



Date: 17/08/2018
Our ref: 2017/6538/PRE
Contact: John Diver
Direct line: 020 7974 6368
Email: john.diver@camden.gov.uk

George Sunderland
 8a Baynes Mews
 London
 NW3 5BH
By email

Planning Solutions Team
Planning and Regeneration
 Culture & Environment
 Directorate
 London Borough of Camden
 2nd Floor
 5 Pancras Square
 London
 N1C 4AG

www.camden.gov.uk/planning

Dear George,

Re: Land to the rear of 29-33 Arkwright Road, London, NW3 6BJ

Thank you for submitting a pre-planning application enquiry.

This report follows a series of pre-planning meetings and advice which have been held between officers and your design team over the course of several months regarding the development site. This report should be read in conjunction with the advice reports previously provided (refs.2017/1779/PRE and 2016/4565/PRE).

Through the course of these meetings, a scheme has been developed which has sought to address the concerns and objections raised by officers under the withdrawn planning application submitted for the site in 2015 (ref. 2015/6218/P). Through the course of these meetings the scheme has been altered significantly, with the major alterations summarised as follows:

- Omission of one dwelling to propose two rather than three units;
- Rationalisation of the development area / plots to relate better to surrounding townscape and landscape;
- Proposed footprint area to remain outside of the RPA of retained mature trees;
- Significant reductions in massing;
- Creation of generous spacing between units to retain views across the site;
- Alteration to design approach to better respond to local context;
- Alterations to entrances and access to accord to Part M requirements.

As part of this pre-application service, the most recent version of the scheme was reviewed twice by the Camden Design Review (once in April and then again in July 2018). The advice of the panel will be discussed below.

1. Drawings and documents

1.1. The following documentation was submitted in support of the pre-application request:

- Pre application addendum pack (received July 2018) including proposed plans, elevations and sections.
- Landscape concept scheme pack
- 3D model renders
- Physical 3D model of proposed scheme (provided for DRP)

1.2. Documents submitted under the previous pre-application submissions which are still of relevance to this advice:

- Pre-Planning Application Design and Access Statement
- Tree survey and Arboricultural impact analysis report
- Ecological Survey Report
- Heritage Statement
- Covering Letter

2. Proposal

2.1. Advice is requested in relation to the proposed erection of two, two storey dwellinghouses (1x 2bed 4person; 1 x 3 bed, 5 person) to the rear of the application site. The dwellings would be of modern design and would be accessed via a private driveway off Frognaal.

3. Site description

3.1. The application site relates to a section of rear garden area to the rear of both nos. 29 & 33 Arkwright Road – two large detached mansion houses which have subsequently been subdivided into self-contained units with large rear gardens. The application site is located within the Redington/Frognaal Conservation Area, with the Redington/Frognaal Conservation Area Statement (2003) classifying both properties as making a positive contribution to the character of the Conservation Area.

3.2. Arkwright Road is subject to a fairly significant downwards gradient which falls away towards the South West. This means that the level of the rear garden of no.29 is above that of no.33. Furthermore within the site levels additionally fall away from the front towards the rear, with the lane to the south off Frognaal being at a considerably lower level than the garden level of both properties. The rear gardens of both 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 width-ways by a large Hornbeam / Hawthorn hedge. Within the garden of no.33, two large storage containers have been installed in the centre of the garden. There are no Tree Preservation Orders covering the site, however the mature trees within the site are protected by virtue of their location within a Conservation Area. The site is identified as featuring a number of underground development constraints including Subterranean Groundwater flows; Surface water flow / flooding; and Slope stability issues.

4. Relevant planning history

4.1. The following planning history is relevant to this proposal:

Nos. 29-33 Arkwright Road:

2016/4565/P – Pre-application advice was issued on the 30/11/2016 for the proposed 'erection of 2x two storey (including habitable roof space) detached dwellinghouses (1x 2bed 4person; 1 x 1bed 2 person)'

2015/6218/P – Application for the erection of three residential dwellings to the rear of 29 & 33 Arkwright Road was withdrawn on the 09/02/16 prior to a formal determination.

No. 33 Arkwright Road:

9883 – Planning permission was granted for the ‘Conversion into two flats of ground and first floors’ on the 09/09/1958

2006/3915/P – Planning permission was granted for the ‘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 of the ground floor flat’ on the 27/10/2006

2007/1433/P – Planning permission was granted for the ‘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’ on the 11/05/2007

2012/0223/P – Planning permission granted at the Ground and Part Lower Ground Floor flat for the ‘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’ on the 26/03/2015.

No. 29 Arkwright Road:

17755 – Planning permission granted for the ‘alterations and the conversion of the top floor of the existing dwelling house into two flats’ on the 21/12/1962

2008/0678/P – Planning permission was refused at Flat 4, 29 Arkwright Road for the ‘erection of a first floor extension to the front and a roof extension at second floor level to the rear to create an additional 3 bedrooms for flat 4’ on the 24/04/2008

2014/5132/P - Planning permission was refused for the ‘conversion of 4-bed flat at ground and first floor into 1 studio & 2 x 2-bed flats’ on the 08/04/2015.

Other pertinent applications at nearby sites:

T/APP/X5210/A/86/060384/P5 – Non determination appeal of application ref. **8601727** at 25E Froggnal was allowed for the ‘Erection of dwellinghouse’ on the 15/06/1987.

The scheme allowed at appeal at 25E was subsequently amended via application **9200578** which included ‘alterations to the roof design and revised ground floor layout’ and was granted on the 15/10/1992

2008/0183/P - Permission was allowed at appeal at the Land to rear of 202-204 Finchley Road for the ‘erection of a building comprising lower/upper ground and first floor level accessed off Finchley Road, for use as offices (Class B1) with green roof and plant at roof level, green wall, provision of 8 cycle and 3 motorcycle spaces at ground floor level, and associated landscaping (following demolition of existing single-storey porter’s lodge) on the 27/01/09.

An amendment/extend to this permission was subsequently granted via application **2011/4963/P** which was granted on the 07/02/2012

2012/3265/P – Planning permission granted subject to conditions and s106 agreement at the 25B Froggnal for the ‘Erection of two-storey building as extension to existing retained structure (following substantial demolition of existing dwellinghouse), alterations to all

elevations including fenestration and facing materials all in connection with use as a dwellinghouse (Class C3)' on the 14/12/12

2015/6231/P – Planning permission granted subject to conditions and s106 agreement at the Garages Adjacent, 25B & 25E Frognal & Rear of Meridian House (Finchley Road) for the 'Demolition of two garages and erection of 3 bedroom house'. At the time of writing the decision had not been finalised as the s106 was not yet completed.

