

Address:	17 Branch Hill London NW3 7NA		4
Application Number:	2015/3377/P	Officer: David Peres Da Costa	
Ward:	Frognaal and Fitzjohns		
Date Received:	15/06/2015		
Proposal: Erection of part 2 and part 3 storey plus basement single family dwelling (following demolition of existing) with plant room, swimming pool (including air handling unit) and 5 condenser units.			
Background Papers, Supporting Documents and Drawing Numbers: M2-P1; M2-P2; M4-P2; M5-P2; P1-P2; P2-P2; P4-P2; P5-P2; (779)002_P02; (779)003_P02; (779)010_P03; (779)011_P02; (779)012_P02; (779)015_P02; (779)016_P02; (779)017_P02; (779)020_P04; (779)021_P04; (779)023_P02; (779)024_P03; (779)200_P03; (779)201_P03; (779)202_P03; (779)203_P03; (779)204_P03; (779)205_P05; (779)206_P04; (779)207_P04; (779)300_P04; (779)301_P03; (779)302_P02; (779)303_P03; (779)304_P01; (779)311_P02; (779)312_P02; (779)313_P02; 1281_GA_013 P2; 1281_SE_020 P3; 1281_SE_021 P3; 1281_SK_008 P3; 1281_SK_009 P4; 1281_GA_011 P2; 1281_GA_010 P3			
BIA prepared by Site Analytical Services Ltd dated October 2015; Preliminary Risk Assessment prepared by Site Analytical Services Ltd dated November 2014; Arboricultural Impact Assessment Report prepared by Landmark Trees dated 27th June 2015; Structural Engineer's Design Statement for Planning prepared by engineersHRW dated June 2015; Design and Access Statement prepared by SHH dated June 2015; Renewable energy statement and sustainability report prepared by ME7 dated June 2015; Construction Management Plan prepared by Construction Planning Associates dated June 2015; Environmental Noise Assessment prepared by Acoustics Plus dated 10/6/2015; Report on a Ground Investigation prepared by Site Analytical Services Ltd dated May 2015; BIA audit prepared by Campbell Reith dated January 2016; Ground movement assessment prepared by Card Geotechnics Limited dated January 2016; Letter from Construction Planning Associates dated 11 th January 2016;			
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section106 legal agreement			
Applicant: Mr Adam Kaye		Agent: SHH Architects	
17 Branch Hill London NW3 7NA		SHH Architects 1 Vencourt Place Ravenscourt Park London W6 9NU	

1 ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3	Dwellinghouses	431m ²
Proposed	C3	Dwellinghouses	516m ²

2	Residential Use Details:									
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	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>House</i>					1				
Proposed	<i>House</i>					1				

Parking Details:	
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	Parking Spaces
Existing	4
Proposed	4

OFFICERS' REPORT

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

1. SITE

- 1.1. The site comprises a modern three storey (including a lower ground floor) detached residential dwellinghouse, on a backland site to the rear of an existing semi-detached pair of houses. The site is accessed via a private driveway between Savoy Court and 1 and 2 Branch Hill. The site is not visible from Branch Hill. The site is graded in a way that the southern, western and eastern sides of the site are lower than the north by approximately a storey's depth. This allows the lower ground floor to be level with the garden area (to the south and west of the site) whilst the northern part of the lower ground floor is below ground level. The property falls within the Hampstead Conservation Area but is not identified as a positive contributor. The site is in close proximity to Hampstead Heath.
- 1.2. The existing property was built in 2000 and has been subsequently extended. It sits on the site of a cottage which is shown on Ordnance Survey maps dating from 1914 and 1935. The cottage was located at the rear of a semi-detached pair, 1 and 2 Branch Hill and to the south of a substantial semi-detached pair (redeveloped as Savoy Court). The 1894 OS map shows The Chestnuts (1 and 2 Branch Hill) were built with substantially shorter gardens than the neighbouring properties (Leavesden and Oakhurst).

2. THE PROPOSAL

Original

- 2.1 The application seeks permission for a part 2 and part 3 storey plus basement 5-bed single family dwelling following demolition of the existing 3- storey house. It would include a swimming pool at lower ground floor level.

Revision[s]

- 2.2 The materials of the scheme were revised to replace the light brown laminated hardwood with 'Ipe Hardwood'. Following officer concerns the render has been amended to be finished in dark grey rather than white.

3. RELEVANT HISTORY

- 3.1. **D5/4/A/16881:** The change of use to two self-contained maisonettes, including works of conversion. Granted 13/11/1973
- 3.2. **PW9902968:** The demolition of the existing cottages and the erection of a replacement dwellinghouse. Granted 06/07/2000

- 3.3. **2007/6421/P:** Erection of first floor side extension to provide additional accommodation for the existing three storey dwellinghouse. Granted 04/03/2008
- 3.4. **2015/0457/P:** Erection of part 2 and part 3 storey plus basement single family dwelling (following demolition of existing) with plant room, swimming pool and 5x condensers. Withdrawn 09/04/2015

4. CONSULTATIONS

Conservation Area Advisory Committee

- 4.1. The Hampstead CAAC was consulted on 24/7/15 but no response has been received.

4.2. **Adjoining Occupiers**

<i>Number of letters sent</i>	25
<i>Total number of responses received</i>	21
<i>Number in support</i>	0
<i>Number of objections</i>	20
<i>Number of comments</i>	1

- 4.3. A site notice was displayed from 29/7/15 to 19/8/15 and the application was advertised in the local paper on 30/7/15.
- 4.4. One comment was received and 20 neighbours including occupiers in Leavesden, Leavesden Cottage, Holme Vale House, Savoy Court, Lindfield Gardens, Firecrest Drive, St Regis Heights, The Chestnuts, and Faraday Property Management Ltd have objected to the application. The following issues were raised.

Basement

- The basement and swimming pools can cause long term damage to neighbouring properties and environment, especially the subterranean water flow
- The presented BIA doesn't appear to be supported by a good quality, site-specific ground investigation accompanied by long-term monitoring of water levels.
- No consideration to underground river (Westbourne) nor the problems with drainage
- Section 5.6 of the Ground Investigation refers to a Stage 1 report which was submitted with the previous withdrawn application. All relevant documents have therefore not been submitted
- The structural report does not refer to 5m high retaining wall between 17 Branch Hill and Firecrest Drive
- Concerned that sheet piling could affect roots of neighbouring trees and retaining walls; wider risks for neighbouring structures, if land slippage occurs
- Soak-away in the lower part of the garden will lead to movement in the retaining wall

- The ground water readings were taken at the wrong end of the site. There used to be a pond outside our houses (painted by Constable) which drained in a culvert beneath the road (but visible on the Heath side) by No. 13 and down beneath No. 17. (It is the Westbourne)
- The proposed piling and swimming pool may impact on soil stability.
- Structural report's conclusion refers to 'lean-to structure': this is in fact a residential annexe, where our nanny lives full-time.
- No stress test results or soil mechanics seepage reports pertaining to the piling abutting the party walls and adjacent annexe. Furthermore, no detailed structural reports covering stress analysis of retaining wall, party walls or subterranean excavations have been submitted.
- No analysis of how the proposed development affects the soil and fluid mechanics of the nearby Westbourne River from The Chestnuts and Leavesden side of the project, where the river runs closest.

A further objection was received 24/10/15 following the BIA audit

- A survey of the river Westbourne has still not been undertaken; not been a proper basement survey; intended pool is alongside where the river Westbourne flows

A further objection was received 21/1/16 following further BIA submissions

- Misleading statement (in document dated 11th January 2016). There are no exact measurements as to the width of the driveway and distance from the retaining wall. Furthermore, there is no reference to the dimension or, crucially, width of the plant and vehicles reversing down the driveway.
- CGL Ground Movement Assessment, dated January 2016 did not involve a site visit to objectors property and appears to be a desk top study

Design

- The design is not in keeping with the current surroundings
- The white structure will stand out like a sore thumb.
- The design and materials to be used are out of keeping with the surrounding buildings (which are all of a brick construction) and therefore detrimental to a conservation area.
- Too large and modern; totally unsuitable materials: astroturf like grass on the roof and laminate on the walls are not in keeping with its surroundings
- The increase in size of the property is a massive overdevelopment of the site
- The new elevation at the rear of our garden will run along the entire length of our rear garden; the permanent loss of amenity and space, whilst increasing the sense of overbearing; the new structure completely envelops and encloses our garden. My garden, house (Holme Vale House) and residential annexe would be dominated by the new extension, which would be hugely overbearing
- The large roof would be unacceptably prominent in long views, far beyond my own garden, and would have a significant adverse impact on the skyline.
- Impact on the character of the conservation area as the development can be seen from numerous locations; proposed development will not preserve nor enhance the character and appearance of the Hampstead Conservation Area; a negative impact must be given "considerable importance and weight"
- Insufficient technical information: no details of the exact area and volume of the proposed scheme
- Why is there no Heritage Study?
- **A heritage report from KM Heritage (15 90833)**

- The predominant material in the area, and a key component of the character and appearance of this part of the Hampstead Conservation Area, is very clearly brick, and instances of the use of other materials (such as at Spedan Close) are the exception rather than the rule. The proposed house, however, will be finished in a white render, at odds with this character, along with 'warm laminate hardwood' (a material of questionable durability) and zinc - again, neither material is typical of the conservation area when used as an external finishing material.
- The fenestration of the building and the curved form of the roof resulting in an alien and incongruous design, which sits uncomfortably in its site and in relation to its neighbours.
- The conservation area has a distinct character and appearance and has distinct typological and characteristic features - such as brick as a material and the use of pitched roofs
- Harm to positive contributors to the conservation area (Holme Vale House) English Heritage guidance makes clear that, in terms of positive contributors in conservation areas, 'Back elevations can be important, as can side views from alleys and yards'.

Trees

- They plan to take down trees, and there is questionable control on the tree replacement
- Impact on several trees
- The basement would be built 1.3m away from a Sycamore which is in fair condition; the roots of this tree will be cut and could make the tree unstable
- No consideration to trees T13-T15 if the roadway is resurfaced
- The report stipulates that planning application for remove the Cedars along the driveway received no objections (2014/2288/T). The removal of these trees will increase the dust and noise that Savoy Court residents will endure

Plant

- The plant would produce noise, unpredictably and virtually continuously
- Mechanical plants appear to be positioned closer to Firecrest Drive than to the new property.
- Would dramatically change Firecrest Drive from a very quiet area to one with mechanical noise.
- The acoustic test was measured in the noisier driveway close to the road (Branch Hill), rather than on the silent Firecrest Drive.
- Condensers would be used also as secondary heating source; this implies that the new condensers and ventilators would produce much higher noise throughout the year.
- Plant would be just opposite our bedroom
- There is no guarantee the acoustic lining to the plant room will be installed
- Concerns about noise impact on Flat 4 Savoy Court and 1 Firecrest Drive – background noise levels should have been measured in these locations
- Vibration from plant
- Residential annex of Holme Hill House (where our nanny lives full-time) is closest to the development
- Acoustic assessment is insufficient (doesn't take account of noise bleed from other systems)

Amenity

- The proposed plans would severely affect our privacy as the construction would overlook directly into bedrooms and living rooms of Firecrest Drive residents.
- Residents in St Regis Heights will be overlooked by 17 Branch Hill
- The eastern elevation of the existing house runs along approximately half of the rear boundary of our house. We have clear views through the other half. We can see trees, benefit from natural light and enjoy spending time in the open character of our garden. The re-submitted replacement house still obliterates all of the above (Holme Vale House, 2 Branch Hill); the loss of amenity and overbearing is stark; the proposed scheme creates a massive bulk covering the entire width of our rear boundary – would create a sense of enclosure; this would not be ameliorated by 'living garden' roof. Harm to sunlight reaching garden
- I never had an early engagement with Mr. Kaye to discuss loss of sunlight and find it misleading to make such a false statement (p11 of DAS)
- Noise levels from the outdoor swimming pool
- Increase in size of property will be detrimental to neighbouring properties' privacy and sunlight; change to a living area on the south aspect on the first floor will directly impact on and look into both my living room and kitchen; The location of the outdoor pool will also directly adversely affect noise levels and view.
- The build on the Eastern elevation will not only take away clear views and sun light, but give the appearance of being "boxed in".

Sustainability

- We strongly oppose the demolition of a perfectly good new building, barely 15 years old, to replace it with tons more concrete; sets a very dangerous precedent.

Transport

- Contrary to the report, Branch Hill is extremely busy at certain times of the day and the narrow road and turn off from West Heath Road is a traffic issue. Furthermore planning permission has been granted for demolition of 7 Branch Hill so we are faced with 2 major projects and traffic chaos within 200 metres of each other.
- States in item 3.2 that there is a low traffic density – this is not the case this is a short cut for vehicles wanting to get to Hampstead from West Heath Road. This road is constantly being used, particularly during school term time.
- Suspension of parking bay would reduce parking space
- Average 2 HGV deliveries a day. This is a significant volume of traffic on a narrow road; deliveries will cause traffic congestion
- excess traffic will cause accidents and it will also cause damage to the road surface
- The blind spot and narrowness of Branch Hill on its approach will cause danger to children
- Where will all of those carrying out the work park?

