

Address:	51 Fitzroy Park London N6 6JA	
Application Number:	2009/1579/P	Officer: Elizabeth Beaumont
Ward:	Highgate	
Date Received:	19/03/2009	
Proposal: Construction of a two storey residential dwelling with lower ground floor and associated landscaping following the demolition of existing two storey residential dwelling (Class C3) DEPARTURE FROM UDP (DEVELOPMENT ON PRIVATE OPEN SPACE).		
Drawing Numbers: PL_001; 002; 003; 004; 005; 06; 09A; 10A; 11; 12; 13; 20; 21; 6960/02 Rev A; Arboricultural Report (JYK/6960/so); Sustainability Statement; Visual Impact Assessment; Planning Report; Ground Condition & Substructure; Letter from Barton Engineers dated 21/05/09; Construction Management plan June 2009 Draft 2.		
RECOMMENDATION SUMMARY: Grant Permission subject to a Section 106 Agreement, subject to the Government Office for London not directing refusal of the application.		
Date of Application:	19/03/2009	
Application Number:	2009/1581/C	
Proposal: Demolition of existing dwellinghouse.		
Drawing numbers: PL_001; 002; 003; 004; 005; 06; Planning Report.		
RECOMMENDATION SUMMARY: Grant Conservation Area Consent		
Applicant:	Agent:	
Mr Mehdi Norowzian 18 Horbury Crescent London W11 3NF	Firstplan 25 Floral Street LONDON WC2E 9DS	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3 Dwelling House		224m ²
Proposed	C3 Dwelling House		556m ²

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

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	1	0
Proposed	1	0

OFFICERS' REPORT

Reason for Referral to Committee: Clause 3(v) involving total or substantial demolition of any building in a conservation area; Clause 3(vi) involving the conclusion of a Section 106 Planning Obligation relating to matters outside the normal scheme of delegation; and Clause 3(vii) involving a significant departure from policy.

1. SITE

- 1.1. The site is located to the southwest side of Fitzroy Park which is a private road. The site comprises a two storey single family dwelling house constructed in the 1950s. The property is accessed through the gated entrance via a concrete sloped driveway. The dwelling is constructed of stock brick and painter timber weatherboarding with a corrugated metal pitched roof and incorporates a large amount of glazing.
- 1.2. There is a large garden that wraps around the west and south sides of the dwelling. The garden is mainly covered with lawn and established vegetation with some hard landscaping and a number of trees around the boundary of the site. There are four trees on the site protected by a TPO.
- 1.3. The site slopes to the south, and the existing building is built into the slope. It is not readily visible from the south, and only the roof slope is visible from the north. This part of Highgate is characterised by its secluded verdant feel, and the site and surrounding context are heavily screened by trees. The building is not visible from the Heath due to its position away from Millfield Lane, and the extensive tree cover. It is noted that some of the neighbouring properties which are scattered around the fringes of the Heath can just be seen in views from the Heath.
- 1.4. The site is located on private open space known as 'Fitzroy Open Space' a large space adjacent to the eastern edge of Hampstead Heath. The site is in the Highgate Village Conservation Area, but is not listed. There are no listed buildings in the immediate vicinity of the site.

2. THE PROPOSAL

Original

- 2.1 Conservation area consent is sought for the demolition of the existing two-storey, four-bedroom dwelling and full planning permission is sought to erect a three-storey (lower ground, ground and first) four bedroom dwelling with integral garage and swimming pool.

- 2.2 The proposed dwelling would provide living space, dining area, kitchen area and plant room at lower ground level; living room, study, family room, washroom and single garage at ground floor level and four bedrooms with balconies and two bathrooms at first floor level. An outdoor swimming pool and terrace is proposed and the garden will be landscaped with the planting of new trees along the boundary of the property following the removal of two existing trees. The proposal involves the erection of a new timber and steel boundary fence with steel pedestrian and vehicle access gates accessed from Fitzroy Park.
- 2.3 The proposed building would be mainly constructed from timber, steel and glazing and the external materials of the proposed building include timber cladding. The level entrance to the new house at ground floor level is via a lightweight timber and steel walkway. A sedum roof is proposed on the garaged and lower part of the roof.

Revision

- 2.4 The proposal has been revised to reduce the amount of parking on site from a double garage to a single car garage.