5. Relevant policies and guidance

5.1. The following policies will be taken into consideration:

- **National Planning Policy Framework (2018)**
- **London Plan (2016)**
- **LB Camden Local Plan policies (2017)**
 - G1 - Delivery and location of growth
 - H1 - Maximising housing supply
 - H4 - Maximising the supply of affordable housing
 - H6 - Housing choice and mix
 - H7 - Large and small homes
 - C4 - Safety and security
 - C5 - Access for all
 - A1 - Managing the impact of development
 - A2 - Open space
 - A3 - Biodiversity
 - A4 - Noise and vibration
 - A5 - Basements and Lightwells
 - D1 - Design
 - D2 - Heritage
 - CC1 - Climate change mitigation
 - CC2 - Adapting to climate change
 - CC3 - Water and flooding
 - CC4 - Air quality
 - CC5 - Waste
 - T1 - Prioritising walking, cycling and public transport
 - T2 - Parking and car-free development
 - T4 - Sustainable movement of goods and materials
- **Supplementary Guidance**
 - Amenity CPG (2018)
 - Basement CPG (2018)
 - Health and Wellbeing CPG (2018)
 - Interim Housing CPG (updated 2018)
 - Public Open Spaces CPG (2018)
 - CPG 1 – Design (2015 updated March 2018)
 - CPG 3 – Sustainability (updated 2018)
 - CPG 7 – Transport (2011)
 - CPG 8 – Planning Obligations (2015 updated March 2018)
- **Redington/Frognal Conservation Area Statement (2003)**

6. **Assessment**

6.1. The main issues to consider in this case are as follows:

- Principle of the development;
- Design and heritage;
- Nature Conservation and Biodiversity;
- Standard of accommodation;
- Impact on the amenity of adjoining occupiers;
- Transport;
- Sustainability;
- Accessibility;
- Planning Obligations
- CIL

6.2. As outlined at the beginning of the report, this advice request follows directly on from another pre-application advice request in relation to a similar proposal. Much of the assessment for this previous scheme remains the same for the amended scheme and as such further comment will only be made where the previous advice has altered as a result of the new scheme/policy changes. This report should therefore be read in conjunction with the previous report.

Principle of the development

Provision of housing

6.3. As was previously outlined, the provision of new dwellings is encouraged and would provide additional housing within the Borough in accordance with policy H1 of the Camden Local Plan. The proposed development would lead to the creation of 1x 2bed and 1x 3bed room dwellings. This provision would remain within accordance with the Dwelling Size Priority Table accompanying Policy H7, which identifies both two and three bedroom market units as being of 'High Priority'. The principle of development remains acceptable, subject to the detailed considerations below.

Affordable housing

6.4. Policy H4 (d) (Maximising the supply of affordable housing) of the Local Plan includes new stipulations regarding requirements for affordable housing contributions of schemes providing more than one new unit but with a capacity for less than 10 units (or 1000sqm). Where this is the case the Council will still expect a contribution, calculated as a sliding target as a percentage of floor area starting at 2% for one home (measured as 100sqm GIA C3 floorspace) and increasing by 2% for each additional 100sqm of additional GIA (C3) added to capacity. For example, where a development would contribute an additional 500sqm of residential floorspace, 10% of this area (2% x 5) / 50sqm would be expected to be provided as affordable. Where it is demonstrated that onsite provision is not appropriate, in accordance with this policy the Council will accept a payment-in-lieu of affordable housing.

6.5. Given the scale of the development and the constraints of the site, in this instance a payment-in-lieu of affordable housing is likely to be considered appropriate. The relevant quote for a payment-in-lieu would be calculated by multiplying the expected affordable housing contribution (in GEA) by the adopted multiplier. Based on the information provided the relevant payment is estimated as follows:

Affordable Housing Provision Expected
--

Uplift Residential (GIA)	+308.5sqm
Uplift Residential (GEA)	+370sqm
Sliding target (+2% per 100sqm GIA)	6%
Expected affordable housing provision (take as % of GEA)	22.2sqm
Payment-in-lieu of on or offsite AF provision	
Multiplier (per sqm GEA)	£2,650.00
Expected contribution sqm (GEA)	22
Expected contribution	£58,300

(The expected contribution may be updated if a formal schedule by GEA was submitted)

- 6.6. The adopted multiplier outlined in figure 1 of CPG8 (Planning Obligations) is currently set at £2,650 per sqm for market residential schemes. Further guidance in terms of this requirement is outlined within Chapter 2 of CPG 2 (Housing) and Chapter 6 of CPG 8 (Planning Obligations). It should be noted that the Council is looking to update the adopted CPGs to better align with the newly adopted Local Plan, with a revised and increased multiplier rate going to public consultation in the coming months. The updated guidance documents are likely to be adopted in the Spring of 2019.

Subterranean Development

- 6.7. Submitted sections indicate that the proposed dwellings would be built in such a way that only a slight alteration to the existing levels would be required as part of the development. In the absence of accurate levels plans the exact level of excavations required cannot be confirmed, however, it should be noted that if the works were to involve the significant excavation of soil across the site the requirements of the Council's policy A5 (Basements) would be triggered. It should be noted that this relates to all 'underground developments', including ground or lower ground floors where excavation is required, for example when a ground floor is extended further into sloping land requiring excavation.
- 6.8. Were this the case then the Council would require the submission of an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment. As the application site is subject to all of the recorded underground development constraints (slope stability, surface water flows and ground water flows), if this were the case then the Council would generally expect an independent verification of Basement Impact Assessments funded by the applicant even if it did not extend beyond the screening stage. The level of information required will be commensurate with the scale and location of the scheme; however, it is advised that the submission of a BIA at least to the screening stage may be required in this instance. BIA reports must be prepared according to the specifications set out in CPG (Basements) and the Camden Geological, Hydrogeological and Geological Study (ARUP 2010). In light of the underground development constraints of the site, if lowering of levels were required beyond a minor level (often considered as any significant regrading of the land, or any excavation below the level of neighbouring foundations within related the zone of influence for ground movement), it is recommended that a screening report is commissioned to support any formal application. Further guidance regarding basement development can be found on our website [here](#).

