

2017/4326/P – 63 Hillfield Road, London, NW6 1QB



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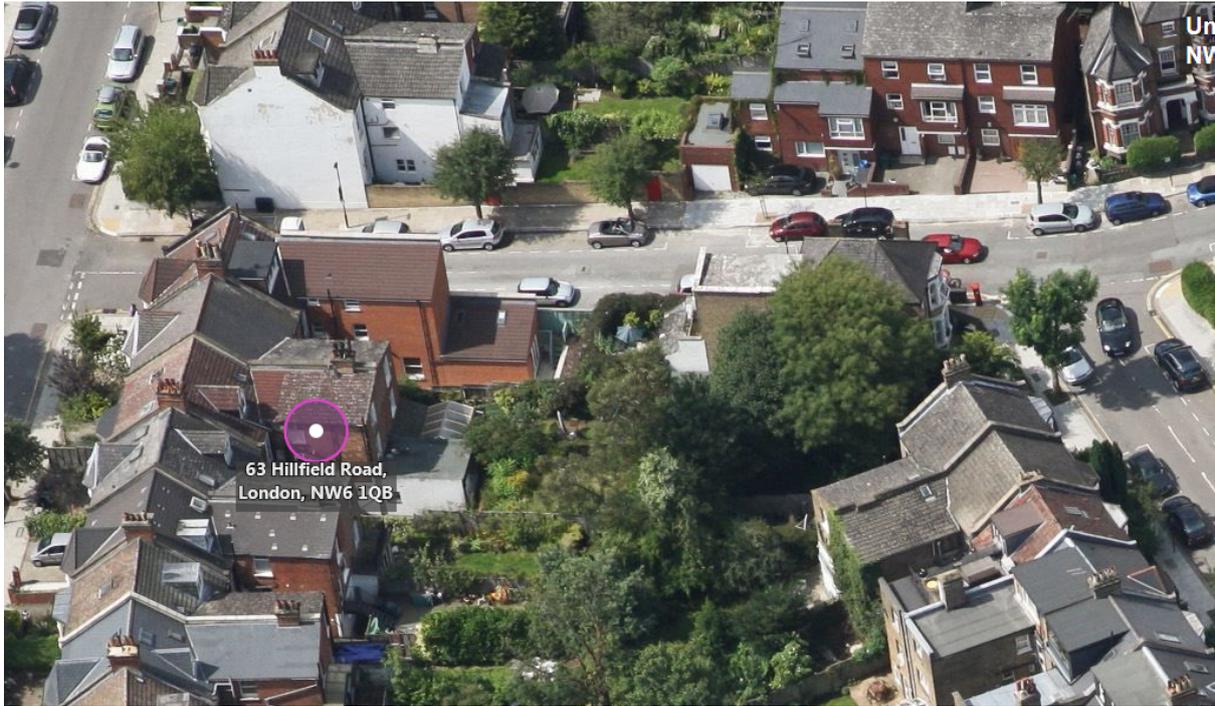


Photo 1 – Aerial view showing existing building and full extent of garden



Photo 2 – Front elevation of existing building (second from left)



Photo 3 – View of rear of no.59 Achilles Road from Agamemnon Road. Green timber fence to be replaced with brick wall and comprise two entrance doors



Photo 4 – Close view of no.59 Achilles Road and proposed site of new building



Photo 5 – Long angled view of no.59 Achilles Road and proposed site of new building



Photo 6 – Long angled view of no.59 Achilles Road and proposed site of new building

VISUALS



Photo 7 – Aerial view of proposed building (existing tree smaller than depicted)



Photo 8 – Rear of proposed building



Photo 9 – View of proposed building from rear window of property further down Hillfield Road

Delegated Report		Analysis sheet	Expiry Date:	29/09/2017
(Members Briefing)		N/A	Consultation Expiry Date:	07/03/2018
Officer			Application Number(s)	
Kristina Smith			2017/4326/P	
Application Address			Drawing Numbers	
63 Hillfield Road LONDON NW6 1QB			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Erection of new single storey (plus basement) building with front lightwell fronting Achilles Road comprising 1 x 3-bed unit (Class C3); Conversion of existing building from 2 to 3 flats (3 x 2-bed); erection of single storey rear/side infill extension and rear dormer; enlargement of existing basement level and front lightwell; creation of new access off Agamemnon Road; hard and soft landscaping works.				
Recommendation(s):	Grant Conditional Planning Permission Subject to a Section 106 Legal Agreement			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	59 00	No. of objections	57
<p>Summary of consultation responses:</p> <p><i>Officer Response in Italics</i></p>	<ul style="list-style-type: none"> • A site notice was displayed between 16/08/2017 and 06/09/2017 • Following material revisions to the scheme, a further round of consultation was carried out between 14/02/2018 and 07/03/2018 <p>Objections have been received from 1, 3, 22, 27, 33, 43, 49, 54, 55, 57, 59 Achilles Road; 42 Sarre Road on the following grounds:</p> <p><u>Design</u></p> <ul style="list-style-type: none"> • Relationship of new building with existing street is poor and would have a detrimental effect on locality • Character of new building does not fit in with Victorian terraces <p><i>Please refer to 'Design' section of report</i></p> <p><u>Amenity</u></p> <ul style="list-style-type: none"> • Invasive attack and a threat to health and wellbeing • Tranquillity shouldn't be ruined by noise, dirt and dust of a new construction • The new development will overlook private amenity space resulting in serious invasion of privacy • Construction would impact the view from the rear of my property <p><i>Please refer to 'Amenity' section of report</i></p> <p><u>Basement</u></p> <ul style="list-style-type: none"> • Houses in this area have issues with soil and gap between 57 and 59 is because main soil is too unstable to be built on with two river tributaries running underneath • Neighbouring property is subject to movement and flooding • Many landscaping changes have taken place at surrounding properties including removal of trees which has resulted in ground movement • Basement excavation could set a precedent for future works • New development can only further damage Thames Water infrastructure <p><i>Please refer to 'Basement Considerations' section of report</i></p> <p><u>Housing</u></p> <ul style="list-style-type: none"> • Under provision of amenity space for new dwelling against GLA's Housing SPG <p><i>Please refer to 'Land Use and Housing Mix' section of report</i></p> <p><u>Transport</u></p> <ul style="list-style-type: none"> • Increased pressure on local parking • Achilles Road is too narrow to support heavy goods traffic and excavation vehicles <p><i>Please refer to 'Transport Considerations' section of report</i></p>			