3. RELEVANT HISTORY

- 3.1 There is no relevant planning history at No. 51 Fitzroy Park. It is however noted that there are applications within the general Fitzroy Park area that are analogous to the current proposal. These are detailed below.

2006/3380/P and 2006/3381/C (Fitzroy Farm)

- 3.2 Planning permission and conservation area consent was granted on 19/09/2006 for the demolition of the existing two-storey dwellinghouse (Class C3) and ancillary outbuilding and construction of a new two-storey plus basement dwelling.

2007/2358/P and 2007/2361/P (Wallace House, 36 Millfield Lane))

- 3.3 Planning permission and conservation area consent was granted on 18/10/2007 for the demolition of the existing dwelling and outbuildings and erection of a new 3 storey single family dwellinghouse (Class C3).

4. CONSULTATIONS

Statutory Consultees

- 4.1 English Heritage has advised that the application should be determined by the local authority in accordance with national and local policy. They have however noted that given the extent of excavation proposed and the varied ground conditions of the Hampstead Highgate Ridge, they would recommend that detailed investigations of the ground conditions should be undertaken as part of any site investigation.

Conservation Area Advisory Committee (CAAC)

- 4.2 Highgate CAAC does not object to the scheme however have advised that neighbours views should be taken into account.

Local Groups

4.3 The Fitzroy Park Residents Association do not object to the proposed dwelling and note that it is well designed and expect it to make a very positive contribution to the architecture of the road. The Association did raise some concerns regarding the detail of the proposed Construction Management Plan (CMP), however have had ongoing dialogue with the applicants to overcome many of these issues. The Association has confirmed in writing to the Council that consultation has taken place and that the only outstanding issues in terms of CMP content is as follows::

- There is little or no room for the parking of contractors' vehicles on the road which needs to be further addressed;
- Concerns regarding compensation for wear and tear on the road, and to road furniture and services;
- Would like to see details of water management and disposal of water from site within the CMP.

The Association state that these above matters are under discussion with the owners of the property and that they are confident that a satisfactory agreement will be reached.

Adjoining Occupiers

4.4 A site notice was displayed on 17/04/2009 and a press notice was advertised in the 'Ham and High' on the 23/07/2009. The press notice expires on the 13th August 2009 and therefore any additional comments received between the publication of this report and the meeting will be reported to members in the supplementary agenda. The following table sets out details of the consultation to neighbouring occupiers:-

<i>Number of letters sent</i>	12
<i>Total number of responses received</i>	2
<i>Number of electronic responses</i>	3
<i>Number in support</i>	0
<i>Number of objections</i>	3

4.5 The Dormers (49 Fitzroy Park) – 2 letters received dated 14/05/2009 and 30/06/09 (following submission of revisions to the CMP and additional information on hydrological issues) –

Design: Current property is an eyesore. The new building steps back away from our boundary. The increase in height is mitigated by the use of wood and glazing. It creates a perception of floating in the environment and we considered our sense of openness and privacy is not compromised. The late Richard Paxton has talent for incorporating new buildings into sensitive sites without compromising the privacy of existing neighbours or creating over dominant buildings which are excessive in bulk. This has been incorporated into the new scheme.

Amenity: The windows have been orientated in such a way as not to overlook our property and where it is considered that there might be such direct overlooking they have chosen to integrate opaque glass/screening solutions.

Basement: The extent of the basement is very modest. It will be no more than 3m and this will reduce across the footprint of the building, as the land falls away and the building nestles into the local topography.

Boundary wall: Concerns with replacement of boundary wall. Would prefer the current retaining wall not to be converted into the external wall of the new building as it has its own integral wall.

Trees: A smaller ash tree is to be removed. We would ask the tree is retained as it affords significant screening between our sites is in good health and is congruent with existing trees.