Design and conservation

Back land development / urban grain

6.9. During the course of negotiations, the scheme has been revised to address officers concerns in relation to townscape and conservation to include smaller plot sizes which would sit forwards of the existing hedge line and would accord with that of the adjacent no.25a. As has been previously advised, this reduction in plot depth (by approximately 6m) has allowed for a more appropriate 'mews-style' relationship to be established between the plots of the host dwellings and the residential units to the rear of the site, maintaining generous garden space for the main dwellings. In townscape terms, the subdivision of this rear section of garden and enclosure to form separate dwellings would be considered acceptable subject to appropriate design and very high quality landscape design to mitigate against the development of the open garden space.

Scale, form and detailed design

6.10. Following an iterative design process with numerous meetings with the Council's planning, design and conservation officers and in light of comments raised by the Camden DRP within the first review (April 2018) a refined scheme has been prepared. Officers had previously accepted the extent of development area within the previous report subject to landscaping and tree replacements and as such this review was to discuss composition and architectural response. This scheme was presented again to the Camden DRP in July 2018. An excerpt from the DRP's summary of the revised scheme is outlined below (full report attached in appendix one):

"The panel thanks the applicants for the positive response to its previous comments, and is pleased to see how well the designs have progressed and evolved. The current proposals represent a significant improvement in clarity of intent, and in the way the buildings sit within the site topography. The access to both houses is greatly improved, and the revised landscape design responds well to the existing gardens. In the context of offering broad support for the proposals, the panel offered some comments on detailed design".

6.11. Officers share the views of the DRP that the most recent revision represents a modest and sympathetic response to the local context and site topography and are generally supportive of the architectural approach and massing now proposed. In particular, the retention, integration and celebration of the masonry brick wall within the scheme, the clear design approach with regard to the solid plinth and timber upper floor and retention of a generous gap between the dwellings are supported. The introduction of green roofs throughout and a shared entrance space is also welcomed. Officers feel that the massing, footprints and forms proposed are now generally acceptable.

6.12. As noted by the DRP however, due to its simple approach the success of the design would depend upon the quality of the detailing and materials chosen. Suggestions raised by the DRP with regard to the detailed design are shared by officers. These would include the need for a uniform approach to first floor treatment, a view that the timber upper floor should not drop to meet the masonry wall, and a desire to maintain the horizontal emphasis of the single storey parapet lines through to the soffit of the upper floor if possible. It is also advised that closer attention be paid to the design of the communal courtyard to ensure that this space is successful. In order to provide confidence to officers that the detailed design of the final scheme will address these issues, it is recommended that as well as the 1:50 scale drawings necessary for validation, detailed drawings of key junctions are also provided up front as part of a formal application. If possible, sample panels of proposed facing materials would also be requested up front alongside any subsequent application.

6.13. Overall, officers are broadly supportive of the revised architectural response. This remains subject to further refinement of the detailed design of the scheme in light of the DRP comments as well as the considerations outlined in the following section.

Nature Conservation and Biodiversity

Ecology

- 6.14. Previously it had been advised that due to the verdant character of the site and the level of surrounding mature vegetation, the Council would not support any development unless it was demonstrated that there would be no detrimental impact upon protected species or biodiversity.
- 6.15. Submitted alongside this advice request is an Ecological Survey which concludes that the site supports habitats that are common / widespread in the local area and have a negligible ecological value. The report also found that the site, including the existing trees, are unsuitable for protected species such as bats although it is predicted that bats would be likely to use the site for foraging. The report also notes that the site would provide suitable habitat for nesting birds. Although this report has gone some way in addressing the previous concerns, it would be expected that the findings of this report are expanded upon prior to any formal submission to include a full bat survey to identify any potential flight paths. Depending upon the outcome of further surveys, it may be the case that bird nesting boxes could be secured in order to mitigate against the loss of shrubs and ivy and a lighting schedule could be secured to alleviate potential impacts upon bat's flight paths and foraging behaviours. It is therefore recommended that further work is commissioned in this regard and the findings are used to inform proposals.
- 6.16. The proposed scheme would incorporate a significant amount of green roof space which would be welcomed. The Council would expect that these roofs are designed as extensive biodiverse living roofs in order to optimize their ecological value. Should these elements be appropriately designed they would have the potential to improve the bio-diversity value of the site alongside other landscaping measures. During the meeting, the use of mosses in conjunction with solar panels was discussed. While the provision of PV cells integral to the design would be welcomed, if this remains the intention then it is recommended that full details of a moss substrate are provided for review. A copy of the Council's Biodiversity Action Plan can be found [here](#) and provide further guidance regarding the appropriate design of the living roofs.

Trees and Landscaping

- 6.17. It has been clearly stated that the retention of the green feel to the site would be considered a prerequisite for any development to be considered acceptable on the site. As previously advised, whilst Tree Officers have visited the site and have accepted that the trees due to be removed are of lower quality and are therefore not objectionable, this is subject to their replacement in a manner which would ensure long term viability as well as a high quality scheme of landscaping (to be agreed at application stage).
- 6.18. The aforementioned reduction of the plot depth has meant that the mature Hawthorn/Hornbeam hedge to the rear of no.29 is now outside the development site. This is considered a positive step as the hedge would create visual separation between the new dwelling and no.29 as well as giving the development a more established feel. While this is not protected under any TPO, the Council would seek to ensure the retention of this hedge as part of the landscaping proposal. As previously advised, the loss of the trees as outlined within the submitted Arboricultural report may be considered acceptable subject to the submission of a fully detailed landscaping scheme which includes adequate mitigation measures to ensure that the overall 'green feel' of the site is maintained and that lost trees are replanted elsewhere on the site. This would be expected to be submitted up front as part of any formal submission.

6.19. Finally, in the latest iteration a staggered rear boundary formed of Corten piers to the rear gardens was added to allow the verdant character of the retained garden spaces to the host buildings to flow into the development site. Whilst this approach would add interest, it is considered that a solid enclosure would likely be more practical in the long run (although it is recommended that gaps are retained at ground level) and would prefer close attention to be paid to the scheme of landscaping within the site. Finally, while officers note that the hit and miss brick works proposed to the front boundary wall would be attractive, these should be designed so as to ensure that the security of the houses is not compromised.

