

Address:	53 Fitzroy Park London N6 6JA		2
Application Number:	2015/0441/P	Officer: Gideon Whittingham	
Ward:	Highgate		
Date Received:	27/01/2015		
Proposal: Erection of a three storey single family dwelling including basement level, green roofs at first floor and roof level, solar panels at roof level and associated landscaping following the demolition of the existing part-two, part-three storey dwelling (Class C3).			
Background Papers, Supporting Documents and Drawing Numbers			
<p>1317-EX-101; 1317-EX-102; 0932-0100-AP-004 Rev PL02; 0932-0100-AP-005 Rev PL02; 0932-0100-AP-006 Rev PL02; 1317-EX-121; 1317-EX-122; 1317-EX-123; 1317-EX-124; 1317-PL-201; 1317-PL-202; 1317-PL-211 Rev E; 1317-PL-212 Rev F; 1317-PL-213 Rev G; 1317-PL-214 Rev F; 1317-PL-215 Rev F; 1317-PL-221 Rev F; 1317-PL-222 Rev F; 1317-PL-231 Rev G; 1317-PL-232 Rev F; Outline Arboricultural Method Statement (WFA/53FZP/AMS/01D), prepared by Landmark Trees, dated 7th May 2015; Arboricultural Impact Assessment Report (WFA/53FZP/AIA/01D), prepared by Landmark Trees, dated 7th May 2015; Construction Traffic Management Plan - Rev 05a, prepared by Knight Build Ltd, dated 24 September 2015 (revised); Design & Access Statement (DOC REF: 1317-PL-DAS-REV-G) dated 21.10.15; Basement Impact Assessment 371263-01(03), prepared by RSK Environment Ltd (RSK), dated January 2015; Letter (13636/DG/BK/7877357v1) prepared by Nathaniel Lichfield & Partners Limited, dated 24 January 2015; Letter (13636/DG/8158846v1) prepared by Nathaniel Lichfield & Partners Limited, dated 27 January 2015; Energy Strategy (6601-01/002a11) prepared by CBG Consultants, dated Jan 2015; Environmental Noise Assessment, prepared by Acoustics Plus, dated 06/11/2014; Geotechnical, Hydrogeological and Geoenvironmental Site Investigation Report, prepared by RSK STATS Geoconsult Ltd (RSK), dated December 2010; Structural Engineering Design and Construction Method Statement prepared by Elliotwood Rev. P5 dated April 2015; S0100 P3; S0110 P3; S0111 P4; S0700 P2; S0800 P2; S0900 P3; S01000 P2; S01100; S01200; S3000 P4; S3001 P4; S3100 P4; S3101 P4; S3102 P4; S3103 P4; S3104 P4; S3105 P4; S3106 P4; S3200 P1; S4000 P3; S4001 P3; S4002 P3; S4003 P3; S4004 P3; S4005 P3; S4006 P3; S4007 P3; S4008 P3; S4009 P3; S4100 P3; S4101 P3; S4200 P2; Planning and Heritage Statement (13636/DG), dated 25 January 2015; Code For Sustainable Homes Pre-Assessment (6601-01/003/A11), prepared by CBG Consultants Ltd, dated 29th September 2014; Site Waste Management Plan, prepared by Knight Build Ltd, dated 5th January 2015; Statement of Community Involvement, prepared by Hardhat, dated January 2015; Consultation Response – 53 Fitzroy Park, Hampstead (3967/AG/060515/FB), prepared by Clarkson & Woods Ltd, dated 6th May 2015; Basement Impact Assessment Audit Rev: F1 dated October 2015, prepared by Campbell Reith Hill LLP; Basement Impact Assessment Audit Rev: D1 dated August 2015, prepared by Campbell Reith Hill LLP.</p>			

RECOMMENDATION SUMMARY: Grant Conditional Planning Permission subject to a Section 106 Legal Agreement

Applicant:	Agent:
Mrs Svetlana Esther Volossov c/o Agent	Nathaniel Lichfield & Partners Limited 14 Regent's Wharf All Saints Street London N1 9RL

ANALYSIS INFORMATION

Land Use Details:

	Use Class	Use Description	Floorspace
Existing	C3 Dwelling House		325m ²
Proposed	C3 Dwelling House		845m ² (uplift 520 m ²)

Residential Use Details:

	Residential Type	No. of Bedrooms per Unit							
		1	2	3	4	5	6	7	8
Existing	C3 Dwelling House					X			
Proposed	C3 Dwelling House						X		

Parking Details:

	Parking Spaces (General)
Existing	4
Proposed	4

OFFICERS' REPORT

Reason for Referral to Committee: This application is reported to Committee because it involves substantial demolition of a building in a Conservation Area Clause 3(v) and the making of a planning obligation under Section 106 of the Town and Country Planning Act 1990 which does not allow for an exemption from the scheme of delegation (part vi).

1. SITE

- 1.1 The site is located to the southwest of Fitzroy Park which is a private road. The site comprises a part-two part-three storey flat roofed dwelling house.
- 1.2 The site slopes to the west, away from Fitzroy Park and the existing building is built into the slope. This part of Highgate is characterised by its secluded, verdant feel, and the site and surrounding context is heavily screened by trees. The building is not visible from the Heath due to its position away from Millfield Lane, and the extensive tree cover, although some of the neighbouring properties which are scattered around the fringes of the Heath can just be seen.
- 1.3 The site is located on private open space known as 'Fitzroy Open Space' a large space adjacent to the eastern edge of Hampstead Heath. No trees on the site are subject to statutory protection by Tree Preservation Order, but the trees are within the conservation area and are therefore protected.
- 1.4 The site is in the Highgate Village Conservation Area although the building itself is not considered to make a positive contribution to the wider conservation area. There are no listed buildings in the immediate vicinity of the site.
- 1.5 The area comprises individual houses of varied architectural styles and scales set within their own grounds into the topography of the area. Many of the post-war houses within this area were architect designed and the variety of material, forms and styles in relation to the rural nature of the area give it a unique character.
- 1.6 No 53 dates from 1952 and was designed by the architect Stephen Gardiner. It is a flat-roofed house of a cuboid form, the first floor of which is clad in horizontal white painted weatherboarding with brick used elsewhere. The site slopes away from the street with the garden level one storey lower than the road level. Two storeys are presented to each of these sides, with the road side one storey higher in real terms.

2. THE PROPOSAL

2.1 The application seeks planning permission for the following:

- The demolition of the existing part-two part-three storey 5 bedroom dwelling (6.7m in total height [5.4m from pavement], 12.7m long and 12.5m wide)
- The erection of a three storey 6 bedroom dwelling (9.3m in total height [7.5 from pavement level], 23m long and 22m wide), with subterranean basement level (6.8m in depth)
- Associated landscaping works including removal of 8 trees and subsequent replanting of new trees;

Revision

2.2 Additional information was provided by the author of the Construction Management Plan BIA during the course of the application. The lower and ground floor plan and design and access statement was amended in mind of cycle and refuse storage and the Design and Access statement was amended to accurately represent plot ratios for dwellings in and around Fitzroy Park.

3. RELEVANT HISTORY

53 Fitzroy Park

- 3.1 8802690 – The erection of a two storey side extension at lower ground and ground floor levels to provide a gallery and storeroom for artwork and a single storey side addition at lower ground level to provide a garden store and bay window to existing studio room. Granted 04/07/1989
- 3.2 2009/5369/P & 2009/5370/C - Erection of three storey single family dwelling house plus basement and sub basement levels, following demolition of existing three storey dwelling house (Class C3). Withdrawn 10/03/2010
- 3.3 2011/0728/P & 2011/0805/C - Erection of a three storey single dwelling including swimming pool at basement level, green roof, solar panels and landscaping following demolition of existing dwelling (Class C3). Withdrawn 28/02/2011
- 3.4 *2011/1682/P & 2011/1686/C - Erection of a three storey single dwelling including basement level, green roof, solar panels and landscaping following demolition of existing dwelling (Class C3). Granted Subject to a Section 106 Legal Agreement 16/11/2012.

*This decision is a material consideration to take into account in the assessment of the current application and is addressed further in the report below.

3.5 2015/2197/P - Demolition of existing dwelling. Granted 29/05/2015

51 Fitzroy Park

- 3.6 2009/1579/P & 2009/1581 - Construction of a two storey residential dwelling with lower ground floor and associated landscaping following the demolition of existing two storey residential dwelling (Class C3). Granted 21/12/2009

12 Fitzroy Park, (1 Fitzroy Close)

- 3.7 PEX0200937 & 2003/1034/C - Erection of a single family dwelling house including integral garage

The Waterhouse

- 3.8 2011/4390/P & 2011/4392/C - Erection of a new 2 storey plus basements dwellinghouse (Class C3) with garage, including associated landscaping works, following the demolition of an existing dwellinghouse.

Fitzroy Farm

- 3.9 2006/3381/P & 2006/3380/C - Demolition of the existing two-storey dwellinghouse (Class C3) and ancillary outbuilding and construction of a new two-storey plus basement dwelling.

- 3.10 2010/3593/P - Erection of a new basement and 3 storey dwellinghouse (Class C3), erection of plant enclosure in garden and conversion with elevational alterations of site office to ancillary staff flat, plus associated landscaping and highway works, following demolition of the existing two-storey dwellinghouse and 3 ancillary outbuildings.

