent of private gardens.
- The loss of the front garden would result in increased surface water run-off. The storm drain at the corner of Redington Road and Redington Gardens gets blocked when there is heavy rain, causing the road to flood.
- An independent BIA is required to check the findings and the conclusions of the reports provided and to fill in any gaps.
- Harmful precedents: the depth of the basement and the moving forward of the basement outside of the building footprint and potential damage to the trees should be opposed.
- The area of particular concern to us is the question of potential damage to our house (7 Redington Gardens). One of the items in the checklist is whether the report states that damage to property will be no worse than Burland category 2. The reply given to this is "yes". Should it not be "no" as the "comments" refer to the revised GMA which suggests category 2-3 damage without propping. Clearly anything over 2 is regarded as significant. Category 2-3 damage anticipated is not acceptable.

*Officer's response: A revised structural engineering report has been submitted which clarified that the retaining wall would be propped rather than cantilevered. As such, the ground movement is predicted to be small and damage to 7 Redington Gardens negligible (Burland Category 0).*

- Since the application has been put in planning permission has been granted for two semi-detached houses with basements at 25 and 26 Redington Gardens and a planning application has been made for a further house and basement at No.24. These facts should be taken into account when considering this application.

*Officer's response: The independent audit has addressed the impact of consented basements (refer to paragraph 6.15 below).*

- Paragraph 1.13 of the BIA Audit does propose that the condition survey should be extended to 7 Redington Gardens and also that a monitoring regime should be put in place. However to give reasonable protection a monitoring scheme needs to be put forward and approved by the Council before the work is started and should include a proposal for limits to acceptable movement. The Developer's own consultants Southern Testing support this. See last paragraph of 1.4 of their addendum to their letter of 8 October 2015.

*Officer's response: The audit accepts that ground movement is predicted to be small and damage to 7 Redington Gardens negligible (Burland Category 0). In addition monitoring and contingency measures would be secured by condition.*

- Paragraph 1.9 of the BIA Audit refers to the two proposed methods of construction. As we understand it, it is now proposed to have a cantilevered wall with temporary propping.

*Officer's response: A revised structural engineering report has been submitted which clarified that the retaining wall would be propped rather than cantilevered. As such, the ground movement is predicted to be small and damage to 7 Redington Gardens negligible (Burland Category 0).*

- On page 7 of the BIA Audit the reply to the question regarding damage says "the revised SER refers to temporary propping to restrict ground movements for which GMA suggest category 0 damage". Where is this "suggestion" made? And what GMA is referred to?

*Officer's response: The revised SER provides a construction sequence on pages 13-21 which shows a propped retaining wall. A summary of ground movements (in relation to 7 Redington Gardens) is provided in paragraph 24.4 of the Basement Impact Assessment (stages 3 & 4) prepared by Southern Testing dated May 2015. This confirms for the long-term drained condition, predicted movements of No.7 Redington Gardens will be 1.9mm of settlement and 2.1mm horizontal movement on the nearest corner of the property with zero horizontal movements and 0.3mmmm settlement on the furthest side of the property. The combination of horizontal and vertical strains for the short term and long term condition suggest a damage category 0 (negligible) as classified within C580 for no. 7 Redington Gardens.*

- The development of 36 Redington Road is in need of a BCP as much, if not more, than that of 24 Redington Gardens and very similar matters require to be addressed. If planning permission is granted for 36 Redington Road we (7 Redington Gardens) should be afforded the protection of a BCP against the uncertainties consequent upon the development.

*Officer's response: Each case is assessed on the basis of the context and the submitted information in the BIA. The independent audit has not stated a Basement Construction Plan is required in this instance. Furthermore, given the movement predicted would be small and damage to 7 Redington Gardens is predicted to be negligible (Burland Category 0) it would not be appropriate to secure a BCP in this particular instance.*

A consultant (ESI) instructed by the occupier of 7 Redington Gardens has reviewed the surface water & groundwater aspects of the BIA and raises the following points:

- Not all the potential issues identified appear to have been taken forward to Stage 2 Scoping, or further.