Ecology

- Previously seen hedgehogs at rear of no.63 but none since soil samples were taken in connection with development
- New development will result in loss of trees and cause harm to the green space, contrary to local and regional policies
- Space for new building will be created by cutting down mature trees
- Harmful to valuable and safe habitat for wildlife

Please refer to Trees and Landscaping section of report.

Other

- Owners of no.63 Hillfield Road do not live at their house
- Bought property above market value due to unique setting with an asset of green open space and privacy
- Rear of no.63 has been left unkempt for several years and overgrowth has broken down fencing
- Planning process is weighted far more in interests of developers these days than to local residents
- Will devalue the property it is being adjoined to
- Should not be built up against existing property without compensation for owners

These are not material considerations in the assessment of the planning application

- Inaccuracies in supporting information in terms of site description

The drawings and supporting information are accurate

- A smaller development at the site was previously refused under 2017/1633/P and all previous arguments still valid

This application was withdrawn in order to amalgamate two separate proposals, rather than refused

- Want confirmation new units are not going to be let out as short terms holiday lets

A change of use application would be required to change the use class from C3 to C2 (Short-term lets). It is highly likely that an application of this nature would be refused.

- Visuals in the planning document are misleading

The planning assessment has been based on the scale drawings, which are considered to be accurate.

- Consultation process is not fit for purpose

The consultation process was carried out in accordance with the Council's adopted Statement of Community Involvement.

Following re-consultation, objections were received from 33, 55 and 57 Achilles Road on the following grounds:

- Amendments do not address majority of previous concerns
- Revised design is still not sympathetic

Please refer to 'Design' section of report

- House was designed as single family unit and too many flats are now being crammed in

All units are considered to provide a good standard of accommodation

- Additional cars would put pressure on streets
- Construction vehicles will disrupt streets for some time

Please refer to 'Transport Considerations' section of report

A petition was received objecting to the proposed works from Achilles Road Residents Group (42 signatures in total) on the following grounds:

- Basement development is not appropriate on 'London Clay' soil and could set an unwelcome precedent for future basement development. Policy states that the Council will 'only permit basement and underground development that does not cause harm to the built and natural environment and local amenity; result in flooding; or lead to ground instability'. We argue that the proposal will have a negative impact on all of these things
- No basement applications on Achilles Road in recent years. Fortune Green & West Hampstead Neighbourhood Plan and Camden's Development Policy discourages basement developments in areas at risk of flooding.
- Further subsidence of 57 & 59 Achilles Road which will be more susceptible to damage during excavation and building works
- Risk of flooding – Achilles Road and surrounding streets are listed as "streets at risk of surface water flooding" and Achilles Road as "critical Drainage Area". The BIA (para 8.4) indicated the new building may "*alter the hydrograph of the discharge to the sewer system, and thus increase the risk of flooding*"
- Damage to the water table – construction impact will very likely disturb a delicate water table. Concerned that samples should be taken over a longer period of time rather than one-day sampling.

Please refer to 'Basement Considerations' section of report

- A modern new build would be detrimental to the overall character of Achilles Road. The new building is narrower and not in-keeping with the surrounding Victorian properties. Also, it is the only property that would not front the street.

Please refer to "Design" section of report

- Overdevelopment of area – adding 4 more units will put greater strain on parking, congestion and local services which are already over stretched.

Please refer to 'Transport Considerations' section of report. The increase in the number of occupants is minor and the impact on local services would be negligible.

- Crime - having an exposed new building with new side access is a much easier form of illegal access and could attract burglars

The side access is shown to be secured with a lock and intercom.

- Loss to the character and biodiversity – contrary to West Hampstead Neighbourhood Plan which states that the development of new dwellings in private gardens should be avoided. The removal of trees and green space will further deplete urban green lung.
- CPG1 states that planning permission will not be granted for hard standings greater than 5sqm that do not incorporate SUDS into the design. Across the site, we fail to see any green space.

