

PLANNING STATEMENT

To accompany planning application

**39 FITZJOHN'S AVENUE
HAMPSTEAD
LONDON
NW3**



April 2018

CTP Ref: LM/6033/FitzjohnsAve/PS

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1.0 INTRODUCTION

- 1.1 Cunnane Town Planning LLP has been instructed by our client, 39 Fitzjohn's Avenue Ltd., to prepare a Planning Statement for a proposed scheme in the London Borough of Camden. The scheme involves the conversion and extension of the existing detached private dwelling into twenty apartments, spread over five floors, as well as works to the large single dwelling house which is already present on the site.
- 1.2 The proposals seek to remove the existing link to the Northern Wing in its entirety, leaving a separate free-standing building. The extension on the Nutley Terrace side of the building, constructed in the 1960s, will be demolished as part of the proposals, with a replacement erected. The Northern Wing itself will remain as one single dwelling house.
- 1.3 This Statement gives an overview of the salient planning issues surrounding the proposed scheme. It is intended that this Planning Statement is read alongside all other documents submitted by the applicant in respect of the scheme, including the Design and Access Statement prepared by MR Partnership.
- 1.4 It is concluded that the development proposals accord with the adopted development plan and associated guidance, and that a recommendation to grant planning permission would therefore be justified.

2.0 SITE AND SURROUNDINGS

- 2.1 The subject site is located in the Hampstead area of the Borough; specifically, it lies adjacent to Fitzjohn's Avenue at the north-west corner of the road's junction with Nutley Terrace. The neighbouring area is predominantly residential in nature, although Hampstead Village is located 600 metres to the north. The site benefits from close proximity to major roads such as the A41 and A505, as well as a number of rail and underground stations including Finchley Road and Frognal Station.
- 2.2 Fitzjohn's Avenue is a significant connecting road which runs from Swiss Cottage to the heart of Hampstead Village. Both Finchley Road and Hampstead Village provide a full range of local services and shops. Fitzjohn's Avenue itself has several local schools.
- 2.3 The property itself lies on a roughly rectangular plot, which is unusual in the area due to its relative largeness. The plot provides a frontage of 48 metres to Fitzjohn's Avenue and 69 metres along its return frontage to Nutley Terrace. Mature trees and substantial planting ensure that the context provides a high standard of privacy and separation between individual properties. This is particularly true along the Nutley Terrace side of the property where the later extension is screened by tree cover and the rear garden is all but invisible. This private rear garden, measuring approximately 40 metres by 60 metres, provides ample area for a generously proportioned lawn and planted boundaries.
- 2.4 The Northern Wing is a three-storey red-brick extension which fills the gap between the original dwelling and No. 43-45 Fitzjohn's Avenue. It contains a mixture of bedrooms and communal rooms.
- 2.5 The site is located within the Fitzjohn's and Netherall Conservation area, which was first designated in 1984. The most recent Conservation Area Statement (CAS) produced for this area was published in 2001. The Camden Local Plan Policies Map confirms that this is the only designation that the site is subject to. The building is not listed.

3.0 PLANNING HISTORY AND CONTEXT

- 3.1 The original house was built in 1885, and in 1937 was sold to the Trustees for the Roman Catholic Purposes. At this point, it entered a period of residential institution use. It was re-named Southwell House by the Jesuit order, who subsequently occupied it in honour of an Elizabethan Jesuit martyr. Two significant extensions were carried out during this period of occupation, although these predate the Council's planning records.
- 3.2 The earlier extension is a 3-storey red brick wing to the north of the original dwelling, which fills the gap between it and No. 43-45 Fitzjohn's Avenue. This northern wing contains a mixture of bedrooms and communal rooms. A c1960s 3 storey wing with an angular stair tower built up to the boundary was subsequently added to the southwestern corner of the original building, extending its frontage along Nutley Terrace. Both of these wings are notable for their more institutional architectural character, flat roofs, and relatively awkward integration with the original dwelling house.
- 3.3 A planning history search using the London Borough of Camden website reveals that the subject site has a number of recent planning applications associated with it. These applications are detailed as follows:

Application Number	Site Address	Development Description	Status	Date Registered	Decision
2011/0859/P	39 Fitzjohn's Avenue, London, NW3 5JT	Certificate of Lawfulness for use as a residential building	FINAL DECISION	13/04/2011	Granted
2013/3223/T	39 Fitzjohn's Avenue, London NW3 5JT	Notification of Intended Works to Trees in a Conservation Area	FINAL DECISION	27/06/2013	Part Granted / Part Refused

[2017/4654/P](#)

<p>39 Fitzjohn's Avenue, London NW3 5JT</p>	<p>Alterations and extensions to dwellinghouse (Class C3), including replacement side and rear extensions and roof extension for additional floorspace</p>	<p>NOT DETERMINED</p>	<p>N/A</p>	<p>N/A</p>
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4.0 PROPOSED DEVELOPMENT

- 4.1 The proposals are set out in detail in the accompanying Design and Access Statement prepared by MR Partnership, the associated plans and various consultant reports.
- 4.2 In planning policy terms, it comprises the refurbishment, extension, and partial demolition of the existing Victorian building on-site, resulting in the provision of 20. No residential apartments, of varying unit size. In addition, the separate North Wing is to be retained as a separate dwelling; a number of alterations will be made to this building.

5.0 PLANNING POLICY

- 5.1 The statutory development plan relevant to the application site comprises the Mayor's Plan for London (adopted in 2011 - consolidated with alterations in 2013 and 2015), the Camden Local Plan (adopted in July 2017). Additionally, various Supplementary Planning Documents (SPD), although not having development plan status, provide further details to support Development Plan Documents. In Camden, these documents are known as Camden Planning Guidance (CPGs).

THE LONDON PLAN

- Policy 3.3 (Increasing housing supply)
- Policy 3.4 (Optimising housing potential)
- Policy 3.5 (Quality and design of housing developments)
- Policy 3.6 (Children and young people's play and informal recreation facilities)
- Policy 3.7 (Large residential developments)
- Policy 3.8 (Housing choice)
- Policy 3.9 (Mixed and balanced communities)
- Policy 3.10 (Definition of affordable housing)
- Policy 3.11 (Affordable housing targets)
- Policy 3.16 (Protection and enhancement of social infrastructure)
- Policy 5.2 (Minimising Carbon Dioxide Emissions)
- Policy 5.3 (Sustainable Design and Construction)
- Policy 6.9 (Cycling)
- Policy 6.10 (Walking)
- Policy 6.13 (Parking)
- Policy 7.4 (Local Character)

CAMDEN LOCAL PLAN

- Policy H1 (Maximising Housing Supply)
- Policy H4 (Maximising the Supply of Affordable Housing)
- Policy H6 (Housing Choice and Mix)
- Policy C6 (Access for All)

- Policy A1 (Managing the Impact of Development)
- Policy A4 (Noise and Vibration)
- Policy D1 (Design)
- Policy D2 (Heritage)
- Policy CC1 (Climate Change Mitigation)
- Policy CC2 (Adapting to Climate Change)
- Policy CC4 (Air Quality)
- Policy T1 (Prioritising Walking, Cycling and Public Transport)

ADDITIONAL DOCUMENTS

Fitzjohn's and Netherall Conservation Area Statement (February 2001)

6.0 PLANNING ASSESSMENT

- 6.1 This section considers the key planning issues raised by the proposed development.

PRINCIPLE OF DEVELOPMENT

- 6.2 Generally, planning policies at national, regional and local level seek to promote and secure sustainable patterns of development. The re-use and re-configuration of previously developed urban land is an important means of achieving these aims. This objective is the common thread running through the NPPF, the London Plan and Camden Local Plan, which all encourage residential development of the sort that plays its part in creating and maintaining sustainable communities.
- 6.3 The NPPF seeks to significantly increase the supply of housing and states that housing applications should be considered in the context of the presumption in favour of sustainable development (para. 49). It also supports the delivery of a wide variety of high-quality homes, widening opportunities for home ownership and the creation of sustainable, inclusive and mixed communities.
- 6.4 At city-wide level, the London Plan seeks to secure at least 32,210 net additional new homes across London per annum, whilst Camden has targeted providing 16,800 additional homes from the period 2015/16 - 2030/31.
- 6.5 The proposed scheme would provide 20 apartments, with a mix of unit sizes, which would both contribute to meeting the established need and improve the quality of the housing stock in the Borough. It would thereby contribute towards meeting LB Camden's housing targets in a sustainable way.