*Officer's response: The letter from the consultant ESI (dated 31 July 2015) is based on the BIA originally submitted and before the audit process during which the BIA was amended several times.*

- A Flood Risk Assessment should be completed (as recommended in the BIA)

*Officer's response: A site specific flood risk assessment, provided in March 2016, found the risk from all forms of flooding to be low and confirmed that the basement proposals would not change the potential for other sites to be affected by flooding.*

- An assessment of surface water disposal off-site is required.

*Officer's response: A site specific flood risk assessment, provided in March 2016 confirmed that there was sufficient capacity in the network for anticipated flows off site. In addition details of a sustainable urban drainage system would be secured by condition.*

- The location of the historical course of the River Westbourne should be confirmed

*Officer's response: The report addresses this point in paragraph 6.15*

- The proposed basement will extend through the water table into the underlying London Clay. Additional monitoring should take place during the construction phase to ensure the on-site conditions are within the ranges predicted in the BIA.

*Officer's response: The independent audit includes the following in their response to consultation comments: Report by esi suggests that further groundwater monitoring is required. However, presence of shallow water (c1m below ground level) is acknowledged in temporary and permanent condition.*

- There should be consideration of the changes in paved areas with regard to local groundwater levels and flows.

*Officer's response: The independent audit accepts that there will be no significant adverse impact on the hydrogeology.*

A further consultant (Key GeoSolutions) has been instructed to review the land stability elements of the BIA and raises the following points:

- The applicant's BIA suggests that the site is not within a hillside setting however a review of the OS contours could suggest otherwise. Further justification for their interpretation of the topography of the area should be provided.

*Officer's response: The independent audit addresses this point in paragraph 6.15*

- We would expect to see the parameters given in the applicant's BIA (J11894 Rev01) for ground movement analysis, along with justification of how the parameters were selected.

*Officer's response: The letter from the consultant Key GeoSolutions (dated 31 July 2015) is based on the BIA originally submitted and before the audit process during which the BIA was amended several times. The revisions clarified that the retaining wall would be propped rather than cantilevered. As such, the ground movement methodology was accepted by the audit. For further details of the damage assessment please refer to paragraph 6.17.*

- Further movement analysis should be undertaken once the actual structural design for the basement is available. It would not be unreasonable to expect that any planning permission would include a condition that requires the developer to submit this information to the planning authority for approval prior to any work commencing.

*Officer's response: Given the damage to 7 Redington Gardens is predicted to be negligible it is not appropriate in this case to require a further ground movement analysis.*

- We would recommend that a secant pile wall (rather than contiguous piled wall) be constructed in order to prevent or limit ground loss due to groundwater movement into the basement excavation. It would not be unreasonable to expect that any planning permission would include a condition that requires the developer to submit a detailed method for the construction to the planning authority for approval prior to any work commencing.

*Officer's response: The letter from the consultant Key GeoSolutions (dated 31 July 2015) is based on the BIA originally submitted and before the audit process during which the structural engineer confirmed in a letter dated 17<sup>th</sup> Dec 2015 the following: 'Whilst a contiguous piled wall is proposed, concrete grouting or spraying will be adopted in order to prevent loss of fine soils into the excavation. This is a method commonly used by all piling contractors'. This was provided in response to a query from the independent auditor regarding the loss of fine soils'.*

- The applicant's BIA indicates that monitoring of the adjacent properties will be required, however no detail of what form this monitoring will take is given. In addition, there is no indication of what would happen if the monitoring results were in excess of those predicted. It would not be unreasonable to expect that any planning permission would include a condition that requires the developer to submit a scheme of monitoring, which should include proposals for limits to acceptable movement, to the planning authority for approval prior to any work commencing.

*Officer's response: The independent audit addresses this point in paragraph 6.18 and monitoring and contingency measures would be secured by condition.*

### Transport

- Construction method statement is totally unacceptable.  
This is a small site and construction work will be carried out on a good part of it, especially at the front. There will be little room to manoeuvre vehicles and plant in and out. The only passage to the rear, as stated above is very narrow. It is likely that this will result in lorries being parked on the street and materials stored there.

### Trees

- The tree report makes detailed recommendations about the need for careful working methods to prevent damage to the trees on the boundary with 7 Redington Gardens. But there is no indication in the construction method statement how this might be achieved. The most likely outcome is that in practice the trees would be seriously damaged.
- We are particularly concerned as to the trees on our property on or near the boundary with No. 36, in particular the three lime trees numbers 5, 7 and 9 on the plan attached to the tree report. No.9 is a category A tree and has a TPO. 5 and 7 are category C and at least one of these we believe also has a TPO.