Disruption

- The application envisages 91 weeks of work which would result in significant disruption to our daily life

- Could the works be restricted to workdays Monday to Friday and not during weekends.
- Will cause a significant amount of dust
- Smell and noise from construction welfare facilities on boundary with Savoy Court
- Dust assessment inadequate
- The existing property in question is now up for sale therefore this is a speculative development rather than the provision of a family residence for the current owner
- dust generated over a 2 year period would constitute a serious health hazard particularly to the geriatric residents of Savoy Court who would be most vulnerable to the effects of such pollution; noise from construction would constitute a further health hazard
- increased air pollution

Other

- Lack of consultation with neighbours
- The effect on local animals could be unacceptable – a fuller assessment of impact on diverse wildlife is needed

5. POLICIES

5.1. National and regional policy

5.2. NPPF 2012

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

5.3. The London Plan March 2015, consolidated with alterations since 2011

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 6.9 Cycling

Policy 6.13 Parking

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

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

Core Strategy Policies

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS11 Promoting sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting High Quality Places and Conserving Our Heritage

CS15 Protecting and improving our parks and open spaces & encouraging biodiversity

CS18 Dealing with our waste and encouraging recycling

CS19 Delivering and monitoring the Core Strategy

Development Policies

DP2 Making full use of Camden's capacity for housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair homes

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP20 Movement of goods and materials

DP22 Promoting sustainable design and construction

DP23 Water

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP27 Basements and lightwells

DP28 Noise and vibration

5.5. **Supplementary Planning Policies**

Camden Planning Guidance 2013-15

CPG1 Design

CPG2 Housing

CPG3 Sustainability

CPG4 Basements and Lightwells

CPG6 Amenity

CPG7 Transport

CPG8 Planning obligations

Hampstead Conservation Area Statement

6. ASSESSMENT

6.1. The main considerations subject to the assessment of this planning application are:

- Design, Conservation and Heritage
- Basement
- Quality of residential accommodation
- Neighbouring amenity
- Transport
- Sustainability
- Trees and landscaping

6.2. Design, Conservation and Heritage

- 6.3. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character of the Conservation Area when determining planning applications in relation to land in conservation areas.
- 6.4. The property falls within the Hampstead Conservation Area (and is on the edge of Sub-area 6), however it is not identified as a positive contributor. Sub area 6 is the Branch Hill and Oak Hill character zone. The area is principally woodland on the western slopes of Hampstead in which buildings play a subordinate role. The conservation area statement notes Branch Hill is an old route skirting the edge of the Heath that links up with West Heath Road. As the road meets West Heath Road and slightly detached from the village there is a group of late 19th century semi-detached buildings, with Gothic elements, three storeys, semi-basement and dormered roof. The site is located to the rear of these accessed via a private lane.
- 6.5. The existing 3 storey building, which is finished in red brick and timber panelling and large areas of glazing was granted planning permission 06/07/2000 (ref: PW9902968). A first floor extension was approved 04/03/2008 (ref: 2007/6421/P). The existing house is 2-storeys high at entrance/driveway level with lower ground floor below. The site is graded in a way that the southern, western and eastern side of the site is lower than the north by approximately a storey's depth. This results in the lower ground floor level being only visible from the south and west of the site. The building is not considered to have particular architectural merit and its demolition would result in no harm to the conservation area, subject to suitable design of the replacement. Therefore there is no objection to the principle of the demolition of the existing building.
- 6.6. The replacement building would be contemporary in appearance and its bulk and massing would be similar to the existing building. The most significant element of additional bulk would be at the lower level (ground floor / garden level) and also in the north eastern part of the site. The existing set-back at the north east of the building would be omitted and the proposed development would project approximately 1m further to the north. At the lower level the ground floor (garden level) would project between 2.86m and 3.8m further into the garden (towards the west). Overall the small increase in bulk and massing is considered acceptable as it is largely within the footprint (albeit without set back and squared off) established by the existing building. When viewed from nearby neighbouring buildings it would not appear significantly larger and the additional bulk would not alter existing views through the site.
- 6.7. A basement with lightwells is also proposed. Due to the topography of the site all of the floors including the basement are on split levels, with the accommodation on the west of the building being at a lower level than accommodation towards the east. The articulation between the split levels is provided by a central staircase which would have clerestory windows on the west elevation, facing towards the garden. The stepped form of the building would reflect the existing grading of the

land with 2 storeys visible at the north of the site and 3 storeys at garden level to the west and south.

- 6.8. The supporting text for policy DP25 states the Council must be satisfied that there are acceptable detailed plans for the redevelopment before permission for demolition is granted. Any replacement building should enhance the conservation area to an appreciably greater extent than the existing building. When a building makes little or no contribution to the character and appearance of a conservation area, any replacement building should enhance the conservation area to an appreciably greater extent than the existing building.
- 6.9. The external treatment has been revised during the course of the assessment, with Ipe (Brazilian walnut) replacing the laminated hardwood at first floor level and dark grey render replacing the white render elsewhere. The dark coloured hardwood at first floor would be an appropriate response to the woodland setting provided by the surrounding trees in this part of the conservation area. The revised materials will allow the building to blend into the area. Sample panels would be required by condition to ensure the acceptability of the specific colour of these elements. The design would be sympathetic to Branch Hill and it is considered to be of high quality and would enhance the conservation area to an appreciably greater extent than the existing building.
- 6.10. A heritage report (KM Heritage) has been submitted by one of the objectors. The report raises a number of objections to the development. Many of the objections relate to design and choice of material which have been modified during the application process or have been omitted following the withdrawal of an earlier application. The existing house is brick and has a pitched roof. Whilst both of these elements relate to the predominate form and materials of nearby buildings, they are not considered to result in a building of particular architectural merit or one that enhances the conservation area. Conversely, it is considered the materials and form of the proposed house would make a positive contribution to local character and distinctiveness in accordance with chapter 12 (Conserving and enhancing the historic environment) of the NPPF. Moreover the proposed house would not detract from the rear elevations of Holme Vale House or other positive contributors within the conservation area.
- 6.11. A condition removing permitted development rights would be appropriate. This would ensure any future alterations (including painting) would require planning permission.
- 6.12. **Basement**
- 6.13. The proposal involves the demolition of an existing property containing a basement level, and the construction of a new property containing a basement level to a lower depth.
- 6.14. The site topography means that the existing basement is at ground level on the southern side and below ground on the northern side. The BIA and plans refer to the basement as a lower ground floor. The lowest depth of the proposed basement will be approximately 2.5m deeper than the existing lower ground floor. The footprint of the basement would be approximately 309sqm. In accordance with

policy DP27 (Basements and Lightwells), the applicant has submitted a basement impact assessment (BIA). The BIA has been independently audited.

- 6.15. The basement would be founded within the Bagshot Beds Formation, a sand formation with clay and silt content. Ground water was reported to be located and stable at 7.1m below ground level, several metres below the required excavation level and underside of the basement. The audit concludes there would be no surface water impacts caused by the scheme.
- 6.16. The proposal would increase the differential foundation depth with the neighbouring habitable single storey structure (at the rear of No.2, Holme Vale House) located directly adjacent to the boundary. A ground movement assessment (GMA) and subsequent damage assessment found the predicted damage to this structure (Burland category 2 – slight damage) would require mitigation measures to be provided. The GMA recommends a prop below the top of the trench sheeting which would reduce the damage category to zero. To confirm movements do not start to fall outside of those predicted, a formal monitoring strategy would be implemented on site in order to record and control ground movements during construction. As the damage caused will depend on the condition of the neighbouring property, the independent audit recommends a condition survey should be carried out. This would be secured through the basement construction plan, required by s106 legal agreement.
- 6.17. Other than the above, all habitable buildings are outside of the zone of influence of the works and do not require damage assessments. The audit accepts this conclusion.
- 6.18. The construction management plan refers to the position of materials storage, along the side boundary shared with Holme Vale House. This boundary forms a retaining wall that is approximately 2.0m high, with the higher retained level on the side of 17 Branch Hill. It is noted the width of the driveway is 6m. The existing planters along the top of the retaining wall would be removed, and the construction materials stored along this edge would be of no greater weight than the removed planters. The material storage would also act as a buffer from site traffic to prevent traffic surcharges on the retaining wall. The audit has confirmed that the retaining boundary wall shared with Holme Vale House would remain stable during the works and would not be subjected to more onerous loading than existing.
- 6.19. A number of the objections relate to the basement excavation. The audit has provided a response to each of the matters raised and whilst this report summarises the most significant conclusion of the BIA the following points are also noted.
 - The BIA has confirmed that the River Westborne is now culverted and does not run through the proposed site.
 - The basement works are located some 10m away from the boundary with Firecrest Drive. Detailed considerations of this boundary wall are not considered necessary with relation to the construction of the basement.
 - The piles are to be bored piles and not driven. This method of piling produces significantly less noise and vibration compared to driven piling and would therefore be appropriate for a residential area.

6.20. **Quality of residential accommodation**

6.21. The development would provide a very generously sized 5-bed house. The house would comfortably exceed the National Space Standards. The nationally prescribed space standards replaced the existing space standards used by each separate local authority. The space standard for a 5 bedroom dwelling over 3 storeys ranges between 116sqm to 134sqm (depending on the number of occupants the dwelling is designed for). It is noted that the floorspace at first floor level alone would meet the space standard requirement of 134sqm. Likewise, all double bedrooms would comfortably exceed the National Space Standards (11.5sqm).

6.22. **Access**

6.23. Lifetime Homes has been superseded by Part M4 (2) of the Building Regulations (1st October 2015). M4 (2) is similar to lifetime homes but requires totally step free housing. Compliance with M4 (2) would be secured by condition.

6.24. **Sustainability**

6.25. The Council requires development to incorporate sustainable design and construction measures (policy DP22). A renewable energy statement and sustainability report has been submitted to support the application. Any new residential development is expected to achieve a 19% reduction in carbon emissions from 2013 building regulations. The Council also expects developments to achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation.

6.26. A gas fuelled Combined Heat and Power system is proposed. This would help reduce CO2 emissions by delivering heat and electricity locally and reducing the losses that normally occur by conventional power plants. This solution will achieve a 37% reduction in CO2 compared to 2013 Building Regulations. The energy efficiency measures will be secured by legal agreement.

6.27. Other on-site renewable energy sources (solar hot water, air / ground source heat pumps, and solar photovoltaics) were considered but would not be practicable for this development. For example solar PVs would not be feasible due to overshadowing from the surrounding trees.

6.28. The sustainability report outlines sustainable design and construction methods. The proposed building has been modelled using an accredited calculation methodology (SAP2012) and by an accredited energy assessor. The sustainability measures, as set out in the renewable energy statement and sustainability report, would be secured by s106 legal agreement.

6.29. All new build dwellings are required to achieve 110 litres, per person, per day (including 5 litres for external water use). This will be secured by condition.

6.30. **Sustainable Urban Drainage**

6.31. The Council requires developments to reduce the pressure on the combined sewer network and the risk of flooding by sustainable urban drainage systems (SUDS).

The volume and rate of run-off from heavy rainfall can be reduced through the use of SuDS including green and brown roofs, pervious paving and detention ponds or tanks. SuDS strategies should be designed in accordance with NPPF policy (and London Plan policy 5.13 (SuDS hierarchy) to reduce run off rates to greenfield rates. Where reasonably practicable, run off volumes should be constrained to greenfield run off volumes for the 1 in 100 year 6 hour event.

6.32. The submitted renewable energy statement and sustainability report indicates that underground rainwater harvesting tank/s would be provided within the surface water drainage system to collect water from the main roof areas for recycling for external irrigation and pool backwash replenishment. In addition a surface water retention tank would be provided as part of the harvesting tank to reduce outflow to the sewer. A hydrobrake would be utilised to limit outflow. The rear half of the house (RWP's and gullies) would be drained to the retention tank, to reduce peak outflows to 50% below the existing level; with 30% factor for climate change based on a 1:100 year storm. A condition would ensure that the SuDS measures have been implemented and the applicant would be required to show there would be a 50% reduction in the run-off rate, with an allowance for climate change, for all events up to and including the 1:100 year storm event.

6.33. **Plant equipment**

6.34. The proposed house includes the installation of mechanical plant to provide heating / cooling and ventilation of habitable spaces as well as a separate ventilation system for the proposed garden level swimming pool. The majority of the mechanical plant would be located in a basement plant room. Five external condensers associated with the climate control system would be located in a rear garden store area close to the rear boundary (which abuts Firecrest Drive). A noise assessment has been submitted to support the application. A 24 hour noise survey was undertaken adjacent to the existing house. The Council's environmental health officer has assessed the report and confirmed the location of the background noise survey is acceptable. This is because there would not be a great change in background noise levels for a site of this size.

6.35. The nearest noise sensitive facades have been identified as Savoy Court, Holme Vale House and 1 Firecrest Drive. The noise report has assessed the impact on each of these locations and concludes that the Council's noise thresholds would not be exceeded (i.e. the plant would be 10dB below the lowest background noise level). The report assumes that certain mitigation measures would be required in order for the Council's noise thresholds to be met.

- a) The swimming pool AHU would require in line attenuation on atmosphere supply and exhaust ducts.
- b) The water booster to be located within an acoustic enclosure.
- c) Acoustic louvres in the basement plant room.
- d) Basement plant room to be lined with an acoustic wall lining product.
- e) Acoustic louvres and acoustic wall lining panels in the garden condenser enclosures

These measures would be secured by condition. A condition would also be included to ensure the Council's noise thresholds were not breached.