The development is recognised as infill development rather than garden development. A sufficient amount of garden space would remain that is commensurate with the relationship between the two buildings at no.61 Hillfield Road and no.59 Agamemnon Road

Following re-consultation, a further objection was received from Achilles Road Residents Group on the following grounds:

- Revised plans do not address vast majority of concerns

Local groups comments:

- All concerns relating to basement still remain in terms of further subsidence, risk of flooding, damage to water table.

Please refer to 'Basement Considerations' section of report

- The architecture of the new building would be detrimental to the character of Achilles Road

Please refer to 'Design' section of report

- An additional 4 units (housing 17 people) will put a strain on parking, congestion and local services

Please refer to 'Transport Considerations' section of report. The increase in the number of occupants is minor and the impact on local services would be negligible.

- Damage and loss to the character and biodiversity of gardens contrary to FGWHNP

The development is recognised as infill development rather than garden development. Please refer to Trees and Landscaping section of report

- Significant development currently underway or planned in near future in area leading to problems of noise, congestion, parking constraints and potential structural damage.

Please refer to 'Transport Considerations' and 'Basement Considerations' section of report

Site Description

The application site refers to a plot occupied by a two storey (plus original semi-basement) Victorian terrace property on the northern side of Hillfield Road. The property comprises a long (31m) private rear garden which extends to meet Achilles Road in-between no's. 57 and 59. From the street, the plot appears as a break between the building group of Victorian terraces and the detached stand-alone corner house (no.59).

The site is not located in a conservation area.

The site falls within the catchment area covered by the Fortune Green West Hampstead Neighbourhood Plan.

Relevant History

Application site

2006/1838/P - Change of use from single dwelling house into 1 self-contained flat and 1 self-contained maisonette. **Granted 07/06/2006**

2017/1632/P - Erection of full width rear dormer, roof extension above the existing rear projecting wing and installation of x3 rooflights to the front elevation. **Certificate of Lawfulness (Proposed) Refused** on the grounds that the proposed works are not permitted development under Class B of Part 1 of the GPDO

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

Camden Local Plan 2017

G1 Delivery and Location of Growth
A1 Managing the impact of development
A3 Biodiversity
A5 Basements
D1 Design
H1 Maximising housing supply
H4 Maximising the supply of affordable housing
H6 Housing choice and mix
H7 Large and small homes
CC1 Climate change mitigation
CC3 Water and flooding
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T4 Sustainable movement of goods and materials
DM1 Delivery and Monitoring

Camden Planning Guidance

CPG1 (Design)
CPG6 (Amenity)
CPG (Basements)
CPG (Transport)
CPG (Planning Obligations)

West Hampstead and Fortune Green Neighbourhood Plan (2017)

Assessment

1.0 Proposal

1.1 The applicant seeks permission for the following works:

- **Reconfiguration of existing building** (referred to as “existing building” throughout report):
 - Conversion of property from 2 x 2-bed units into 3 x 2-bed units
 - Extension of existing basement level
 - Excavation of front lightwell
 - Erection of rear dormer
 - Erection of side/rear infill extension
 - Installation of two rooflights on front roofslope
- **Erection of new two storey 3-bed dwelling house fronting Achilles Way** (referred to as “new building” throughout report)
- **Creation of access route to rear of new building and existing building off Agamemnon Road**

1.2 During the course of the application the following revisions were negotiated:

Existing building

- Removal of proposed first floor rear extension
- Reduction in massing of side/ rear infill
- Addition of cycle storage facility in front garden

New building

- Reduction in height by a storey
- Reduction in depth from 14.8m to 12.8m
- Alterations to front fenestration

2.0 Assessment

2.1 The planning considerations material to the determination of this application are as follows:

- Land use and housing mix
- Quality of residential accommodation
- Affordable Housing
- Design
- Basement considerations
- Amenity of surrounding occupiers
- Transport Considerations
- Trees and Landscaping

Land use and housing mix

2.2 Self-contained housing is regarded as the priority land-use of the Camden Local Plan and Policy H1 states that the Council will make housing its top priority when considering the future of unused and underused land and buildings. Furthermore, this area of the Borough is predominantly residential, making it an appropriate location for additional residential accommodation. The proposal would provide an additional 2-bed unit in the existing building and create a new 3-bed

dwelling house. The proposal is compliant with policy H1 in terms of land use.

2.3 Policy H7 seeks to provide a range of unit sizes to meet demand across the borough and regards 2 and 3-bed units as the highest priority. The proposal would result in 3x2-bed and 1x3-bed and is therefore fully in accordance with the priority dwelling sizes of the Local Plan.

Quality of residential accommodation

2.4 CPG2 requires development to provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms.

2.5 The London Plan introduced new Nationally Described Space Standards in March 2015, setting out minimum gross internal floor areas (GIA) and accommodation standards for new/converted residential units. The relevant GIA standards for this application are as follows:

- 2 bedroom 3 person flat – 70 sqm (all areas for 2 storey dwellings)
- 2 bedroom 4 person flat – 79 sqm
- 3 bedroom 4 person flat – 84 sqm
- 3 bedroom 5 person flat – 93 sqm
- 3 bedroom 6 person flat – 102 sqm

Proposed units in existing building

- Flat 1 – 67 sqm - ground and first floor level to rear of building
- Flat 2 – 82 sqm - lower ground and ground floor level to front of building
- Flat 3 – 99sqm - second and third floor level

2.6 Flats 2 and 3 would comply with the minimum space standards whilst Flat 1 would be 3 sqm below the standard. Given there is no scope to further increase the size of this unit without having a detrimental impact on the external appearance of the property, the shortfall is considered acceptable in this instance. Furthermore, the flat benefits from private amenity space in the form of a rear garden.