4. **CONSULTATIONS**

Statutory Consultees

- 4.1 Renaissance Planning Ltd on behalf of **City of London Corporation**:
- This holding objection is submitted, on behalf of the City of London, on the basis that the current proposals are not deemed to have an adverse impact on Hampstead Heath. Should revised proposals or additional technical documents be submitted, however, then the City would need to review these to ensure that there will be no adverse impacts on Hampstead Heath. The City of London Corporation, therefore, reserves the right to supplement the above comments in respect of specific matters relating to the application and to be re-consulted regarding any further amendments or additional documentation submitted.

Ward Councillor

- 4.2 Councillor Sian Berry objects:
- Not being in keeping with the surrounding buildings in terms of increased bulk and site occupancy, causing over-development and harm to the open, green character of the conservation area, surrounding Private Open Space and the fringes of Metropolitan Open Land: CS14 - promoting high quality places and conserving our heritage, DP24 – securing high quality design, DP25 – conserving Camden’s heritage

- Being likely to cause harm to the land, water and environment around it, including structural stability and boundary issues, groundwater effects, risks of uncontrolled water discharge and contamination of wildlife sites, and the cumulative effect of adding this development to permitted basements and development in surrounding properties: CS15 – protecting and improving our parks and open spaces & encouraging biodiversity, CPG4 and DP27 – basements and lightwells, DP23 – water (c and d)
- Harming trees, impinging on the views and amenity of surrounding residents: CS5 – managing the impact of growth and development, DP26 – impact on occupiers and neighbours
- Construction impact:
There are also very serious concerns about the construction of the proposal, and the impact of the many hundreds of HGV movements described in the Construction Management Plan (CMP) submitted. This is also likely to be an underestimate as the use of 10 tonne vehicles has proved difficult in the case of the City of London Corporation's Ponds Project, due to the low availability of such vehicles. The result will be unacceptable impact on the safety and amenity of this busy lane, including the large numbers of pedestrians and cyclists using the lane on a quiet route to Highgate Village.
- A more appropriately sized proposal, without a large basement would be possible, and the plans should be rejected and a more suitable plan put forward.

Conservation Area Advisory Committee

4.3 Highgate CAAC objected:

- It is much larger both in bulk and in footprint than the previously consented scheme and constitutes over-development in a very sensitive area of the CA.
- The materials chosen particularly the Portland stone are inappropriate in this area and will make the building far too conspicuous.
- it is clear that the amenities of neighbours particularly at 51 will be seriously damaged by overlooking and loss of sunlight in the garden.
- A building on this scale and with this 'block' design in this position will cause damage to the CA and surrounding MOL and must be resisted.

Local Groups

4.4 Highgate Society/ Highgate Society Planning Group objected:

- Out of keeping with its immediate environs in form, style, scale, bulk and materials.
- The building mass above ground floor level is significantly larger in this scheme – 175% larger – thus clearly illustrating the unacceptable expansion of visible built structure which will occupy the majority of the perspective into the property. As such, the proposed house remains in conflict with the fundamental principle of its situation within the Fitzroy Open Space
- We remain unsatisfied with the treatment of the façades.

- Unhappy that so many large-crowned mature trees from the centre of the site – trees which provide a visible depth and expanse of foliage stretching westward toward the Heath – are to be removed..
- Projected traffic is still well in excess of what might reasonably be expected from a private home renovation
- We remain very unhappy with the degree and duration of disruption which will be caused by such an enormous project.
- Severe road damage will be inevitable

4.5 The Fitzroy Park Residents' Association objected:

- The inappropriate scale of the proposed development, on Private Open Space
- The potential for a serious impact on the local ecology
- The significant structural risk to the road and adjacent properties
- The impracticability of the Construction Traffic Management Plan
- The accuracy of the Construction Traffic Management Plan
- Inadequate consultation with this Association.
- Protection of the road and repair of damage
- Parking

4.6 Fitzroy Park Allotments:

- Too large and is completely out of character
- The [CMP] figures provided are alarming in the extreme
- We just cannot tolerate huge numbers heavy lorries coming and going over years in this

4.7 North London Bowling Club:

- Construction process and implications of development
- Structural implication upon adjacent buildings

Adjoining Occupiers

4.8 A site notice was published from 11/02/2015 and a public notice was advertised in the Ham & High from 12/02/2015. A site notice was republished from 10/06/2015 and a public notice was advertised in the Ham & High from 11/06/2015.

<i>Number of letters sent</i>	4
<i>Number in support</i>	1
<i>Number of objections</i>	60

4.9 60 objections have been received from and on behalf of the occupiers of 51 Fitzroy Park (x2); 55 Fitzroy Park; 8A Fitzroy Park; 8 Fitzroy Park; 49 Fitzroy Park; 1 Fitzroy Park; 3 Fitzroy Close; 5 Fitzroy Close (x2); 1 Fitzroy Close (x2); Kenview, Fitzroy Park; Ashbridge, Fitzroy Park (x2); 6 The Hexagon, Fitzroy Park; 1 The Hexagon, Fitzroy Park (x2); Apex Lodge, 59, Fitzroy Park (x2); Sunbury, Fitzroy Park (x2); 346 Holly Lodge Mansions , Oakeshott Avenue; 9c The Grove; 9d The Grove; 17 Haslemere Road; Nathaniel Lichfield & Partners (on behalf of Bruges Place, Baynes Street); 38 Talbot Road; 46 Whitehall Park; 67 Poets Road; 7 Highfields Grove; 12 Highfields Grove; 15 Highfields Grove; 16 Highfields Grove; 19 Highfields Grove; 41 St.John's Grove (x3); 6, Fortnam Road; 23 Merton Lane;

31 Chetwynd Road; 63 Parliament Hill; Birch House, Fitzroy Park; Fitzroy Farm, Fitzroy Park; The lodge, Fitzroy Park; Westwind, Fitzroy Park and unnamed addresses (x14) regarding:

- **Design of the replacement building – scale, bulk, design approach**
 - The increase in height
 - Storey taller than surrounding
 - 1st floor footprint
 - Increase in total floor area
 - Detailed design
 - This design will fill in the majority of the street frontage and changing the outlook and the environment
 - Infringes on the Heath.
 - Scale of development within its plot
 - Impact on Private/public open space

- **Basement development**
 - Excessive size of basement floor level and excavation
 - Overdevelopment of site
 - Hydrological concern (water table)
 - Structural concern
 - Inaccuracy of HR Wallington BIA Report

- **Amenity**
 - Concern of internal light levels and usage of basement
 - Quality of life as a result of building process and imposition of structure
 - Overlooking from across the road
 - Green roof to be used as a terrace
 - Loss of sunshine, creates a shadow

- **Transport, access and parking**
 - Total number of HGVs is estimated over a two year period at 3,100. It is unlikely the road and services beneath will survive such a pounding;
 - The suggested tracking of these vehicles has them sticking out into Fitzroy Park because of limited space on site. Based on their loading figures it is estimated that the road will be blocked for anything up to 5 hours/day during peak activity;
 - The suggested tracking also demonstrates that these lorries cannot turn on site so in all likelihood, it is anticipated that they will instead have to reverse the entire length of Fitzroy Park back to Merton Lane with all the risks and associated noise.
 - No information has been given on numbers of LGVs (which will be in addition to the thousands of HGVs) or where all these contractors' cars will park.
 - There remain unresolved concerns about the road cracking and subsiding although we have been told by our engineering consultants that the key hydrology issues have been addressed.
 - As a comparison, Fitzroy Farm was the largest development on Fitzroy Park to date, but their HGV numbers totalled 592 only. The projected figures

(which we all know are always very conservative) are more than FIVE TIMES greater.

- Damage to The carriageway of Fitzroy Park.
- Risk to pedestrians and cyclists

- **Trees and landscape/biodiversity strategy**

- Number of trees to be felled

4.10 1 support has been received by an occupier of 23 Merton Lane.

5. **POLICIES**

5.1 **National Guidance**

Planning (listed building and conservation area) Act 1990 as amended
Enterprise and Regulatory Reform Act (ERR) 2013.
National Planning Policy Framework 2012
National Planning Policy Guidance 2014
London Plan 2015

5.2 **LDF Core Strategy and Development 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 our parks and open spaces & encouraging biodiversity)

CS16 (Improving Camden's health and well-being)

CS19 (Delivering and monitoring the Core Strategy)

DP2 (Making full use of Camden's capacity for housing)

DP5 (Homes of different sizes)

DP6 (Lifetimes homes and wheelchair housing)

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)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP27 (Basements and lightwells)

DP28 (Noise and vibration)

DP31 (Provision of, and improvements to, open space, sport and recreation)

DP32 (Air quality and Camden's Clear Zone)

5.2 **Supplementary Planning Policies**

Camden Planning Guidance (CPG) 2015 – CPG 1, 2, 3, 4, 8
Camden Planning Guidance (CPG) 2011 – CPG 6 and 7
Highgate Village Conservation Area Statement (2007)

Other policies

- 5.3 National Planning Policy Framework (27.3.12)
The London Plan (March 2015 consolidated with alterations since 2011)

6. ASSESSMENT

- 6.1 The principal considerations material to the determination of this application are summarised as follows:
- Principle of demolition
 - Design of the replacement building – scale, bulk, design approach
 - Impact on Private/public open space
 - Basement development
 - Quality of Accommodation
 - Amenity of neighbouring occupiers
 - Transport, access and parking
 - Trees and landscape/biodiversity strategy
 - Sustainability & Energy Efficiency
 - CIL

Background

- 6.2 As per section 3.0 RELEVANT HISTORY, permission was granted, via the Development Control Committee, in 2012 (2011/1682/P & 2011/1686/C) for the demolition of the existing building, to make way for a three storey dwelling including a basement floor level.
- 6.3 This permission remains extant and could be implemented up until 16/11/2016, confirmed as per 2015/2197/P.
- 6.4 The original application was considered against the extant LDF Core Strategy and Development Policies (2010-2025).
- 6.5 Camden Planning Guidance: CPG1, CPG2, CPG3, CPG4 and CPG8, have however, since been revised. It is noted that the thrust of the guidance therein are similar.
- 6.6 Notwithstanding the now updated London Plan, the extant permission is considered in line with the current policy context.
- 6.7 In light of the above, the predominant focus of this assessment will be on matters which have changed significantly since the original permission. The officer's Development Control Committee report from the original application provides an overview of the consideration of issues which have not changed in the intervening period, although such matters will also be noted in this report.