6.36. **Neighbouring amenity**

- 6.37. Ground and first floor windows in the existing property already look towards properties on Firecrest Drive. Whilst 1 and 6 Firecrest Drive are relatively close (21m) to the rear elevation of the existing building these properties are at a substantially lower level. In between 1 and 6 Firecrest Drive is 4 Firecrest Drive which is set further back. The north eastern elevation of this property is approximately 38.5m from the existing rear (west) elevation of the subject property. Therefore there is a degree of overlooking between the existing property's living room (ground floor) and bedrooms (first floor) and neighbouring windows on Firecrest Drive.
- 6.38. Although the ground floor (garden level) living room and windows would be at a higher floor level than existing garden level lounge (0.5m approximately) and would extend 2.86m and 3.8m further into the garden, the windows of the ground floor rooms do not overlook any neighbouring properties. Although the bedrooms at first floor level are marginally closer to properties on Firecrest Drive, the degree of overlooking would not be significantly altered.
- 6.39. The existing eastern and northern elevation is stepped. The northern portion of the eastern elevation is set back approximately 5.34m from the majority of the eastern elevation and is therefore set back further from the rear elevation of 2 Branch Hill (Holme Vale House). The most significant change in the footprint would occur in the north eastern part of the site. The set-back would be omitted and the proposed development would project approximately 1m further to the north. Whilst the majority of the roof would only be 0.15m higher than the height of the existing roof, the northern part would be 0.51m higher than the height of the existing roof in this location. The proposed eastern elevation would also be wider at 1st floor level with it projecting 1.17m further to the south.
- 6.40. The changes to the eastern elevation would have limited impact on 2 Branch Hill (Holme Vale House) which abuts the site to the east. This is because Holme Vale House is significantly larger than the proposed development and the upper floors of the property would continue to have uninterrupted views over the roof of the proposed house. There is also an existing 2m high trellis on a wall which runs along the eastern elevation on the boundary between Holme Vale House and the subject property. This would partially obscure the relatively small increase in bulk at first floor level. In addition, the northern part of the eastern elevation where the increased bulk would be most apparent would be set back 1.25m from the eastern elevation and so would be slightly further away from the rear elevation of Holme Vale House. The articulation in the eastern elevation would allow an area of planting above the roof of the ground floor. This articulation would help to ensure the eastern elevation would not appear overbearing when viewed from Holme Vale House. The small increase in bulk would not harm the outlook from the rear rooms of Holme Vale House.
- 6.41. The garden of Holme Vale House is at lower ground floor level and a floor below the ground level of the subject property. Along the rear boundary with the application site is an outbuilding with a pitched roof. Beyond the ridge of the pitched roof is the 2 storey east elevation of the existing house. Given this context, the garden of Holme Vale House is already significantly enclosed to the rear and the small increase in bulk would not harm the outlook from the garden or significantly

increase its sense of enclosure. The proposed development would not have a harmful impact on the levels of daylight or sunlight reaching the garden or the rear rooms of Holme Vale House.

6.42. The existing south elevation has large windows at ground and first floor. From these windows they are oblique views back towards Leavesden Cottage. There is already a degree of overlooking (oblique) between these properties. The proposed south elevation would have smaller slot windows at first floor level (0.38m wide) and smaller square windows at ground floor level (0.8m). Given the reduction in the size of the glazing on the south elevation there would be a decrease in the potential for overlooking between these properties.

6.43. **Trees**

6.44. There are 18 trees on or around the site. The applicant has submitted an arboricultural report. The report assesses the potential arboricultural impacts and indicates the principal primary impacts would be to T7 (on-site Category C Sycamore) and T9 (off-site Category B TPO Sycamore). During the assessment of the application two trial pits have been dug in the root protection area of T9 and a further report submitted. The report indicates that no roots were found in either trial pit and concludes that the potential impacts of the development would be relatively low. A condition would be included to ensure detail of tree protection measures were provided before works commenced.

6.45. Subsequent to the preparation of the arboricultural report, T1 (Leyland cypress) in the neighbouring garden (The Chestnuts), has been removed (planning ref: 2015/4207/T). Therefore, it is accepted the references to this tree are no longer relevant.

6.46. **Transport**

6.47. Camden expects development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan (March 2015). For a house such as this, 2 spaces would be required. The ground floor plan has been revised to show 2 cycle parking spaces within the existing car port. A condition would be included to ensure the cycle store is provided prior to the occupation of the development and retained thereafter.

6.48. This site is located in the Hampstead Conservation Area and close to Hampstead Heath. Camden seeks to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The construction is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality). A construction management plan would therefore need to be secured via a Section 106 legal agreement in order to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area.

6.49. **Highways contribution**

6.50. The Council expects works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected road and

footway surfaces following development. The footway and vehicular crossover directly adjacent to the site could be damaged as a direct result of the proposed works. To allow the proposal to comply with Development Policy DP21, a financial contribution for highway works would be sought. This would be secured via legal agreement.

6.51. Mayor of London's Crossrail CIL and Camden's CIL

6.52. The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of a new dwelling. The CIL would be calculated on the uplift in floorspace (85sqm). Based on the Mayor's CIL and Camden's CIL charging schedules and the information given on the plans the charge is likely to be £4250 (85sqm x £50) for Mayoral CIL and £42,500 (85sqm x £500) for Camden's CIL (Zone C Residential). The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

7. CONCLUSION

7.1. The existing building does not positively contribute to the character and appearance of the conservation area and its demolition is therefore not resisted. Importantly, the bulk and mass of the proposed house would be similar to the existing building and the additional massing would not be prominent due to its location. The replacement building would have a contemporary appearance and the materials will allow it to blend into the conservation area. The independent audit of the basement impact assessment accepts there would be no surface water impacts and the basement would be unlikely to affect ground water flows. The Ground Movement Analysis recommends mitigation which would reduce the damage category to the neighbouring structure in the garden of Holme Vale House to zero. To confirm movements do not start to fall outside of those predicted, a formal monitoring strategy would be implemented and a condition survey of the neighbouring property would be required by basement construction plan. The independent audit accepts all other habitable buildings would be outside the zone of influence.

7.2. **Planning Permission is recommended subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:-**

1. Construction Management Plan.
2. Highways contribution of £3,372.27
3. Energy efficiency plan
4. Sustainability plan
5. Basement Construction Plan

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: M2-P1; M2-P2; M4-P2; M5-P2; P1-P2; P2-P2; P4-P2; P5-P2; (779)002_P02; (779)003_P02; (779)010_P03; (779)011_P02; (779)012_P02; (779)015_P02; (779)016_P02; (779)017_P02; (779)020_P04; (779)021_P04; (779)023_P02; (779)024_P03; (779)200_P03; (779)201_P03; (779)202_P03; (779)203_P03; (779)204_P03; (779)205_P05; (779)206_P04; (779)207_P04; (779)300_P04; (779)301_P03; (779)302_P02; (779)303_P03; (779)304_P01; (779)311_P02; (779)312_P02; (779)313_P02; 1281_GA_013 P2; 1281_SE_020 P3; 1281_SE_021 P3; 1281_SK_008 P3; 1281_SK_009 P4; 1281_GA_011 P2; 1281_GA_010 P3

BIA prepared by Site Analytical Services Ltd dated October 2015; Preliminary Risk Assessment prepared by Site Analytical Services Ltd dated November 2014; Arboricultural Impact Assessment Report prepared by Landmark Trees dated 27th June 2015; Structural Engineer's Design Statement for Planning prepared by engineersHRW dated June 2015; Design and Access Statement prepared by SHH dated June 2015; Renewable energy statement and sustainability report prepared by ME7 dated June 2015; Construction Management Plan prepared by Construction Planning Associates dated June 2015; Environmental Noise Assessment prepared by Acoustics Plus dated 10/6/2015; Report on a Ground Investigation prepared by Site Analytical Services Ltd dated May 2015; Ground movement assessment prepared by Card Geotechnics Limited dated January 2016; Letter from Construction Planning Associates dated 11th January 2016;

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

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including typical sections at 1:10 of windows and typical sample of frame to be submitted to local planning authority.

b) Manufacturer's specification details of all facing materials including grey render and timber cladding (to be submitted to the Local Planning Authority) and 0.4m x 0.4m samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2).

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.

- 6 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.

- 7 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.

- 8 Before the use commences, the basement plant, swimming pool Air Handling Unit, water booster and condensers shall be provided with sound attenuation in accordance with the Environmental Noise Assessment hereby approved. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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 The cycle store for 2 cycles hereby approved shall be provided in its entirety prior to the first occupation of the new dwelling, 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 Sustainable urban drainage:

A) 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 designed to accommodate all storms up to and including a 1:100 year storm with a 30% provision for climate change, and shall demonstrate that greenfield run off rates (5l/s) will be achieved.

B) Prior to occupation of the development, evidence that the sustainable drainage system has been implemented shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

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.

- 11 Prior to the first occupation of the building a plan showing details of the bio-diverse green roof including 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: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the

London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 12 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to 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 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

- 13 No impact piling until a piling method statement, prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works, has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy.

- 14 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 (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.

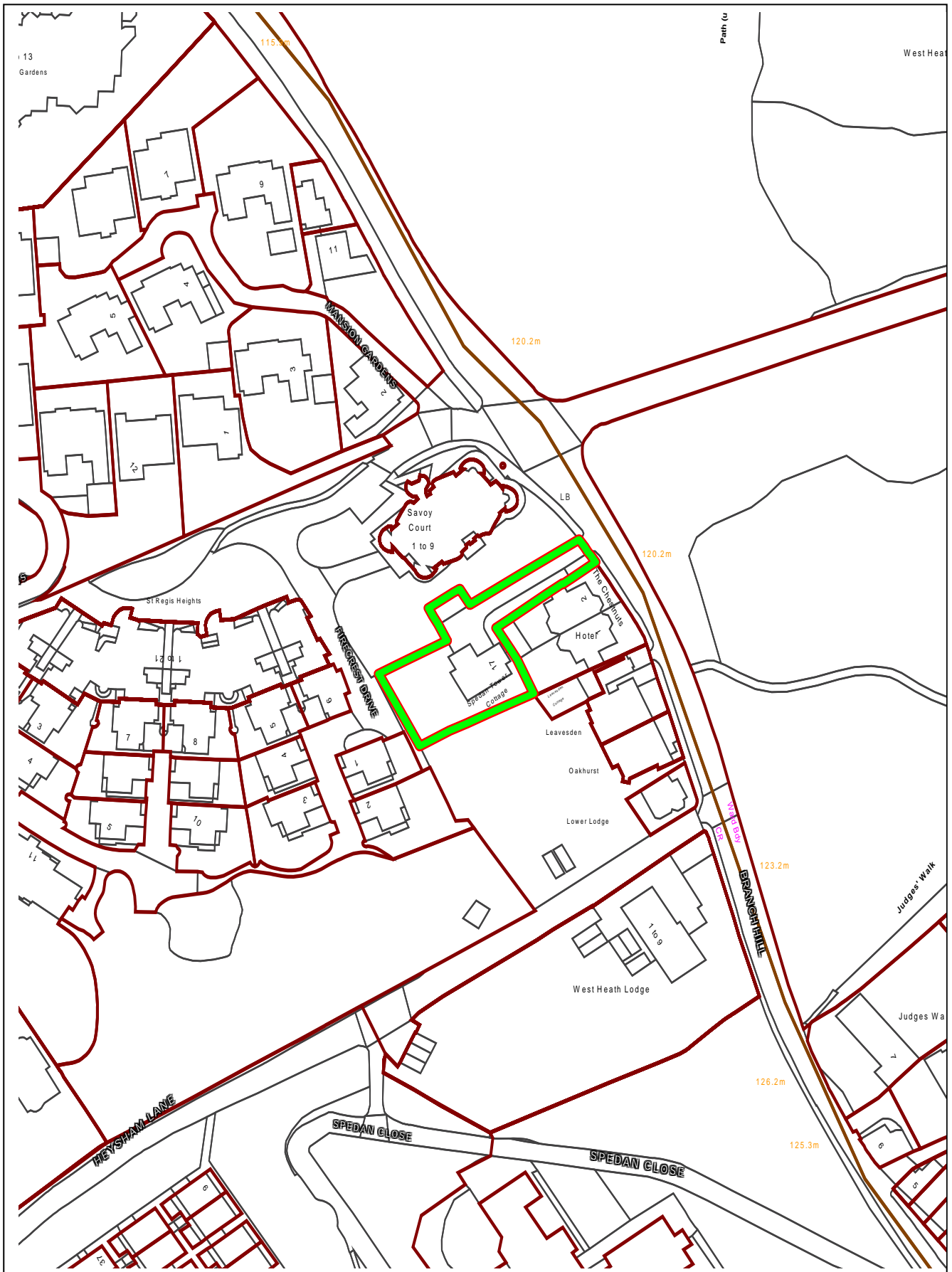
Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and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

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 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.
- 4 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £4250 (85sqm x £50) for the Mayoral CIL and £42,500 (85sqm x £500) for the Camden's CIL (Zone C Residential).

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.



Application No: 2015/3377/P

**17 Branch Hill
London
NW3 7NA**

**Scale:
1:1250
Date:
30-Mar-16**



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View of driveway / neighbouring buildings to the rear of 17 Branch Hill



Figure 6.1: View of driveway. Author: SHH.