Housing quality and unit mix

- 6.6 The London Plan encourages new development to provide a range of housing choices in terms of style and type. Camden's Local Plan mirrors this aim, as it seeks to achieve "*...mixed, inclusive and sustainable communities by seeking a*

range of housing types suitable for households and individuals with different needs.”

6.7 Policy H6 of the Local Plan details how the Borough expect this aim to be achieved, with Table 1 outlining the Borough’s dwelling size priorities. Table 1 is copied below, in full:

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Social-affordable rented	Lower	High	High	Medium
Intermediate affordable	High	Medium	Lower	Lower
Market	Lower	High	High	Lower

6.8 Out of the 20 units proposed, 13 will be either 2 or 3-bedroom market units. As such units are considered to be “High” in terms of priority, as outlined in Table 1, this provision should be welcomed by the Council. Of the remaining 7 units, 5 will be 1-bedroom units and 2 will be 4-bedroom.

6.9 In terms of housing quality, the units have been designed in accordance with the Housing Quality Standards as set out in the Mayor’s Housing SPG. The apartments are generously sized, exceeding the minimum standards set out in both the London Plan and Camden guidelines. All bedrooms have been designed as double bedrooms, which provide minimum area of 11.5 sq m. 2 flats are designated as assisted living units in accordance with Building Regulations Part M4(3).

AMENITY SPACE

6.10 Both the London Plan and Camden’s Local Plan emphasise the importance of private amenity space when it comes to enhancing residents’ quality of life. The Local Plan recognises that it is often difficult for developers to provide adequate amenity space due to the densely-built up nature of the Borough. However, in this

case, external amenity space is provided on-site in the large garden area. In addition, all flats have either terraces, small balconies or lightwells. The internal layouts and position of the amenity space have been designed to avoid any adverse impact on residential amenity in terms of overlooking.

CONSERVATION AND DESIGN

- 6.11 As mentioned previously, the site is located in the Fitzjohn's and Netherall Conservation Area (CA). The most recent Conservation Area Statement, prepared in 2001, recognises the importance of landscaping and mature trees, as well as boundary walls which add to the character of the streetscape. The CAS assesses each district and street in turn. Of Fitzjohn's Avenue, it notes that *"the impact of the scale, topography and architecture of this mature avenue is powerful"* and *"...make it the most prominent street in the area"*.
- 6.12 The CAS makes very little reference to No. 39, other than to state *"between Nutley Terrace and Netherall Gardens the west side consists of imposing detached properties..."* and *"there is some difference in plot widths, with wider plots at Nos. 39 and 47"*.
- 6.13 The site is surrounded by similar large properties; originally private dwellings, with many converted either to flats or institutional uses. The adjoining property to the north, No. 43 Fitzjohn's Avenue, has recently been converted to apartments. This building rises to 4 storeys and has a richly-formed roofscape with steeply pitched hipped roofs.
- 6.14 Conservation areas are designated by Local Planning Authorities with the intention of preserving and enhancing the valued character and heritage assets of such areas. It is clear that the proposed works to 39 Fitzjohn's Avenue would enhance the character of the area by modifying an under-utilised site whilst respecting the existing building's fabric and context. The high-quality architecture and detailing of the original Victorian house will, in the main, be carefully preserved. Elements which detract both from the building and its setting have been carefully considered for alteration and demolition. Also, while it is of lower

architectural quality than the Victorian dwelling, the alterations proposed to the Northern Wing will be sensitive to the building and will contribute to the enhancement of the Conservation Area.