Standard of accommodation

6.20. The proposed dwellings have all been designed to meet London Plan (2016) and Nationally Described Space Standards (2015) in terms of size and layout. The units would all be dual aspect and would feature a good level of fenestration. Notwithstanding this the submission of a daylight report would be requested due to the proposed density of development in order to demonstrate that the Average Daylight Factor to habitable rooms would remain in accordance with BRE guidelines for new dwellings and to test against any potential loss of light to neighbouring properties. No further comment is therefore raised in this regard and you are referred back to the previous advice note for further guidance in this respect.

Health and Wellbeing

6.21. Further to the above, policy C1 (health and wellbeing) seeks to ensure that development in Camden considers local issues relating to health and wellbeing at an early stage of the planning process in order to positively improve outcomes for the people who live, work and visit the borough. As a result, for schemes of new housing a Health Impact Assessment (HIA) would be required alongside any formal submission. For a smaller scheme of this size, this HIA should be prepared using the NHS London Healthy Urban Development's Rapid Health Impact Assessment Tool. Further guidance on the preparation and content of HIAs can be found from page 11 of the Health and Wellbeing CPG (2018).

Impact on the amenity of adjoining occupiers

6.22. The impact upon neighbouring occupiers as a result of the proposed development was raised as a particular concern within the previous advice report, particularly in terms of loss of outlook, privacy and disruption from the construction phase of development.

6.23. The revised scheme has attempted to address these concerns by reducing the level of massing at 1st floor level, removing proposed terraces as well as repositioning 1st floor fenestration so that no direct views would be afforded towards neighbouring properties. These alterations are considered to have greatly improved the scheme in this respect, however it should be noted that concern is still maintained in reference to the potential impact upon outlook from habitable room windows to no. 25a and 25e Frognal. In order to evidence these impacts, it is requested that the submitted section drawings are extended to include neighbouring properties with habitable rooms labelled. Some concern is also maintained in relation to the overlooking potential from first floor front windows, however this could likely be designed out via the timber louvres proposed.

6.24. As previously advised, considering the saturated local traffic conditions and difficult site access, any proposed development at the site would need to be accompanied by a draft construction management plan for assessment by transport and planning officers which would be secured as a planning obligation were the scheme to be otherwise acceptable. It is strongly recommended that close attention is paid to the likely construction methodology up front in order to provide certainty that it would be possible to implement in a manner which

would not result in significant disruption. A copy of the Council's CMP pro forma can be found [here](#).

Sustainability, energy, SuDS and air quality

- 6.25. In line with the Council's Local Plan, all developments are required to minimise the effects of climate change and are encouraged to meet the highest feasible environmental standards that are financially viable during construction and occupation. The requirement to incorporate sustainable design and construction measures into developments is therefore maintained as previously advised. The Council has recently updated its Local Area requirements for submissions (July 2018). Within the updated requirements is the need for Energy, Sustainability as well as Air Quality assessments to be submitted in relation to all applications for new build dwellings within the Borough. These documents are now validation requirements and will be expected to following the guidance outlined in the Local Plan (see policies CC1, CC2, CC3 and CC4) as well as the Sustainability CGP (2018).
- 6.26. The Council requires development to be resilient to climate change and to include suitable climate mitigation measures as appropriate. For new build residential development, the Council would encourage the development to meet BREEAM excellent standards. Any Sustainability Statement submitted should include a statement demonstrating how the London Plan's 'cooling hierarchy' has informed the building design and how the design has been informed to decrease the risk of overheating. Guidance in relation to preparation of both of these reports can be found in CPG3 (Sustainability). The Council will also require developments to utilise Sustainable Drainage Systems (SuDS), to achieve greenfield run-off rates, unless demonstrated that this is not feasible. Surface water should be managed as close to its source as possible, in line with the drainage hierarchy in the London Plan.
- 6.27. As aforementioned, an Air Quality Assessment would also be required alongside any application for the creation of new units on site. As well as discussing the conditions and required mitigation measure for future occupants, this would also need to discuss the resulting impacts upon existing conditions as a result of the construction proposed onsite. Assuming that the submitted reports demonstrate compliance with the Council's sustainability policies, any subsequent approval would then be subject to a legal agreement to secure the sustainability and energy efficiency measures. The potential for the new dwellings to be exemplars for sustainable development was noted by the DRP as a key potential 'selling point' for the project. Officers would agree with this advice as it would likely help to evidence a more sustainable form of development and mitigate against the loss of the open garden setting in a public benefit vs harm weighing up exercise.

Accessibility

- 6.28. Previous advice highlighted the need for the new dwellings to meet Building Regulations Part M4 (2) and be an accessible and adaptable dwelling unless it was demonstrated that this was not possible. This requirement is maintained by policies H6, C6 and D1. Policy H6 states that the Council will seek to secure high quality accessible homes in all developments that include housing. This would include encouraging the design of all housing to provide functional, adaptable and accessible spaces, with a requirement for 90% of new-build self-contained homes in each development to be accessible and adaptable in accordance with Building Regulation M4(2) and 10% to be provided in accordance with Building Regulation M4(3) (Wheelchair units). This requirement is furthered by policy C6 which requires all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all. While full comment cannot be given at this stage in terms of the accessible design of the proposed units any formal submission would be expected to provide the above provision of wheelchair accessible units. Any formal submission would be expected to be fully justified in this regard via an Accessibility

Statement which would then be reviewed by the Council's Building Control (Access) officers prior to determination

- 6.29. As previously discussed, it is noted that the site features varying levels and that this provision may be difficult. This would be expected to be fully discussed in an accessibility statement. Further details regarding these requirements can be found [here](#).

Transport

Vehicular parking

- 6.30. Adopted policy T2 states that a strategic aim of the Council is to limit the opportunities for parking within the borough in order to reduce car ownership / use to bring about reductions in air pollution and congestion and improve the attractiveness of an area for local walking and cycling. Therefore the Council will now "require all new developments in the borough to be car-free". Due to the fact that development would involve the creation of new residential units, the Council would require that car-free development was sought for all new flats. The units would be secured as car-free by legal agreement (and therefore not eligible for parking permits within the CPZ).