Principle of demolition

- 6.8 The officer's Development Control Committee report associated with extant permission (2011/1682/P & 2011/1686/C) stated:

"The existing building is not identified in the Highgate Conservation Area Statement as a building which makes a positive contribution however; it sits quietly within the site and in this sense contributes well to the particular local scene. The buildings in this part of Fitzroy Park are stylistically varied, but a great contribution is made by the many architect-designed mid twentieth century houses, which form a significant part of the character of the area. The conservation area statement states that they "embodied original thinking about construction and lifestyles," and that the concentration of these buildings in the immediate area gives them a group value as well as being of architectural interest individually.

Whilst the design of the existing house is not architecturally noteworthy in itself, it forms a part of this unique group. However, as the building is not considered to be a positive contributor, the principle of demolition is not contested provided that the replacement scheme preserves or enhances the conservation area."

- 6.9 Given the above and that no material site changes have taken place since the previous officer assessment, it is considered that the same conclusions can justifiably be made. The significance of 53 Fitzroy Park, by virtue of its detailed design, scale, form and quality of materials is of limited value and therefore less weight should be given to its conservation. In the absence of making a positive contribution to the wider area its demolition is acceptable subject to a suitable replacement.

Design of replacement building

- 6.10 The scheme has been assessed and negotiated to ensure it would sit comfortably within its environment. Principally with a view to retain the openness and informal and rural setting of Fitzroy Park, in line with NPPF paragraph 60 which states that, *"Planning policies and decisions should not attempt to impose architectural styles or particular tastes...[but instead]...seek to promote or reinforce local distinctiveness"*.

Private open space

- 6.11 The site is located on private open space known as 'Fitzroy Open Space' a large space adjacent to the eastern edge of Hampstead Heath. Policy CS15 (Protecting our parks and open spaces & encouraging biodiversity) states we will not allow development on these open spaces unless it is for limited development ancillary to a use taking place on the land and for which there is a demonstrable need. Extensions and alterations to existing buildings on open space should be proportionate to the size, including the volume, of the original building. We will only allow development on sites adjacent to an open space that respects the size, form and use of that open space and does not cause harm to its wholeness, appearance or setting, or harm public enjoyment of the space.

- 6.12 Within this policy context, the building has therefore been angled away and cut away above the boundary wall to positively reduce the scale, particularly from the south and preserve the open character of the site above the existing boundary wall. The built development below the boundary wall cannot be seen and has limited impact on the openness and verdant character of the area. The scale and dense nature of trees on Hampstead Heath and around the ponds significantly screens the existing building; this would also continue to be the case with the proposed building.
- 6.13 Although the proposal would result in an uplift of floorspace and plot ratio, the majority of the site would still be left open without development. The retained open area would be 1% greater than the extant permission, whereby this increase would not harm the open nature of the site and adjacent views across and through it.
- 6.14 The boundary along Hampstead Heath and its ponds are screened by dense trees. As a result, the existing, extant and proposed building, even with its increase in height and bulk, would not be visible. In this respect, the proposal would not have a detrimental impact on views from the Heath and would maintain the wider openness and character of the private open space.

Footprint, scale, bulk

- 6.15 The proposal would result in an increase in both uplift of floorspace and plot ratio, when compared to both the existing and extant permission. The proposal has however sought to reduce the perception of its scale and bulk in order to preserve the open character of the site and wider area.

- 6.16 The following table indicates the relative scale of the existing building, the extant permission and the proposed scheme:

Level	Existing Floorspace (m ²)	Extant Floorspace (m ²)	Proposed Floorspace (m ²)	Change Existing/ Extant (m ²)	Change Existing/ Proposed (m ²)	Change Existing/ Extant (%)	Change Existing/ Proposed (%)
Basement	N/A	160	160	+160	+160		
Lower ground floor	120	240	257	+120	+137	+100%	+114%
Ground floor level	120	190	234	+70	+114	+58%	+95%

First floor level	85	70	194	-15	+109	-17%	+128%
Total	325	660	845	335	520	103%	160%

- 6.17 Both the existing and extant schemes include rectangular buildings. The proposed building is also massed as a simple rectangular block over 3 floors (2 floors above ground to the front) with some relief to the facades. Given that the proposed scheme has a 28% larger floorspace and 7% larger footprint than the extant permission on the site, the applicants have sought to reduce the perception of scale in particular through:
- Angling the dwelling to deflect the mass and ensure the front façade does not present itself directly parallel to the road
 - Cutting away the first floor to the south
 - The building has been pulled back from the front boundary at the northern end. The right hand front side of the building is now over 14m from the front boundary.
- 6.18 These changes also have the added advantage of providing an informality to the dwelling as well as reducing the perception of scale from the public realm and improving the relationship of the building with its surroundings.
- 6.19 The main issue relates to the accommodation at first floor level to the northern part of the dwelling which is increased by 114% from the existing building and 28% from the extant scheme. No accommodation exists in this location at present and none was approved as part of the extant permission. This would physically reduce the openness of the site. However it is considered this part of the site makes a relatively low contribution to the site's sense of openness in public views and the development has sought to mitigate any loss of openness through additional planting which would screen the dwelling and improve the verdant, secluded, rural feel.
- 6.20 However the reduction in the perception of scale relies heavily on the proposed mature planting scheme and screening from the road, which should be conditioned accordingly.
- 6.21 The rear elevation would be visible from 'The Waterhouse' on Millfield Lane and Nos. 55 and 51 Fitzroy Park, but in most instances these would be glimpses (due to planting mainly) rather than panoramic views. As a result of the sites topography however, the proposed elevation would appear more imposed rather than sitting harmoniously within its context. Rather than stepping down the hill as the extant scheme did with the top floor as a recessive element, the building would now cut into the hillside. Whilst an additional element of bulk would result, the proposal would, as with the extant permission, involve three exposed storeys with a façade of visual interest and elements of depth. In this respect the proposal would provide a degree of variation which would break up the façade and lessen its impact. Furthermore these views would only be from private rear gardens and in this regard the rear façade is not considered to materially alter the openness of the area or to harm the character or appearance of the conservation area.

Footprint

- 6.22 The existing plot ratio of built to unbuilt space is 9%, the extant permission ratio is 19% and the proposed ratio is 20%.
- 6.23 This is considered to be consistent with other similar plot ratios in the enclave of dwellings which form part of Fitzroy Park where they range from 10% (Kenview) up to approximately 32% (51 Fitzroy Park - Granted in 2009). With specific reference to private open land sites along Fitzroy Park, these include No.55 (8%), Farm End Cottage (26%) and the adjacent new build of No.51 (32%). In this regard the footprint of the dwelling is not considered excessive in terms of houses in the immediate area and those designated as private open space.

Height

- 6.24 The height is now 720mm taller than the existing building (which is also a similar height increase when compared to the extant permission), taken from pavement level. The existing building appears relatively small within the streetscene and the limited additional height is not considered to be detrimental from a design or scale perspective.

Design

- 6.25 The area, whilst having a distinctive rural feel, does not have consistent and harmonious architectural language. The dwellings in the area vary greatly in terms of their age and architectural style. In this regard there is no clear or consistent language to follow. What is important is that the look and feel of any building appropriately responds to the verdant, informal and rural character of the area. The verdant character of the area would be enhanced through the proposed level of planting. There is sufficient informality with the design which will appropriately preserve the character and appearance and rural informal nature of the area. There is a 'simplicity of detail and use of high quality materials' which is consistent with other new buildings in the area and what is seen above the front boundary wall is considered satisfactory to preserve the important rural character which is important to retain.
- 6.26 Whilst the design has raised comment by local groups for its as austere and visually intrusive appearance, the proposal has sought to introduce the informal approach to the front façade with a stone screen in front; and obscure glazed stone 'pop-out' with side windows. The detailed design of the stone pop outs; fenestration of the lift screen and embellished stone string course as well as the look and feel of the other materials on the dwelling will be seen above the boundary wall and allow them to have an impact on the character and appearance of the building. These features are sufficiently integral to the design and are considered satisfactory architectural tools to ensure the informality and softness of the design and not result in an austere building. In principle there is no objection to this design approach.

