



Planning & Development Ltd

# **PLANNING AND HERITAGE STATEMENT**

## **LAND ACCESSED FROM PRIVATE LANE RUNNING BETWEEN 25A AND C FROGNAL**

**LONDON**

**NW3**

January 2019

Client: Sascha Shinder and Nicholas Shinder

Project: Land Accessed From Private Lane running between 25a and c Frognal

Date: January 2019

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## **SECTION 1: INTRODUCTION**

- 1.1 This Planning Statement (incorporating a Heritage Statement) has been prepared by JMS Planning & Development Ltd (JMSP+D) on behalf of Sascha Shinder and Nicholas Shinder in support of a full planning application for the construction of two detached houses with associated landscaping, bike stores, bin store and associated works on a site accessed from a private lane between 25a and 25c Frognal, London, NW3.
- 1.2 The application site is located within the Redington/Frognal Conservation Area and relates to a section of garden area to the rear of Nos 29 and 33 Arkwright Road, which are two large detached houses within the same family ownership which have been subdivided into self-contained flats which both have large rear gardens. Neither property is listed but both are designated as 'positive contributors' to the Conservation Area. Two additional residential units are proposed (1 x 2 bed and 1 x 3 bed) which have been sensitively designed to respect the Redington/Frognal Conservation Area as well as respecting the existing character of the immediate area and the amenity of surrounding occupiers. As such, it is considered the application is of benefit to LB Camden on the basis that it is sympathetic to the existing Conservation Area in which it is located, has no adverse heritage impacts whilst providing new residential stock within the Borough.
- 1.3 The submission of this planning application follows detailed pre-application discussions with LB Camden including, two separate reviews of the application proposals by the Camden Design Review Panel. The submission of this application has taken on board all of the suggested amendments and commentary proposed both by Officers and the Design Review Panel in order that an application is submitted which is fully in accordance with the recommendation of Officers and the Design Review Panel.
- 1.4 This supporting Planning Statement (incorporating a Heritage Statement) provides details of the application proposal, and the site and the surrounding area and provides an overview of relevant planning policy and the benefits of the application scheme. This Planning Statement should be read in accordance with the submitted plans and the Design and Access Statement prepared by Square Feet Architects.

1.5 Accordingly, a description of the site and surrounding area is provided at Section 2. An overview of the site's planning history is provided at Section 3. Details of the application proposal are set out at Section 4, with an overview of planning policy provided at Section 5. A description of the key planning issues is detailed at Section 6. The Heritage Statement is contained in Section 7, with the conclusions set out at Section 8.

## SECTION 2: THE SITE AND SURROUNDING AREA

- 2.1 The application site comprises land accessed from a private lane between 25a and 25c Frognal to the rear of both Nos 29 and 33 Arkwright Road, London, NW3. Arkwright Road links Fitzjohn's Avenue with Finchley Road running in a south west/north east direction. The application site is located within the Redington/Frognal Conservation Area. Numbers 29 and 33 Arkwright Road are two large detached former houses which have been subsequently subdivided into a number of individual self-contained units. Both properties contain large rear gardens.



**Aerial View Showing Application Site**

- 2.2 Neither 29 nor 33 Arkwright Road are listed or locally listed buildings. However, within the relevant Redington/Frognal Conservation Area Appraisal both properties are designated as positive contributors to the conservation area.
- 2.3 Arkwright Road is subject to a significant downwards gradient which falls away towards the south west. Accordingly, the level of the rear garden of No 29 is above that of No 33 Arkwright Road. In addition, the site levels fall away from the front towards the rear with the lane to the south of Frognal at a considerably lower level than the garden level of both properties. The rear gardens of these properties are open and green in nature and both contain a number of mature trees surrounded by lawn. The garden of No 29 is currently

divided widthways by a large hedge. Within the garden of No 33 two large storage containers have been installed in the centre of the garden. Whilst the trees on the site are protected by virtue of their location within a Conservation Area, there are no specific Tree Preservation Orders covering the site.

2.4 The site is accessed from the rear access lane off Frognal and has a total site area of some 507 sqm.

2.5 The site has a Public Transport Accessibility Level (PTAL) of 6a.

2.6 The site is located within Flood Zone 1 and is therefore not at risk of flooding.



**Entrance to the lane on Frognal giving access to the site with No. 25c and d to the left and 25a to the right**





**Rear view of the site from the lane**



**Nos. 29 & 33 Arkwright Road**



## SECTION 3: PLANNING HISTORY

- 3.1 A review of the site's planning history has been undertaken using Camden's Planning Application Search System. The application site's relevant history is set out below.

Application Number	Proposal	Decision and Date of Decision
<b>29-33 Arkwright Road</b>		
2015/6218/P	Application for the erection of three residential dwellings to the rear of 29 and 33 Arkwright Road	Withdrawn 09/02/16
<b>33 Arkwright Road</b>		
2012/0223/P	Change of use of ground floor flat and first floor flat to a maisonette, installation of two windows on side (west elevation), one each at ground and first floor level, window on side (east elevation) at ground floor level and replacement of rear ground floor level window with french doors.	Granted 26/03/2015
2007/1433/P	Demolition and replacement of side boundary wall adjoining No.29; demolition of wall within the front garden, alterations to front boundary including relocation of existing gate and installation of new fence infill	Granted 11/05/2007
2006/3915/P	Alterations to the front elevation to convert the existing ground floor garage doors to two new windows, in association with a new basement level, to increase the residential accommodation to the ground floor flat	Granted 27/10/2006
9883	Conversion into two flats on ground and first floors	Granted 09/09/1958
<b>29 Arkwright Road</b>		
2014/5132/P	Conversion of four-bed flat at ground and first floor into one studio and 2 x 2-bed flats	Not progressed
2008/0678/P	Erection of a first floor extension to the front and a roof extension at second floor level to the rear to create an additional three bedrooms for Flat 4	Refused 24/04/2008
17755	Alterations and conversion of the top floor of the existing dwelling house into two flats	Granted 21/12/1962

### **Other Relevant Planning History**

- 3.2 Also relevant to the application is a planning permission dated 4 April 2017 and referenced 2015/6231/P for the demolition of two garages and erection of a three bedroom house which was granted on the site of former garages at the bottom of the rear access lane off Frognal and located directly adjacent to the application site. The relevance of this application in respect to precedents is detailed later within this Statement.