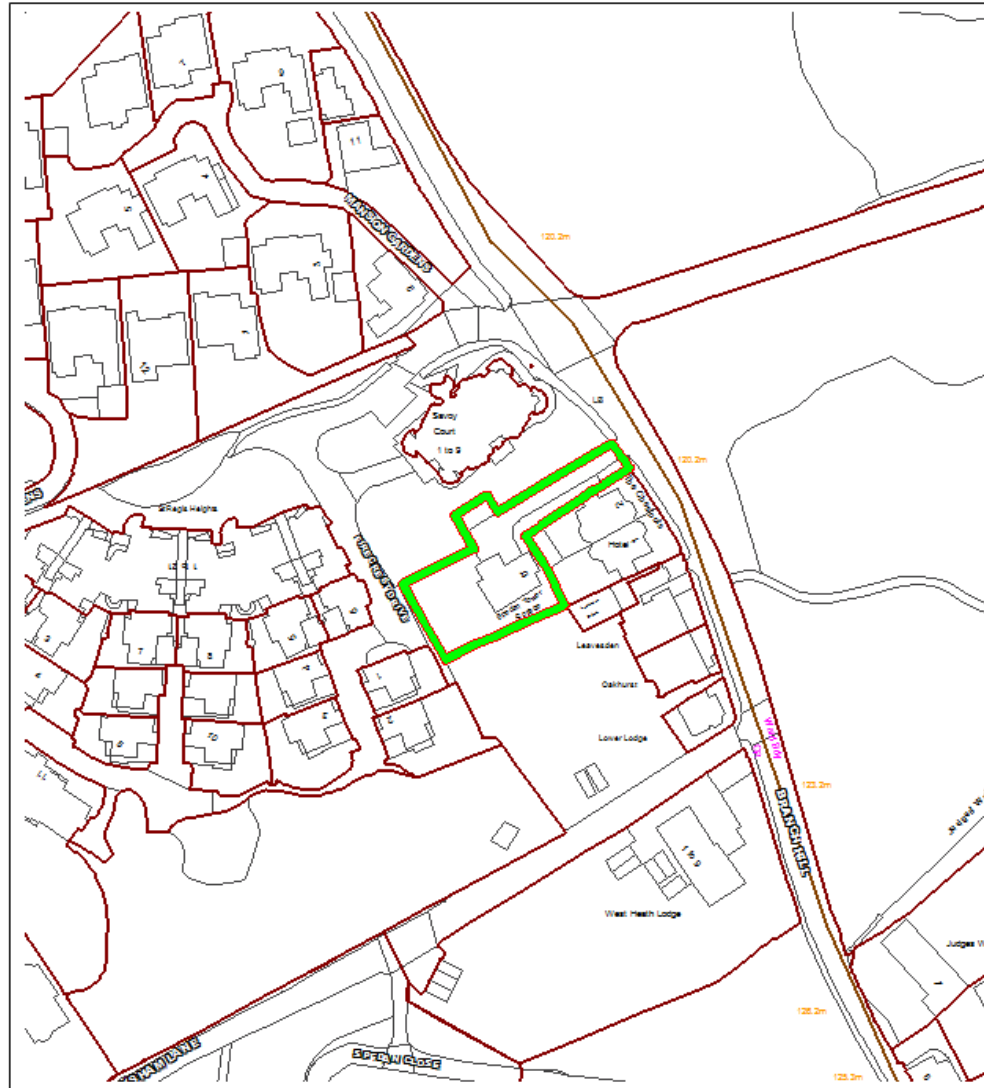


Figure 6.2: View of neighbouring buildings on W boundary. Author: SHH.

View of rear of 17 Branch Hill



Site location plan – 17 Branch Hill



Site Plan

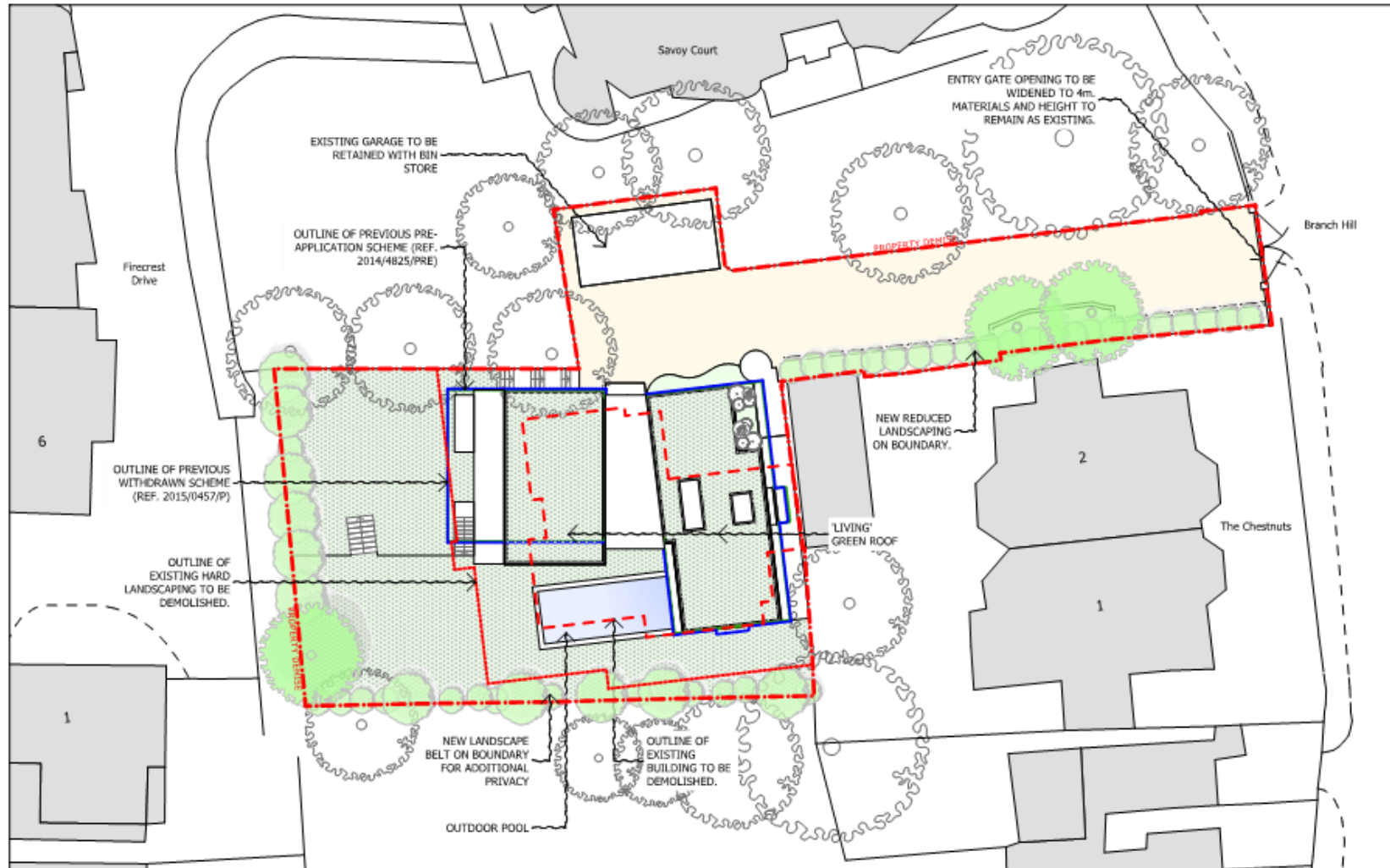


Figure 6.3: Proposed site plan (NTS). Author: SHH

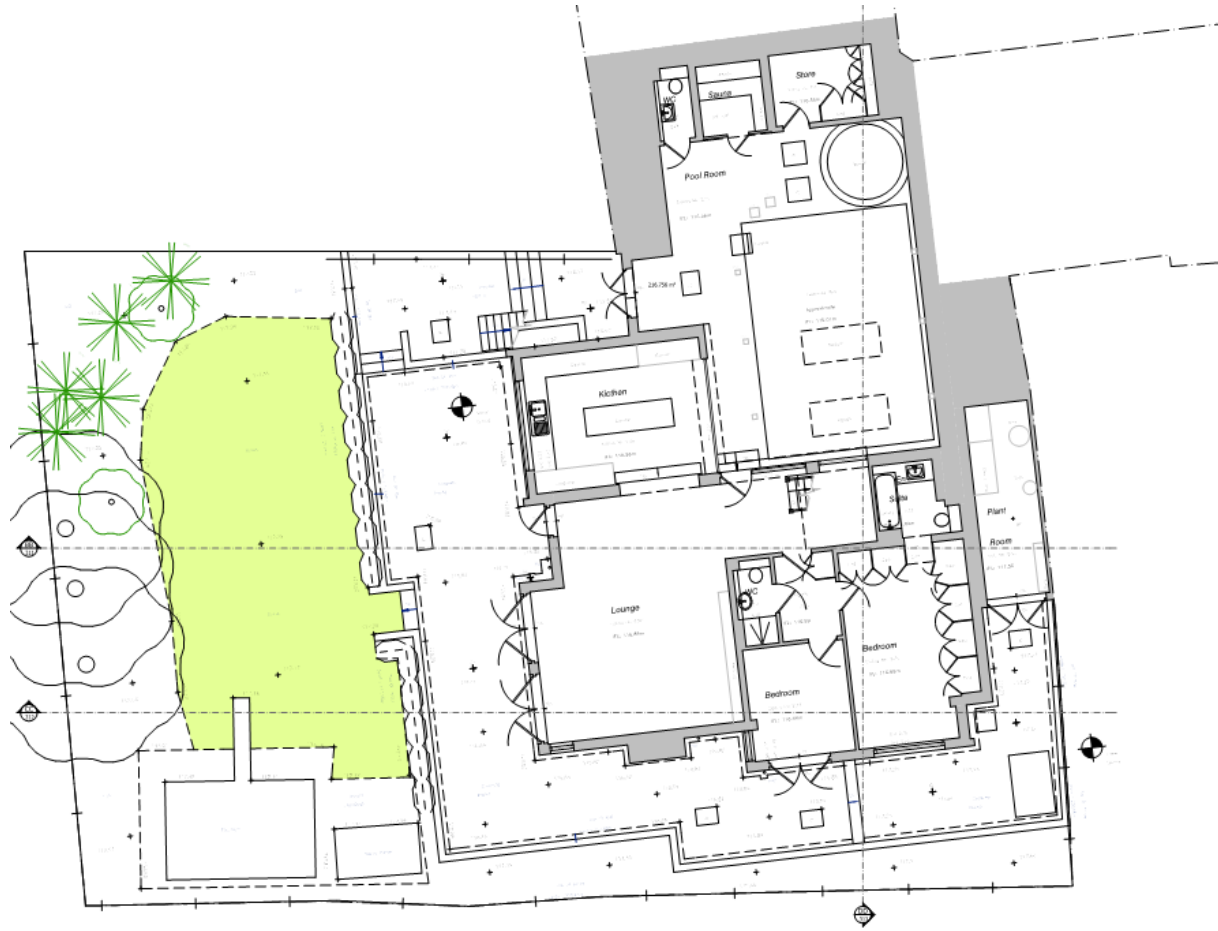
Existing Aerial View



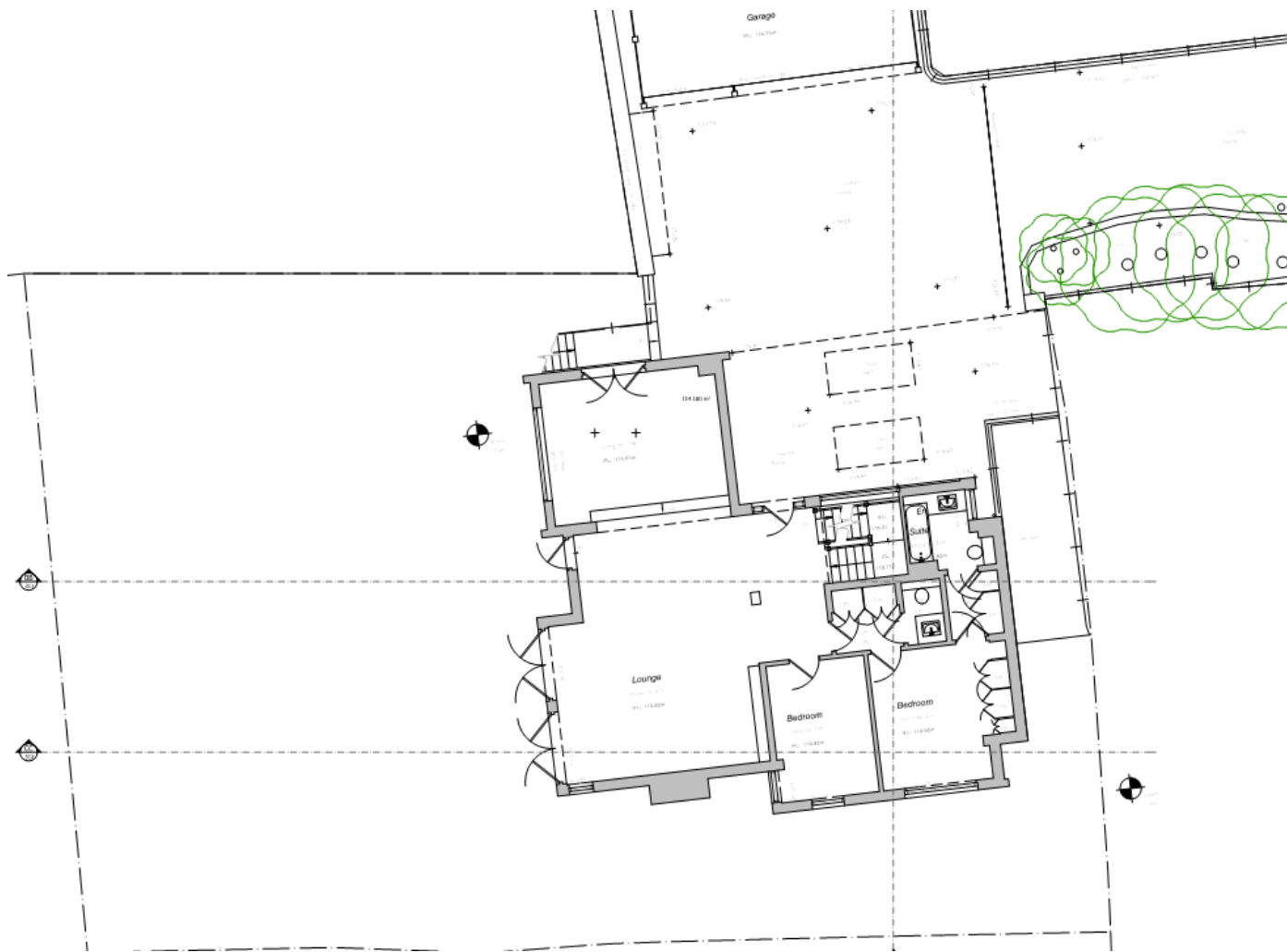
Proposed Aerial View / As Amended (materials)