Impact of basement development

- 6.27 Policy DP27 states that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and

runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

- 6.28 The proposed basement would have a footprint of 170sqm and excavate 6.8m (taken from pavement floor level) beneath the new building.
- 6.29 The Basement Impact Assessment and related documentation submitted by the applicant has been subject to independent verification. This is owing to the location of the application site within a hydrogeological constraint area. The Council's independent assessor, Campbell Reith have confirmed that they are fully satisfied with the level and nature of information provided by the applicant.
- 6.30 The Basement Impact Assessment (BIA) has confirmed that the proposed basement will be founded within the London Clay Formation and that perched water is likely to be encountered in the variable thickness of Made Ground above the Clay. It is accepted that the surrounding slopes to the development are stable and the proposed basement structure is unlikely to be detrimental to any groundwater flow.
- 6.31 The basement will be formed using a contiguous bored pile retaining wall with a reinforced concrete box structure sandwiching permeable materials to allow any existing groundwater flow to continue unimpeded to the Highgate Ponds to the southwest of the site. In the event of potential blockage, a land drain system is also proposed. The basement floor will also incorporate void formers to overcome anticipated heave of the Clay due to the removal of excavated material.
- 6.32 An acceptable ground movement analysis has been carried out which shows that five adjacent properties should experience a Burland Damage Category of less than 1 – "very slight". Proposals to monitor movements during construction are provided in the BIA but without identifying acceptable limits of movement at this stage.
- 6.33 It is accepted that it is considered unlikely for there to be sufficient hydraulic connectivity between a large pond within the grounds of No. 55 Fitzroy Park and proposed basement excavations to allow drainage of the pond into the excavations. Temporary casing is required to prevent potential contamination of the pond during construction.
- 6.34 It is concluded that the BIA presented has a robust understanding of the local soil characteristics and the groundwater regime that is more than adequate to support the proposed works. The assessment has identified appropriate parameters for the design and construction of the works which can be implemented safely, taking into account the stability of excavations and the adjacent listed properties. The basement construction and associated BIA therefore meets the relevant requirements of DP27, CS14 and CPG4.

Quality of accommodation

- 6.35 The application is for a 6 bedroom self-contained dwelling. The house would provide a high standard of accommodation with an overall floorspace of 835sqm,

with each bedroom in compliance with the residential development standards set out in the London Plan standards. The house would benefit from good natural daylight and sunlight and have ample external amenity space.

- 6.36 Space for the storage of refuse and recycling for the residents is provided in a dedicated secure area at ground floor level.

Amenity of neighbouring occupiers

- 6.37 Due to the nature of the proposed development there would not be an impact on neighbour amenity in regard to daylight, sunlight or outlook.
- 6.38 The proposed building has been positioned further to the north west of the plot, set appropriately away and orientated in such a manner that no detrimental harm would result.
- 6.39 Whilst the proposal would result in a closer building towards 51 Fitzroy Park, the dwelling would not introduce detrimental levels of overlooking to neighbouring properties, particularly those northwards and across the road on the east. The windows at ground floor level would be obscured by the boundary treatment to the front, flank and side elevations. A new window facing northwards at first floor level, at a distance of 14m from the neighbouring window at No.51, would in any case be obscurely glazed.
- 6.40 The balconies/patio to the rear elevation, by virtue of their orientation and position, would not have a detrimental impact on the amenity of any neighbouring occupiers.
- 6.41 Within this context, the proposal would not be overlooked to any greater detrimental degree than the existing or extant arrangement, which is of no harm to privacy.
- 6.42 The proposed building is 720mm higher than the existing building when taken at pavement level and would be positioned behind existing and replacement mature trees along the front of the site.
- 6.43 The existing outlook of the properties located opposite the site on the east side of Fitzroy Park is towards the front elevation of the existing building and the mature row of trees. The proposal building, by virtue of its sitting within the plot would be at least 14m, in a southerly direction from No.51 Fitzroy Park, and 20m easterly from houses across the street. In this context and given its orientation, the increase in bulk would be limited in terms of harm to adjacent occupiers and access to daylight and sunlight would also not be diminished to a detrimental degree.

Noise

- 6.44 Plant is proposed at roof level within a sunken area. The applicant has submitted an acoustic report and background noise survey which includes calculations of predicted noise levels to support and satisfy that the Council's standards are capable of being met, subject to the standard recommended condition regulating noise and vibration levels. As such no adverse amenity impacts are envisaged.

- 6.45 It is considered that the proposal would not substantiate a detrimental impact to the amenity of adjoining occupiers and thereby accords with policies CS5 and DP26 of the LDF and Camden Planning Guidance.

Transport, access and parking

- 6.46 The site is located on the western side of Fitzroy Park, a private road on the north eastern fringe of Hampstead Heath. The road is managed and maintained by the Fitzroy Park Residents Association (FZRA).
- 6.47 The site has a PTAL score of 1b, which indicates that it has a very low level of accessibility by public transport. The site is located approximately midway between Highgate and Archway stations, which are a considerable distance away. The nearest bus stops are located on Highgate West Hill, to the west of the site, whilst additional services are available from Hampstead Lane, to the north of the site

Vehicle spaces

- 6.48 As a private road, Fitzroy Park is not part of the surrounding Controlled Parking Zone CA-U, which operates between 10am and 12 noon Monday to Friday. The property currently has an area of off-street parking that can accommodate up to 4 vehicles. The Council's parking standards allow up to one space per dwelling in areas such as this. However consideration to the existing situation must be taken into account and therefore re-providing 4 off-street spaces at the property would be acceptable.
- 6.49 Given the very poor PTAL rating and the fact that the site is a private road and outside of any controlled parking zone, it is considered that it is not appropriate to require this development to be either car-free or car-capped.

Parking/ cycle spaces

- 6.50 A total of 4 cycle parking spaces will be provided at lower ground floor level to the rear, although this number is not explicitly shown on the submitted plans. This level of cycle parking exceeds the Council's standards and is to be welcomed. A condition is recommended to secure the provision of 4 cycle parking spaces.

Construction management Plan

- 6.51 As this is a private road, the Council is under no obligation to carry out maintenance unless the road becomes adopted by the Council. However, notwithstanding that Fitzroy Park is a private road, the Council as the Local Planning Authority has a duty and responsibility when considering any planning application to ensure the safety and protect the amenity of all users of the road including pedestrians and its adjacent residents. The proposal would involve a significant amount of demolition and construction works. This is likely to generate a large number of construction vehicle movements during the overall construction period. The primary concern is public safety but also the need to ensure construction traffic does not unreasonably add to existing traffic congestion. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality). The Council needs 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.

- 6.52 A draft CMP has been submitted in support of the planning application and has been revised four times in mind of neighbour comment. The earlier iterations lacked accurate information in respect of the length of time predicted during the demolition, excavation and construction phases, the associated number of vehicles expected in each phase (and maximum number of vehicles per day), track plots for vehicles to manoeuvre and vehicles reversing onto Fitzroy Park.
- 6.53 The draft CMP now indicates that during peak periods of construction there will be up to 8 vehicles travelling to and from the site each day during the first phase of construction (enabling and demolition) and will last 10 weeks. This would rise to 10 vehicles for 35 weeks during the second phase of construction (piling and basement construction) and reduced to 5 vehicles for 50 weeks during the third phase (general fit out).
- 6.54 As with the CMP for the approved scheme, the CMP makes reference to traffic marshals at the junction of Merton Lane and Fitzroy Park, who will escort the construction vehicles up and down Fitzroy Park at all times. Vehicles will leave the site in forward gear by traveling back along Fitzroy Park to Merton Lane, again accompanied by a traffic marshal. This requirement is essential in order to maintain the safety of pedestrians and others using this narrow road. This arrangement will be necessary throughout the working day during the demolition and construction phases.
- 6.55 With regards to vehicle routing, the CMP indicates all construction vehicles will access the site via Highgate West Hill, turning into Merton Lane.
- 6.56 The CMP states that a wheel wash facility will also be on site so the potential to spread mud and other materials along Fitzroy Park is limited.
- 6.57 The CMP for the approved scheme stated that the road surface in front of the site on Fitzroy Park would be strengthened prior to any demolition or construction works taking place. The CMP for the approved scheme also stated that road condition surveys would be conducted before and after the demolition/ construction works had been completed and that any defects that were detected would be repaired. This arrangement again is proposed and secured by means of a Bond Agreement and appropriate insurance with the Fitzroy Park Residents Association (FPRA) who manage and maintain the road.
- 6.58 The traffic survey results indicate whilst traffic flows on Fitzroy Park are generally low throughout the day when compared to a more urban road, there were on average 21 vehicle movements and 8 cycles per hour throughout the day. The vehicles included movements by small, medium and large goods vehicles. A concern raised by residents was in regard to pedestrian safety, particularly given the lack of pedestrian footways along Fitzroy Park and that people generally walk in the middle of the road at present. Whilst the survey did not record the number of pedestrians, it is understood that the road is used by a steady stream of pedestrians throughout the day. It is however acknowledged that provision needs to be made for the safety of pedestrians on Fitzroy Park and delays and inconvenience to all users of the road should be kept to a minimum.

- 6.59 In respect of parking, traffic marshals will ensure site users would not park at any time on the Fitzroy Park carriageway
- 6.60 It should again be reiterated that this is a draft CMP proposal, therefore elements within may require further amendment in mind of the impact and process of the construction, particularly once a contractor has been confirmed. A Construction Management Plan (CMP) and necessary bond with the FPRA must therefore be secured as a Section 106 planning obligation. Any agreed CMP would also include a requirement to consult locally.
- 6.61 In addition, the proposed works could potentially lead to the public highway being damaged by construction vehicles and construction related activity, particularly in respect to the junction/traffic island at Fitzroy Park and Millfield Lane. The Council would need to repair any such damage to the public highway. A financial contribution for highway works shall be secured by Section 106 planning obligation.
- 6.62 Within this context, the proposal would be in accordance with Core Strategies CS11 and CS19 and Development Policies DP18, DP19 and DP21.