- **Hydrological Issues:** Site is located in the catchment area of the River Fleet. There are risks to Highgate ponds downstream and concerns that no hydrogeological assessment of the site has been requested. There is no integrated water management proposal to mitigate potential impacts on the micro water regime. Some mitigation measures proposed to deal with lateral ground water flows during construction process. However, there are no provision for post-construction impacts and 'Dormers' is at risk of bogging and flooding.
- Request future proposals in the area should be required to submit Hydrological assessment.
- **Further comments added:** Land drains should be installed beneath the basement as well as around it, neither being conditional on them encountering permeable strata at greater depths. Given local experience of lateral ground water flows and our belief that the risks are significant, a 'belts and braces' solution was agreed with the applicants so that all possible risks, both now and in the future would be mitigated should be included in Camden's conditions for water management on site.
- **Construction Management Plan:** Feel confident with some further work and negotiation a sensible CMP that mitigates these issues is possible. There are concerns with failure of Camden to follow due process with regard to the development and consultation of the CMP for this project.
 - o **Small construction traffic** - incredibly difficult to quantify, especially when one approaches the final stages of fit-out, but I do think that Camden must insist on more detailed empirical data for the number of small contractor vans that the applicant expects to access 51 Fitzroy Park. Such data will allow local residents to quantify a far more accurate intensification of use of the road for all traffic.
 - o **Parking** - The applicant is only able to park on their own land - either on the site or along their frontage. Both are very limited in this circumstance. Given that Fitzroy Park is a private road and the applicant will not be able to park on land other than their own. Vehicles cannot park on the frontage as this must be kept clear to ensure such delivery vehicles do not block the road.
 - o **Pedestrian and Road Use Safety Plan** – the plan used is incorrect.

4 Fitzroy Close – I understand the height of the new building is higher than the existing building. Therefore I object to this planning application.

5. POLICIES

5.1 London Borough of Camden Replacement Unitary Development Plan 2006

- SD1 Quality of life
- SD6 Amenity for occupiers and neighbours
- SD8 Disturbance
- SD9 Resources and energy
- H1 New Housing
- H7 Lifetime homes and wheelchair housing
- B1 General design principles

- B7 Conservation area
- T3 Pedestrians and cycling
- T7 Residential parking standards
- T8 Car free housing and car capped housing
- T9 Impact of parking
- T12 Works affecting highways
- N2 Protecting open space
- N5 Biodiversity
- N8 Ancient woodlands and trees

Supplementary Planning Policies

Camden Planning Guidance 2006

Highgate Conservation Area Statement

6. ASSESSMENT

6.1 The principle considerations material to the determination of the application are summarised as follows:

- Demolition of unlisted building in conservation area
- Bulk, height and footprint of new building
- Design of replacement building
- Basement and water resources
- Private open space
- Residential standards
- Sustainability
- Amenity
- Transport issues
- Construction management
- Trees and landscape/biodiversity strategy.

Demolition of unlisted building in a conservation area

6.2 The existing building is not identified in the Highgate Conservation Area Statement as a building which makes a positive contribution; however, it sits quietly within the site and in this sense contributes well to the particular local scene. The buildings in this part of Fitzroy Park are stylistically varied, but a great contribution is made by the many architect-designed mid twentieth century houses, which form a significant part of the character of the area. The conservation area statement states that they “embodied original thinking about construction and lifestyles,” and that the concentration of these buildings in the immediate area gives them a group value as well as being of architectural interest individually.

6.3 Whilst the design of the existing house is not architecturally noteworthy in itself, it forms a part of this unique group. However, as the building is not considered to be a positive contributor, the principle of demolition is not contested provided that the replacement scheme preserves or enhances the conservation area. No objections are raised to its demolition subject to a satisfactory replacement being granted permission.

Bulk/height/footprint

- 6.4 The depth of the proposed building is 2.5m more than existing, however the width is reduced by 2m. The first floor level is 10m deep and 18m wide and is set 5.5m away from the boundary with no. 49 Fitzroy Park. The east elevation of the proposed house is stepped back from the boundary with Fitzroy Park by 5m. The north elevation is aligned with the boundary wall with no. 49 Fitzroy Park but is reduced to single storey level.
- 6.5 The proposal involves an increase in built footprint from 142sqm to 216sqm with the majority of this footprint increase around the perimeter of the existing building set back from Fitzroy Park. There is also an increase in floorspace from 224sqm to 556sqm. The majority of the new floorspace is at lower ground level. This level has been formed by excavating part of the site by 2m within the natural slope of the contours of the landscape. There is a height increase of 2.1m however the impact of this is mitigated by the variations in the height of the building.

