
From: [REDACTED]
Sent: 17 February 2017 16:46
To: [REDACTED]
Subject: 2017/0331/PRE - 66 Fitzjohns Avenue

Dear Mr Webb,

Re: 2017/0331/PRE - 66 Fitzjohns Avenue, London, NW3 5LT - Addition of third storey to previous (not yet determined) scheme (planning reference 2015/5847/P)

Thank you for submitting the above pre-application on 18/01/2017, and for coming into the office to discuss the scheme on 09/02/2017. Please see my comments below:

Constraints

Fitzjohns Netherhall Conservation Area
Underground development constraint – Hydrological - Claygate Beds
Underground development constraint – Subterranean (groundwater) flow
Underground development constraint – Slope stability

Relevant planning history

Studios 1 and 2, 66 Fitzjohns Avenue NW3

2015/5847/P - Erection of pair of semi-detached, two storey 3-bed dwellings with basements, following demolition of existing pair of semi-detached dwellings - **Pending determination (Section 106 legal agreement to be finalised)**

Planning Policy & Guidance

National Planning Policy Framework (2012)

London Plan (2016)

LDF Core Strategy and Development Policies (2010)

CS1 Distribution of growth
CS3 Other highly accessible areas
CS5 Managing the impact of growth and development
CS6 Providing quality homes
CS11 Promoting sustainable and efficient travel
CS13 Tackling climate change through promoting higher environmental standards
CS14 Promoting high quality places and conserving our heritage
CS15 Protecting and improving our parks and open spaces and encouraging biodiversity
CS18 Dealing with our waste and encouraging recycling
CS19 Delivering and monitoring the Core Strategy

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
DP19 Managing the impact of parking
DP21 Development connecting to the highway network
DP22 Promoting sustainable design and construction
DP23 Water
DP24 Securing high quality design
DP26 Managing the impact of development on occupiers and neighbours
DP29 Improving access

Camden Planning Guidance

CPG1 Design (2015)
CPG2 Housing (2015)
CPG3 Sustainability (2015)
CPG4 Basements and lightwells (2015)
CPG6 Amenity (2011)
CPG7 Transport (2011)
CPG8 Planning Obligations (2015)

Fitzjohns Netherhall Conservation Area Statement (2001)

Draft Camden Local Plan

Last summer, the Camden Local Plan was formally submitted to the government for public examination. Following the public hearings, the Council is consulting on Main Modifications to the Local Plan. Following the Inspector's report into the examination, which is expected in early-mid April 2017, policies in the Local Plan should be given substantial weight. Adoption of the Local Plan by the Council is anticipated in June or July. At that point the Local Plan will become a formal part of Camden's development plan, fully superseding the Core Strategy and Development Policies, and having full weight in planning decisions.

The following policies are considered to be relevant:

G1 Delivery and location of growth
H1 Maximising housing supply
H3 Protecting existing homes
H6 Housing choice and mix
H7 Large and small homes
A1 Managing the impact of development
A3 Protection, enhancement and management of biodiversity
A4 Noise and vibration
A5 Basements and Lightwells
D1 Design
D2 Heritage
CC3 Water and flooding
T1 Prioritising walking, cycling and public transport
T2 Car-free development and limiting the availability of parking
T4 Promoting the sustainable movement of goods and materials

Pre-Application Comments

Background

- Planning application reference 2015/5847/P has not yet been formally approved; the formal decision will be issued once the section 106 legal agreement has been finalised.

- The plans were revised during the course of the application to omit a proposed third storey.

Impact on the character and appearance of the wider area (including the Fitzjohns Netherhall Conservation Area)

- The application site is within the Fitzjohns Netherhall Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- No. 66 Fitzjohns Avenue (the application site) is identified within the Fitzjohns Netherhall Conservation Area Statement (FNCAS) as being a negative feature of the conservation area; however, Nos. 54-64 (which front onto the main road) are identified as making a positive contribution to the special character and appearance of the area.
- The Emerging Local Plan is even clearer in its aims for good design and high quality development within conservation areas, than the LDF.
- Policy D1 of the Emerging Local Plan requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. The policy notes that development should respect local context and character and it should conserve or enhance the historic environment and heritage assets (b). It also notes that development should contribute positively to the street frontage (f) and it should respond to natural features and preserve gardens and other open space (l) and it should incorporate well designed landscape design (m) and incorporate outdoor amenity space (n).
- Policy D2 of the Emerging Local Plan notes that, in order to maintain the character of Camden's conservation areas, we will take into account conservation area statements, appraisals and management plans when assessing applications (a); we will require development within conservation areas to preserve or enhance the character or appearance of the area; and preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage (e).
- As noted at the time of the previous application, the FNCAS highlights the importance of gaps between buildings and views to open land at the rear. The importance of gaps and views through to open land is re-confirmed in the Emerging Local Plan, highlighting the importance of this issue.
- At two storeys tall, and due to its relatively simple design, the existing building at the site appears subordinate to the main building and the scale and appearance is in keeping with what you might expect at the rear of a larger building (e.g. mews type development).
- The 2015/5847/P scheme already presents a taller building that would have greater bulk and massing than the original; and as discussed at the meeting, I consider that the 2015 scheme represents the upper limit to what is appropriate in this location. In fact, a third storey was removed during the course of the application due to concerns about the resultant scale and height of the replacement building.
- Although you have noted that the third storey could be set back (unlike the 2015 original scheme where the third storey was in line with the lower storeys), in my opinion, the proposal to add another storey to the building, would not comply with guidance in the Emerging Local Plan (or current guidance). This is because the proposal would fail to respect local context and character (the backland position requires a subordinate building, substantially lower in height than the main building at the front of the site); the proposal would fail to conserve or enhance the historic environment and heritage assets (it is unusual to find such a tall building in a backland position such as this and the building would visually compete with No. 64, the main building facing into Fitzjohns Avenue); the proposal would not contribute positively to the street frontages of Fitzjohns Avenue or Akenside Road (the 3 storey building would be visible and prominent in both street scenes); and the proposal would fail to preserve the garden and open space or provide sufficient outdoor amenity space appropriate to the dwelling sizes.