- Note the comments and recommendations in the tree report. We believe the developer's proposals have been modified and the basement reduced partly to take into account the likely effect on the trees of the proposed works in particular the basement but we are concerned that the modifications have not gone far enough. The trees are very near to the area to be excavated and the root protection areas go even closer. The developers intend to cut branches and even roots which intrude into no. 36 and want to prune tree no.9.
- Vital that suitable conditions are inserted in the permission so that the developers have an obligation to put in place the recommendations for protecting the trees and ensure that they are properly supervised.
- We have seen James Remmington's (the tree officer's) e-mail. He clearly has outstanding concerns which we share, in particular that further investigation is required for T9 and generally with regard to redirecting established roots. T5-9 are all on our land and provide a screen for our property. These trees are subject to TPOs. T9 is a massive tree and if there were any instability there must be a risk of damage to property (including ours) and personal injury. Mr Remmington would clearly prefer to have the problems investigated before permission is granted but doesn't feel that trees alone are a reason for a refusal. However, taken together with the other issues which are still uncertain or require further clarification or investigation (we have referred to a number of these in our previous e-mails), there are strong grounds for arguing that the application should be refused or at least postponed.

*Officer's comment: The tree officer has confirmed that development would be acceptable subject to tree protection conditions. The tree protection details secured by condition would be required to include a mitigation strategy for T5 and further investigation at the front of the site to confirm the absence of tree roots of T9 within the basement footprint.*

#### Noise

- The nature of the car lift has not been specified. This may cause a noise nuisance.

## **5. POLICIES**

### **5.1. National and regional policy**

### **5.2. NPPF 2012**

Paragraphs 14, 17, 30, 49, 56-66, 126-141 and 173

### **5.3. The London Plan March 2016**

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.11 Green roofs and development site environs  
Policy 5.13 Sustainable drainage  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.14 Improving air quality  
Policy 7.15 Reducing noise and enhancing soundscapes

#### 5.4. **LDF Core Strategy and Development Policies**

##### Core Strategy Policies

CS1 Distribution of growth  
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 & encouraging biodiversity  
CS18 Dealing with our waste and encouraging recycling  
CS19 Delivering and monitoring the Core Strategy

##### Development Policies

DP2 Making full use of Camden's capacity for housing  
DP5 Homes of different sizes  
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  
DP20 Movement of goods and materials  
DP22 Promoting sustainable design and construction  
DP23 Water  
DP24 Securing high quality design  
DP25 Conserving Camden's heritage  
DP26 Managing the impact of development on occupiers and neighbours  
DP27 Basements and lightwells  
DP28 Noise and vibration

#### 5.5. **Supplementary Planning Policies**

Camden Planning Guidance 2013-15  
CPG1 Design  
CPG2 Housing  
CPG3 Sustainability  
CPG4 Basements and Lightwells  
CPG6 Amenity  
CPG7 Transport

## **6. ASSESSMENT**

- 6.1. The main considerations subject to the assessment of this planning application are:
- Design, Conservation and Heritage
  - Basement
  - Quality of residential accommodation
  - Neighbouring amenity
  - Transport
  - Sustainability
  - Trees and landscaping
- 6.2. **Design, Conservation and Heritage**
- 6.3. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character of the Conservation Area when determining planning applications in relation to land in conservation areas.
- 6.4. The property falls within the Redington Frogmal Conservation Area (and is Sub-area 4) however, it is not identified as a positive contributor. This part of the conservation area (Sub area 4) was developed over a period of time and so has a mix of architectural styles. Despite this, parts of Redington Road are of consistent character and appearance. The conservation area statement notes there are a number of examples of mid and late 20<sup>th</sup> century houses and flats occupying parts of the former grounds of adjoining properties. With a few notable exceptions, these are of a more modest scale than their neighbours and generally do not detract from the character of the Conservation Area.
- 6.5. The existing property is a modest two-storey brick-built house dating from the post-war period, which was built on previously undeveloped garden land as one half of a pair of semi-detached houses. The house is not considered to make a positive contribution to the conservation area and is considered to be of neutral value. The other half of the semi-detached pair was demolished (No.38) and a larger replacement house has been built on the site immediately to the north which is attached to the application property. Therefore there is no objection to the principle of the demolition of the existing building.
- 6.6. The supporting text for policy DP25 states the Council must be satisfied that there are acceptable detailed plans for the redevelopment before permission for demolition is granted. Any replacement building should enhance the conservation area to an appreciably greater extent than the existing building. When a building makes little or no contribution to the character and appearance of a conservation area, any replacement building should enhance the conservation area to an appreciably greater extent than the existing building.
- 6.7. The scheme has been significantly revised during the course of the application with the 2<sup>nd</sup> floor accommodation within a pitched roof omitted. The removal of the top