### **Summary**

- 3.3 A review of the application site's planning history confirms that a previous proposal for a residential development on the site has been withdrawn. This application was notably different from the current proposals and was for three properties and was withdrawn following advice from Planning Officers. Following the withdrawal of this application, the Applicant has entered into substantial pre-application discussions with Officers including the presentation of the draft proposals to Camden's Design Review Panel on two separate occasions. The scheme now currently proposed has resolved to Officers' satisfactions all of the previous concerns with the previously submitted application (LPA Ref: 2015/6218/P) through a significant reduction in scale (including the reduction from three to two dwellings) and amended design and the submission of additional information. As such, rather than setting a precedent against the development of the application site the previous application 2015/6218/P has served as a '*stepping stone*' to the evolution of a residential development now considered acceptable by Officers.
- 3.4 In addition, the adjacent planning permission (LPA Ref: 2015/6231/P granted on 4 April 2017) supports the application proposal by establishing the principle of a new residential development on the private rear lane, in close proximity to the location of the two proposed residential units, which are the subject of this application.

## **SECTION 4: THE PROPOSAL**

- 4.1 The proposal subject of this application has been submitted following extensive pre-application discussions with the Council including, a review of the scheme twice by the Camden Design Review Panel (in April 2018 and in July 2018).
- 4.2 The application proposal involves the construction of 1 x 2 bed and 1 x 3 bed detached properties on land formerly part of the rear gardens of 29 and 33 Arkwright Road. The two properties are to be accessed from a rear access lane from Frognal.
- 4.3 The proposed units are to comprise ground and first floor and are to be situated adjacent to each other to form a building line along the access road between 25a Frognal and 25c Frognal.
- 4.4 The first proposed dwelling (to the south west) comprises an open plan ground floor of living, dining and kitchen space with utility boiler room and WC and at first floor level a master bedroom and en suite, second bedroom and separate bathroom and lobby, with a study area at the top of the stairs. In total the proposed unit has a GIA of 139sqm.
- 4.5 The second proposed dwelling, which extends to 173sqm, comprises at ground floor level a living, dining room and kitchen area as well as a separate study, separate WC and separate utility/boiler room. At first floor level the property contains a master bedroom with en suite and two further bedrooms along with a separate bathroom. Outside, each property has its own personal outdoor amenity space as well as a dedicated bike store. A combined refuse store for both properties is proposed which will be accessed from the access lane.
- 4.6 In terms of the design, a simple 'clean' approach has been taken with a masonry brick wall and solid plinth at ground and timber upper floor with the use of green roofs throughout and a shared entrance space from the rear access lane. As such, the proposed dwellings are subdued and significant landscaping is proposed as part of the overall application proposal which allows the properties to 'settle' and blend inoffensively into the conservation area. Detailed justification for the proposed design is set out within the accompanying Design and Access Statement prepared by Square Feet Architects.

## **SECTION 5: PLANNING POLICY**

- 5.1 This section of the Planning Statement sets out relevant national and local planning policy relevant to the proposed development. Relevant national and development planning policy relating to heritage matters is contained within the Heritage Statement which is at Section 7.

### **National Planning Guidance**

#### National Planning Policy Framework (2018)

- 5.2 The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 6).
- 5.3 Paragraph 8 confirms that there are three overarching objectives to sustainable development: economic, social, and environmental, which are interdependent and need to be pursued in mutually supportive ways:
- An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - A social objective – to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing;
  - An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 5.4 These objectives should be delivered through the preparation and implementation of plans and application of policies in the framework; they are not criteria against which every decision can or should be judged. It is confirmed that the planning system should play an active role in guiding development to sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area (paragraph 9).
- 5.5 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). For decision making, this means:
- Approving development proposals that accord with the development plan without delay, and
  - Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless;
    - The application of policies in the framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed; or
    - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole (paragraph 11).
- 5.6 The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making (paragraph 12).
- 5.7 Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible (paragraph 38).

- 5.8 Planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing (paragraph 47). Local Authorities may give weight to relevant policies and emerging plans according to the stage at which they are at and the extent of unresolved objections (paragraph 48).
- 5.9 Chapter 7 of the NPPF deals with delivering a sufficient supply of homes. Paragraph 59 confirms that to support the Government's objectives of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups of specific housing requirements are addressed and that land is developed without unnecessary delay.
- 5.10 Small and medium sized sites can make an important contribution to meeting the housing requirements of an area, and are often built out relatively quickly. To promote the development of a good mix of sites Local Planning Authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes (paragraph 68).
- 5.11 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses whilst safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out clear a strategy for accommodating objectively assessed needs in a way that makes as much use as possible of previously developed or brownfield land (paragraph 117).
- 5.12 Paragraph 118 confirms that planning policies and decisions should promote and support the development of underutilised land and buildings, especially if this would help meet an identified need for housing where land supply is constrained, and available sites could be used more efficiently. This policy also states that opportunities to use the air space above existing residential and commercial premises should be supported for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall streetscene is well-designed and can maintain safe access and egress for occupiers.



- 5.13 This is further confirmed in paragraph 122 whereby planning policies and decisions should support development that makes efficient use of land taking into account the identified need for different types of housing and other forms of development and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services; the desirability of maintaining an area's prevailing character and setting or are promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places.
- 5.14 Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimum use of the potential of each site (paragraph 122).
- 5.15 The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is the effective engagement between applicants, communities, Local Planning Authorities and other interests throughout the process (paragraph 124).
- 5.16 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history; establish or maintain a strong sense of place; and create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users (paragraph 127).
- 5.17 Design quality should be considered throughout the evolution and assessment of individual proposals (paragraph 128) and permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (paragraph 130).