Outlook

2.7 All flats would technically be dual aspect; however, Flats 1 and 2 would have limited outlook in one direction as they face onto the central lightwell area; however, good, unobstructed outlook would be possible from the main living space with Flat 1 facing onto its rear garden, and Flat 2 looking out to the street. Flat 3 would have clear, unobstructed outlook to both the north and south. The proposed 'back to back', duplex layout of the units is acceptable in this instance so as to avoid creating a unit that is purely at basement level.

Daylight/ Sunlight

2.8 All living rooms would receive good levels of daylight as they are served by unobstructed large windows, particularly Flats 2 and 3 which have south-facing kitchen / living rooms. Several bedrooms have limited daylight levels, particularly those in Flats 1 and 2 that are at lower ground floor level or face the central lightwell.

2.9 The BRE guidance advises the use of Average Daylight Factor (ADF) as a measure of the overall amount of daylight in a space. This approach is supported by 'CPG Amenity'. The guidance states that "If a predominantly daylight appearance is required, then ADF should be 5% or more if there is no supplementary electric lighting, or 2% or more if supplementary electric lighting is provided". There are additional recommendations for dwellings, of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. These are minimum guidance values of Average Daylight Factor, and should be attained even if a predominantly daylight appearance is not required.

2.10 In response to officer's concerns, the applicant has submitted ADF values for the front and rear

lower ground floor bedrooms. The rooms achieve 1.5% and 1% respectively thereby demonstrating compliance. Given that these rooms are at lower ground floor level and receive their daylight via lightwells, it can be assumed that the rest of the habitable rooms are compliant.

Privacy

2.11 There would be a close relationship between the window to the kitchen/dining area of Flat 2 and the ground floor bedroom of Flat 1; however, views would be oblique and the French doors serving the kitchen/dining room of Flat 1 would have a restricted opening that would sufficiently limit mutual views. The restricted opening style would be secured by condition.

Proposed new building

2.12 The new 3-bed house would be 99 sqm which is compliant with the minimum gross internal floor area for a 3b5p unit (93 sqm) that spans over two floors. The unit would benefit from dual aspect, with good levels of daylight and outlook. It would also benefit from private amenity space to the front and rear. There is a distance of approx. 17.7m between a window serving a bedroom of Flat 1 and a window serving the second bedroom of the new building which whilst slightly less than the 18m guidance in CPG (Amenity) is considered acceptable. On the whole, the standard of residential accommodation proposed is considered to be good.

Affordable Housing

2.13 Policy H4 expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to the residential floorspace of 100sqm GIA or more. This is based on an assessment where 100sqm of floorspace is considered to be capacity for one home. In developments that provide less than 10 units, affordable housing contributions can take the form of a payment in lieu.

2.14 The affordable housing target as detailed in policy H4 and its supporting text is based on a sliding scale with the target starting at 2% for an additional home (at 100sqm) and is increased by 2% for each home added to the capacity. The additional residential floorspace is 173sqm GIA; therefore rounded up to 200sqm for this purpose resulting in the affordable housing target being 4% for this scheme.

2.15 Payments in lieu are taken from a figure based on the gross external area (GEA) of the application floorspace concerned as stated in CPG8 (paragraph 6.11, p.35). The GEA is calculated using the standard multiplier of 1.053. Also stated in CPG8 (figure 1, p.35), the level of payment in lieu for a market residential scheme is £2,650 per sqm.

2.16 Therefore, the affordable housing contribution for this proposal is £19,309.90 (173sqm x 0.04 x 1.053 [to convert to GEA] x £2650). The affordable housing contribution would be secured via a Section 106 legal agreement.

Design

2.17 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used.

Existing building

Erection of side/rear infill extension

2.18 The proposal seeks to replace an existing rear extension with a rear extension of an additional 0.9m in depth which would correspond with the depth of the rear extension at adjoining neighbour

no.65. The additional depth is considered acceptable as it does not exceed the rear building line established across the terrace.

- 2.19 The proposal is also for a side infill element between the closet wing and boundary fence. The bulk has been broken up by recessing the massing of the side element from the rear building line and also incorporating a courtyard lightwell area between the rear of the house and the side infill. Similar extensions are evident on several other properties on this side of Hillfield Road.

Erection of rear dormer

- 2.20 The proposal seeks to introduce a rear dormer which would measure 3m wide x 2.3m deep x 1.6m high. The dormer would comply with the guidelines set out in CPG1 which requires dormers to be set in from the side parapet and down from the roof ridge by at least 0.5m to prevent it from dominating the roof slope. The dormer would have similar proportions and design to the dormer at neighbouring property no.61 Hillfield Road.