Design of replacement building

- 6.6 The area comprises individual houses of varied architectural styles and scales set within their own grounds into the topography of the area. It is very verdant and has a secluded rural feel. Many of the post-war houses within this area were architect designed and the variety of material, forms and styles in relation to the rural nature of the area give it a unique character.
- 6.7 A primary consideration on the redevelopment of the site is the effect upon the largely undeveloped character of this area and the effect on the setting of and views from the Heath. Thus the new buildings height, massing and position within the site and the sloping topography must be considered carefully.
- 6.8 The existing building is considered to have limited impact on the wider public realm as the bulk of it is well screened behind the boundary wall. The pitched roof can be seen from the northern part of Fitzroy Park, but not from the south nor from Millfield Lane, or the Heath to the south west. The mass of the proposed new building will be positioned away from Fitzroy Park but with a slight increase in height. The proposed building would have a limited impact on the wider public realm. Only part of the top floor would be visible from Fitzroy Park above the boundary wall similarly to the existing situation.

Detailed design

- 6.9 The proposed building comprises three storeys (including lower ground level) built into the slope of the land as it is as present. The additional storey will be set into the ground and will not be visible from the public realm or from neighbouring buildings and will not significantly increase the overall height of the building compared to existing.
- 6.10 The architectural approach is contemporary and incorporates the use of timber cladding, sedum roofs, and metal panels. The mass is broken down into a series of modules, the lower of which will not be visible. The upper storey comprises a

projecting timber clad box with south-facing glazing which looks over the site away from the road. This storey appears to float over the middle storey which is set back and predominantly glazed.

- 6.11 In terms of the impact on the public realm, the rear and easternmost elevations will be those visible in the streetscene. The majority of the fabric visible from these points will be timber with small amounts of glazing set behind perforated timber cladding. The use of this material will ensure that the building nestles quietly into its green context. The use of a horizontal slot window at the upper level and some metal cladding brings visual interest.
- 6.12 The design of the building is not considered to appear incongruous or otherwise compromise the character of the area. The visual impact of the building beyond its boundary will be very limited. The proposed building is considered to be a quiet, well-considered contemporary response to the site and surrounding context, which preserves the special character and appearance of this part of the Highgate Conservation Area.
- 6.13 The proposed boundary treatment would be constructed from timber and metal. The fence and gate follows the general pattern of boundary treatment in other neighbouring properties and is no higher than existing or the neighbouring boundary walls. It is considered that the proposed treatment would enhance the special character and appearance of this part of the Highgate Conservation Area.
- 6.14 The proposed replacement building is considered acceptable in terms of its scale, bulk, position on the plot, and in its high-quality detailed design. The proposed boundary treatment along Fitzroy Road is considered an acceptable replacement. The character and appearance of this part of the Highgate Conservation Area will therefore not be harmed and views from the Heath will not be significantly affected.

Private open space

- 6.15 The proposed site is located in Fitzroy Open space which is identified within the Unitary Development Plan as private open space. Policy N2 (Protecting open space) states that the Council will not grant planning permission for the development of private open space unless it is for development ancillary to a use taking place on the land and for which there is demonstrable need that cannot be reasonably satisfied elsewhere. Private open space is not generally accessible by members of the public, as in this example. The use of land as open space, whether public or private however, is no less important than other uses and once built on is lost to the community forever. Development which is ancillary to a use taking place on an open space should be small in scale and not detract from the openness of the open space.
- 6.16 The demolition of the existing building and proposed construction of a larger building is not considered as ancillary development and is therefore contrary to this policy and is considered a departure from the Unitary Development Plan.
- 6.17 It is therefore considered the proposal should be considered in terms of its impact on the open space. There is currently no public access to the site and the site is

mainly hidden from view from the public realm. The existing property covers the northeast of the site with the garden area sweeping around to the rear. The property is set down within the landscape working with the contour of the land. The proposed development aims to replicate this by retaining a significant amount of open space.

- 6.18 The existing footprint of the building is 142 square metres with 199 square metres of hard landscaping. The proposed footprint would be increased to 216 square metres with a reduction of hard landscaping to 65 square metres. There would be an increase in the amount of soft landscaping from 423sqm to 525sqm, including the sedum roof. The development is 2.1m higher than the existing dwelling but is set within the slope of the site and does not obscure any views of the open space. The majority of the extra floorspace is at lower ground level which is not visible from Fitzroy Park. The proposed building has been positioned further away from the Fitzroy Park boundary allowing soft landscaping to wrap around the property along the eastern elevation of the building.
- 6.19 There will be no significant impact on the views from Hampstead Heath and the development will only be visible to the north from Fitzroy Park. It is considered that the departure from the UDP policy in relation to private open space is in this case acceptable as the proposed development introduces a replacement dwelling which would not significantly impact on its openness or general character of the area. As the development represents a departure from UDP policy, the application would be referred to the Government Office for London should members resolve to grant planning permission.