Cycle parking

- 6.31. In line with the Council's policy T1 as well as London Plan requirements, all new residential units should include adequate provision for cycle storage. In line with London Plan standards, the development would be expected to provide a minimum of 1 parking space per 1 bed unit, and 2 parking spaces per 2bed unit+ (4 in total for residential provision). This storage provision would need to be covered, secure and fully enclosed and need to be of sufficient dimensions to allow access and egress to them easily and comfortably with their bicycles. Further details regarding the design of cycle parking is outlined in chapter 9 of CPG7 (Transport). Although full details of cycle parking were not provided at this stage, it would appear that the site would feature adequate space for such provision. Full details of this provision should be provided up-front alongside any formal submission.

Construction Management

- 6.32. As previously outlined within the amenity section of the report, policies A1 and T4 state that Construction Management Plans (CMP) should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process. Due to the sensitive location of the site and the difficulties involved with construction at such heights, a CMP would be required. A draft CMP (in the council's pro-forma) would be expected to be submitted alongside any formal application. A CMP Implementation Support Contribution which would also need to be secured as a Section 106 planning obligation if planning permission is granted. Given the sensitivities of the site, it is recommended that as much information as possible is provided upfront alongside the application. Further details regarding CMPs as well as a copy of the Council's Pro-Forma can be found [here](#).

Highway Works contribution

- 6.33. Due to the site access arrangements and likely requirement for HGV deliveries, the footway and carriageway adjacent to Frognaal or Arkwright Road could be become damaged as a direct result of the proposed work. Paragraph 6.11 of the Local Plan states that the Council will repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links, road and footway surfaces. The Council would therefore require a financial contribution for highway works as a section 106 planning

obligation if the scheme was supported. A cost estimate for highway works would be requested from our Design Engineering Team if officers were otherwise supportive of proposed works post-submission.

Planning Obligations

6.34. Further to the above matters, for new build residential developments the Council seek a number of further planning obligations to address increased demand on existing infrastructure.

Open Space

6.35. Policy A2 (Open Space) of the Local Plan states that the Council will seek developer contributions for open space enhancements using Section 106 agreements and the Community Infrastructure Levy (CIL). The Council will secure planning obligations to address the additional impact of proposed schemes on public open space taking into account the scale of the proposal, the number of future occupants and the land uses involved. For residential developments, a standard of 9sqm of open space provision per new occupant will apply. Where the full quantity of public open space required is not provided onsite or nearby, the Council will seek a pro-rata financial contribution. Public Open Space CPG (2018) sets out how these payments are calculated at para.1.45. An anticipated contribution is outlined below based upon the scheme submitted for comment.

Stage 1 – Capital costs (inc. design and administration costs)

Number of additional dwellings	Ward	Open space requirement (standard x average household size for ward x no of dwellings) multiplied by capital cost	= total payment for capital costs
2	Frognaal & Fitzjohn	(9sqm x 2.28 x 2) x £200	£8,208

Stage 2 – Maintenance costs

Number of additional dwellings	Ward	Maintenance requirement (standard x average household size for ward x no of dwellings) x maintenance cost per sqm x no of years maintenance	= total payment for maintenance costs
2	Frognaal & Fitzjohn	(9sqm x 2.28 x 2) x £7 x 10 years	£2,872

Stage 3 – Sum of all costs

Capital Costs	£8,208
Maintenance costs	£2,872
TOTAL	£11,080

6.36. The Open Space contributions may be adjusted upwards or downwards according to the particular circumstances of the development. They provide a starting point for negotiations between the Council and developers. The scale of financial contributions will be reviewed and updated as appropriate.

S106 Summary

6.37. Given the above advice, it is likely that were a formal application submitted which was otherwise supported, this support would be subject to the securing of a legal agreement to cover the following heads of terms:

- Car free development;
- Construction Management Plan and a one off financial contribution to cover the costs of reviewing the CMP;
- Energy Efficiency plan
- Financial contribution for affordable housing;
- Financial contribution for highways works (in case of damage to the public highway);
- Financial contribution for public open space*;
- Sustainability plan

6.38. **Assuming that on site or offsite provision is shown to not be feasible.* The above list may be subject to change were the final scheme revised prior to submission.

CIL

6.39. Further to the above it should be noted that the proposed development would likely be liable for both the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. The final amount liable would depend upon the final uplifts proposed. A fully completed CIL form would be required at submission stage to provide this information. Details of CIL payments as well as the charging schedules for both the Mayor's CIL and Camden CIL can be found on our website [here](#).

7. Consultation

7.1. You are strongly encouraged to engage with neighbouring occupiers and the local CAAC prior to submission, in particular given the likely concerns residents will have with the comings and goings of construction / delivery vehicles particularly if a demolition and excavation of basements construction proposed. Although adjoining occupiers will be notified of any application by us, initial consultation is strongly encouraged before any application is submitted. The Redington Froggnal Conservation Area Committee can be contacted via the following email address:

- Chair of CAAC: Mr John Malet-Bates
- Email: john.jmba@talktalk.net

8. Conclusion

8.1. In terms of design, officers now broadly support the principle of the erection of two dwellings on site as well as the scale, massing and forms proposed. As outlined above (as well as within the DRP report attached), a view is however retained that the detailed design must be refined to ensure the requisite high standard of quality is secured in the execution of such a scheme.

8.2. Further to the ecological and arboricultural reporting already submitted and agreed, further investigations would be expected in terms the potential use of the site by protected species (bats) and any relevant mitigation measures necessary. A full scheme of hard and soft landscaping as well as replacement tree details are expected upfront to evidence the mitigation against the loss of a number of smaller trees on site.

- 8.3. The proposed dwellings have been designed to provide a standard of accommodation in accordance with the outlined national requirements.
- 8.4. In terms of residential amenities; the proposed scheme would need to include a full discussion / justification in terms of the potential impacts of the erected dwellings upon the amenities of surrounding occupiers. The main concern is however with regard to the implementation of any development on the site, which features very limited access. As such a construction management plan would be necessary for any development on the site.
- 8.5. In accordance with local polices, any new dwellings should be justified in sustainability, energy, drainage (SuDs) and air quality terms. It is also expected that the units would need to be car free and feature the highest possible standard of accessibility.