Trees and landscape/biodiversity strategy

- 6.63 The Arboricultural Method Statement (AMS) proposes the removal of a Lime, Cherry, Ash and 2 x Sycamore, all of which were agreed as per the extant permission. A further 3 trees for removal are also proposed, 2 of which are under 75mm diameter and so not significant, and the other is a small apple.
- 6.64 The proposed trees which are to be removed are not of particularly good form and are not considered to make a significant contribution to the character of the conservation area. It is noted that the trees are visible from private gardens surrounding the site, however given the quality of the trees and their limited contribution it would be difficult to insist on their retention.
- 6.65 The trees of significance to the front of the site will be retained, and there is adequate replacement planting proposed for those due to be lost, or already removed as part of previous standalone tree applications. This will mitigate the loss of greenery and the replacement trees will provide a greater level of canopy cover and visual amenity in comparison to those removed.
- 6.66 The proposed protection methods for the trees which will be retained are considered to be acceptable. A number of conditions are recommended requiring the submission of details of the build-up of levels around the trees affected by the driveway, details of the green roof and the implementation of the new tree planting and landscape design prior the occupation of the new building.
- 6.67 The proposed development lies adjacent to Metropolitan Open Land and Fitzroy Open Space and Hampstead Heath Woods Site of Special Scientific Interest (SSSI).

- 6.68 The Council's Nature Conservation Team and Tree and Landscape Officers consider the Ecological Statement submitted with the application is acceptable and demonstrates that there are unlikely to be any protected species on site.
- 6.69 A number of measures are proposed as part of an Ecological Statement to incorporate measures to improve the ecological value of the site and shall be secured by way of condition. Elements relating to bird and bat boxes shall also be secured by way of condition.
- 6.70 A green roof across the southern section and solar cells to the central section of the building is proposed, which is a welcomed addition. A condition is recommended to require the submission of details of the green roof and the associated lighting strategy.
- 6.71 It is considered that these proposals will improve the ecology of the site following the development and mitigate the loss of the trees. The proposals are welcomed additions and a condition is recommended to require the implementation of the landscape proposals.

Sustainability & Energy Efficiency

- 6.72 A Code for Sustainable Homes Pre-Assessment Report has been submitted to demonstrate that the new dwelling would meet Code Level 4. This has been the requirement of policy DP22 which expects new build housing to meet Level 4. The Code for Sustainable Homes has now been withdrawn by the government through a Ministerial Statement in March 2015. Therefore, it is no longer necessary for a Code level post-assessment to be secured through a Section 106 Legal Agreement.
- 6.73 In lieu of the above, a Sustainability Statement and Energy Statement would be secured via legal agreement to demonstrate that the new development is in accordance with policies CS13, DP22 and DP23. The new dwelling needs to comply with London Plan policy 5.2 (35% reduction in carbon emissions beyond Part L building regulations) and must achieve water efficiency of 110 litres per day.

CIL

- 6.74 The proposal would be Camden CIL liable - 520m² (uplift new build floorspace) x £500 (Zone C CIL Tariff) = £260,500.
- 6.75 Based on the Mayor's CIL charging schedule and the information given on the plans the charge is likely to be £26,000 (520m² x £50).

7. CONCLUSION

- 7.1 It is considered that the principle of the demolition of the existing building is acceptable given the acceptability of the bulk, scale and detailed design of the replacement building. The new building would not have a detrimental impact on the character and appearance of the wider conservation area or detract from the openness of the open space. The applicant has demonstrated, following

independent review that the excavation of a basement would not harm the surrounding area and the development would not harm the amenity of neighbouring residents, subject to suitable S106 controls over construction.

7.2 The development would be appropriate and in accordance with relevant National and Regional Policy, Core Strategy and Development policies and Camden Planning Guidance for the reasons noted above.

7.3 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Construction Management Plan
- Sustainability and Energy statements
- Bond Agreement with the Fitzroy Park Residents Association
- Financial contribution for highway works

8. LEGAL COMMENTS

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans [1317-EX-101; 1317-EX-102; 0932-0100-AP-004 Rev PL02; 0932-0100-AP-005 Rev PL02; 0932-0100-AP-006 Rev PL02; 1317-EX-121; 1317-EX-122; 1317-EX-123;1317-EX-124; 1317-PL-201; 1317-PL-202; 1317-PL-211 Rev E; 1317-PL-212 Rev F; 1317-PL-213 Rev G; 1317-PL-214 Rev F; 1317-PL-215 Rev F;1317-PL-221 Rev F; 1317-PL-222 Rev F; 1317-PL-231 Rev G; 1317-PL-232 Rev F; Outline Arboricultural Method Statement (WFA/53FZP/AMS/01D), prepared by Landmark Trees, dated 7th May 2015; Arboricultural Impact Assessment Report (WFA/53FZP/AIA/01D), prepared by Landmark Trees, dated 7th May 2015; Construction Traffic Management Plan - Rev 05a, prepared by Knight Build Ltd, dated 24 September 2015 (revised); Design & Access Statement (DOC REF: 1317-PL-DAS-REV-G) dated 21.10.15; Basement Impact Assessment 371263-01(03), prepared by RSK Environment Ltd (RSK), dated January 2015; Letter (13636/DG/BK/7877357v1) prepared by Nathaniel Lichfield & Partners Limited, dated 24 January 2015; Letter (13636/DG/8158846v1) prepared by Nathaniel Lichfield & Partners Limited, dated 27 January 2015; Energy Strategy (6601-01/002a11) prepared by CBG Consultants, dated Jan 2015; Environmental Noise Assessment, prepared by Acoustics Plus, dated 06/11/2014; Geotechnical, Hydrogeological and Geoenvironmental Site Investigation Report, prepared by RSK STATS Geoconsult Ltd (RSK), dated December 2010; Structural Engineering Design and Construction Method Statement prepared by Elliotwood Rev. P5 dated April 2015; S0100 P3; S0110 P3; S0111 P4; S0700 P2; S0800 P2; S0900 P3; S01000 P2; S01100; S01200; S3000 P4; S3001 P4;

S3100 P4; S3101 P4; S3102 P4; S3103 P4; S3104 P4; S3105 P4; S3106 P4; S3200 P1; S4000 P3; S4001 P3; S4002 P3; S4003 P3; S4004 P3; S4005 P3; S4006 P3; S4007 P3; S4008 P3; S4009 P3; S4100 P3; S4101 P3; S4200 P2; Planning and Heritage Statement (13636/DG), dated 25 January 2015; Code For Sustainable Homes Pre-Assessment (6601-01/003/A11), prepared by CBG Consultants Ltd, dated 29th September 2014; Site Waste Management Plan, prepared by Knight Build Ltd, dated 5th January 2015; Statement of Community Involvement, prepared by Hardhat, dated January 2015; Consultation Response – 53 Fitzroy Park, Hampstead (3967/AG/060515/FB), prepared by Clarkson & Woods Ltd, dated 6th May 2015; Basement Impact Assessment Audit Rev: F1 dated October 2015, prepared by Campbell Reith Hill LLP; Basement Impact Assessment Audit Rev: D1 dated August 2015, prepared by Campbell Reith Hill LLP.]

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 A sample panel of the all facing materials (including joint details and framing) demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 8 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the [adjoining] premises [and the area generally] in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Before the development commences, details of secure and covered cycle storage area for 4 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in

accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 10 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 11 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: To protect the visual amenity of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 12 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (Consolidated with Alterations Since 2015) and Camden Planning Guidance 2015 and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 13 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy

facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

- 14 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a [1:100 year event with 30% provision for climate change] [demonstrating 50% attenuation of all runoff] [demonstrating greenfield levels of runoff]. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 15 Prior to implementation a method statement for a precautionary working approach to demolition and construction should be submitted to the Local Authority and approved in writing. This shall include approaches to mitigate the impact on protected species, including impact of lighting during works. All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted. The applicant may need to apply for a protected species licence from Natural England, evidence of which should be submitted to the Local Authority.

Reason: To ensure the development contributes towards the protection and creation of habitats and valuable areas for biodiversity, ensuring compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 16 Full details of a lighting strategy, to include information about potential light spill on to buildings, trees and lines of vegetation to minimise impact on bats, shall be submitted to and approved by the Local Planning Authority, in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

REASON: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

- 17 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 18 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 19 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The details shall include species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 20 The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2) in relation to accessible dwellings and shall be maintained thereafter.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 21 The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation of the relevant part of the development, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13

(Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

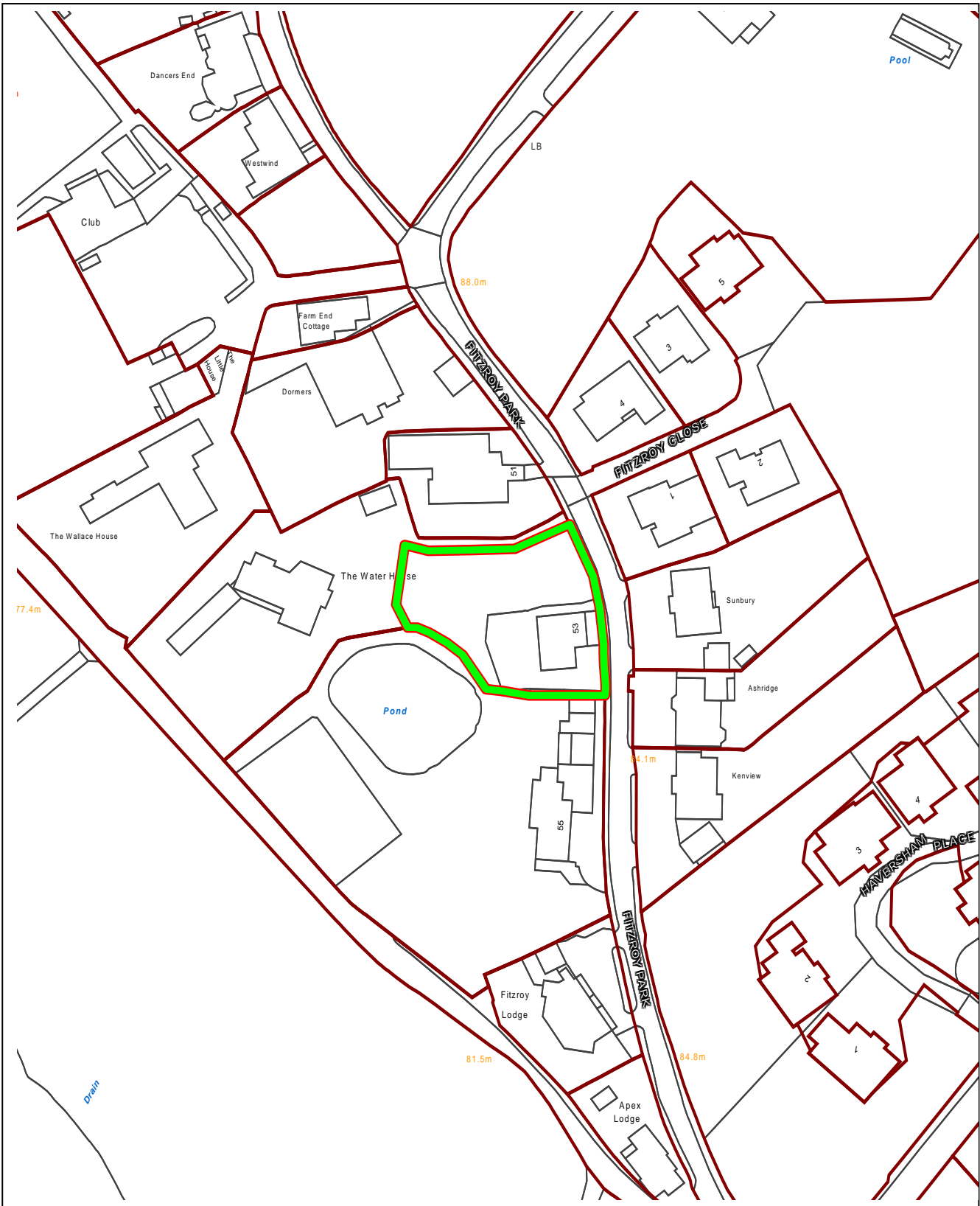
The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.


<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 It shall be the Contractors' responsibility to report any serious defects noted whilst working in or climbing the tree(s) in question. Should this suggest the need for additional tree work to that specified or recommended, the Council should be notified in advance, excepting only in circumstances where safety reasons require immediate and urgent action.
- 5 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 4911 or www.naturalengland.org.uk.
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.



	<p>Application No: 2015/0441/P</p> <p>53 Fitzroy Park London N6 6JA</p>	<p>Scale: 1:1250</p> <p>Date: 8-Jan-16</p>	<p>N</p> 
<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.</p>			

Site Photographs



(Google Earth view)



Aerial view from east



Aerial view from south



Aerial view from north



Aerial view from west

Site Photographs



01- Existing property from Entrance to Fitzroy Park



02- view of existing property from Fitzroy Park



03- Existing boundary condition



04- Existing (retained) tree coverage from Fitzroy Park



05- Open area between no52 Fitzroy park and site

Site Photographs



01- Existing property (rear)



02- Existing property from Fitzroy Park



03- Sunbury from Fitzroy Park



04- 01 Fitzroy Close from Fitzroy Park



05- 51 Fitzroy Park from proposed garden of no53

Site Visualisations



Existing view of proposal from Ashridge



Approved view of proposal from Ashridge



Proposed view of proposal from Ashridge, including new pleached tree screen to boundary and additional evergreen planting behind.



Existing view of proposal from Sunbury



Approved view of proposal from Sunbury



Proposed view of proposal from Sunbury including new pleached tree screen to boundary and additional evergreen planting behind.

Site Visualisations



Existing view of proposal from 1 Fitzroy Close



Approved view of proposal from 1 Fitzroy Close



Proposed view of proposal from 1 Fitzroy Close including new pleached tree screen to boundary and additional evergreen planting behind.



Existing view of proposal from 51 Fitzroy Park



Approved view of proposal from 51 Fitzroy Park



Proposed view of proposal from 51 Fitzroy Park

Site Visualisations



Existing view of proposal from Fitzroy park



Approved view of proposal from Fitzroy park



Proposed view of proposal from Fitzroy park including new pleached tree screen to boundary and additional evergreen planting behind.