### The Development Plan

- 5.18 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that all applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.19 For the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004 the statutory development plan comprises The London Plan (Consolidated with Alterations Since 2011) (March 2016) and the Camden Local Plan (adopted 3 July 2017).
- 5.20 Each of the documents relevant to the application site is considered in turn below.

### The London Plan (Consolidated With Alterations Since 2011) (March 2016)

- 5.21 Policy 3.3 (Increasing Housing Supply) confirms the Mayor recognises the pressing need for more homes in London and that the Mayor with relevant partners should seek to ensure provision of at least an annual average of 32,210 additional homes across London. The policy confirms that Boroughs should seek to achieve and exceed the relevant minimum Borough annual average housing targets wherever possible.
- 5.22 Policy 3.4 (Optimising Housing Potential) seeks to optimise housing density, having regard to local context, design principles and public transport accessibility.
- 5.23 Policy 3.5 (Quality and Design of Housing Developments) states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.
- 5.24 Policy 3.8 (Housing Choice) confirms Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and type of dwellings in the highest quality environments.
- 5.25 Policy 7.4 (Local Character) confirms that development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation surrounding buildings and should improve an area's visual or physical connection with

natural features. Buildings, streets and open spaces should provide a high-quality design response.

5.26 Policy 7.6 (Architecture) confirms that architecture should make a positive contribution. Buildings and structures should:

- (a) be of the highest architectural quality;
- (b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm;
- (c) comprise details and materials that complement, not necessarily replicate, the local architectural character;
- (d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings;
- (e) incorporate best practice in resource management and climate change mitigation and adaptation;
- (f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces;
- (g) be adaptable to different activities and land uses, particularly at ground level;
- (h) meet the principles of inclusive design; and
- (i) optimise the potential of sites.

#### The Camden Local Plan (July 2017)

5.27 In the adopted Proposals Map the site lies within the Redington/Frogna Conservation Area. There are no other designations or allocations covering the application site.

5.28 Policy A1 (Managing Impact and Development) confirms that the Council will seek to protect the quality of life of occupiers and neighbours and will grant permission for development unless it causes unacceptable harm to amenity.

5.29 Policy H1 (Maximising Housing Supply) confirms the Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households, exceeding a target of 16,800 additional homes from 2016/2017-2030/2031. This will be achieved by, inter alia,

regarding self-contained housing as a priority land-use of the Local Plan and where sites are underused or vacant, expecting the maximum reasonable provision of housing that is compatible with any other uses needed on the site.

- 5.30 Policy A1 (Managing the Impact of Development) confirms that the Council will seek to protect the quality of life of occupiers and neighbours and will grant permission for development unless it causes unacceptable harm to amenity.
- 5.31 Policy A3 (Biodiversity) confirms that the Council will protect, and seek to secure additional, trees and vegetation. This includes, expecting developments to incorporate additional trees and vegetation wherever possible.
- 5.32 Policy D1 (Design) confirms the Council will seek to secure high quality design and development. In particular, the Council will require development that, respects local context and character and preserves or enhances the historic environment and heritage assets in accordance with Policy D2 (Heritage). It requires development to be sustainable in design and construction and to comprise details of materials that are of high quality and complement the local character and integrate well with the surrounding streets and open spaces.
- 5.33 Policy CC1 (Climate Change Mitigation) confirms the Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation.

#### **Supplementary Planning Guidance**

- 5.34 Supplementary Planning Guidance documents which provide detailed planning guidance are relevant including Camden Planning Guidance 1 – Design.

## Emerging Planning Policy

### Draft New London Plan Consultation 2017

- 5.35 The New London Plan (November 2017) is the draft strategic planning document published by the Mayor of London and which will form part of the Development Plan once adopted. This emerging document was on consultation until 2 March 2018 subsequently, there have been some minor changes put forward by the Mayor and the Examination in Public (EiP) opened on 15 January 2019.
- 5.36 Draft Policy H1 (Increasing Housing Supply) sets out the 10 year target for net housing completions the Local Planning Authorities should plan for and include within their Development Plan documents. The 10 year target for the period 2019/2020-2028/2029 has increased since that of the previous plan period to 649,350 (an increase of approximately 225,000) and the proposed annual monitoring target for the period noted above for Camden has increased to 1,086 units per annum (compared to 889 for the previous plan period). Camden is therefore proposed to have an increase of 197 homes per year, which equates to a 22% increase.
- 5.37 Draft Policy H2 (Small Sites) confirms that small sites should play a much greater role in housing delivery and Boroughs should proactively support well-designed new homes on small sites to embrace planning decisions and plan making in order to:
- (i) Significantly increase the contribution of small sites to meeting London's housing needs;
  - (ii) Diversify the sources, locations, type and mix of housing supply;
  - (iii) Support small and medium sized housebuilders; and
  - (iv) Support those wishing to bring forward custom, self-build and community led housing.
- 5.38 The policy confirms that Boroughs should recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing provision and increases in residential density through small housing developments.

5.39 Draft Policy H2 confirms that to deliver the small sites housing target set out within the plan, Boroughs should apply a presumption in favour of the following types of small housing development which will provide between 1 and 25 homes:

- (i) Infill development on vacant or under-used sites;
- (ii) Proposals to increase the density of existing residential homes within PTAL's 3-6 or within 800 metres of a tube station, rail station or town centre Boundary through:
  - (a) Residential conversions (subdivision of houses to flats);
  - (b) Residential extensions (upwards, rear and side);
  - (c) Demolition and/or redevelopment of existing houses and/or ancillary buildings;
  - (d) Infilling development within the curtilage of a house; and
- (iii) Redevelopment or upward extensions of flats and non-residential buildings to provide additional housing.