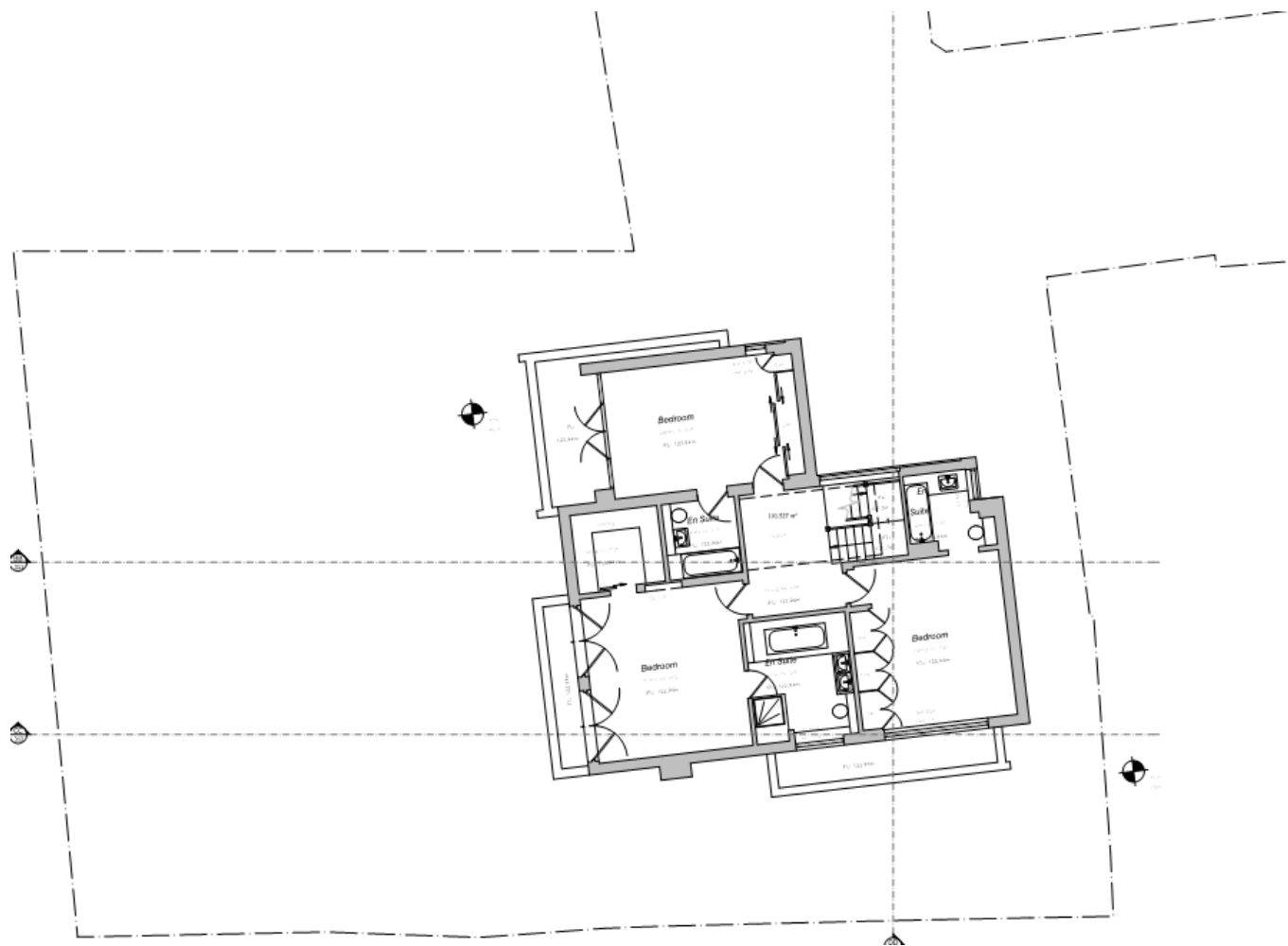
Existing Lower Ground Floor Plan



Existing ground floor plan



Existing First Floor Plan



Existing Roof Plan



Existing Front Elevation (West)