- 6.15 Guideline F/N12 of the CAS states “*The Council will...only grant consent for demolition where it can be shown that the building detracts from the character of the area*”. Two main elements of demolition are proposed on-site, namely the demolition of the 1960s extension and the demolition of the existing link to the Northern Wing. The proposed demolition of these elements will restore the property to its original condition, which is more consistent with, and sympathetic to, the character of the neighbourhood.
- 6.16 As the accompanying Design and Access Statement notes, the 1960s extension has no particular architectural merit, and, although much of it is not readily visible due to the significant tree cover, it is clearly a discordant feature of the streetscape. The existing link to the northern wing will also be removed in its entirety, thereby enabling the gap between the two buildings and the view of the roofscape against the sky to be restored.
- 6.17 This localised demolition will positively enhance both of the buildings in the main street facing views from the Conservation Area.
- 6.18 Camden Local Plan Policy D2 relates to Heritage. Conservation areas are designated heritage assets, and the proposals comply with the policy in every sense.
- 6.19 With regard to design, in general, this scheme follows the principles of design, massing and bulk set by the scheme 2017/4654/P. The Design and Access Statement describes the proposed extensions in detail and notes that their design complies with CAS Guideline F/N20 on Rear Extensions:

“extensions should be in harmony with the original form and character of the house and historic pattern of extensions within the terrace or group of buildings.”

6.20 Policy D1 of the Camden Local Plan deals with Design. The scheme has been developed to meet the fifteen criteria listed as part of this policy. Also, the policy states that:

“the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.

6.21 It is clear that the proposals seek to improve the character of the site and the area as a whole for the aforementioned reasons. The development can therefore not be said to be of poor design – indeed, the design is of high quality. The Council should therefore not resist the proposals for this reason, and should in fact support them, due to the fact the design will contribute positively to the area.

6.22 Taking all of the above into account, it is clear that the proposals are policy compliant in conservation and design terms.

NEIGHBOURING AMENITY

6.23 Policy 7.6 of the London Plan states that buildings should not cause unacceptable harm to the amenity of existing buildings in respect of matters such as privacy and overshadowing.

6.24 The proposed scheme would not result in the loss of amenity to adjoining properties because the scheme has been designed with the building's relationships with regard to overlooking and overbearance in mind.

6.25 The applicant has commissioned a report from GIA, the purpose of which is to ascertain whether the proposed refurbishment, extension and conversion of the existing property at 39 Fitzjohn's Avenue will provide residential accommodation considered acceptable in terms of daylight, sunlight and overshadowing.

- 6.26 The report concludes that all 66 habitable rooms proposed as part of the scheme meet or exceed the BRE recommendations for daylight quantum (ADF) and sky visibility (NSL). The report states that this is “...an excellent performance for a scheme of such nature”.
- 6.27 The report also notes that the proposed internal layouts are generous in size. It states that the daylight and sunlight levels are, in many case, excellent, and concludes with the following statement:
- “We conclude that the proposed development will provide its occupants with very good levels of daylight...we conclude that the scheme makes the most of the available sunlight and offers future occupants access to good levels of sunlight throughout the year.”*
- 6.28 The proposals therefore comply with the relevant Camden Local Plan and London Plan policies, namely Policies D1, 3.5 and 7.6.

HIGHWAYS AND TRANSPORTATION

- 6.29 A transport statement has been prepared by Motion Consulting – this is included as part of the submission. The statement identifies the following key points:
- Bus services are accessible within close proximity of the site;
 - Regular train and underground services are available nearby from Finchley Road and Frognal (nine minutes on foot);
 - The site has a PTAL of 6a, i.e. ‘excellent’;
 - The site benefits from good access on foot and cycle to Hampstead and Finchley Road. Indeed, there are many local amenities within close walk and cycle distance of the site meaning that residents would have no need to own a car;
 - Cycle parking will be provided on site;
 - No car parking will be provided on site;
 - Pedestrian access to the site would be achieved from Nutley Terrace.