#### **Summary of Planning Policy**

5.40 Existing National and Development Plan policy is permissive of proposals for new residential development subject to compliance with other relevant Development Plan policy. Relevant heritage policies within the adopted Local Plan confirm the need to both preserve and enhance conservation areas. Proposals which are considered to have an adverse impact on a conservation area will not be permitted.

5.41 Emerging policies within the draft New London Plan confirm that small sites with a PTAL of 3 or above or within 800m of a tube station, rail station or town centre boundary (such as the application site) should be utilised as a source for enhanced housing delivery.



## **SECTION 6: KEY PLANNING ISSUES**

6.1 Having reviewed the relevant planning policy background and the characteristics of the site and surrounding area and the proposed development, it is considered that the following issues are most relevant to the consideration of the application. Please note that heritage matters are considered within the following section.

1. Housing Need;
2. Presumption in favour of Sustainable Development;
3. Existing Precedents;
4. Residential Design Standards;
5. Residential Amenity;
6. Trees and Landscaping;
7. Basement Issues;
8. Parking and Accessibility;
9. Flooding Issues and Sustainable Drainage; and
10. Ecology.

### **Housing Need**

6.2 There is a significant need for new housing in London. This is an important material consideration which weighs in favour of the application.

6.3 The need for new housing is emphasised in the Government's long awaited Housing White Paper published February 2017 which emphasises the need for a greater level of house building within the United Kingdom and in respect to the basis for the NPPF (2018). The application therefore will assist in meeting this need.

6.4 The adopted Development Plan contains an emphasis on the need for new housing in Camden. There is overwhelming policy evidence in support of new housing, both in the Borough and in the wider context of London and in the context of retaining and improving the quality of houses in multiple occupation.

- 6.5 The NPPF (2018) contains significant emphasis on making better use of existing housing sites. Paragraph 118 confirms that planning policies and decisions should promote and support the development of underutilised land and buildings, especially if this would help meet an identified need for housing where land supply is constrained, and available sites could be used more efficiently. This is further confirmed in paragraph 122 whereby planning policies and decisions should support development that makes efficient use of land taking into account the identified need for different types of housing and other forms of development and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services; the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places.
- 6.6 Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimum use of the potential of each site (paragraph 122).
- 6.7 The new NPPF does, therefore, promote making the better use of existing housing sites where no adverse impact on design, amenity or heritage matters occurs. As set out within this document, this is the case in respect of the proposed application.
- 6.8 Policy 3.3 (Increasing Housing Supply) of the London Plan confirms that Boroughs should seek to achieve and exceed the relevant minimum borough annual average housing targets as set within the London Plan, as there is a pressing need for more homes in London. Part D of the policy states the Boroughs should seek to achieve and exceed housing targets through, inter alia, the intensification of brownfield housing sites.

- 6.9 The results of the London Plan Annual Monitoring Report 14 (AMR 14), dated September 2018 confirm that in relation to Key Performance Indicator 4, in relation to the London Plan which requires an average completion of a minimum of 42,000 net additional homes per year, this year recorded the highest single year of completions (since the AMR were first published) exceeding the target but that there was significant variation between Boroughs, albeit Camden exceeded its target by 50%. This is very different from the previous year where there was a significant shortfall, with over 38,500 completions in 2015-2016 which is 9% below the 2015 London Plan target. It is recognised that there will be variations in delivery due to the phasing of key sites. Key Performance Indicator 5 aims to complete 17,000 net additional affordable homes per year and, despite the increase in residential provision, the delivery of affordable houses continues to fall significantly below target.
- 6.10 The draft new London Plan Policy H1 (Increasing Housing Supply) sets out the 10 year target for net housing completions which Local Planning Authorities should plan for and include within their Development Plan documents. The 10 year target for the period 2019/2020-2028/2029 has increased since that of the previous plan period to 649,350 (an increase of approximately 225,000) and the proposed annual monitoring target for the period noted above for Camden has increased to 1,086 units per annum (compared to 889 for the previous plan period). Camden has therefore been proposed to have an increase of 197 homes per year, which is a 22% increase.
- 6.11 The need for additional housing in London is also acknowledged within emerging London Plan draft Policy H2 (Small Sites) which recognises the very valuable contribution that small sites can make to the provision of housing in London. This policy actively supports well-designed new homes on small sites which can significantly increase the contribution that small sites make to meeting London's housing needs. Draft Policy H2 explicitly supports proposals to increase the density of existing residential schemes within PTALs 3-6 or within 800 metres of a station, both of which are applicable to the site.

6.12 In summary, national planning guidance contained within NPPF (2018) and relevant policies of the adopted development plan and draft development plan presume in favour of making better use of existing housing sites within Zones 3 to 6 or within 800 metres of a station (both of which apply to the application site) where, the development will not give rise to any design, amenity or heritage impact. As will be set out later within this document, the limited nature of the proposal and its careful siting and consideration in respect to landscaping, coupled with the lack of any heritage impacts arising ensures that there are no such adverse impacts arising from this application. Accordingly, there is a presumption in favour of the application proposal.

### **Presumption in favour of Sustainable Development**

6.13 Within the NPPF there is a presumption in favour of sustainable development. It is confirmed that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 6).

6.14 Paragraph 8 confirms that there are three overarching objectives to sustainable development: economic, social, and environmental, which are interdependent and need to be pursued in mutually supportive ways:

- An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A social objective – to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing;

- An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.15 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). For decision making, this means, inter alia, approving development proposals that accord with the development plan without delay.