9. Planning application information

- 9.1. If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following additional documents alongside those usually required for a valid planning application:

- Completed form – [Full Planning]

Plans

- An ordnance survey based location plan at 1:1250 scale denoting the application site in red.
- Floor plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Roof plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Elevation drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Section drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Demolition plans
- Further to the above the detailed drawings outlined in para.6.12 would be recommended (but would not form a validation requirement)

Supporting information

- Accessibility Statement
- Affordable housing statement (summarising the offer)
- Air Quality assessment
- Arboricultural Impact Assessment and Management Plan (with Tree Protection details)
- Daylight / Sunlight report (internal / neighbouring properties)
- Design and access statement (inc. heritage statement)
- Draft Construction Management Plan (in line with [pro forma](#))
- Energy / Sustainability Statements
- Full ecology report (including bat survey)
- Landscaping report
- Health Impact Assessment
- Planning statement (inc. a full schedule of areas by land use)
- Proposed tenure plan indicating the internal areas and types of housing proposed (this could be included within the D&A)
- Sample photographs/manufacturer details of proposed facing materials (if possible at this stage)
- Site sections illustrating relationship between proposed massing and adjoining properties

- SUDS [pro-forma](#)
- If the scheme were to include excavations;
 - Basement Impact Assessment in line with Basements CPG (2018)
- Please see [supporting information for planning applications](#) for more information.

9.2. We are legally required to consult on applications with individuals who may be affected by the proposals. We would notify neighbours by sending out E-Alerts, putting up notices on or near the site and, advertising in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

9.3. Due to the scale of development proposed and the scope of expected planning obligations, determination of the proposed works would likely need to be referred to the Council's Planning sub-committee. Camden planning committee meetings are held once a month, with officers reports needing to be finalised approximately three weeks prior to the date of the meeting. For more details click [here](#).

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

If you have any queries about the above letter or the attached document please do not hesitate to contact me direct.

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

Yours sincerely,

John Diver

Senior Planning Officer
Regeneration and Planning
Supporting Communities
London Borough of Camden
Telephone: 02079746368
Web: camden.gov.uk

2017 advice

(2017/1779/PRE)



Date: 04/09/2017
Our ref: 2017/1779/PRE
Contact: John Diver
Direct line: 020 7974 6368
Email: john.diver@camden.gov.uk

George Sunderland
8a Baynes Mews
London
NW3 5BH
By email

Planning Solutions Team
Planning and Regeneration
Culture & Environment
Directorate
London Borough of Camden
2nd Floor
5 Pancras Square
London
N1C 4AG

www.camden.gov.uk/planning

Dear George,

Re: Land to the rear of 29-33 Arkwright Road, London, NW3 6BJ

Thank you for submitting a pre-planning application enquiry. This request represents a follow-up request to a former enquiry (2016/4565/P dated 30/11/2016). These notes have been informed by visits to the site made by planning and trees officers as well as a pre-app meeting held on the 13 June 2017.

Following this pre-application meeting, a revised scheme was submitted for comment in late July and the following advice will therefore be based upon this most recent proposal. The following advice note should be read in conjunction with the former advice report.

1. Drawings and documents

1.1. The following documentation was submitted in support of the pre-application request:

- Location-Plan
- Existing-Site-Photos
- Existing-Site-Plan
- Existing Tree-Plan
- Existing-Site-Section-AA
- Existing-Site-Section-BB
- Proposed-Site-Plan
- Proposed Tree-Plan
- Proposed-Ground-Floor-Plan
- Proposed-First-Floor-Plan
- Proposed roof / block plan
- Proposed-Site-Section-AA
- Proposed-Site-Section-BB
- Proposed-Front-Elevation
- Proposed-Rear-Elevation
- Proposed 3D models

- Pre-Planning Application Design and Access Statement dated Aug 2016
- Arboricultural impact analysis report
- Ecological Survey Report
- Heritage Statement
- Covering Letter

2. Proposal

- 2.1. Advice is requested in relation to the proposed erection of a row of 3x two storey dwellinghouses (3x 2bed 4person) to the rear of the application site. The dwellings would be of modern design and would be accessed via a private driveway off Frogнал.
- 2.2. The row of terrace dwellings would create a frontage along this driveway but would be set back slightly behind the retained brick wall currently enclosing the site.

3. Site description

- 3.1. The application site relates to a section of rear garden area to the rear of both nos. 29 & 33 Arkwright Road – two large detached mansion houses which have subsequently been subdivided into self-contained units with large rear gardens.
- 3.2. The application site is located within the Redington/Frogнал Conservation Area, with the Redington/Frogнал Conservation Area Statement (2003) classifying both properties as making a positive contribution to the character of the Conservation Area.
- 3.3. Arkwright Road is subject to a fairly significant downwards gradient which falls away towards the South West. This means that the level of the rear garden of no.29 is above that of no.33. Furthermore within the site levels additionally fall away from the front towards the rear, with the lane to the south off Frogнал being at a considerably lower level than the garden level of both properties.
- 3.4. The rear gardens of both 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 width-ways by a large Hornbeam / Hawthorn hedge. Within the garden of no.33, two large storage containers have been installed in the centre of the garden. There are no Tree Preservation Orders covering the site, however the mature trees within the site are protected by virtue of their location within a Conservation Area. The site is identified as featuring a number of underground development constraints including Subterranean Groundwater flows; Surface water flow / flooding; and Slope stability issues.

4. Relevant planning history

- 4.1. The following planning history is relevant to this proposal:

Nos. 29-33 Arkwright Road:

2016/4565/P – Pre-application advice was issued on the 30/11/2016 for the proposed ‘erection of 2x two storey (including habitable roof space) detached dwellinghouses (1x 2bed 4person; 1 x 1bed 2 person)’

2015/6218/P – Application for the erection of three residential dwellings to the rear of 29 & 33 Arkwright Road was withdrawn on the 09/02/16 prior to a formal determination.

No. 33 Arkwright Road:

9883 – Planning permission was granted for the ‘Conversion into two flats of ground and first floors’ on the 09/09/1958

2006/3915/P – Planning permission was granted for the ‘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 of the ground floor flat’ on the 27/10/2006

2007/1433/P – Planning permission was granted for the ‘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’ on the 11/05/2007

2012/0223/P – Planning permission granted at the Ground and Part Lower Ground Floor flat for the ‘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’ on the 26/03/2015.