- 6.30 The proposal complies with all relevant Local Plan policies. As the development is proposed to be car-free, it is important to point out that this accords with London Plan Policy 6.13 and Camden London Plan Policy T2, which states that Camden will generally seek schemes to be car-free.
- 6.31 Also, 36 cycle spaces are to be provided in total, which exceeds London Plan standards. A secure cycle storage facility will be included at lower ground floor level. This will mainly be accessible via the ramp at the rear of the garden, with a stair access as a secondary route.
- 6.32 The majority of movements are anticipated to be made on foot, cycle or by public transport which means that the proposed development would not have an adverse impact on the existing highway network from a capacity or highway safety perspective, again in line with local policy.
- 6.33 The development site represents a highly accessible location which maximises opportunities for the use of sustainable travel modes through its proximity to high frequency bus services and rail/underground connections. Cycle parking will further promote sustainable travel, whilst no car parking will be provided on site.

SUSTAINABILITY AND ENERGY

- 6.34 The Design and Access Statement outlines a number of sustainability features which are to be included as part of the scheme. These will go some distance towards meeting the relevant sustainability policies in both the Camden Local Plan and the London Plan, namely Policy CC1 (Climate Change Mitigation) and Policy CC2 (Adapting to Climate Change). It should be noted that the provision of some sustainability features is limited by the fact that traditional materials should be used in the Conservation Area.
- 6.35 The accompanying Energy and Sustainability Statement prepared by DSA Engineering notes that the scheme will result in new, more efficient heating plant being installed, glazing being replaced with modern double glazing, improvements to fabric efficiency and water saving techniques being implemented nearby.

TREES AND LANDSCAPING

- 6.36 The approach to landscaping will focus on enhancing what exists and improving amenity for all residents. The aim is to increase the density of planting and privacy screening to enable use of the rear area as a shared garden. This design for this garden will be informed by the principles of inclusivity and accessibility with seasonal planting and integrated play areas.
- 6.37 All the existing trees on the Nutley Terrace boundary will be retained with the exception of the horse chestnut tree which has been identified as recommended for removal according to the arboricultural report appended to the application. As a result of this report, a number of silver birches are also proposed to be removed.
- 6.38 Similarly, the existing wall and perimeter fencing on Nutley Terrace will be retained with the introduction of new gates to the existing openings. Lightwells will be paved in high quality materials. External railings will be of traditional in keeping with the existing metalwork used throughout the surroundings of 39 Fitzjohn's Avenue.
- 6.39 Trees on site have been catalogued and a tree constraints plan has been drawn up to inform the design of the scheme. In the absence of adopted local supplementary planning guidance specific to trees, BS5837 (2012) is used as the benchmark for submissions to LB Camden. The document prepared by TRETEC details how the proposals will affect the trees on-site, in line with this standard.

AFFORDABLE HOUSING

- 6.40 Douglas Birt Consulting has been appointed by the applicant to advise in relation to the affordable housing content of the proposed development. The accompanying viability report, submitted in support of this application, is in accordance with Camden's Local Plan policies H4 and H5 that deal with the issue of affordable housing. Part (o) of Policy H4 is quoted below:

“In considering whether affordable housing provision should be sought, whether provision should be made on site, and the scale and nature of the provision that would be appropriate, the Council will also take into account:

(o) The economics and financial viability of the development including any particular costs associated with it, having regard to any distinctive viability characteristics of particular sectors...”

- 6.41 The scheme has been appraised employing the GLA’s recommended financial model, and demonstrates that the scheme generates a profit of well below the accepted threshold. Therefore, no affordable housing contribution in the way of onsite, offsite or payment in lieu can be provided viably.
- 6.42 It is appreciated that the Council may wish to instruct an independent consultant to review the applicant’s report, and at that point the issue of affordable housing can be discussed in more detail, if the Council feels that there is any need for such a discussion to take place.

7.0 CONCLUSION

- 7.1 Section 38(6) of the 2004 Act and paragraph 14 of the NPPF require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 It has been demonstrated in the above policy analysis that the proposals do indeed accord with all relevant policies and development standards, and therefore constitute sustainable development, which should be approved by the Local Planning Authority without delay once the application is submitted, in accordance with Paragraph 14 of the NPPF.