New building

- 2.21 The proposed two storey new building would be located in an existing gap in the streetscene between no. 57 and no. 59 Achilles Road. It would adjoin the party wall of no.59 Hillfield Road.
- 2.22 The principle of a development in this location is found to be acceptable. Whilst technically a development in the rear garden of no.63 Hillfield Road, the rear garden (as measured from the rear of the existing closet wing) measures approx. 30m in length and extends to Achilles Road to the north, expressing itself as an overgrown gap in the streetscape in-between two existing properties, 57 and 59 Achilles Road. The proposed relationship between the new building and the host property at no.63 Hillfield Road would be akin to the relationship between no.59 Achilles Road and no.61 Hillfield Road. These factors considered, the proposed development is recognised by officers to be more of an infill development than a garden development. Officers therefore consider there is an opportunity for development here which would not significantly impact on the continuous green garden ribbon between the neighbouring properties on Hillfield Road and Achilles Road.
- 2.23 Policy A12 of the West Hampstead and Fortune Green Neighbourhood Plan advises that infill developments on vacant sites within an existing terrace should be to the same scale as the terrace and similar in form, materials and details; should be set back from the pavement and match or fit the building lines of existing properties. The design intention of the new building; however, is to appear as a side extension to the existing property. The reasons for this are twofold. Firstly, due to the unusual street layout whereby no.59 Achilles Road does not continue on the same plane as no.57 Achilles Road and is 'cranked' away from the front building line established by the rest of the Victorian terrace. Secondly, there is a small slice of land between the front of the new building (the rearmost end of of the application site) and the pedestrian footway which falls under the ownership of no.57 therefore preventing direct access onto the street. Given access from the street is not achievable (it is proposed to provide access from the rear off Agamemnon Road), designing the building to appear as a standalone dwelling house, as per the rest of the street, is not considered to be the appropriate approach. These unique site characteristics therefore make Policy A12 unachievable; however, the proposed design is nevertheless considered to respond to site constraints successfully.
- 2.24 Over the course of the application, several rounds of design revisions have been made to satisfy the Council's requirement for high quality design. The main change has been to reduce the height from three storeys to two storeys, and alter the fenestration to draw on local architectural language including materiality and features.

Form and Massing

- 2.25 To achieve subservience to the existing building and prevent the new building from having an

overly dominant presence in the streetscene, the footprint of the proposed building will be substantially less than no.59 Achilles Road. In terms of height, the new building would not exceed the height of the cornicing over the front porch. By virtue of the topography of the site, the new building will appear as two storeys in private views from the rear windows and gardens of Hillfield Road properties, but a single storey from Achilles Road. The front building line would be pulled back 1.7m from the principal elevation of no.59, and 0.8m from the rear building line of its closet wing.

- 2.26 The width of the new building would be 4m at ground floor level compared to 6m of the existing building. At lower ground floor level it would widen to fill the plot; however, this would be barely perceptible from street level and would in itself be recessed from the front and rear elevations of the building.
- 2.27 The form of the building has simplicity, with clean straight lines that respond to the existing property in order to achieve a subservient relationship and respond to the challenges of an atypical site. The architectural expression is understated so as not to visually compete with the properties on the rest of the street. The prominent feature is large arched window with simple brick arch detail, which takes cue from shapes and forms in the surrounding area.
- 2.28 By virtue of its reduced height and massing and its substantial set-back from the street which enables a subservient relationship to no.59 Achilles Road, the proposed building is considered to be a sympathetic addition to the streetscape. Whilst demonstrating variation in architectural language from the Victorian terrace, this is considered acceptable as it reads as a restrained, contemporary addition to an existing property.

Materiality

- 2.29 The building would be primarily brick with brick detailing around the window arches. Large areas of glazing with aluminium frames would be contained within the arches. A sample of brickwork would be conditioned to ensure its colour, texture, bond and pointing are appropriate.
- 2.30 The building would have a green biodiverse roof that will help support biodiversity and soften the appearance of the building.

Side access off Agamemnon Road

- 2.31 Access to Flat 1 in the existing building and the new building will be gained from a new secure entrance off Agamemnon Road. This will involve the loss of 1.4m of rear garden of 61 Hillfield Road. On balance, this loss is considered minor and acceptable in order to provide access which could otherwise not be achieved. There is an existing entrance off Agamemnon Road into the ground floor flat of 61 Hillfield Road and so the installation of an additional gate would not appear incongruous.
- 2.32 The existing London stock brick wall adjacent to no.61 would be extended to replace the existing timber fencing. Two entrances would be installed in the brick wall, one for the new building and one replacing an existing rear entrance to no.61 Hillfield Road. Details of the brick and new entrance gates would be secured by condition.

Basement considerations

- 2.33 Policy A5 notes that the Council will only permit basements and other underground development where the applicant can demonstrate it will not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. The policy requires basements to:
- not exceed 50% of the garden
 - be less than 1.5 times the footprint of the host building in area

- extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation.
- be a single storey in height.

