



FRG/X/DA/04

22 May 2017

## **115 FROGNAL, LONDON NW3 6XR**

### **PLANNING, DESIGN, ACCESS & HERITAGE STATEMENT**

#### **1.00 INTRODUCTION AND BACKGROUND**

- 1.01 This Planning, Design and Access Statement has been prepared in support of a planning application for a basement, a side lightwell, a new window and air-conditioning condenser units.
- 1.02 The purpose of the lightwell would be to provide natural light and amenity to the habitable rooms in the basement.
- 1.03 The basement and lightwell are proposed to be constructed beneath and adjacent to the new house which has yet to be constructed but it has been consented, the Section 106 agreement was signed on 13 April 2017 (Camden ref 2016/5380/P).
- 1.04 The consented new house was amended during the planning application process in order to mitigate concerns raised regarding its mass and scale. The consented house is therefore significantly smaller than that was originally submitted. The rooms that were omitted from the consented house are now proposed to be located in a new basement level.
- 1.05 The basement would be constructed beneath the eastern part of the consented house's curtilage and would have a minimal affect on the external design of the house above-ground. The basement would principally consist of a Gymnasium and a Living Room, with an ancillary store room, utility room and plant. It would not be used as a separate residential unit, but rather it would be complementary to the functions of the main house.
- 1.06 In accordance with Camden Planning Guidance (CPG4 Basements and lightwells), a Basement Impact Assessment has been prepared by Fluid Structural Engineers in support of this application.
- 1.07 The air-conditioning units located on the roof of the consented garage would not have an impact on the neighbours, the Noise Assessment prepared by Mach Testing demonstrates that assertion and is included in this application. The technical data sheets of the proposed external airconditioning units (Daikin Mini VRV) equipment are also included in this submission.
- 1.08 A tree survey report and Arboricultural Impact Plan prepared by Patrick Stileman, in support of this application, are included in this submission.

## **2.00 PLANNING POLICY AND ASSESSMENT**

- 2.01 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that “in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”
- 2.02 The Town and Country Planning (Listed Building and Conservations Areas) Act 1990 contains the key statutory provision in respect of development in conservation areas. Section 72(1) of that Act states: “In the exercise [of planning functions], with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions of subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area’.
- 2.03 The Development Plan includes the following:
- London Plan (2016)
  - Camden Core Strategy (2010)
  - Camden Development Policies (2010)
- 2.04 Other material considerations relevant to this application include the following:
- The National Planning Policy Framework (NPPF, 2012)
  - Supplementary Planning Guidance produced by Camden Council and the Mayor of London
  - The emerging local plan: Camden Local Plan (2016)
  - The Hampstead Conservation Area Statement (2001)
- 2.05 It is to be noted that although the Camden Local Plan (2016) is only due to be adopted in late Spring 2017, it has been appropriately considered in the formulation of this application.
- 2.06 London Plan 2016: policy 7.4 on Local Character seeks to encourage a contextual approach, based on an assessment of the physical characteristics of an area appropriately interpreted and applied.
- 2.07 London Plan 2016: policy 7.8 encourages design appropriate to its context and of high quality, comprising details and materials that complement, without necessarily replicating local architectural characteristics. Policy 7.8 part (i) seeks development that optimises the potential of all sites having regard, of course, to general design and contextual considerations as well as issues of amenity, transport and so forth.
- 2.08 London Plan 2016: policy 7.9 is consistent with the NPPF considerations and encourages councils and developers to have regard to the significance of all heritage assets in the development process.

- 2.09 The following Local Development Framework policies and guidance have been considered in forming this proposal:
- CS5 – Managing the impact of growth and development
  - CS14 – Promoting high quality places and conserving our heritage
  - CS19 – Delivering and monitoring the Core Strategy
  - DP24 – Securing high quality design
  - DP25 – Conserving Camden’s heritage
  - DP26 – Managing the impact of development on occupiers & neighbours
  - DP27 – Basements and lightwells
  - DP32 – Air quality and Camden’s Clear Zone
  - CPG1 – Design (Section 2)
  - CPG 4 - Basements and lightwells (Section 2)
  - CPG 6 – Amenity (Section 6 and Section 7)
- 2.10 Camden’s Development Plan policy DP27 states that the Council will require, where appropriate, an assessment of the scheme’s impact on drainage, flooding, groundwater conditions, and structural stability. A full Basement Impact Assessment is therefore included with this application.
- 2.11 The Basement Impact Assessment confirms that, in accordance with the specific requirements of policy DP27 the basement will:
- Maintain the structural stability of the building and neighbouring properties
  - Avoid adversely affecting drainage and run-off or causing other damage to the water environment
  - Avoid cumulative impacts upon the structural stability or the water environment in the local area
- 2.12 In addition, the reports submitted in support of this application demonstrate that the following potential impacts (specifically listed in Policy DP27) have been properly analysed and addressed. As such, the proposals will:
- Avoid harm to neighbour amenity
  - Not result in the loss of open space or trees of townscape or amenity value
  - Provide satisfactory landscaping, including adequate soil depth
  - Avoid harm to appearance or setting of the property or the established character of the surrounding area
  - Not affect important archaeological remains
- 2.13 Policy A5 of the emerging Local Plan (2016) has also been considered and the proposed basement is considered to comply with Policy A5. In combination, the submitted specialist reports demonstrate that no adverse impacts will result from the creation of this considered and very carefully designed basement. As such, the proposals are entirely in accordance with Camden’s Development Plan and policy DP27 and CPG4 in particular.
- 2.14 The various technical papers demonstrate, to a level of certainty appropriate to planning, that no undue impacts will result from the basement’s construction. Accordingly, the proposed basement level accords with plan policy in all respects.
- 2.16 Considering the above, the proposals are in accordance with Camden’s Development Plan and policy DP27 and CPG4 in particular.