Existing view of proposal from across the pond



Approved view of proposal from across the pond



Proposed view of proposal from across the pond

Existing front and rear elevations

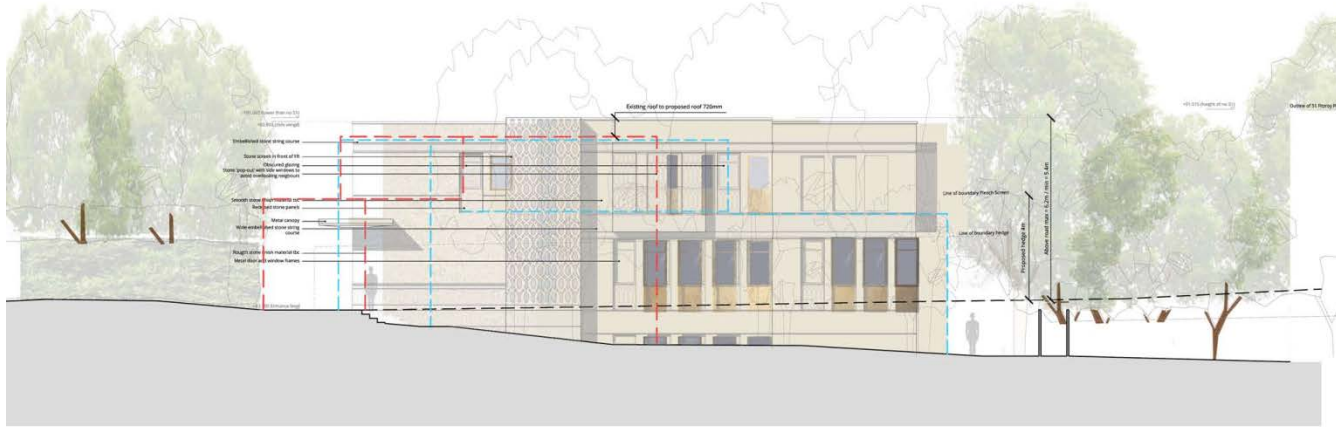


Front



Rear

Proposed front and rear elevations



Front

PROPOSED: FRONT (EAST) ELEVATION



Rear

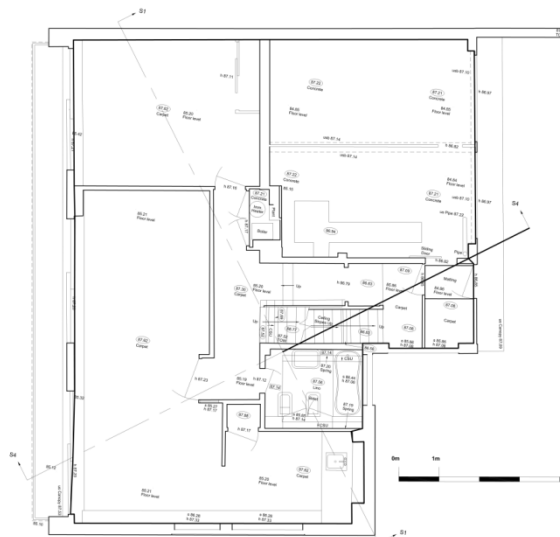
PROPOSED: REAR (WEST) ELEVATION

Existing lower 
Approved lower 

Existing floor plans



Lower
Ground

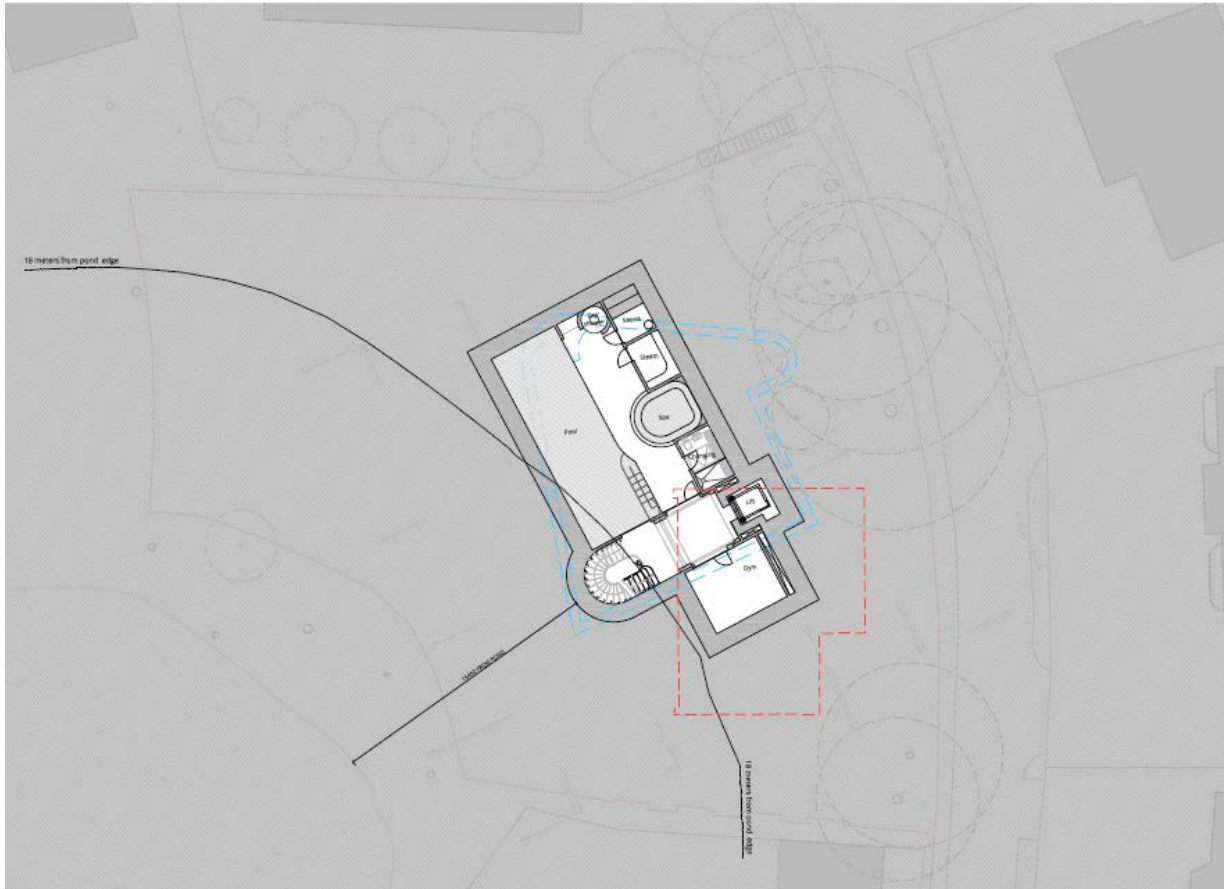


Ground



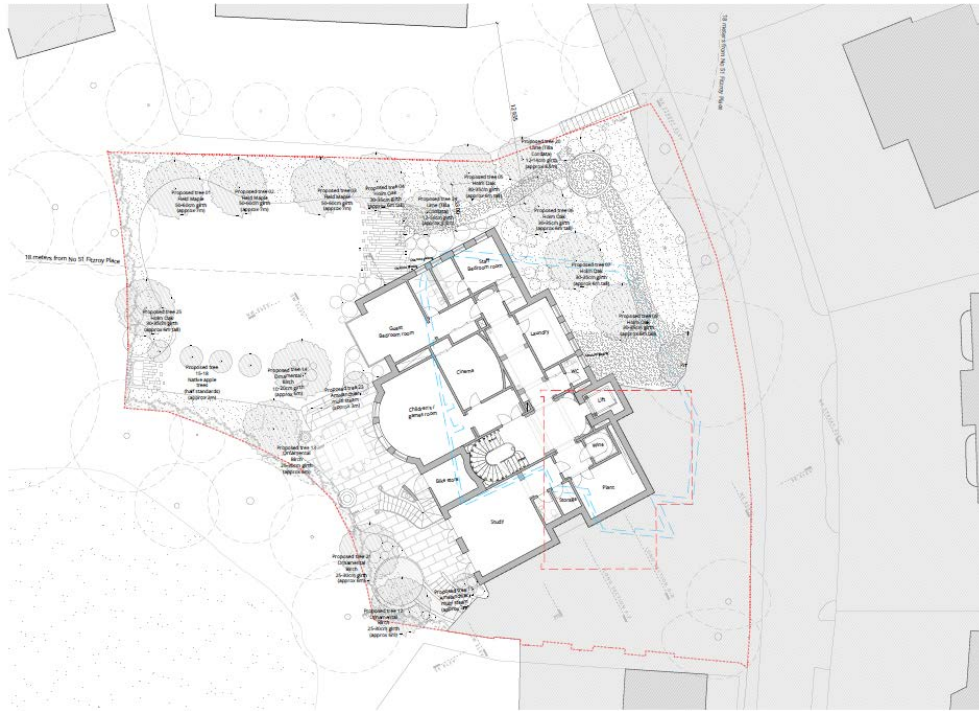
Existing first
floor plan

Proposed Basement floor level

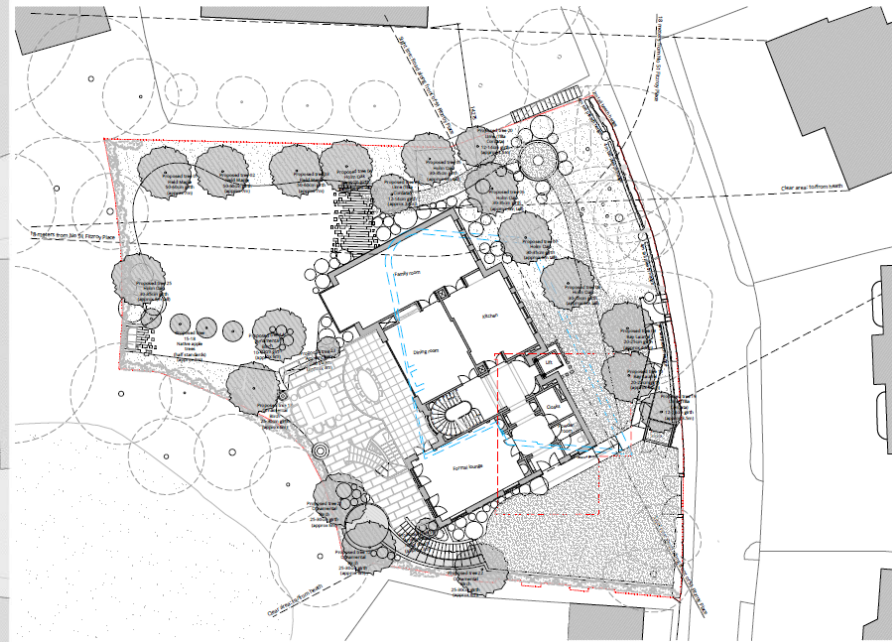


Existing lower — — — — —
Approved lower — — — — —

Proposed lower ground and ground floor



Lower ground



Ground

Existing lower -----
Approved lower -----