6.16 The application proposal has no adverse impact on the Redington/Frognal Conservation Area or any other heritage asset of relevance. This is confirmed within the accompanying Heritage Statement. Equally, the proposal has no adverse impact on residential amenity (which is detailed later within this Statement) and is considered to make better use of an existing residential site in accordance with national planning guidance and development plan policy. On this basis, it is considered that the application proposal represents sustainable development and accordingly there is a presumption in favour of the granting of planning permission for this application.

### **Existing Precedents**

6.18 The proposed new dwellings are to be accessed from the private lane accessed from Frognal between 25A and 25C Frognal. There are two recently built houses also accessed from this lane number 25E (single storey with pitched roof) and 25B Frognal (contemporary two/three storey house with white render and timber). The proposed new dwellings effectively '*fill the gap*' between 25E and 25B Frognal providing a contiguous building line along the private lane. As such, the proposed new dwellings are not being proposed in an area where existing residential development is out of context. As such, the proposed new houses along the northern side of the private access lane follow an existing building line and urban grain which already exists in the form of contemporary housing. As such, an existing precedent for development of residential properties along the northern side of the access lane already exists.

6.19 Also relevant to the application is a planning permission dated 4 April 2017 and referenced 2015/6231/P for the demolition of two garages and erection of a three bedroom house

which was granted on the site of former garages at the bottom of the rear access lane off Frognaal and located directly adjacent to the application site. The relevance of this application in respect to precedents is detailed later within this statement.

6.20 Other relevant precedents include application LPA Ref: 8601727 (PINS Ref: T/8PP/X5210/A/86/060384/P5 which was allowed on appeal by decision dated 15 June 1987 following the non-determination of an application for the erection of a dwelling house. The Inspector's decision considered that the development of a residential property at this location was acceptable in the context of the Conservation Area and, the decision states that *"I appreciate residents' concerns about the change in appearance of the site, but I place considerable weight on the distances involved, the relative levels between the site and the properties on Arkwright Road, and the particular design approach you have adopted to avoid overlooking and to reduce the impact of the building to the north/western boundary"*. This scheme was subsequently amended via application 9200578 which included alterations to the roof design and a revised ground floor layout which was granted by a decision dated 15/10/1992.

6.21 Accordingly, there is therefore an established principle and precedents in support of a residential development at this location.

#### **Residential Design Standards**

6.22 The proposed two new residential properties accord with relevant residential design standards including the GLA Housing Design Guide (March 2016) and the Technical Housing Standards – Nationally Described Space Standard (As Amended May 2016). Both proposed units are dual aspect. In addition, the proposed new dwellings have associated refuse and cycle storage in accordance with relevant standards. Further details on this issue are contained within the Design and Access Statement prepared by Square Feet Architects.

#### **Residential Amenity**

6.23 The proposed new units have been designed and located to ensure that there is no adverse impact on the amenity of surrounding residential properties. In this respect, the comments of the Inspector's appeal decision dated 15 June 1987 in respect of PINS Ref: T/APP/X5210/A/86/0603844/P5 are relevant where the Inspector attached significant



weight to the distance of the proposed new dwelling adjacent to the rear access lane off Frognal from the properties in Arkwright Road. This principle applies to the application site. The proposed layout and window positions compared to neighbouring properties are considered in more detail within the accompanying Design and Access Statement.

### **Trees and Landscaping**

- 6.24 The application site lies within the Redington/Frognal Conservation Area. As such, trees within the conservation area are protected. Submitted as part of the planning application package is an Arbicultural Impact Assessment analysis prepared by Raphael Skerratt. This confirms that the development can be achieved without significant adverse impact upon existing amenity or upon the health and future safe life of retained trees provided unnecessary disruption is avoided. In the pre-application advice, Tree Officers have confirmed that they have visited the site and have accepted that those limited trees due to be removed are of lower quality and therefore are not objectionable (provided their replacement is proposed in a manner which ensure long term viability as well as a high quality scheme of landscaping). Notably, the mature Hawthorn/Hornbeam hedge to the rear of No. 29 Arkwright Road is located outside of the development site. In addition, a Landscape Design Statement is proposed which details both the hard and soft landscaping scheme proposed on the site including, proposed mitigation planting which will significantly reinforce and extend the current tree resource. On this basis, and as detailed within the accompanying AIA and Landscape Design Statement, the application is not considered to have any adverse impact on existing trees and landscaping and indeed through the hard and soft landscaping schemes proposed will provide a net landscaping benefit to the Conservation Area.

### **Basement Issues**

- 6.25 The Council's policy in respect of basement developments is well established. In this respect specific consideration has been given as to whether or not the application involves any 'basement' development which in turn would require a need for a Basement Impact Assessment (BIA).

6.26 The Council's relevant design guidance states that a Basement Impact Assessment will be required in some instances to enable the Council to assess whether any predicted damage to neighbouring properties and the water environment is acceptable or can be satisfactorily ameliorated by the developer. Accordingly, 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.

6.27 The design proposals will involve some re-sculpting of the existing garden levels generally to the northeast corner where the natural ground level rises above the floor level of the eastern most house. To the southwest corner a small amount of fill is required to suit the floor level of the west house. However, the proposed new development is not to be achieved by '*digging down*'. As such, there is no need for any significant excavation downwards which is likely to result in flooding or ground instability issues. On this basis it is not considered that a Basement Impact Assessment (BIA) is required as part of the planning application as submitted. This issue is considered at length within the accompanying Design and Access Statement prepared by Square Feet Architects..

#### **Parking and Accessibility**

6.28 The application site is located within a Controlled Parking Zone (CPZ) and given the nature of the proposal no additional parking is proposed. The proposed new dwellings include the provision of cycle parking in accordance with the required standards.

6.29 The application site has a PTAL rating of 6a, being located only some 200m walk from Finchley and Frognal Overground and some 700m from Finchley Underground Station (Jubilee/Metropolitan lines). The site is within an established location for residential development.