No. 29 Arkwright Road:

17755 – Planning permission granted for the ‘alterations and the conversion of the top floor of the existing dwelling house into two flats’ on the 21/12/1962

2008/0678/P – Planning permission was refused at Flat 4, 29 Arkwright Road for the ‘erection of a first floor extension to the front and a roof extension at second floor level to the rear to create an additional 3 bedrooms for flat 4’ on the 24/04/2008

2014/5132/P - Planning permission was refused for the ‘conversion of 4-bed flat at ground and first floor into 1 studio & 2 x 2-bed flats’ on the 08/04/2015.

Other pertinent applications at nearby sites:

T/APP/X5210/A/86/060384/P5 – Non determination appeal of application ref. **8601727** at 25E Froggnal was allowed for the ‘Erection of dwellinghouse’ on the 15/06/1987.

The scheme allowed at appeal at 25E was subsequently amended via application **9200578** which included 'alterations to the roof design and revised ground floor layout' and was granted on the 15/10/1992

2008/0183/P - Permission was allowed at appeal at the Land to rear of 202-204 Finchley Road for the 'erection of a building comprising lower/upper ground and first floor level accessed off Finchley Road, for use as offices (Class B1) with green roof and plant at roof level, green wall, provision of 8 cycle and 3 motorcycle spaces at ground floor level, and associated landscaping (following demolition of existing single-storey porter's lodge) on the 27/01/09.

An amendment/extend to this permission was subsequently granted via application **2011/4963/P** which was granted on the 07/02/2012

2012/3265/P – Planning permission granted subject to conditions and s106 agreement at the 25B Frognal for the 'Erection of two-storey building as extension to existing retained structure (following substantial demolition of existing dwellinghouse), alterations to all elevations including fenestration and facing materials all in connection with use as a dwellinghouse (Class C3)' on the 14/12/12

2015/6231/P – Planning permission granted subject to conditions and s106 agreement at the Garages Adjacent, 25B & 25E Frognal & Rear of Meridian House (Finchley Road) for the 'Demolition of two garages and erection of 3 bedroom house'. At the time of writing the decision had not been finalised as the s106 was not yet completed.

5. Relevant policies and guidance

5.1. On the 03rd July 2017, the Camden Local Plan (2017) was formally adopted. The Council's policies are recent and up to date. The policy requirements of the now superseded Local Development Framework have been upheld by the Local Plan.

5.2. The following policies will be taken into consideration:

- **National Planning Policy Framework (2012)**
- **London Plan (2016)**
- **LB Camden Local Plan policies (2017)**
 - G1 - Delivery and location of growth
 - H1 - Maximising housing supply
 - H4 - Maximising the supply of affordable housing
 - H6 - Housing choice and mix
 - H7 - Large and small homes
 - C4 - Safety and security
 - C5 - Access for all
 - A1 - Managing the impact of development
 - A2 - Open space
 - A3 - Biodiversity

- A4 - Noise and vibration
 - A5 - Basements and Lightwells
 - D1 - Design
 - D2 - Heritage
 - CC1 - Climate change mitigation
 - CC2 - Adapting to climate change
 - CC3 - Water and flooding
 - CC4 - Air quality
 - CC5 - Waste
 - T1 - Prioritising walking, cycling and public transport
 - T2 - Parking and car-free development
 - T4 - Sustainable movement of goods and materials*
- **Supplementary Guidance**
 - CPG 1 – Design
 - CPG 2 – Housing
 - CPG 3 – Sustainability
 - CPG 4 - Basements and lightwells
 - CPG 6 – Amenity
 - CPG 7 – Transport
 - CPG 8 – Planning Obligations
 - **Redington/Frognal Conservation Area Statement (2003)**

6. Assessment

6.1. The main issues to consider in this case are as follows:

- Principle of the development;
- Design and heritage;
- Standard of accommodation;
- Impact on the amenity of adjoining occupiers;
- Transport;
- Sustainability;
- Accessibility;
- Planning Obligations

6.2. As outlined at the beginning of the report, this advice request follows directly on from another pre-application advice request in relation to a similar proposal. Much of the assessment for this previous scheme remains the same for the amended scheme and as such further comment will only be made where the previous advice has altered as a result of the new scheme/policy changes. This report should therefore be read in conjunction with the previous report.

Principle of the development

Provision of housing

- 6.3. As was previously outlined, the provision of new dwellings is encouraged and would provide additional housing within the Borough in accordance with policy H1 of the Camden Local Plan.
- 6.4. The proposed development would lead to the creation of 3x 2bed, 4person dwellings. This provision would remain within accordance with the Dwelling Size Priority Table accompanying Policy H7, which identifies both two and three bedroom market units as being of 'High Priority'. The principle of development remains acceptable, subject to the detailed considerations below.

Affordable housing

- 6.5. It should be noted that since the adoption of the Local Plan (July 2017), the Council's requirements in terms of contributions toward affordable housing have been updated. Policy H4 (d) (Maximising the supply of affordable housing) of the Local Plan includes new stipulations regarding requirements for affordable housing contributions of schemes providing a capacity for less than 10 units (or 1000sqm).
- 6.6. Where this is the case the Council will still expect a contribution, calculated as a sliding target as a percentage of floor area starting at 2% for one home (measured as 100sqm GIA C3 floorspace) and increasing by 2% for each additional 100sqm of additional GIA (C3) added to capacity. For example, where a development would contribute an additional 500sqm of residential floorspace, 10% of this area (2% x 5) / 50sqm would be expected to be provided as affordable. Where it is demonstrated that onsite provision is not appropriate, in accordance with this policy the Council will accept a payment-in-lieu of affordable housing.
- 6.7. Given the scale of the development and the constraints of the site, in this instance a payment-in-lieu of affordable housing is likely to be considered appropriate. The relevant quote for a payment-in-lieu would be calculated by multiplying the expected affordable housing contribution (in GEA) by the adopted multiplier. The adopted multiplier outlined in figure 1 of CPG8 (Planning Obligations) is currently set at £2,650 per sqm for market residential schemes. Further guidance in terms of this requirement is outlined within Chapter 2 of CPG 2 (Housing) and Chapter 6 of CPG 8 (Planning Obligations).
- 6.8. It should be noted that the Council is looking to update the adopted CPGs to better align with the newly adopted Local Plan, with a revised and increased multiplier rate going to public consultation in the coming months. The updated guidance documents are likely to be adopted in the Spring/Summer of 2018.