Proposed first and Roof floor plan



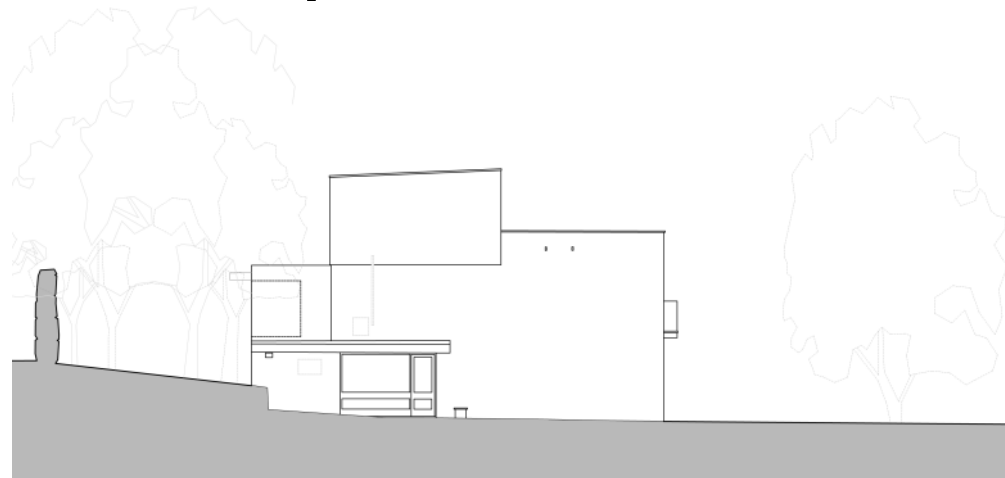
First



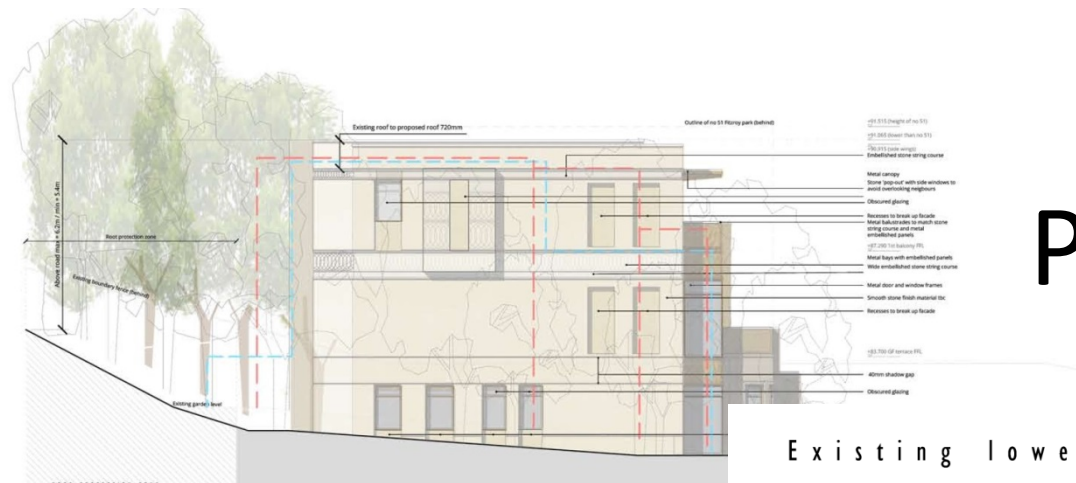
Roof

Existing lower -----
Approved lower -----

Existing and Proposed side elevation adjacent to No.51



Existing



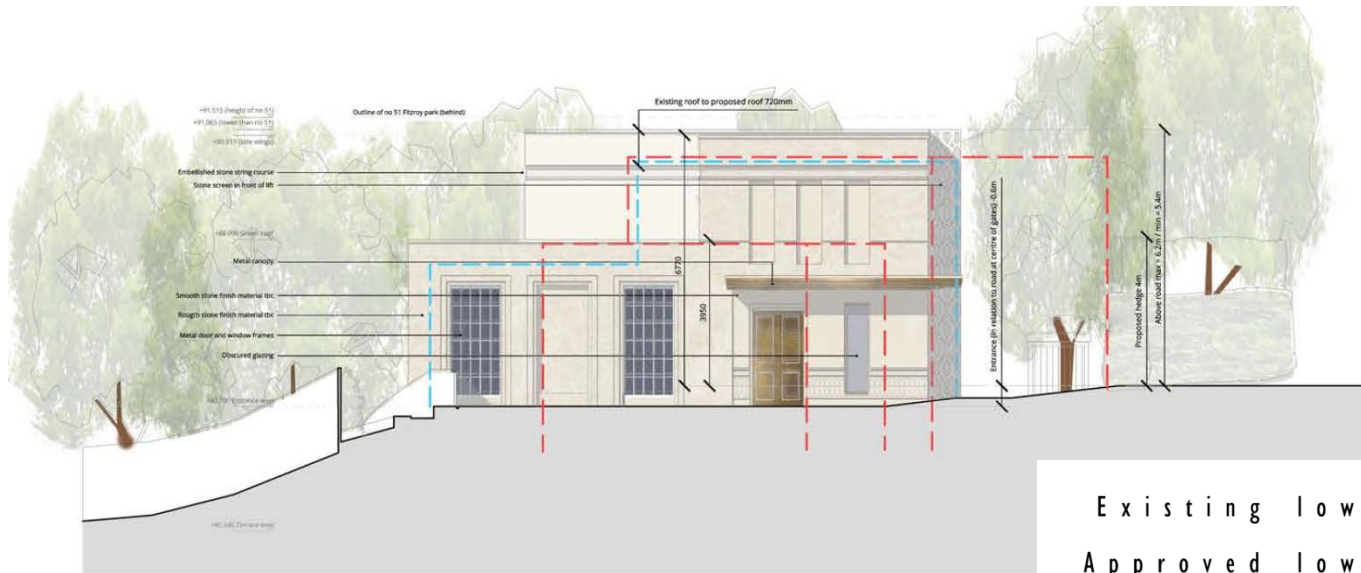
Proposed

Existing lower - - - - -
 Approved lower - - - - -

Existing and Proposed side elevation adjacent to No.55



Existing



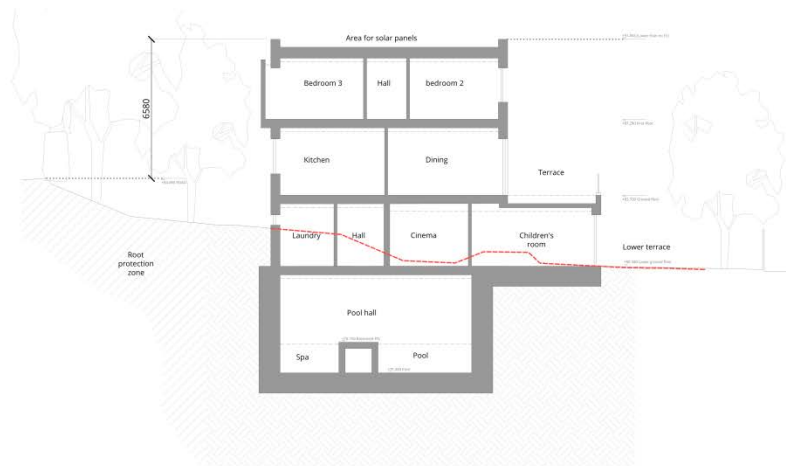
Proposed

Existing lower -----
Approved lower -----

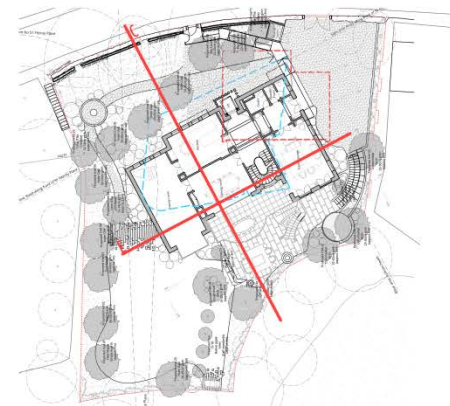
Proposed Sections



PROPOSED: LONG SECTION F-F

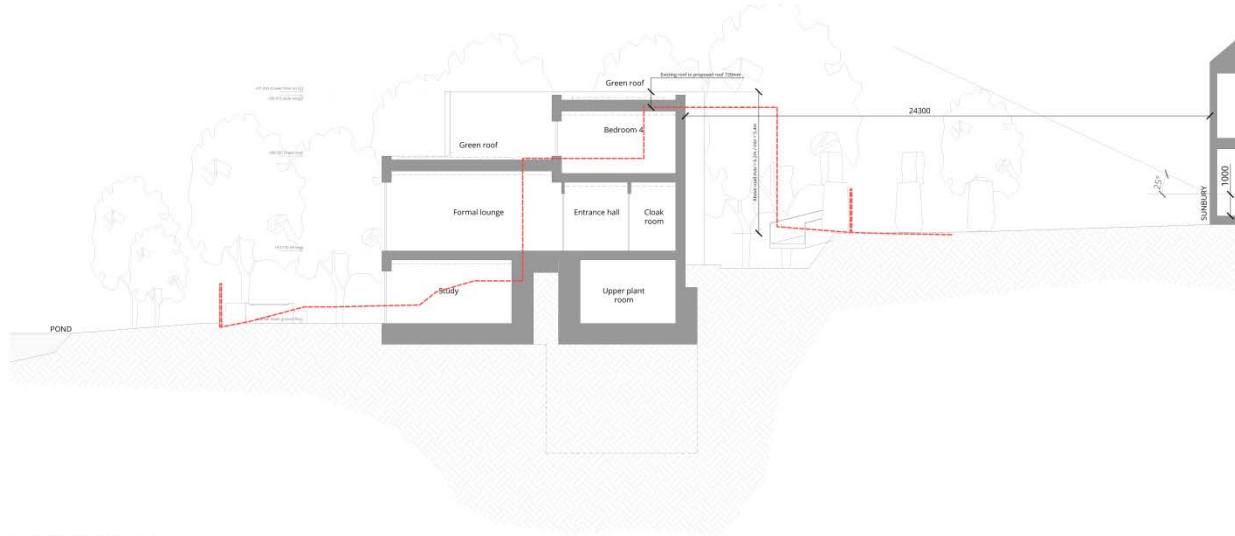


PROPOSED: SECTION C-C

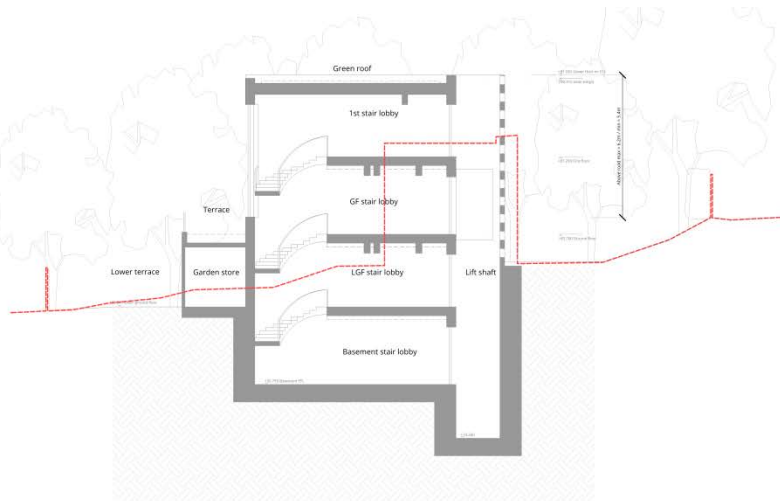


KEY PLAN

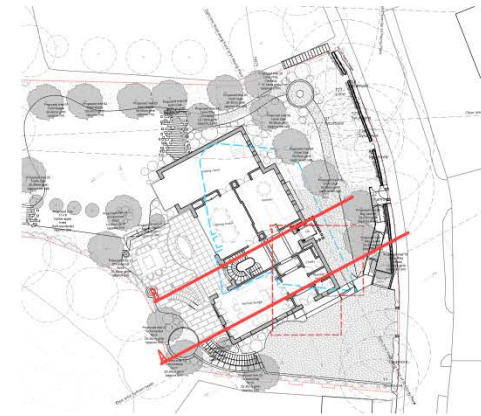
Proposed Sections



PROPOSED: LONG SECTION A-A



PROPOSED: SECTION B-B



KEY PLAN