- You are therefore advised against submitting a formal planning application.

Impact on the visual and residential amenities of the occupiers of nearby and neighbouring residential properties

- The proposed replacement building is in very close proximity to the flats within No. 64 (which was of concern at the time of the 2015/5847/P application).
- The proposal to add another storey, even though it would be set back, would exacerbate concerns raised at the time of the previous application.
- It may be possible to overcome the extra level of perceived overlooking through careful design (i.e. facing windows away from neighbouring properties). However, I have concerns about overshadowing and loss of light to neighbouring properties because the proposed building would be substantially larger than the existing building on site.
- I also believe the rear of the building, with the tall blank façade, would appear overbearing to the occupiers of 12 Akenside Road.

Living standards for future occupiers

- Whilst I understand that the proposed future occupiers (who already live on site and will be returning) would prefer to have an additional bedroom within each dwelling, this is not a planning consideration. As discussed at the meeting, I think that an internal redesign could achieve this (e.g. provide an additional bedroom at ground floor level).
- Policy D1 of the Emerging Plan discusses the need to provide outdoor amenity space and, as discussed at the meeting, a larger house should generally provide more amenity space as it is more likely to accommodate families. I do not think that the amount of amenity space, and its location at the front of the building rather than the rear, is suitable for a larger dwelling.

Transport

- The application site has a Public Transport Accessibility Level (PTAL) of 5, which means it is easily accessible by public transport; and it is within the Belsize controlled parking zone (CA-B).
- Policy DP18 expects new development to provide the minimum necessary car parking provision. Similarly, Policy T1 of the Emerging Local Plan prioritises walking, cycling and public transport; and Policy T2 seeks to limit opportunities for parking in the borough to reduce car ownership.
- Policy T2(a) notes that the Council will restrict off-street parking to spaces designed for disabled people, and operational or servicing needs; and Policy T2(b) notes that the Council will not issue on-street parking permits in connection with new developments and will use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits.
- If you do plan to submit a formal planning application, I recommend that the parking spaces are omitted from the scheme and more soft landscaping is provided instead.

Trees and landscaping

- As noted above, Policy D1(l) of the Emerging Local Plan requires development to respond to natural features and preserve gardens and other open space, and Policy D1 parts (m) and (n) require that development should incorporate well designed landscape design and incorporate outdoor amenity space.
- The FNCAS notes that trees are an inherent and characteristic part of the conservation area. The presence of street trees does not necessarily diminish the importance of trees in private gardens; the private landscape often contains significant trees, which contribute to the character of the area as they are visible from public places or surrounding properties.
- As part of the 2015 scheme, Tree T1, a Silver Birch tree at the front of the existing building, would be removed, and a replacement tree would be planted elsewhere on site. The Officer's Report noted that the replacement tree, a Field Maple, would also contribute

positively to the character and appearance of the application site and it would also be visible from Akenside Road and so would maintain the leafy, verdant character of this part of the conservation area.

- It is not clear whether the proposed Field Maple would be visible from Akenside Road above the proposed taller building.
- Furthermore, at the meeting you discussed providing additional planting to screen the taller building; however, given that the rear of the site is landlocked, it would not be possible to provide screening for views from Akenside Road. It is considered that the taller building would detract from the leafy and verdant character of this part of the conservation area.

Other matters

- The Dwelling Size Priorities Table within Policy H7 of the Emerging Local Plan identifies 3-bed housing as having a higher priority than 4 (or more) bed dwellings. As such, the 2015 scheme is preferable in terms of its contribution to housing in the borough.
- If you choose to submit a formal planning application, the Basement Impact Assessment (BIA) will need to be updated to demonstrate that the additional weight of the taller building would not impact on the basement construction.

Conclusion

The proposal to add another storey to the approved building would fail to respect local context and character; the proposal would fail to conserve or enhance the historic environment and heritage assets; the proposal would not contribute positively to the street frontages of Fitzjohns Avenue or Akenside Road; and the proposal would fail to preserve the garden and open space or provide sufficient outdoor amenity space appropriate to the dwelling sizes. You are therefore strongly advised against submitting a formal planning application. Instead, as discussed, I recommend that you consider an internal redesign of the 2015 scheme to provide additional bedrooms.

If you do choose to submit a formal planning application I suggest that you update the Planning Statement to provide a more detailed assessment of the wider area and the impact on heritage assets. It might also be useful to provide CGI's from different viewpoints, to demonstrate the visibility of the proposed replacement building.

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

Thank you for using Camden's pre-application advice service.

Kind regards

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