Basement/water resources

- 6.20 The proposed lower ground level requires excavation to an extent of 2m. A report was submitted as part of the application on the ground conditions and substructure of the site based on a study undertaken by Barton Engineers. The report concluded that the ground conditions consist of layers of sand, gravels and silts extending to a depth of 4m below ground level and was then underlain by soft clays and silts to a proven depth of at least 8 metres. During the site investigation ground water was not encountered but standpipes were installed in two boreholes. After two weeks the ground water level in the standing pipes were recorded to be approximately 2 metres below ground level. A quantity of 'perched' ground water was encountered in the permeable sands and gravels that overlay the impermeable Claygate formation and the levels of ground water varied between 2 and 4 metres. The variability in ground water is explained by the range of permeability found within the Stanmore scale.
- 6.21 The reports states that the proposed basement will be constructed below the ground water levels without any damage occurring to the adjoining properties or change in the existing ground water regime in the immediate area.
- 6.22 The methods that are proposed in order to ensure that the excavation and construction does not effect the ground water regime include the installation of temporary steel sheet piles wall with a lateral draining system. This method prevents ground water lateral movements that might affect neighbouring properties.

- 6.23 The report concludes that the existing ground water regime comprises a partially linked network of cells or lenses within the gravel and sands, retained by the clays and silts all occurring within the Stanmore Gravel. There can be little or no horizontal flow within this cellular system and so the addition of an impermeable basement will not affect the existing condition.
- 6.24 Further information was submitted in response to concerns raised by local residents in relation to such matters. In response to concerns over the risk to Highgate Ponds it was confirmed that the steel sheet piled around the perimeter of the whole new basement will prevent any downhill water run off. In relation to the concerns over the groundwater through and across the site, it is proposed that land drains be installed around the perimeter of the basement within the Claygate formation to redirect any groundwater around the new basement. The drains will flow into soakaways on the downhill side which will reintroduce the groundwater to its original path in a controlled manner. Barton Engineers confirm that should the excavations encounter permeable strata at greater depths then land drains will be installed beneath the basement as well as around it.
- 6.25 It is considered based on the information provided the proposal will not have a detrimental impact on the groundwater conditions within the site or the surrounding area and is considered acceptable. A condition is recommended to ensure the construction broadly follows the recommendations of the submitted hydrology and ground condition reports.

Sustainability

- 6.26 A sustainability statement completed by 'Skelly & Couch' was submitted as part of the application. A variety of measures have been proposed to provide a development which incorporates sustainable measures. The building will be insulated in order to minimise heat loss through the winter months. The majority of the habitable spaces will have glazed elements to allow natural daylight to dominate the space reducing the need for electrical lighting.
- 6.27 In order to ensure efficient ventilation the warmth from the extracted air will be reclaimed in the ventilation units. The building has been designed in order to maximise the use of passive solar energy with large glazed elements of the south facades and the use of ground coupled air ducts.
- 6.28 The Statement specifies that the use of thermal mass, phase change materials, sedum roofs, solar shading pergolas and high performance glass are being explored. The use of ground coupled air ducts will be used to provide cool air. The building has been designed to incorporate water saving features such as low flush toilets and non-concussive spray taps. The design will utilise the most efficient services and controls. Sustainable materials sourced locally will be used wherever possible. The design will utilise renewable energy wherever possible to offset the need for artificial energy. The statement specifies that the use of a CHP unit to provide heat to the swimming pool is being explored.

- 6.29 The report maintains the scheme would make a positive contribution towards energy efficiency. It is considered that the proposed measures incorporates a variety of sustainable measures in order to minimise the impact of the development.