storey and the widening of the separation distance on the south side of the property are both welcomed.

- 6.8. The replacement building would be contemporary in appearance with a flat roof. While its bulk and massing would be greater than the existing building it would only be 0.55m higher than the ridge height of the existing 2 storey building. The increase in bulk when viewed from the street would balance the other half of the semi-detached pair (No.38). The replacement building would have a larger footprint than the existing building and would broadly match the building line established by the adjoining building (the other half of the semi-detached pair). The additional bulk would not be prominent when viewed from the south or the east, as the side (south east) elevation is heavily screened by trees in the neighbouring garden (7 Redington Gardens).
- 6.9. The building would be finished in brick with large aluminium framed windows with deep reveals and Corten (steel) cladding to part of the ground floor elevation. The cladding would have a weathered appearance from the oxide surface layer. The ground floor cladding would blend and complement both with the brickwork and with the surrounding area. Sample panels of the brickwork and cladding would be required by condition to ensure the acceptability of these elements. The design would be in keeping with the varied character of this part of Redington Road and it is considered to be of high quality and would enhance the conservation area to an appreciably greater extent than the existing building.
- 6.10. **Basement**
- 6.11. The proposal includes the excavation of a basement. The basement would be single storey (approximately 3.5m deep) and its footprint would be approximately 190sqm. In accordance with policy DP27 (Basements and Lightwells), the applicant has submitted a basement impact assessment (BIA). The BIA has been independently audited.
- 6.12. The BIA has confirmed that the proposed basement will be founded within the Claygate Beds a short distance above the London Clay. The structure is to be supported on piled foundations with compressible material beneath the slab to accommodate heave.
- 6.13. No 36 Redington Road is part of a former semi-detached property and the adjoining property (No 38) has a two storey basement. The next closest property is 7 Redington Gardens (approximately 5m from the site) which has a small basement. The proposed basement would not undermine the adjacent property, No 38 due to its two storey basement. The BIA and associated documents state that No 38 is structurally independent of No 36 and founded on piles. If this is the case it will not be affected by the construction of the adjacent basement. The audit accepts the increased basement depth to No 38 will reduce any impact on this property.
- 6.14. It is likely that the groundwater table will be encountered during basement construction. The revised Structural Engineering Report (SER) presents proposals to prevent water ingress and avoid the loss of fine soils into the excavation.

- 6.15. The audit accepts there will be no significant adverse impact on the hydrogeology, even considering the consented basements at 25 and 26 Redington Gardens. Objectors have raised concerns with the screening exercise with respect to slopes in the surrounding area and the course of a tributary of the former River Westbourne. It is possible that a former tributary of the River Westbourne crossed the site, however, there is no evidence of a significant body of water at the site and the audit confirms that the hydrogeological assessment is sufficiently robust. In addition the audit accepts that in general the surrounding slopes are less than 7 degrees and that there will be no significant adverse impacts from or to the construction of the basement.
- 6.16. A Flood Risk Assessment has confirmed the risk of flooding to be low and that the basement proposals will not alter the flood risk to the surrounding area. It has been confirmed that the sewer network can accommodate the flows off site.
- 6.17. The audit accepts the methodology and the conclusions of the ground movement analysis for 7 Redington Gardens. The movement at No.7 from the construction of the basement would be small and damage negligible (Burland Category 0 damage).
- 6.18. The SER proposes a condition survey for No.38 Redington Road. The audit advises this should be extended to No 7 Redington Gardens. Whilst the audit accepts that movements will be small it recommends that condition surveys and a monitoring regime are undertaken and agreed with the party wall surveyor. Condition surveys and monitoring would be secured by condition.
- 6.19. Whilst the SER states that the works would not affect the roadway, given the proximity of the basement to the public highway (approximately 0.9m), the Council's Highway Department will require an approval in principle (AIP) to ensure the basement would not damage the footpath and road. The fee for this would be £1800 (£1500 + VAT) and the AIP would be secured by legal agreement.
- 6.20. **Quality of residential accommodation**
- 6.21. The development would provide a very generously sized 4-bedroom house. The house would comfortably exceed the National Space Standards. The nationally prescribed space standards replaced the existing space standards used by each separate local authority. The space standard for a 4 bedroom (8 person) dwelling over 3 storeys is 130sqm. It is noted that the floorspace at ground floor level alone would meet the space standard requirement of 130sqm. Likewise, all double bedrooms would comfortably exceed the National Space Standards (11.5sqm).
- 6.22. **Access**
- 6.23. Lifetime Homes has been superseded by Part M4 (2) of the Building Regulations (1st October 2015). M4 (2) is similar to lifetime homes but requires totally step free housing. Compliance with M4 (2) would be secured by condition.
- 6.24. **Amenity**