- 2.34 There are some challenges in applying the above policy criteria to the application site as the nature of excavation is not typical. The aim of the policy is to manage and restrict the scale of new basements being provided underneath existing homes; however, in this case, the excavation is largely associated with the need to level out the plot in order to provide a new unit in the rear section of the garden.
- 2.35 As the site rises up to meet Achilles Road to the north, varying depths of excavation (max. 2.4m) across the rear part of the site is required in order to create appropriate site conditions for the new dwelling house. The unit itself would not comprise a true basement level as none of the property would be entirely subterranean. Relating this back to the above policy, the excavation would exceed more than 50% of the garden of the existing property; however it is accepted that this is in pursuit of levelling the site rather than creating an oversized basement.
- 2.36 With regards to the existing house, the proposed excavation works comprise deepening an existing cellar area by approx. 0.8m from 1.8m to a depth of 2.8m below the ground floor's finished floor level (FFL). This excavation is confined to the footprint of the original house (plus small central lightwell) and does not extend under the closet wing.
- 2.37 The application is accompanied by a Basement Impact Assessment (BIA), which has been independently audited by Campbell Reith, in line with the requirements of CPG4. After an initial review, Campbell Reith requested further information to seek clarity on a number of outstanding issues. Following a further review of additional information, the final audit report was issued confirming all issues had been closed out.
- 2.38 Several consultation responses refer to the propensity of the area to flooding. Hillfield Road is within Critical Drainage Area but is not located within a Local Flood Risk Zone. The Environment Agency indicates that the risk of flooding from surface water at 63 Hillfield Road ranges from 'Very Low' to 'Low'. Their records indicate that the nearest groundwater flooding incident was recorded 60m west of the site on the north side of Hillside Road and that the proposed development site is not within an area where London Borough of Camden have recorded properties as having been affected by historical groundwater flooding. The site investigation also confirms there is very low risk of groundwater flooding, due to the underlying London Clay. Notwithstanding this, flood resistance measures to protect the basement from local surface water flooding are discussed within the BIA in addition to mitigation measures to protect against sewer surcharging, which are considered appropriate.
- 2.39 The proposed scheme will increase the proportion of hardstanding at the site. A SUDS assessment has demonstrated how it is possible to attenuate peak flows in accordance with best practice. A condition will require details of SUDS to be approved in writing by the local planning authority. Such system shall demonstrate greenfield levels of runoff unless it can be demonstrated that this is not feasible. The system shall be implemented as part of the development and thereafter retained and maintained.
- 2.40 Providing works are undertaken in accordance with Arboricultural Impact Assessment, and root protection measures are employed, the proposed development should not significantly impact trees on site or adjacent to the site.
- 2.41 The conclusions of the final audit report confirmed the following:
- The qualifications of the authors are in accordance with LBC requirements.
 - A site investigation has confirmed the underlying ground conditions to comprise Made Ground over the London Clay. There will be no impact to the wider hydrogeological environment.
 - Sufficient temporary works sequencing and propping information is provided to demonstrate

the feasibility of the scheme. Transitional underpins are recommended for neighbouring properties to be agreed under the Party Wall award, as applicable.

- A ground movement assessment (GMA) has been undertaken which assesses that damage to neighbours will be within Category 0 (Negligible), assuming good workmanship.
- An outline structural movement monitoring strategy is presented which is considered appropriate to control construction and keep damage impacts within a maximum of Category 1 (Very Slight).
- It is accepted that the site is at low risk of flooding. Appropriate flood mitigation measures are proposed.
- The site is within a Critical Drainage Area. A SUDS assessment is proposed to attenuate peak flows in accordance with best practice, which should be agreed with LBC and Thames Water.
- The development will have no impact to the wider hydrological environment.
- An outline for structural monitoring is presented, which is to be agreed under the Party Wall Act.

2.42 Subject to conditions that require details of an appropriately qualified engineer to be submitted prior to development, and for all works to be carried out in accordance with the submitted BIA and recommendations of the BIA audit, the proposed excavation is considered acceptable.

Impact of development on amenity of neighbouring occupiers

Privacy

Existing building

2.43 The windows to the dormer extension would not lead to any new views to the gardens of surrounding properties as there are existing windows on the lower floor and an existing dormer at no.61 Hillfield Road. The impact is therefore acceptable.

New building

2.44 The new building would have no windows on its eastern flank elevation and therefore no views to 57 Achilles Road or the rear garden of no.63 Achilles Road would be possible.

2.45 The ground floor windows would have sight of the rear garden of no.65 Hillfield Road; however, these views would be oblique and the level of overlooking would be commensurate with the relationship between existing properties.

Daylight and sunlight

2.46 The applicant has submitted a daylight/sunlight assessment with the application which has tested the impact of the new development on no's. 61 & 65 Hillfield Road and 57 & 59 Achilles Road.

2.47 VSC is generally considered the most appropriate way of measuring of daylight to existing neighbouring properties and is a methodology supported by CPG (Amenity). BRE guidance considers that daylight may be adversely affected if, after development the VSC is both less than 27% and less than 0.8 times its former value.

Existing building

2.48 The impact of the side extension and dormer on the east facing flank window of no.61 Hillfield Street does not lead to a loss of daylight or sunlight that exceeds BRE guidance. The rear extension would not go beyond the building line of no.65 and therefore there would be no impact.

New building

2.49 The massing of the new property would be located a sufficient distance away from the windows of 57 & 59 Achilles Road and accordingly there would be a negligible impact on daylight and sunlight which would not be perceptible to occupiers.

Outlook

2.50 The proposal would not introduce any new massing which has a harmful impact on an existing window. In the case of the side extension to the existing building, the new party wall would replace an existing boundary fence and increase the height on the boundary by 0.4m only.