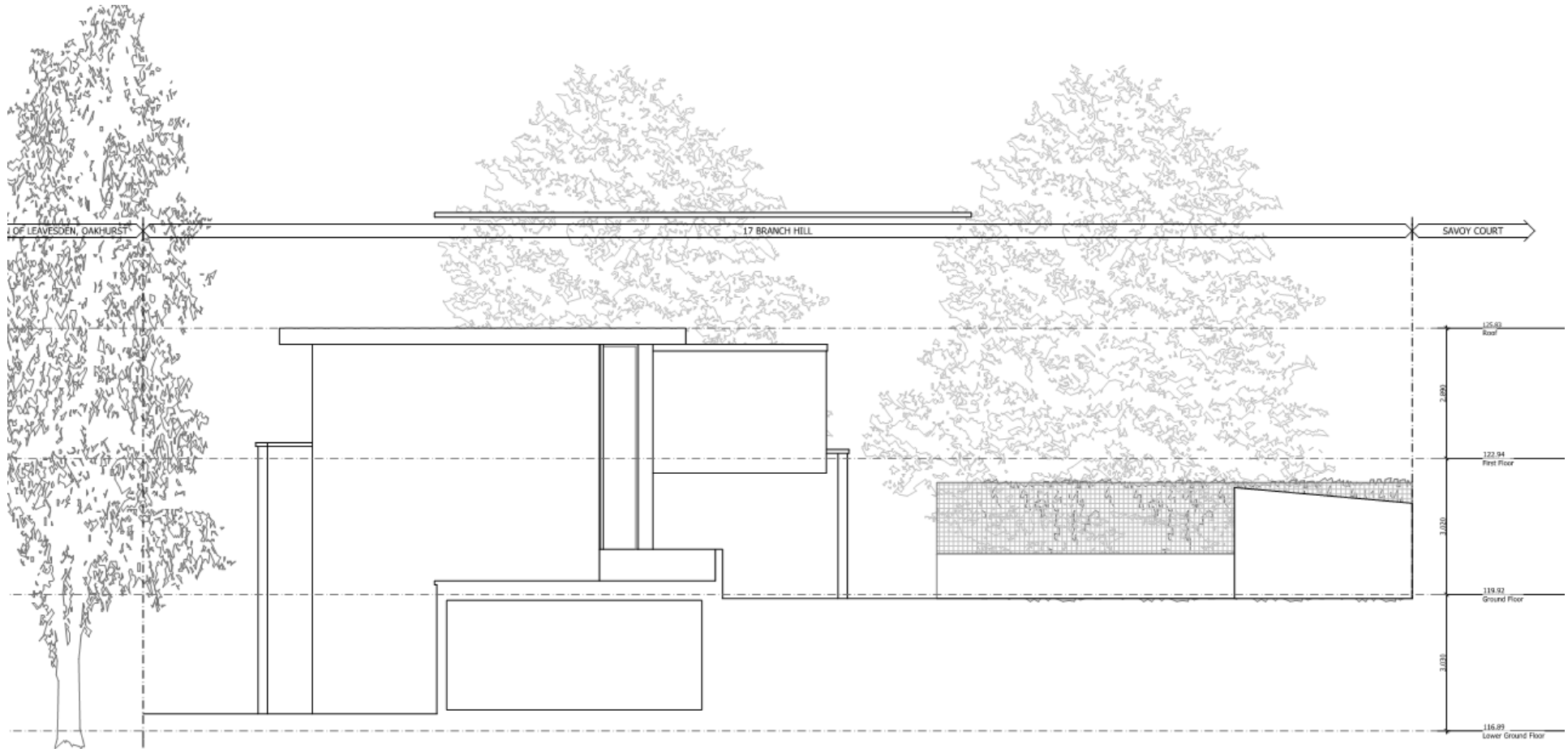
Existing South Elevation



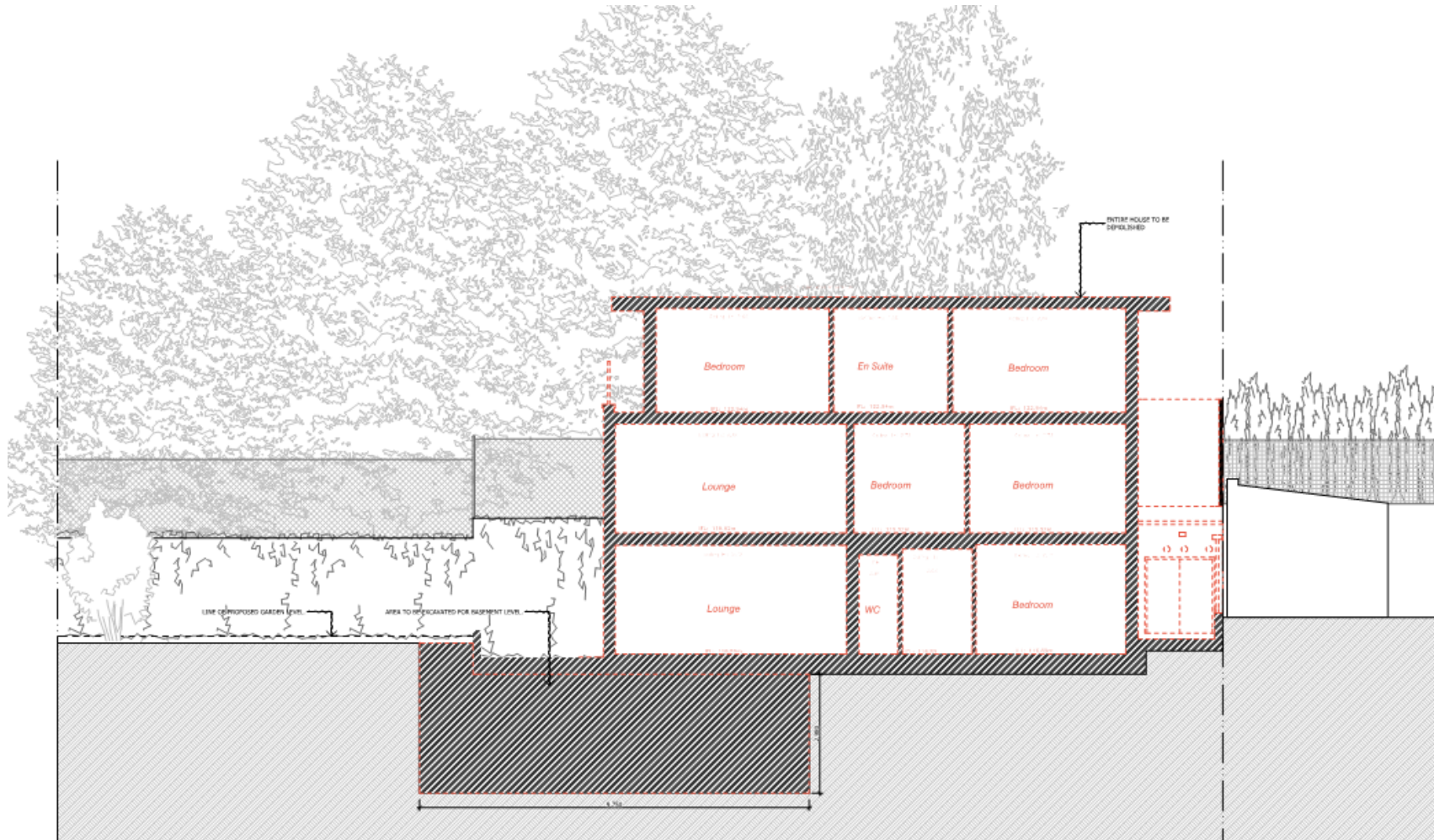
Existing North Elevation



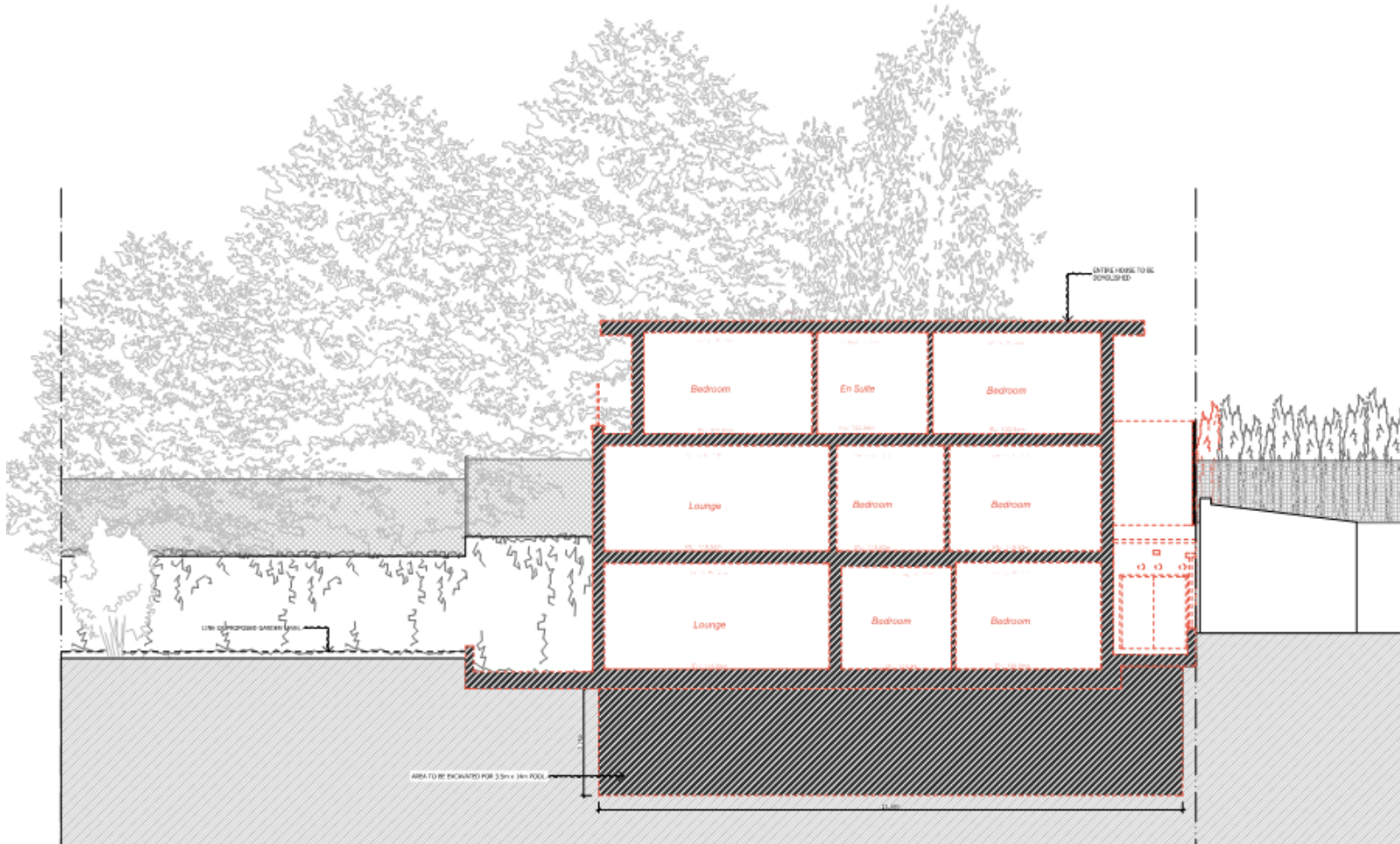
Existing Rear Elevation (East)



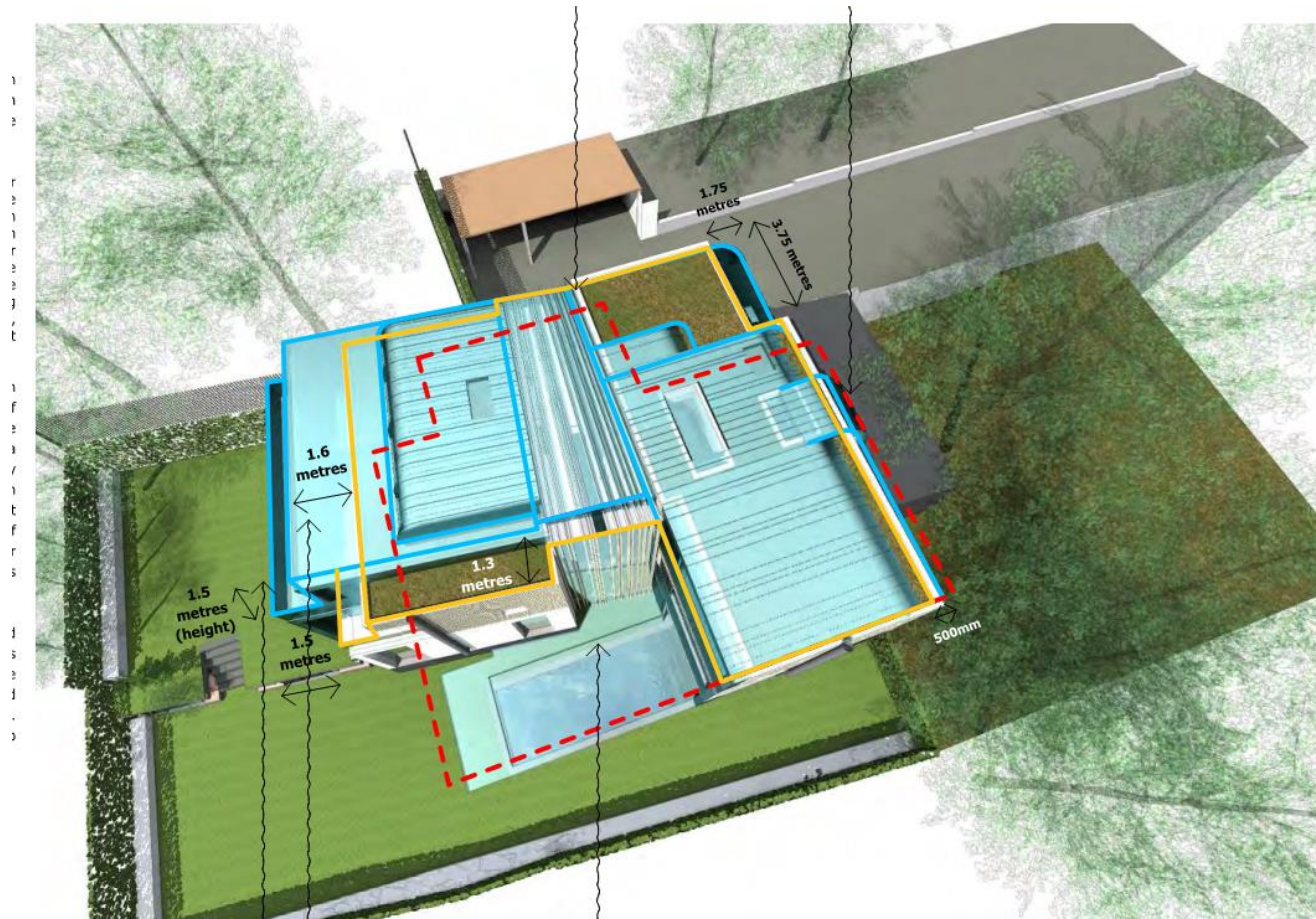
Existing Section BB



Existing Section CC



Comparison of Withdrawn, Existing and Proposed



WITHDRAWN SCHEME
CURRENT SCHEME
EXISTING BUILDING (DASHED)

OVERALL HEIGHT ON WESTERN FACADE REDUCED:

The loss of the mezzanine floor accommodates a height reduction of 1.5m on the western facade.

WESTERN FACADE SETBACK FURTHER INTO GARDEN:

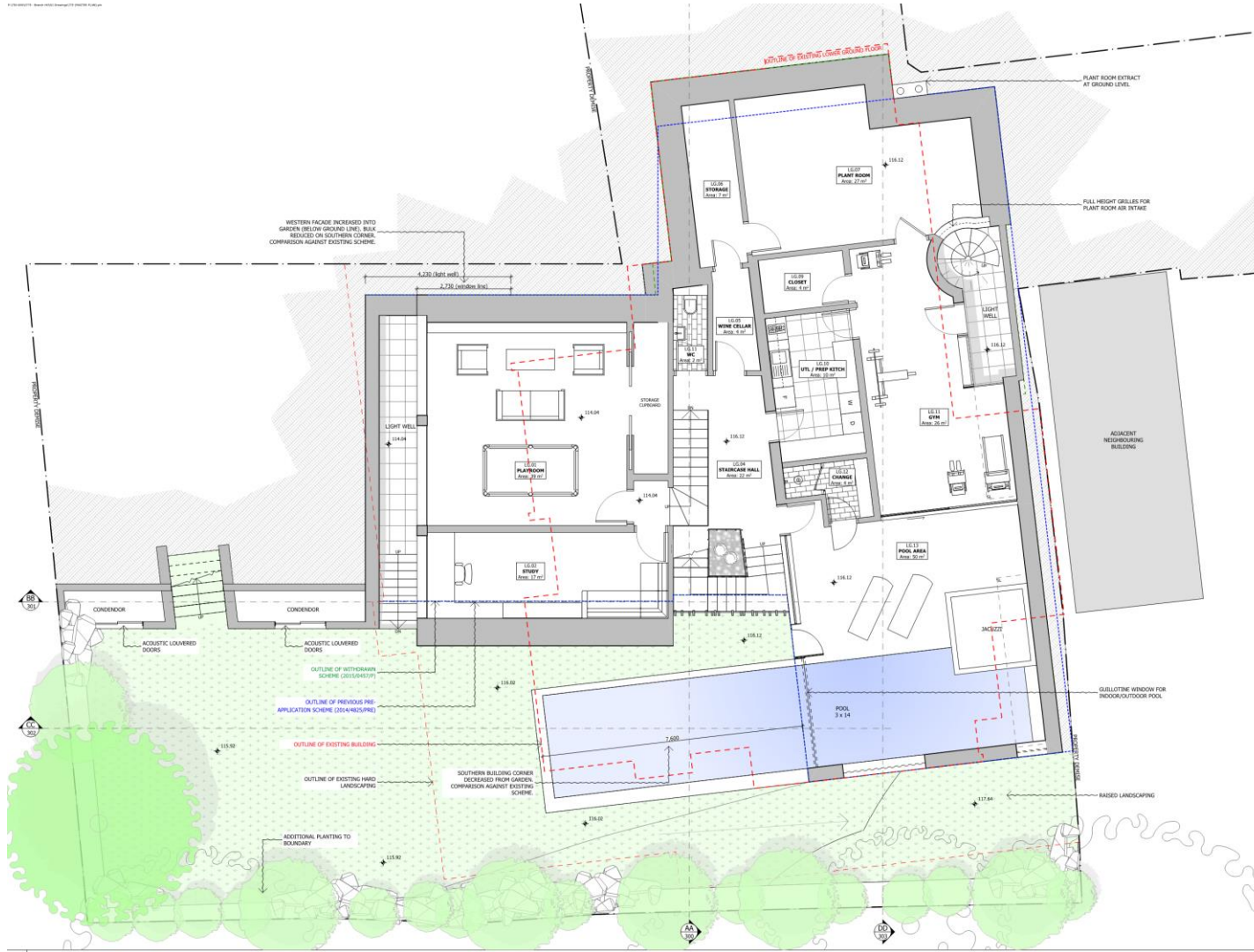
A further 1.6m setback has been made compared to the withdrawn scheme, totalling 3.2m from the pre-application scheme

WESTERN WING EXTENDED AND POOL REDUCED:

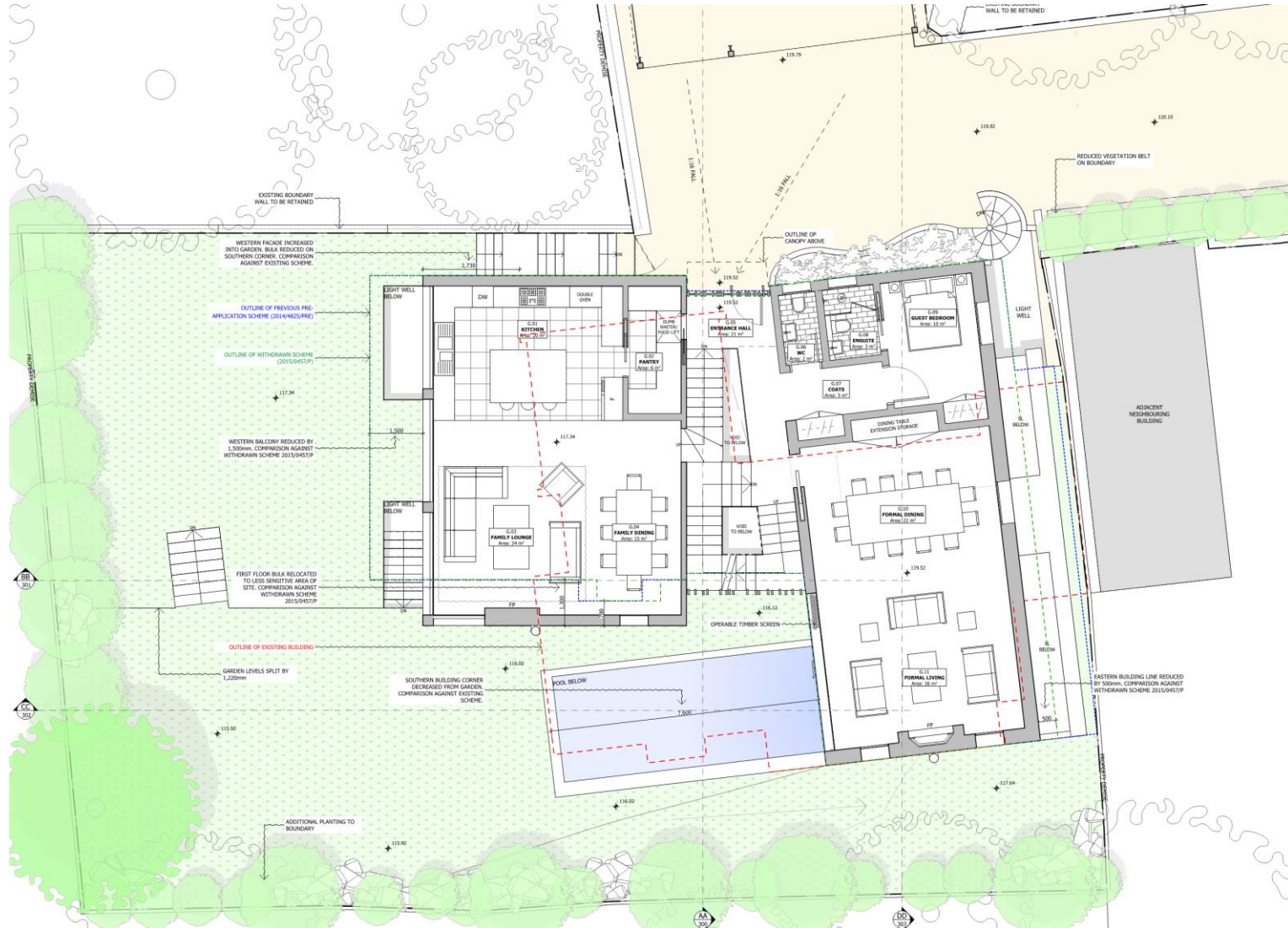
The western bulk was redistributed to the less sensitive SW corner. The pool was reduced to accommodate this reduction.