Transport

- 6.30 The site is located on Fitzroy Park, a narrow private road near Hampstead Heath. There is vehicular access to the site and access to public transport is very poor (PTAL 1a).
- 6.31 Camden's parking standards for cycles (*Appendix 6 of the Unitary Development Plan*), states that 1 storage or parking space is required per residential unit. The proposal is for 1 residential unit; therefore 1 cycle storage/parking space is required. The applicant has not included provision for the required amount of cycle storage/parking in the proposed design. However, there is sufficient space within the site to securely store a bicycle within the dwelling house; therefore this requirement is considered to have been satisfied. The parking standards (Appendix 6 - Parking Standards) states that only 1 car parking space should be provided per dwelling. The proposal has been revised in order to reduce the proposed garage from a double to a single in accordance with Camden's parking standards.
- 6.32 The proposal involves the construction of a single residential unit. Given that there is already a single residential unit on the site, it is considered appropriate to protect the parking rights of the existing dwelling. Further, the PTAL is very low, and Fitzroy Park is a private road which Camden has no control over in regard to parking. Therefore it is not appropriate to require this development to be car-free or car-capped.
- 6.33 The site is located on Fitzroy Park which is a privately maintained road. Fitzroy Park has significant access issues for larger construction vehicles due to a narrow carriageway and that there are no pedestrian footways in places. Given these issues and that there are several other developments proposed in the Fitzroy Park area that have the potential for creating a cumulative impact; a Construction Management Plan (CMP) is considered necessary to be secured through a s106 obligation.
- 6.34 A CMP has been submitted as part of the application for this proposal which has been sent to residents in the area, including the Fitzroy Park Residents Association. Issues have been raised by residents regarding the CMP, including the potential for construction vehicles to block access along Fitzroy Park and for construction vehicles to present a safety hazard to other road users. A letter has been submitted demonstrating consultation with the Fitzroy Park Residents' Association. The Association confirmed that the access routing, the movement of heavy vehicles, siting of the crane, banksman to accompany heavy vehicles, questions over highway works are required to facilitate access have all been dealt with satisfactory. The only issues the Association states are outstanding are relating to permitted parking (dealt with above) and provision for water management and the disposal of water from the site (see below).

- 6.35 Site vehicles will have wheels washed down prior to leaving the site. A temporary concrete slab is proposed to create an impervious area that can be used as a wheel wash area. There will be a temporary underground holding tank to contain all contaminated liquid which will be emptied on a regular basis. The operation of the wheel wash will be controlled by the Principle Contractor and an emptying schedule is proposed to be in place prior to work commencing.
- 6.36 The CMP outlines the number of movements generated by vehicles over 17 tonnes, but does not include numbers regarding smaller vehicle movements such as contractors' business vehicles. However, the CMP does detail that there will be between 6 – 8 construction workers working on-site and there will not be a large number of contractors' vehicles accessing the site at one time. The primary concern raised by residents was that these vehicles may block Fitzroy Park should there be enough contractors visiting the site at one time. The CMP shows that the site will be accessed in two places within which there is sufficient space to park 2 contractors' vehicles on-site should the other access be being used by larger construction vehicles.
- 6.37 The CMP also details that a Travel Plan will be in place and that contractors will be asked to not park on Fitzroy Park. Failing this, should there be no space on-site; then contractors could park on Fitzroy Park along the 22m site frontage (as they are legally entitled to do so) where there is 6m width of carriageway width which is sufficient for vehicles to park and for other vehicles to pass. Given the scale of development, the space on-site for vehicles to park and the fact that there will only be 8 construction workers working on site at one time. It is not considered that contractor parking will have a significant impact on Fitzroy Park.
- 6.38 A further concern raised by residents was in regard to pedestrian safety, given the lack of pedestrian footways along Fitzroy Park and that people generally walk in the middle of the road at present. The CMP includes two pedestrian counts where the largest counts were taken to be 45 pedestrians between 12:00 and 13:00 on a weekday. The other pedestrian count taken between 15:00 – 16:00 also on a weekday counted 38 pedestrians. These figures demonstrate that provision needs to be made for the safety of pedestrians on Fitzroy Park.
- 6.39 The CMP outlines in a plan several areas where pedestrians can wait whilst larger construction vehicles pass. There are several driveways which can provide temporary refuge areas for pedestrians should they be required. However, the greatest measure to mitigate the impact on pedestrian/road user safety is through the use of banksmen. The CMP outlines a banksmen strategy which will physically restrict construction vehicles travelling faster than walking speed and ensures that vehicle manoeuvres are properly monitored.
- 6.40 Other measures for mitigating the impacts of construction vehicles include a wheel wash facility, noise control measures and dust control measures. A road condition survey has also been conducted as part of the CMP of the present situation. The S106 obligation is recommended to require that a road condition survey will also need to be conducted after works have been completed on site.