- 6.25. The proposed house would match the rear building line of the neighbouring half of the semi-detached pair (No.38). The development would be set back by 0.5m from the front elevation of No.38. The front elevation would then step forward and would match the front building line of No.38 which also steps forward. The proposed house is to the north of 7 Redington Gardens so there would be no impact on the levels of sunlight reaching this property. Directly to the south and east of the proposed house is the garden of 7 Redington Gardens so the proposed house would not result in any reduction of daylight to the habitable rooms of this property. Given the oblique angle between the proposed 1<sup>st</sup> floor rear windows and the rear elevation of 7 Redington Gardens there would be no loss of privacy or harmful overlooking to the occupiers of this property. The screening provided by the existing trees along the boundary would ensure the proposed house would have a minimal impact on the occupiers of 7 Redington Gardens.
- 6.26. **Transport**
- 6.27. Cycle Parking
- 6.28. Camden expects development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan (March 2015). For a house such as this, 2 spaces would be required. Whilst no cycle parking is shown on the proposed plans, there would be sufficient space at the front of the site to provide a cycle store for 2 cycles. This would be secured by condition.
- 6.29. Construction Management Plan
- 6.30. This site is located in the Redington Frongal Conservation Area and close to Hampstead Heath. Camden seeks to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The construction is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality). A construction method statement has been submitted. Whilst this provides some information on mitigation measures it is not sufficiently comprehensive and lacks significant content such as community liaison. A construction management plan would therefore need to be secured via a Section 106 legal agreement in order to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. The applicant would be encouraged to complete the Council's Construction Management Plan pro forma in order to prepare and submit a CMP to meet the Council's technical requirements.
- 6.31. Car parking
- 6.32. The site has the worst Public Transport Accessibility Level (Level 0) and the CPZ does not suffer from parking stress. The site currently has two parking spaces (in the driveway at the side of the property) and one car parking space would be provided at the front of the property. Given the absence of parking stress, it would not be appropriate to secure a car-capped development in this instance.
- 6.33. Highways contribution

6.34. The Council expects works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected road and footway surfaces following development. The footway and vehicular crossover directly adjacent to the site could be damaged as a direct result of the proposed works. To allow the proposal to comply with Development Policy DP21, a financial contribution for highway works would be sought. This would be secured via legal agreement.

6.35. **Sustainability**

6.36. The Council requires development to incorporate sustainable design and construction measures (policy DP22). The applicant has provided a code for sustainable homes pre-assessment. Whilst the code for sustainable homes is no longer applicable, any new residential development would still be expected to achieve a 19% reduction in carbon emissions from 2013 building regulations. The Council also expects developments to achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation. In addition all new build dwellings are required to achieve 110 litres, per person, per day (including 5 litres for external water use). Sustainability and energy efficiency measures would be secured by legal agreement.