Figure 5.3: Comparison of withdrawn scheme and current scheme. Author: SHH

Proposed Lower Ground Floor Plan



Proposed Ground Floor / Garden Level



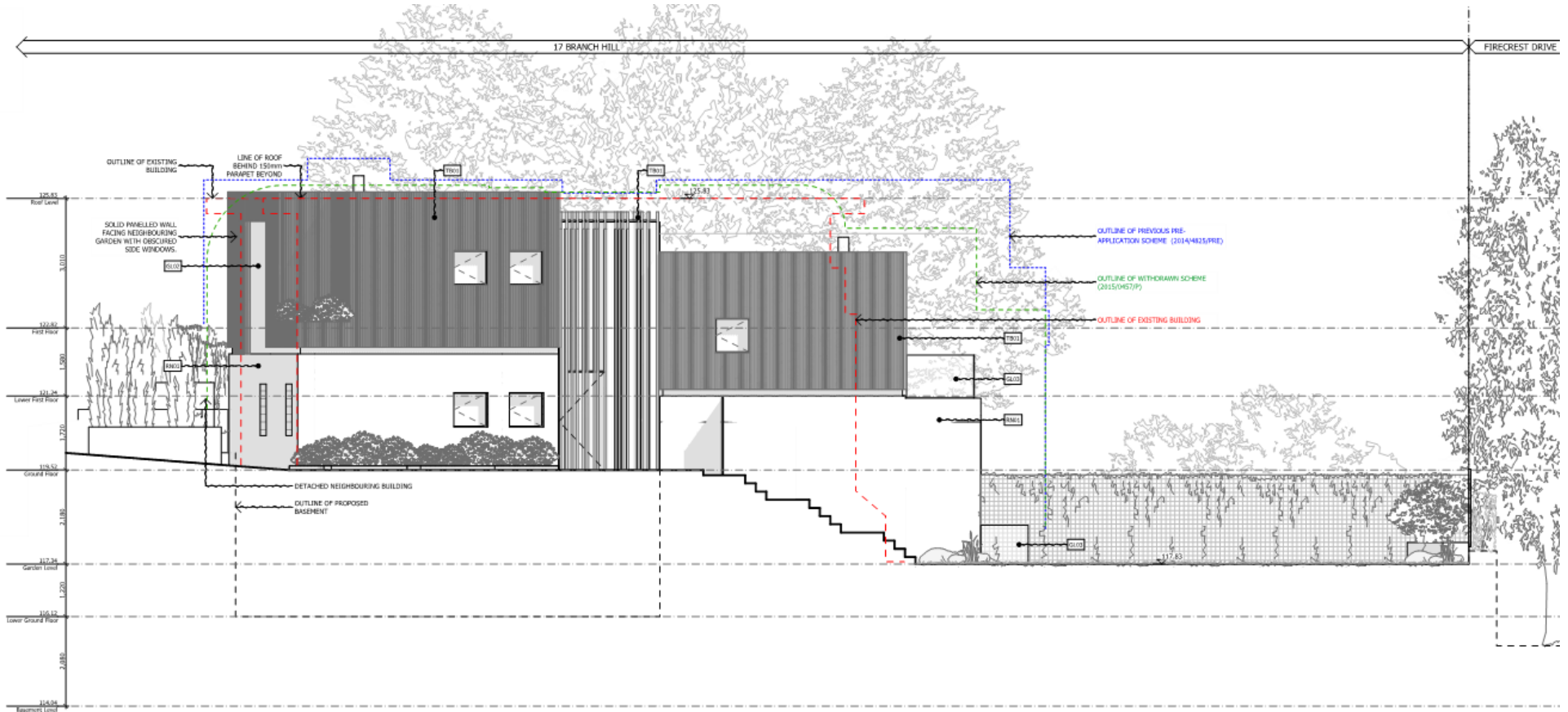
Proposed Roof Plan



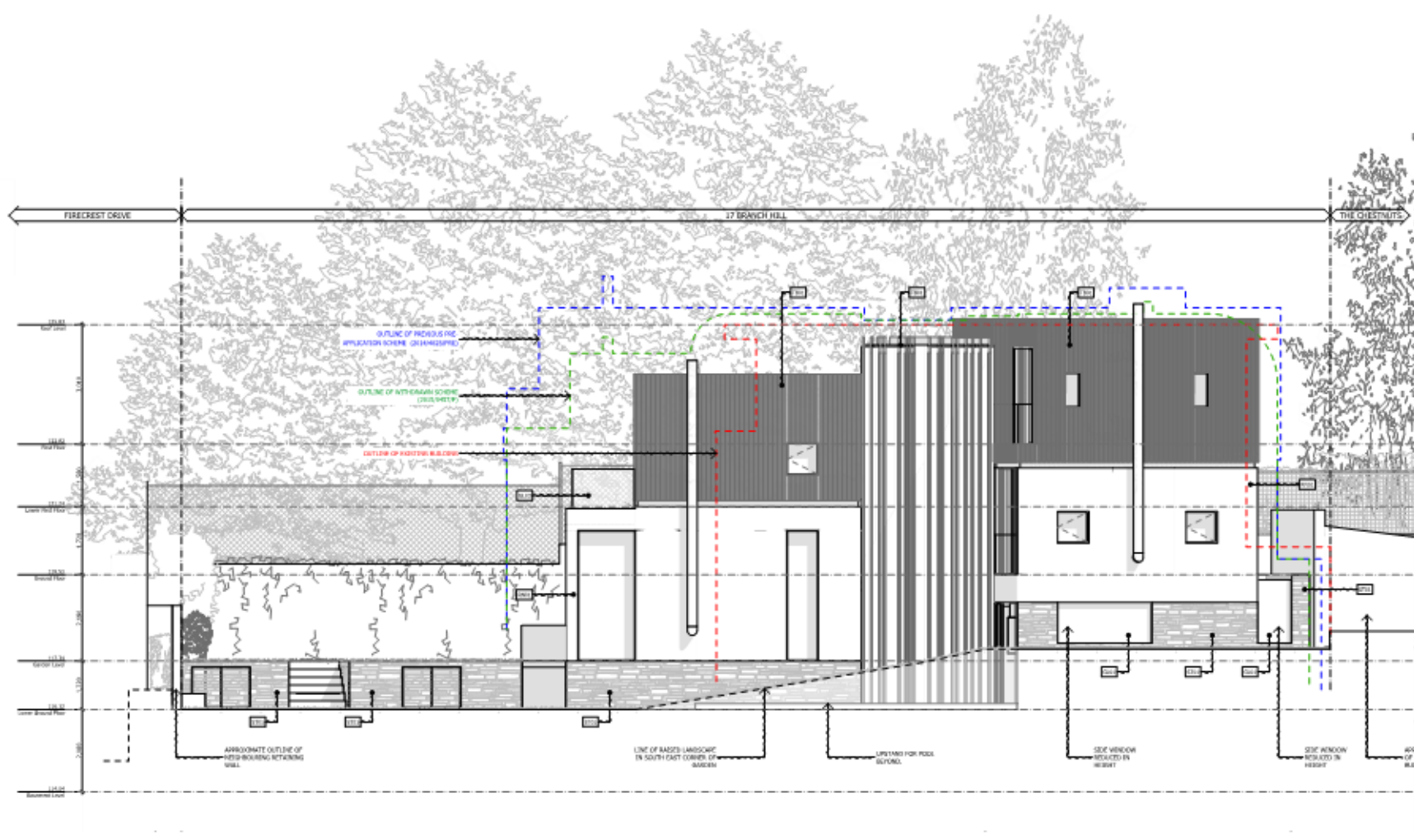
Proposed Front Elevation (West)