2.51 The new building would impact on the outlook of the existing ground and first floor units which currently benefit from outlook across the rear garden; however this would not impact an existing occupier as the units in the existing building are being converted. The distance at ground floor level to the new rear garden fence would be 4.5m and 17.7m from the first floor window across to the new building. This relationship is commensurate with the distances between no.61 Hillfield Road and no.59 Achilles Road and is thought to be acceptable.

Transport

Cycle parking

2.52 Policy T1 requires all new development to provide cycle parking facilities in accordance with the minimum requirements of Camden's cycle parking standards and the London Plan.

2.53 For residential units with 1 bedroom this requires the provision of 1 space per unit, whilst for 2+ bedroom units the requirement is for 2 spaces per unit. As the proposed development comprises 3 x 2-bedroom units and 1 x 3-bedroom units, this gives a requirement for 8 cycle parking spaces. Three cycle storage facilities are proposed: one to the front of the existing property that will serve Flats 2 and 3; 1 to the rear of the existing building that will serve Flat 1; and 1 in the amenity area of the new building.

Car Parking

2.54 Policy T2 of the Local Plan requires all new developments in the borough to be car-free. All four new and reconfigured units will be secured car free via a s.106 legal agreement to ensure that future occupants are aware that they are not entitled to on-street parking permits. Given that the existing 2 units at no.63 Hillfield Road currently benefit from car-parking permits, this will be an improvement on the existing situation.

2.55 The proposal will also remove the existing on-site car parking by landscaping the front driveway and reinstating boundary treatment.

Construction Management Plan

2.56 Given the extent of construction work, which includes a basement excavation, a Construction Management Plan (CMP) will be secured by Section 106 legal agreement to ensure the proposed development does not create traffic congestion and lead to a loss of amenity for surrounding occupiers in accordance with policy A1. A CMP Implementation Support Contribution of £3,136 would also need to be secured as a Section 106 planning obligation if planning permission is granted

Highway Works

2.57 A financial contribution (£tbc) would be sought for highway works directly adjacent to the site to repair any damage to the pavement caused during construction of the proposed development and enable the proposal to comply with policy A1. This would be secured as a s.106 planning obligation

Sustainability

- 2.58 New developments in Camden are expected to be designed to minimise energy use and CO2 emissions through the application of the energy hierarchy.
- 2.59 The new building would incorporate a biodiverse, green roof to support a sustainable approach to drainage. Furthermore, a condition will be attached to ensure that all units, both new-build and conversion, shall achieve maximum internal water use of 110litres/person/day.

Trees and Landscaping

- 2.60 The site is not located within a conservation area and therefore there is no automatic protection for trees. There are no Tree Preservation Orders (TPO) affecting any of the on-site trees; however, a street tree on Achilles Road to the rear of the site is covered by a TPO.
- 2.61 The proposal would involve felling two trees in the rear garden of the application site to facilitate works. These are Category C trees which have very limited visibility from the street and as such are considered to make little contribution to the amenity value of the street.
- 2.62 An existing tree will be retained in between the new building and Achilles Road which will soften and screen the new building from the street.
- 2.63 The Council's Tree officer has reviewed the tree protection measures for both on-site and off-site trees and considers the proposals to be acceptable.
- 2.64 Hard and soft landscaping will be an important factor in how the site continues to support biodiversity and how it is experienced by future occupants and neighbours. The proposals show intentions to provide green rear gardens and planting as well as a biodiverse green roof. Full details of both landscaping and the biodiverse roof will be secured via planning conditions to ensure the proposals contribute towards supporting biodiversity and visual amenity.
- 2.65 Given the records of swifts having used the garden previously and comments from a neighbour that hedgehogs have been seen on site, a condition will be attached to the planning permission that prevents site clearance during nesting period to ensure the works do not disrupt the nesting of swifts, and also to demonstrate a precautionary approach to mitigate the impact on hedgehogs, unless it can be demonstrated they are not present.

3.0 Conclusion

- 3.1 Grant Conditional Planning Permission subject to s.106 Legal Agreement

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 25th June 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Vorbild Architecture Limited
31C Canteloves Road
London NW1 9XR

Application Ref: **2017/4326/P**

21 June 2018

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
63 Hillfield Road
LONDON
NW6 1QB

DECISION
Proposal:
Erection of new single storey (plus basement) building fronting Achilles Road comprising 1 x 3-bed unit (Class C3) with front lightwell; Conversion of existing building from 2 to 3 flats (3 x 2-bed); erection of single storey rear/side infill extension and rear dormer; enlargement of existing basement level and front lightwell; creation of new access off Agamemnon Road; hard and soft landscaping works.