6.30 In summary, it is considered the application proposal is acceptable in respect to matters of accessibility.

## **Flooding Issues and Sustainable Drainage**

- 6.31 The application site is located within Flood Zone 1, an area not at risk of flooding. Accordingly, the proposed residential units are located in an appropriate location for residential development which is not at risk of flooding.
- 6.32 In respect to the issue of sustainable drainage and adopted Development Plan Policy S13, the application proposals incorporate sustainable drainage initiatives and as such, it is considered that the application proposal meets the requirements of adopted Development Plan Policy S13 relating to sustainable drainage. Submitted as part of this suite of supporting documents is a Sustainable Drainage Design Statement dated November 2018 prepared by Planning for Sustainability. This confirms that a variety of SuDS techniques are to be used on the scheme including:
- Green roofs;
  - Geocellular/modular systems;
  - Silt traps and catchpits;
  - Flow control devices.
- 6.33 The report concludes that the development proposals, together with the site layout, have been assessed in relation to the provision of SuDS drainage associated with the works. The Sustainable Drainage Design Statement has assessed the feasibility of implementing the SuDS hierarchical approach and it is confirmed that this development will install suitable drainage measures into the design proposal.
- 6.34 The flood risk for the site has been assessed, and where risks have been deemed above 'low', mitigations have been proposed to reduce the risk to the site. Therefore, in line with the recommendations of the NPPF, the development site lies within land classified as Flood Zone 1, which is considered at a low risk of flooding, and therefore appropriate for a development of this nature. It is therefore appropriate for residential development.
- 6.35 Having assessed the other forms of flood risk to and from the development site, the associated Drainage Report finds that the site is not considered at high risk from other sources of flooding.

## **Ecology**

- 6.36 Submitted as part of the supporting suite of application documents is an Ecology Survey which concludes that the site supports habitats that are common/widespread in the local area and have a negligible ecological value. The survey also concludes that the site, including the existing trees is unsuitable for protected species such as bats although it is predicted that bats would be likely to use the site for foraging. The application proposal incorporates, ecological initiatives including, a large green roof, which is to be designed to provide an extensive biodiverse area of ecological value. As such, it is considered that any ecological impacts of the application proposal can be suitably mitigated through the design of the scheme and appropriate ecological initiatives.

## SECTION 7: HERITAGE STATEMENT

- 7.1 This Heritage Statement has been prepared in support of a full planning application for the construction of two, residential properties (1 x 1 bed and 1 x 3 bed) with associated landscaping, bike stores, bin store and associated works on land to the rear of 29 & 33 Arkwright Road, London, NW3 6BJ.
- 7.2 Due to that fact that the site lies within the Redington/Frognaal Conservation Area and that Nos 29 and 33 Arkwright Road are designated a positive contribution to the Conservation Area, and in accordance with National Planning Guidance, an assessment of the significance of the relevant heritage asset to the application and the proposal's impact on that asset is required.
- 7.3 In accordance with the requirements of the NPPF this Heritage Statement therefore describes the significance of the heritage assets affected by the development proposal.
- 7.4 The purpose of this statement is to assist with the determination of the application by informing the decision takers on the effects of the development on the historic built environment. Value judgements on the significance of the heritage assets presented and the effects of the proposals upon that significance are appraised. This statement also sets out how the proposals comply with the guidance and policy of the NPPF and the local policy framework. Specifically, this assessment assesses the significance of the relevant designated heritage assets and the effects of the development upon them. Each of these matters is now considered in turn below. Paragraph 184 confirms that heritage assets should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

### **Legislative and Policy Context**

#### The Planning (Listed Buildings and Conservation Areas) Act 1990

- 7.5 The legislation governing listed buildings and conservation areas is The Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'). Section 66(1) of the Act requires decision-makers to "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*" when

determining applications which affect a listed building's setting. Section 71(1) of the Act requires decision-makers to have respect to any buildings or other land in a Conservation Area to pay "*special attention ... to the desirability of preserving or enhancing the character or appearance of that area*".

## **National Planning Guidance**

### National Planning Policy Framework (July 2018)

- 7.6 The revised National Planning Policy Framework (NPPF) was published on 24 July 2018 and now constitutes guidance for local planning authorities and decision takers.
- 7.7 In determining planning applications, Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, the level of detail should be proportionate to the asset's importance and no more than sufficient to understand the potential impact of the proposal and the significance (paragraph 189).
- 7.8 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation which is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (paragraph 193).
- 7.9 Any harm to, or loss of, significance of a designated heritage asset should require clear and convincing justification (paragraph 194).
- 7.10 Where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.11 Where a development proposal will lead to a less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (paragraph 196).
- 7.12 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application (paragraph 197).



- 7.13 Local Planning Authorities should not prevent the loss of the whole or part of the heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred (paragraph 198).
- 7.14 Local Planning Authorities should look for opportunities for new development within conservation areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (paragraph 200). Subsequent paragraph 201 confirms that not all elements of a conservation area will necessarily contribute to its significance.

#### The Development Plan

- 7.15 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that all applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004 the statutory development plan comprises The London Plan (Consolidated with Alterations Since 2011) (March 2016) and the Camden Local Plan (adopted 3 July 2017).

#### The London Plan (Consolidated with Alterations Since 2011) (March 2016)

- 7.16 Policy 7.8 (Heritage Assets And Archaeology) confirms, inter alia, that development affecting heritage assets and their setting should conserve their significance, by being sympathetic to their form, scale, materials and architectural details

#### The Camden Local Plan

- 7.17 In the adopted Proposals Map the site lies within the Redington/Frognaal Conservation Area. There are no other designations or allocations covering the application site.
- 7.18 Policy D2 (Heritage) states the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including Conservation Areas and Listed Buildings. The policy confirms the Council will not permit the loss or substantial harm to a designated heritage asset, including Conservation Areas and Listed Buildings,

unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or all of the following apply:

- a. The nature of the heritage asset prevents all reasonable uses of the site;
- b. No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c. Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- d. The harm or loss is outweighed by the benefit of bringing the site back into use.