- 6.41 The submission of a Travel plan leaflet is recommended to be secured by condition. This plan will include details of local public transport services promote walking and cycling and encourage car sharing and that consideration will be given to the operation of a shuttle bus service to and from the site from nearby public transport modes. Contractors will be asked to not park on Fitzroy Park. It is recommended the Travel Plan leaflet be submitted and approved by the Council before works start on-site.
- 6.42 The above measures are considered to adequately mitigate the impact on both road users and pedestrians throughout the construction period and the management plan is recommended to be secured via S106 agreement.

Amenity of neighbour/occupiers

- 6.43 The closest neighbour to the site is 'The Dormers' (no. 49) located to the north of the site. The property to the south of the proposal site is approximately 17m from boundary to boundary. The existing dwelling house has windows on the western and northern elevation which overlook the property to the north. The proposed development has been designed to limit any overlooking and respect the privacy of neighbouring properties. The numbers of windows on the northern and western elevation have been reduced. On the northern elevation there is a horizontal window at a height as to cause no significant overlooking. The proposed development is 2.1m taller than the existing dwelling. The proposed building has been set 5m away from the boundary with Fitzroy Park. The building is only two storeys (lower ground and ground) in height adjacent to the boundary with 'The Dormers' and the three storey element is set away from this boundary. The high boundary wall surrounding the site acts as a screen to part of the garden area.
- 6.44 There are four balconies proposed on the south elevation and large areas of glazing across the lower ground and ground elevations. It is considered that this is acceptable given the distance from the property at no. 53 and the thick mature vegetation along the boundary of the site which acts as a screen between the two properties. It is considered given these factors that the proposal would not have a detrimental impact on the privacy of neighbouring properties.
- 6.45 There is a proposed plant room within the lower ground level of the building. It is considered given its subterranean position it would have no impact on the amenity of neighbouring occupiers in terms of noise or disturbance.
- 6.46 Given the slope of the landscape and the distance of other properties it is considered that the proposed development would not harm the amenity of the neighbouring occupiers as compared to the existing situation.

Residential standards

- 6.47 The house is generously sized and complies with the Camden Planning Guidance space standards. It meets most of the relevant Lifetime Home Standards but does not have lift access to all floors. All rooms are adequately lit and ventilated and large glazed areas for the lower floors reduce the need for excessive energy consumption in lighting and ventilation rooms at this level.

Trees and General landscape strategy

- 6.48 At the front of the site there are four trees covered with a Tree Preservation Order (a Horse Chestnut, an Ash and two Sycamores). An Arboricultural Report has been submitted as part of the application. This demonstrates that only two small trees on the site will be directly affected by the proposals a small Ash (T4) and a small Turkey Oak (T8). It is considered that these trees are not of significant amenity value or in a prominent position on the site and their removal is considered to be acceptable.
- 6.49 The general landscape strategy involves the retention of the existing established vegetation of shrubs and trees. Three new trees are proposed adjacent to the southern boundary wall. A timber terrace and stone paving are the proposed hard surfacing (65 square metres). The remainder of the garden space will be landscaped. The eastern elevation of the building has been pulled back allowing the grassed area to wrap around this elevation adjacent to the road.
- 6.50 The proposed pool will be located in the northwest corner of the site with trees and shrubs adjacent to the boundary wall. The proposal would serve to increase the amount of soft landscaping within the site maintaining the rural feel of the site and its natural surroundings. A green roof is proposed over the majority of the roof. This will serve to provide thermal insulation and slow down run-off rates and can also provide a home for plants, invertebrates and bird species.
- 6.51 A condition would be attached to any decision notice requiring the submission and approval of a method statement for the protection of trees to be retained and hard and soft landscaping details to ensure that the external space is designed so that it is appropriate to the character of Fitzroy Park.

7. CONCLUSION

- 7.1 The demolition of the existing building is considered to be acceptable. The replacement house is considered appropriate in terms of bulk, height, form and footprint, and detailed design and it will preserve the character of this street and the overall conservation area. The new building will not harm neighbour amenity in terms of outlook, light, privacy or parking conditions. The proposal is not considered to detract from the openness of the Fitzroy open space.

8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

9. RECOMMENDATION

- 9.1 Planning Permission is recommended subject to a S106 Legal Agreement for a Construction Management Plan.