Drawing Nos: Site Location Plan; A-(15)-010 (dated 07.06.2018); A-(13)-011 (dated 07.06.2018); A-(10)-010; A-(10)-011; A-(10)-012; A-(10)-013; A-(11)-010; A-(11)-011; A-(12)-010; A-(13)-001; A-(13)-010; A-(13)-012; A-(13)-013; A-(13)-014; A-(13)-015; A-(14)-010; A-(14)-011; A-(14)-012; A-(15)-011; A-(15)-012; A-(15)-013; A-(15)-014; A-(15)-015; (all dated 24.04.2018) Daylight and Sunlight (Within Development) prepared by Right of Light Consulting (dated 12 February 2018); Daylight and Sunlight (Within Development) prepared by Right of Light Consulting (dated 12 February 2018); Daylight and Sunlight (Neighbouring Properties) prepared by Right of Light Consulting (dated 18 July 2017); Tree Protection Plan prepared by Treework Environmental Practice (dated February 2018); Basement Impact Assessment (Retrofit & New Build) prepared by GabrielGeo Consulting (dated August 2017); Arboricultural Impact Assessment prepared by Treework Environmental Practice (dated 08 February 2018); Surface Water Drainage Statement - Sustainable Drainage System dated 24th January 2018 (ref 18630/R4) by Gabriel GeoConsulting Limited; Email to CampbellReith dated 10th December 2017 from Gabriel GeoConsulting Limited; Letter to Green Structural Engineering Ltd dated 8th December 2017 from Gabriel GeoConsulting Limited; Engineering Method Statement dated 7th December 2017 by Green Structural Engineering Ltd

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; A-(15)-010 (dated 07.06.2018); A-(13)-011 (dated 07.06.2018); A-(10)-010; A-(10)-011; A-(10)-012; A-(10)-013; A-(11)-010; A-(11)-011; A-(12)-010; A-(13)-001; A-(13)-010; A-(13)-012; A-(13)-013; A-(13)-014; A-(13)-015; A-(14)-010; A-(14)-011; A-(14)-012; A-(15)-011; A-(15)-012; A-(15)-013; A-(15)-014; A-(15)-015; (all dated 24.04.2018) Daylight and Sunlight (Within Development) prepared by Right of Light Consulting (dated 12 February 2018); Daylight and Sunlight (Within Development) prepared by Right of Light Consulting (dated 12 February 2018); Daylight and Sunlight (Neighbouring Properties) prepared by Right of Light Consulting (dated 18 July 2017); Tree Protection Plan prepared by Treework Environmental Practice (dated February 2018); Basement Impact Assessment (Retrofit & New Build) prepared by GabrielGeo Consulting (dated August 2017); Arboricultural Impact Assessment prepared by Treework Environmental Practice (dated 08 February 2018); Surface Water Drainage Statement - Sustainable Drainage System dated 24th January 2018 (ref 18630/R4) by Gabriel GeoConsulting Limited; Email to CampbellReith dated 10th December 2017 from Gabriel GeoConsulting Limited; Letter to Green Structural Engineering Ltd dated 8th December 2017 from Gabriel GeoConsulting Limited; Engineering Method Statement dated 7th December 2017 by Green Structural Engineering Ltd

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

- 4 Before the relevant part of the work is begun, 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:
- a) Details, including sections at 1:10, of all windows (including jambs, head and cill) of the "new building"
 - b) Manufacturer's specification and sample panel of the proposed brickwork to show type, colour, bond, mortar mix, joint and pointing for "new building" and side boundary wall on Agamemnon Road (to be provided on site).
 - c.) Details, including sections at 1:10, of the proposed entrance gates on Agamemnon Road.

The relevant part of the works shall be carried out in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

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

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity, biodiversity and character of the area in accordance with the requirements of policies A2, A3, A5 D1 of the London Borough of Camden Local Plan 2017.

- 6 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies A1 and A5 of the Camden Local Plan 2017.

- 7 The development hereby approved shall be carried out strictly in accordance with the BIA compiled by Gabriel GeoConsulting Limited dated August 2017 (and other supporting documents) and the recommendation in the Campbell Reith Audit dated May 2018 specifically insofar as it relates to a detailed works programme, condition surveys of neighbouring properties, movement monitoring and trigger values, trial pitting, groundwater monitoring, protection of the party wall, and boundary drainage.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the Camden Local Plan 2017.

- 8 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 Arboricultural Report prepared by Treework Environmental Practice (dated 8.2.18) hereby approved and shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction".

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 D1 and A3 of the Camden Local Plan 2017.

- 9 The cycle storage area for 8 cycles as shown on drawing no. A-(13)-011 (dated 07.06.2018) and A-(13)-011 and A-(13)-014 (dated 24.04.2018) shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 10 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 11 Prior to commencement of development , full details in respect of the biodiverse living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The living roofs 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.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, A3 of the London Borough of Camden Local Plan 2017.

- 12 The kitchen/ dining window to Flat 2 at ground floor level shall have a restricted opening mechanism as shown on drawing no. A-(13)-011 (dated 07.06.2018) hereby approved. The window shall thereafter be retained as such.

Reason: To prevent unreasonable overlooking to the bedroom window of Flat 1 in accordance with policy A1 of the Camden Local Plan 2017.

- 13 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 demonstrate greenfield levels of runoff unless it can be demonstrated this is not feasible. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 14 Prior to implementation a method statement for a precautionary working approach to demolition and construction should be submitted to the Local Authority and approved in writing. This shall include:

a) detailed proposals for vegetation clearance demonstrating that all removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

b) Precautionary approaches to mitigate the impact on hedgehogs unless it can be demonstrated that no hedgehogs are present on site.

All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted. The applicant may need to apply for a protected species licence from Natural England, evidence of which should be submitted to the Local Authority.

Reason: To ensure the development contributes towards the protection and creation of habitats and valuable areas for biodiversity, ensuring compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policy A3 of the Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 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.

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.

- 4 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate

DRAFT

DECISION