7.19 The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits to the proposal convincingly outweigh that harm.

7.20 In respect of Conservation Areas, the Council will:

- a. Require that development within Conservation Areas preserves or, where possible, enhances the character or appearance of the area;
- b. Resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a Conservation Area;
- c. Resist development outside of a Conservation Area that causes harm to the character or appearance of that Conservation Area; and
- d. Preserves trees and garden spaces which contribute to the character and appearance of a Conservation Area or which provide a setting for Camden's architectural heritage.

### **The Significance of the Relevant Heritage Assets**

7.21 The principal specific heritage assets which need to be considered in this Heritage Assessment are the Redington/Frognaal Conservation Area and Nos 29 and 33 Arkwright Road which are designated positive contributors to the Conservation Area.

7.22 The significance of these assets is now considered below:

### The Redington/Frognal Conservation Area

- 7.23 The bulk of the Redington/Frognal Conservation area was originally designated in June 1985 being described in the report to the relevant London Borough Planning Committee as *“an exceptional example of consistently distinguished Victorian and Edwardian architecture”*. In February 1998 a small area adjacent to Frognal Lane and Langland Gardens, including Nos 230-248 Finchley Road was added to the Conservation Area. In June 1992 an area on the north-western boundary of the Conservation Area was added. This extension included parts of Platt’s Lane (Nos 2-6 and 18-34 even and Nos 3-67 odd), Briardale Gardens (Nos 1-35 odd and Nos 2-14 even), Clorane Gardens, a section of the eastern side of Finchley Road and part of Westfield College. In January 2003 further properties on Finchley Road, Frognal Lane, Heath Drive and Langland Gardens were added to the Conservation Area.
- 7.24 The Conservation Area is situated on the slopes to the west of Hampstead as it falls towards Finchley Road and the Conservation Area is described as being defined by the relationship of the streets and houses to the contours of the hills.
- 7.25 The Redington/Frognal Conservation Area occupies an area of sloping land to the west and south-west of the historic centre of Hampstead Village. It forms a well-preserved example of prosperous late 19<sup>th</sup> century Edwardian residential suburb. The houses are predominantly large detached and semi-detached and display a variety of formal and free architectural styles typical of the last years of the 19<sup>th</sup> and early years of the 20<sup>th</sup> centuries. On the whole these are built in red brick with clay tiled roofs, occasional areas of tile hanging and render and many of them have white painted small paned windows. Mature trees and dense vegetation form the dominant features of the streetscene in many of the *“avenues”* and *“gardens”* of the Conservation Area.
- 7.26 The application site lies within Sub Area 8: (Arkwright Road, Frognal, Frognal Close and Lindfield Gardens).
- 7.27 This suburb is described as being probably the most varied in character in the Conservation Area, as development of the four constituent roads appears to have been sporadic. In addition to University College School, which occupies a large central site within the area, the area also contains the Camden Arts Centre and a number of houses that have been converted to hotels. It is noted that a section of Arkwright Road, from its junction with Ellerdale Road to Finchley Road, varies in character along its length although it all forms part

of a busy east/west cross-route. The consistency of the streetscene is noted as being interrupted by the openness of the adjacent University College Site. It is noted though that No 28 is a notable Queen Anne style house (listed) set behind some original boundary wall and mature trees which is generally complemented by, inter alia, 29 and 33 Arkwright Road on the southern side. Towards the south-western end of Arkwright Road the street is characterised by three/four storey part yellow brick, part red brick houses to the northern side and smaller two/three storey red brick houses with Dutch style gables. The latter are similar to those on Frognal and Langland Gardens.

7.28 In respect of Frognal, this is noted as changing in character from its lower part to the south of Arkwright Road, where it is enclosed by three/four storey buildings to a greater sense of openness to the north of Arkwright Road where buildings are well set back from the road. The southern part of Frognal is dominated by large red brick turn-of-the-century houses and mansion blocks. As Frognal approaches Arkwright Road it becomes more open due to the modest scale of the mid-20<sup>th</sup> century houses to the western side of the road. The two storey housing Nos 25A-29A Frognal are designated as buildings and features that detract from the character of the area and would benefit from enhancement.

7.29 Arkwright Road boasts two listed buildings, Camden Arts Centre at the junction with Finchley Road (designed by Arnold Taylor and opened in 1897 at Hampstead Central Library; and No 28 (1891 by RA Briggs in the Queen Anne style) at the junction with Frognal. The latter is just visible from the entrance to the private lane to the application site as is University College School (1907 in an Edwardian block style by Arnold Mitchell, restored 1978 after a major fire) beyond.

#### Nos. 29 & 33 Arkwright Road

5.42 In terms of buildings and groups of buildings that make a positive contribution to the Conservation Area, Nos 27-47 (odd) Arkwright Road are included as making a positive contribution. In particular, it is noted that 29 and 33 Arkwright Road are seen as complimentary to No. 28 Arkwright Road which is a listed notable Queen Anne Style house set behind a boundary wall with matured trees. Accordingly, the importance and appeal of 29 and 33 Arkwright Road is in respect to their relationship and enhancement of the street scene of Arkwright Road, rather than their relationship to the rear lane.