### **3.00 PROPOSED DEVELOPMENT**

- 3.01 The property sits on a slightly raised knoll in a low-density residential neighbourhood, there are several mature trees in the vicinity which gives it a semi-rural character. There is a public-facing garden on the north side and a private garden on its south side. The lightwell would be located on the eastern side of the consented house and would benefit from natural light.
- 3.02 The houses in the area are generally large, detached, of varying periods and styles and sit on substantial plots. The immediate neighbours (113 Frognal and 1 Oak Hill Way) are large houses on substantial plots and both have consented basements, 1 Oak Hill Way (ref 2016/1695/P) is currently under construction while the basement for 113 Frognal (ref 2006/3486/P) was constructed several years ago.
- 3.03 The consented house has a contemporary design and layout, with its living areas orientated around the amenity of the rear garden. The consented house comprises a two-storey dwelling and its lawful use is residential, the proposed basement would increase the number of storeys to three.
- 3.04 The depth of the basement would provide an internal ceiling height of 2.9m. The internal area of the basement would be 58% of the area of the consented ground floor and 26% of the combined consented total area of all floors. The lightwell would extend 1.8m from the east wall of the consented building.
- 3.05 The proposed basement would be constructed beneath the eastern part of the consented house. The basement would include a Gymnasium and a Living Room, as well as a store, utility room and plant. These rooms would be linked to an internal staircase leading to the ground floor of the main part of the house. An external staircase within the lightwell would be provided as a secondary means of escape from the basement in the event of fire. The lightwell would provide natural light for the basement and provide a connection between the internal and external spaces.
- 3.06 A tall window, not included in the consented application, is proposed on the eastern elevation to provide natural light for the internal staircase leading to the basement. This window is architecturally sensitive to the consented scheme and consistent with its design principles.
- 3.07 The air-conditioning condenser units are proposed to be located within a sunken area above the garage on the western side of the property. They would not be seen from the surrounding area.
- 3.08 The air-conditioning condenser units have been placed sensitively to mitigate the amenity impact to neighbouring residents, a Noise Assessment is submitted in support of the application.

## **4.00 DESIGN AND HERITAGE**

- 4.01 The site is located within the Hampstead Conservation Area and have therefore considered the duties under Section 72 of the (Planning Listed Buildings and Conservation Areas Act) 1990 which requires “special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area”. The relevant policies within the Development Plan have also been considered when formulating these proposals.
- 4.02 As the basement would be entirely within the eastern part of the host dwelling and given the modest nature of the lightwell at its side, the proposal would not affect the architectural integrity or scale of the consented house, neither would the proposal have an impact on its form or character.
- 4.03 The visible external walls of the basement would be in facing brick, the same as intended to be used for the consented house. The guardings around the lightwell and the handrail to the external staircase would be made of metal and painted in a dark colour to give them a discreet appearance.
- 4.04 The new vertical window on the east elevation would be in metal and a colour to match the windows on the north and east elevations on the consented scheme.
- 4.05 The landscaping to the front of the house (north side) which contributes to the sylvan setting of this part of the Hampstead Conservation Area would not be affected by this proposal. The lightwell would incorporate a planting zone along its eastern side to ensure that its setting is maintained.
- 4.06 There is an existing tree (a 14m high Common lime tree, annotated “T11” on the plans) which is affected by these proposals. The RPA of this tree has been identified in the arboricultural assessment, its roots are heavily gathered along the eastern side of the adjacent garden wall. The below-ground structural retaining walls for the lightwell and basement would be set back from the garden wall, thereby avoiding conflict with the roots of tree T11. Refer to the arboricultural assessment by Patrick Stileman, in support of this application.
- 4.07 The proposed basement and lightwell would have minimal impact on the amenity of the neighbours as they provide no opportunity for overlooking, nor would they be seen from the surrounding area.
- 4.08 The house is intended to be air-conditioned, external condenser units are proposed to be located within a sunken area above the garage on the western side of the property. The specifications of the condenser units, together with a noise assessment are included with this application.

## **5.00 ACCESS STATEMENT**

- 5.01 The access from the street to the front door would not be any different as that shown in the consented scheme. The house is within walking distance from key services and amenities. The consented house has provision for 2 no. car parking bays in the driveway and 1 no. car parking in the garage. The property is "car-capped" and has no access to on-street parking permits. There are 2 no. cycle parking spaces within the garage.
- 5.02 The property has a PTAL rating of 3 (moderate). The nearest tube station is Hampstead tube station (Northern Line) located approximately 866m away and Finchley Road and Frognal Station (Overground) is 946m away, buses operate frequently from Finchley Road approximately 600m away.

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