6.37. **Sustainable Urban Drainage**

6.38. The Council requires developments to reduce the pressure on the combined sewer network and the risk of flooding by sustainable urban drainage systems (SUDS). The volume and rate of run-off from heavy rainfall can be reduced through the use of SUDS including green and brown roofs, pervious paving and detention ponds or tanks. SuDS strategies should be designed in accordance with NPPF policy (and and London Plan policy 5.13 (SuDS hierarchy) to reduce run off rates to greenfield rates. Where reasonably practicable, run off volumes should be constrained to greenfield run off volumes for the 1 in 100 year 6 hour event.

6.39. No specific details for a SUDs strategy have been provided but a condition would be included to ensure SUDs measures which ensure a 50% reduction in the run-off rate, with an allowance for climate change, for all events up to and including the 1:100 year storm event is achieved.

6.40. **Trees**

6.41. There are 10 trees on or around the site. The applicant has submitted an arboricultural report. T10 (semi-mature Japanese Cherry) is identified as a category C tree and would need be removed to facilitate development. However, since the arboricultural report was submitted the footprint of the basement has been reduced at the front of the site. Therefore T10 can now be retained. The revised footprint of the basement would also have a reduced impact on the important Lime, T9 at the front of the site. The extent of the basement is now in line with the previous trial pit which did not find any significant roots for this tree. Since there is still potential for roots to be found within the basement footprint (albeit at a greater distance than the previous trial pits) a condition would be included to require further investigation at

the front of the site so that the presence of these can be taken account of in the tree protection plan.

- 6.42. Trees T5-T7 and G8 (all trees along the boundary of 7 Redington Gardens) could be impacted by the basement excavation. The basement would be very close (1.3m) to the side boundary with 7 Redington Gardens, and would be within the root protection area (RPA) of T7 and T5. The previous trial pit revealed no significant roots in the vicinity of T7, but there were several roots (approx. 50mm diameter) in the vicinity of T5. A further trial pit was excavated further into the proposed basement footprint that revealed two significant roots, although these were both smaller. The submitted Arboricultural Impact Assessment recommended that the basement footprint be realigned to take account of these roots, but due to layout requirements, this is not feasible. Therefore the tree report proposes to excavate the roots and redirect where possible, citing literature regarding the effect of root pruning on tree health, the resilient nature of the species and this particular specimen's pruning history.
- 6.43. In relation to root severance within the RPA, the British Standard states: *Roots smaller than 25 mm diameter may be pruned back, making a clean cut with a suitable sharp tool (e.g. bypass secateurs or handsaw), except where they occur in clumps. Roots occurring in clumps or of 25 mm diameter and over should be severed only following consultation with an arboriculturist, as such roots might be essential to the tree's health and stability.*
- 6.44. Taking this into account as well as the pollard history of the tree T5 and the robustness of the species, it is accepted that the long term health of the tree would be unlikely to be significantly affected by the proposed development. Given the distance from the base of the tree, and the direction of growth of the roots found in the trial pit, the stability of the tree is also unlikely to be affected. Further information on the mitigation strategy for this tree (T5) would be secured by condition.
- 6.45. **Mayor of London's Crossrail CIL and Camden's CIL**
- 6.46. The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of a new dwelling. The CIL would be calculated on the uplift in floorspace (195sqm). 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 £9750 (195sqm x £50) for the Mayoral CIL and £97,500 (195sqm x £500) for Camden's CIL (Zone C Residential). The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

## **7. CONCLUSION**

- 7.1. The existing building does not make a positive contribution to the Conservation Area and therefore its loss is considered acceptable. Whilst the proposed house would be significantly larger than the existing house, the size and massing would help to balance the other half of the semi-detached pair, 38 Redington Road. Overall, the design is considered to be of high quality and would enhance the



conservation area to an appreciably greater extent than the existing building. No harm is considered to occur to residential amenity as a result of the proposal.

- 7.2. The impact of the basement extension has been assessed by qualified civil and structural engineers and reviewed by Council Officers. No significant harmful impact is anticipated to occur as a result of the basement construction.
- 7.3. A Construction Management Plan, secured by a Section 106 Agreement, will ensure that the proposal can be implemented without undue harm to the amenity of local residents or the local transport system.
- 7.4. Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
  - 1. Construction Management Plan
  - 2. Sustainability
  - 3. Energy efficiency plan
  - 4. Highways Contribution
  - 5. Approval in principle £1800

## **8. LEGAL COMMENTS**

- 8.1. Members are referred to the note from the Legal Division at the start of the Agenda.