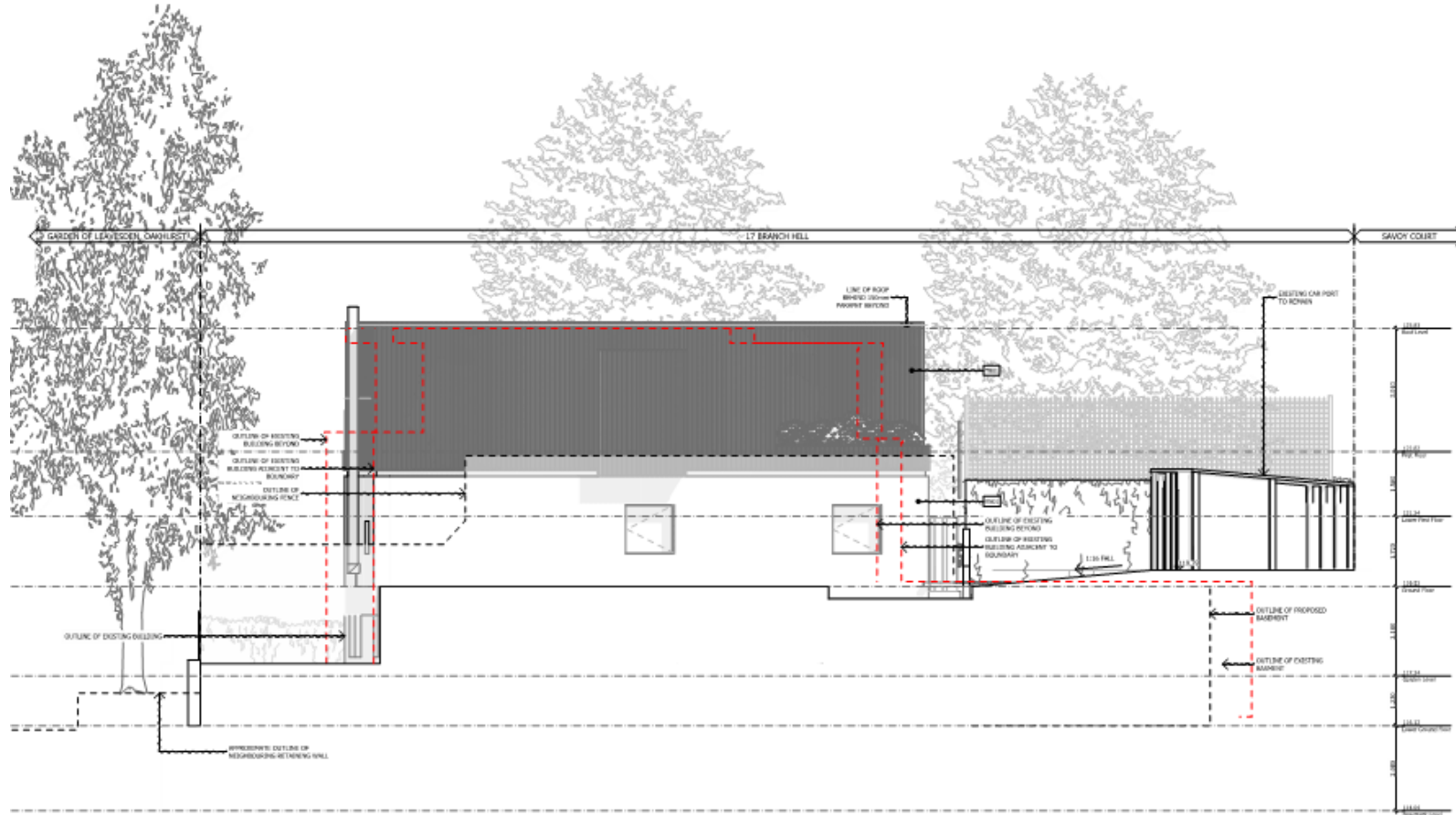
Proposed North Elevation



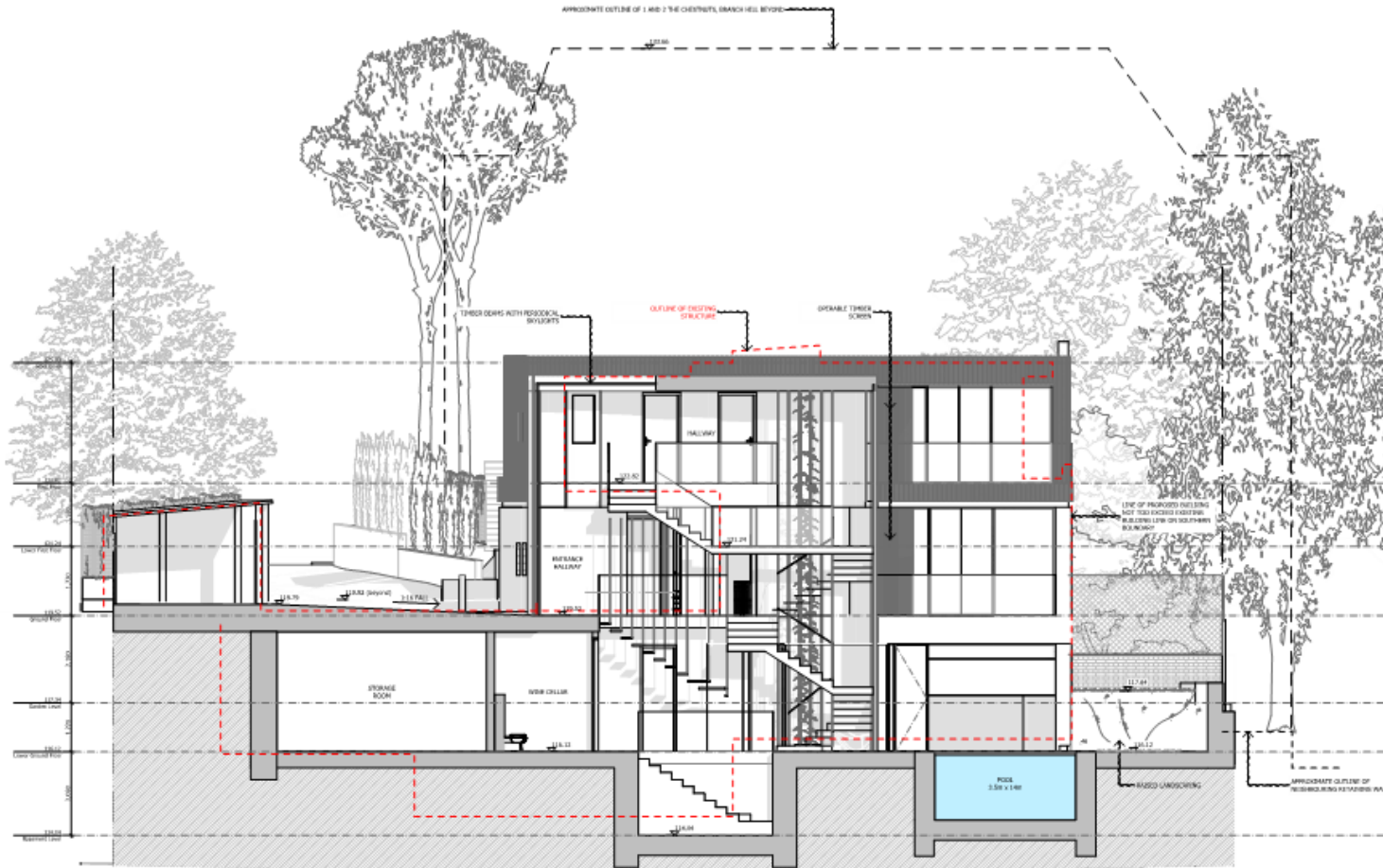
Proposed South Elevation



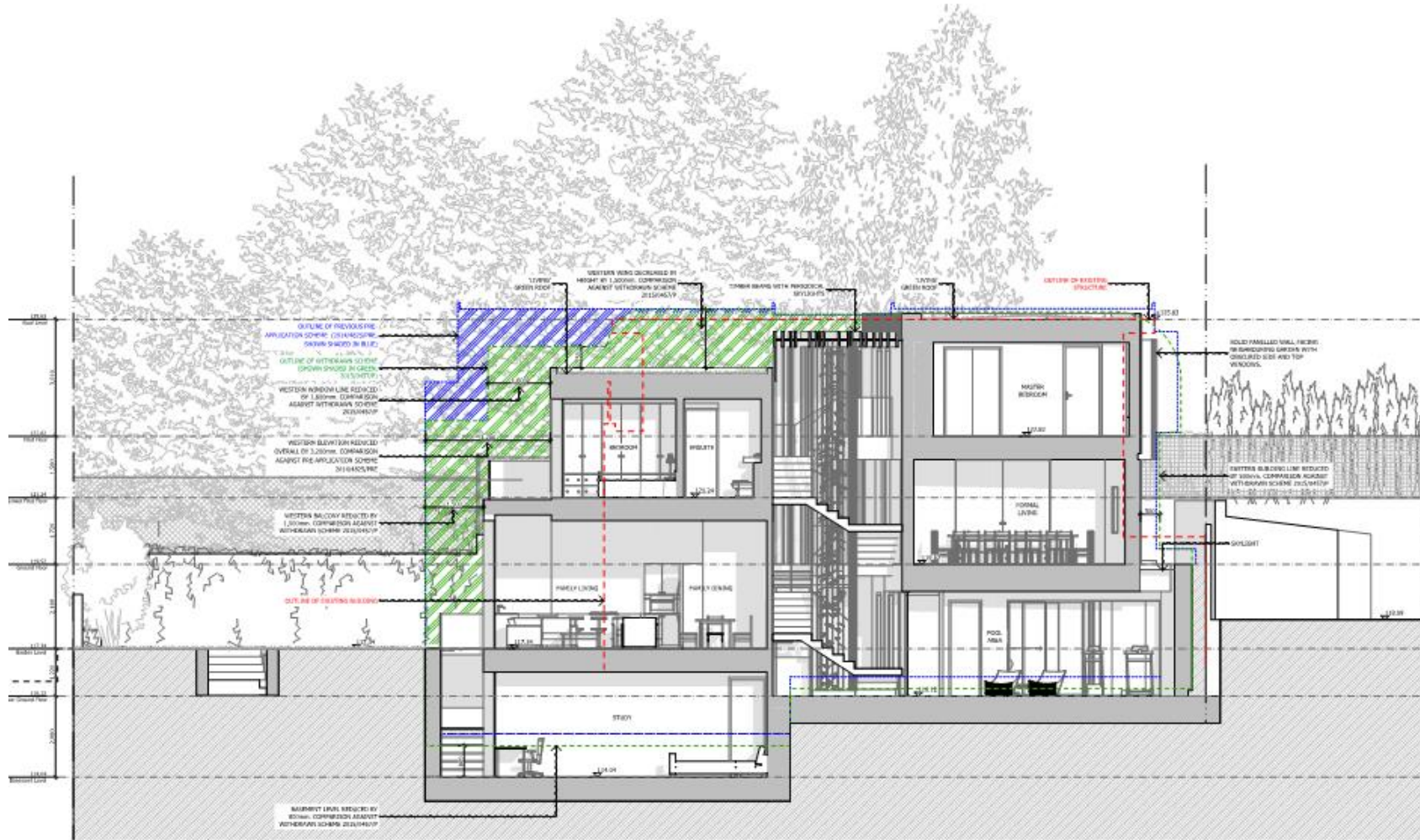
Proposed Rear Elevation (East)



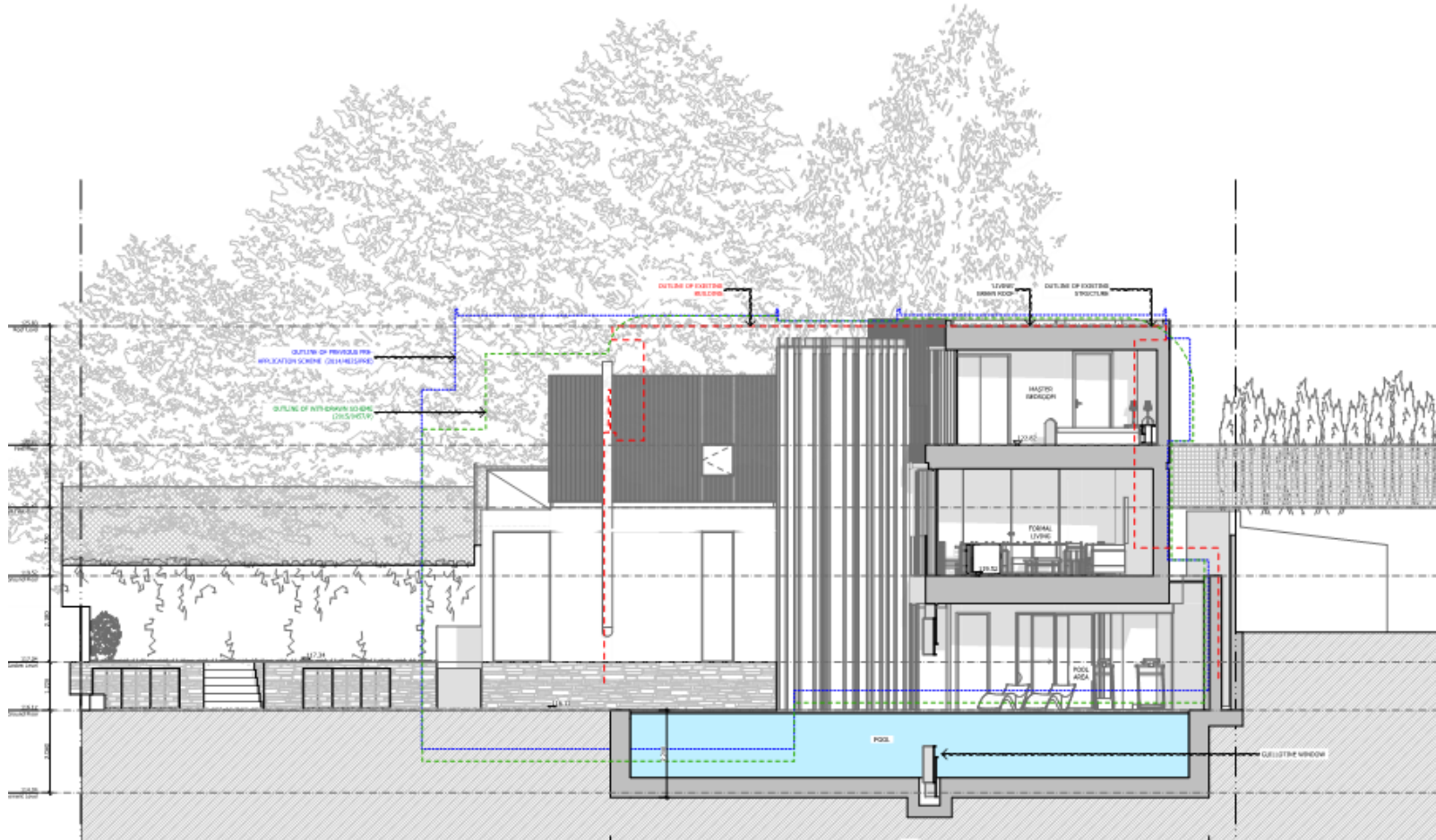
Proposed Section AA



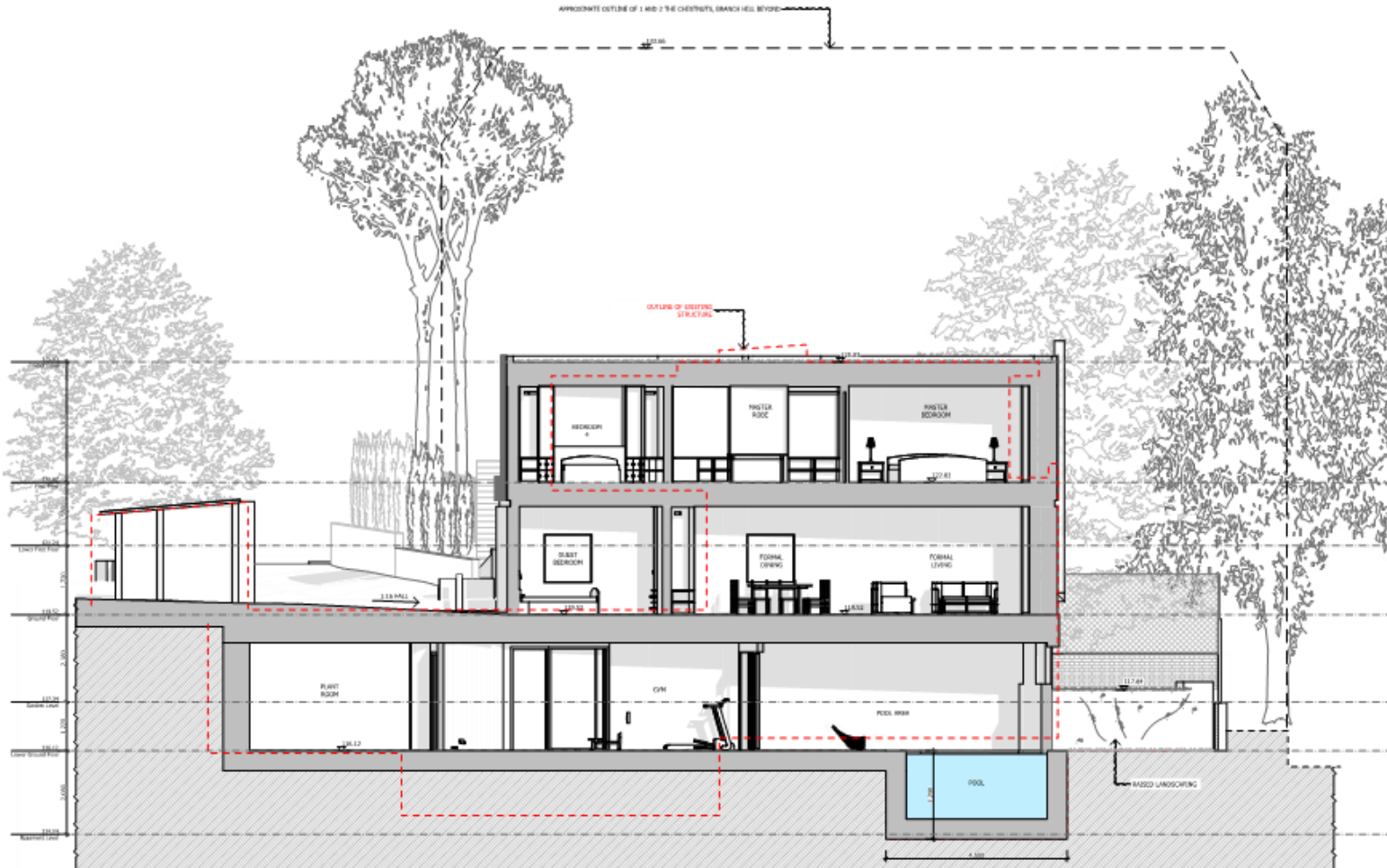
Proposed Section BB



Proposed Section CC



Proposed Section DD



Proposed illustrative view