### **Impact on Relevant Heritage Assets**

- 7.30 The Redington/Frogna Conservation Area is a designated heritage asset, as are 29 and 33 Arkwright Road which are noted as being positive contributors to the Conservation Area. An assessment of the impact of the application proposal on each of these is now considered in turn below.
- 7.31 The site is located within the Redington/Frogna Conservation Area.
- 7.32 As a result of the site's location within a conservation area, National Planning Guidance and adopted Local Plan policy seek to preserve and enhance the quality of the Conservation Area. Policy D2 (Heritage) of the Camden Local Plan (2017) states the Council will preserve and, where appropriate, enhance Camden's heritage assets including conservation areas. Specifically, in respect of Conservation Areas, the Council will:
- Require that development within Conservation Areas preserves or, where possible, enhances the character or appearance of the area;
  - Resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a Conservation Area;
  - Resist development outside of a Conservation Area that causes harm to the character or appearance of that Conservation Area; and
  - Preserves trees and garden spaces which contribute to the character and appearance of a Conservation Area or which provide a setting for Camden's architectural heritage.
- 7.33 Given the weight of Development Plan policy which presumes to protect the special character of heritage assets within the Borough, it is acknowledged that issues associated with heritage will be key in consideration of this application proposal. In this respect, it will be necessary for the application to consider the likely impact on the Redington/Frogna Conservation Area.
- 7.34 From Frogna, the development will not be visible. There are no key viewpoints within the Conservation Area from which the application site will be visible. The proposed buildings are modest in scale, conforming to the typology of small mews buildings and aim to retain the landscape quality of the surrounding area. It is not considered that the limited loss of some

trees as proposed would be detrimental to landscape quality, particularly when balanced by new landscaping and improvements to boundary treatment.

- 7.35 Overall it is considered that the proposal will have no detrimental impact on the character of the Conservation Area, and that the site offers an opportunity to enhance the local area by creating some hidden gems of high quality architecture and garden design, contributing to the rich history of high quality modern architecture (some now themselves listed) within the heritage environment of this part of London.
- 7.36 Notably, the proposed dwellings have flat roofs in order to restrict the overall height of the development which will be planted as green roofs which will also help to soften the views of the development (as well as alleviating any biodiversity impacts of the application scheme).
- 7.37 The proposed dwellings will be accessed from the private land off Frognal, but as the site is set well back from both Arkwright Road and Frognal, the buildings would not be seen from the road or from any public footpath. There are discreetly situated within the Conservation Area. The existing garden wall along the lane to the south boundary becomes a reference plane against which the houses are located allowing the brickwork to act as a screen to maintain the streetscene and the new entrance gates to appear as discreet openings.
- 7.38 The application proposals have deliberately chosen a materiality which reflects and is appropriate for the Conservation Area. Walls to the ground floor are finished in yellow/buff London Stock bricks to match the existing garden wall, whilst the top of the wall is capped with a band of textured precast concrete in complementary tone, acting as a string course to support the upper storey and to reinforce the clarity of the design and reference the terracotta/stone detailing found on the Victorian houses in the adjacent streets, with No 29 Arkwright Road being a good example.
- 7.39 During the course of negotiations, the scheme has been revised to address Officer concerns, particularly in respect to Conservation. A smaller plot size is now proposed, which would sit forwards of the existing hedge line and which would accord with that of the adjacent dwelling at No 25A. This allows for a more appropriate “*mews style*” relationship to be established between plots of the proposed dwellings and the residential units proposed. Appropriate generous garden space is maintained for the main dwellings and the high quality landscape design mitigates against the development of the open garden space.

- 7.40 The private lane leading to the application site has a certain charm and mystery and one is drawn down it hoping perhaps to find something special or unexpected. Currently, it leads principally to a garage court. However, the application proposal, with its discreet entrance, will appear as “*secret*” dwellings hidden away down the private lane. The development of the application site will thus result in a discreet, sensitive and interesting residential development.
- 7.41 In respect to the positive contribution Nos. 29 and 33 have to the Conservation Area, as stated above, their contribution is based on their relationship to Arkwright Road. In respect to the rear gardens, the position of the proposed new units ensures that both 29 and 33 Arkwright Road will continue to have large rear gardens. The discreet nature of the proposed dwellings, coupled with the proposed landscaping, ensures that the proposed new dwellings also appear subdued when viewed from the rear of 29 and 33 Arkwright Road’s gardens. On this basis, it is not considered that either of the two new proposed dwellings will have any adverse impact on the special interest of 29 and 33 Arkwright Road or their individual special character and setting.
- 7.42 In summary, this scheme has been worked up with Officers, including two meetings with the Design Review Panel. In this respect, all relevant heritage and conservation issues have been fully considered. The scheme proposed is not considered to have an adverse impact on any assets of heritage significance, particularly either the Redington/Frognaal Conservation Area, or any nearby listed buildings, or Nos 29 or 33 Arkwright Road which are designated as positive contributors to the Conservation Area.



**Camden Arts Centre on the corner of Arkwright Road and Finchley Road**



**No. 28 Arkwright Road**





**North view from Frogal with No. 28 Arkwright Road and the central building of University College School on the horizon beyond**



**Nos. 29 & 33 Arkwright Road**



**Nos. 27a-29a Frogal which detract from the character of the area**



**View towards the site from the garage court with No. 25b Frogal to the right**





**Garage Court at Bottom of Rear Access Lane**

## **SECTION 8: CONCLUSIONS**

- 8.1 This Planning Statement (incorporating a Heritage Statement) has been prepared by JMS Planning & Development Ltd on behalf of Sascha Shinder and Nicholas Shinder in support of a full planning application for the construction of two, residential properties (1 x 1 bed and 1 x 3 bed) with associated landscaping, bike stores, bin store and associated works on land accessed from private lane running between 25a and 25c Frognal, London, NW3.
- 8.2 The application site is located within the Redington/Frognal Conservation Area and relates to a section of the rear garden area to the rear of nos. 29 and 33 Arkwright Road, which are two large detached houses which have been subdivided into self-contained flats which both have large rear gardens. The two additional residential units which are proposed have been sensitively designed to respect the Redington/Frognal Conservation Area as well as respecting the existing character of the immediate area and the amenity of surrounding occupiers. As such, it is considered the application is of benefit to LB Camden on the basis that it is sympathetic to the existing Conservation Area in which it is located and has no adverse heritage impacts whilst providing new residential stock within the Borough.
- 8.3 Accordingly, it is respectfully request that planning permission is granted.