Subterranean Development

- 6.9. Submitted sections indicate that the proposed dwellings would be built in such a way that only a slight alteration to the existing levels would be required as part of the development. In the absence of accurate levels plans the exact level of excavations required cannot be confirmed, however, it should be noted that if the works were to involve the significant excavation of soil across the site the requirements of the Council's policy A5 (Basements) would be triggered. It should be noted that this relates to all 'underground developments', including ground or lower ground floors

where excavation is required, for example when a ground floor is extended further into sloping land requiring excavation.

- 6.10. Were this the case then the Council would require the submission of an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment. As the application site is subject to all of the recorded underground development constraints (slope stability, surface water flows and ground water flows), if this were the case then the Council would generally expect an independent verification of Basement Impact Assessments funded by the applicant even if it did not extend beyond the screening stage.
- 6.11. The level of information required will be commensurate with the scale and location of the scheme; however, it is advised that the submission of a BIA at least to the screening stage may be required in this instance. BIA reports must be prepared according to the specifications set out in CPG4 (Basements and lightwells) and the Camden Geological, Hydrogeological and Geological Study (ARUP 2010).

Design and heritage

Back land development / urban grain

- 6.12. Although within the wider Conservation Area back garden development is not common or widely accepted, it was established within previous advice that the development of the rear of the site would not in this instance disrupt any uniform pattern of development or regular plot forms. This is due to the fragmented historical urban grain of the surrounding locality and the pattern of more recent developments on surrounding plots. Concern was however raised in relation to the size of the proposed development plot and how this would relate to the host dwellings along Arkwright Road.
- 6.13. In response, the scheme now submitted for comment includes a reduction to the depth of plots for the new dwellings, now forming a continuation of the side boundary of the adjacent no.25a Frognal. This reduction in plot size (approximately 6m) has allowed for a more appropriate 'mews-style' relationship to be established between the plots of the host dwellings and the residential units to the rear of the site, maintaining generous garden space for the main dwellings. In townscape terms, the subdivision of this rear section of garden and enclosure to form separate dwellings would be considered acceptable subject to design.
- 6.14. Notwithstanding the above, the main characteristic for the existing site remains its green and open feel and any development would need to preserve or enhance this character in order to be supported.

Scale / density

- 6.15. The proposed dwellings would be part single, part two storey modular structures with flat roofs set behind the retained masonry front boundary wall. Each dwelling would feature an L shaped footprint within a rectangular plot, allowing for private

garden spaces to be provided to the rear. An additional storey would be added to each dwelling in the form of two rectangular masses which would project above this front boundary wall.

- 6.16. Whilst the submitted scheme is considered to represent a significant improvement from that originally submitted under the formal application, concerns are raised in relation to the extent of site coverage of the proposed development, the density of development and the impact that this might form upon the ability for the site to retain its aforementioned 'green open feel'. This is confirmed with the final paragraph of the 'Heritage Significance' section of your submitted Heritage report.
- 6.17. At present, views are afforded into the site (above the existing boundary wall) to the mature vegetation and canopies to the trees within the site. Due to the level of development proposed, much of these views would be severed by the additional massing at 1st floor level and as such the surrounding area would feel much more developed as a result. Furthermore, it was previously advised that the Council's Arboricultural officer did not raise objection to the removal of specified trees of lower category on the express condition that the development would incorporate sufficient soft landscaping and to allow for the replacement of trees within the site. Although garden spaces have been retained for each proposed dwelling, the overall built-to-unbuilt ratio is considered to alter the character of the site to a level of detriment for the local area. Although it is noted that within your D&A statement, it is stated that the development would lead to a reduction of only 18% of existing green space, this figure is calculated from the entire garden area rather than the development site.
- 6.18. For the above reasons it is advised that the extent of site coverage is reduced. This is likely to necessitate the loss of one of the proposed dwellings in order to allow for additional space for soft landscaping and a more appropriate built-to-unbuilt ratio for this context.

Form

- 6.19. Notwithstanding the above, the form of the proposed dwellings is thought to be well considered and to respond well to the site characteristics in relation to the retained front boundary, reduced bulk at 1st floor level, the site's varied topography as well as the general layout. The use of the projecting element to the front elevation to form recessed side windows to bedrooms would add interest as well as being useful in limiting views into neighbouring sites. Similarly by stepping the height of the dwellings down the front of the site (in accordance with the site's topography), the visual impact upon the adjacent lane is reduced.
- 6.20. It is however considered that the larger volume at 1st floor level formed by the pair of semi-detached dwellings could be better visually articulated to avoid too much of a horizontal emphasis and overbearing impact. This could be achieved via a further 'front-to-back' set down in massing to better articulate this element so that it would be read as two, rather than a single volume. Alternatively this volume could be completely split in two were the scheme to be reduced to two dwellings.
- 6.21. These comments do not however override the remarks outlined in the previous section in relation to the identified inappropriate density of the proposed development.

Detailed design

- 6.22. Further to the above, it is considered that the architectural approach for the detailed design of the proposed dwellings should be reconsidered, particularly in reference to the proposed materiality.
- 6.23. Whilst it is accepted that the Council has recently granted permission for new dwellings in the local area of rendered external treatment, in this case the garden setting would indicate that a modern brick might be more appropriate. Not only would this give the dwellings a more robust appearance, it would also respond to a greater degree to the surrounding conservation area and landscape setting. It would be expected that the materiality of other detailed elements (window frames, entrance doors etc.) would then respond to this chosen material. Due to the above comments and expected requirement for alterations to the scale and form, further comments in terms of detailed design are not considered relevant at this stage.

Design conclusion / Design Review Panel

- 6.24. Overall it is considered that the proposed scheme would feature a density of development / site coverage which would undermine the verdant character of the existing site by limiting opportunity for replacement trees / mature vegetation. The extent to the first floor volumes are also considered to limit views through to the mature trees to the rear to the detriment of the local character. As such, it is recommended that the scheme is amended to allow for the retention of a greater degree of soft landscaping and views through to the rear. This is likely to necessitate the loss of one of the proposed dwellings.
- 6.25. The design as proposed is however considered to respond well to a number of the site's other characteristics and so it is hoped that these positive elements discussed above will be carried forward into any future iteration should the applicant be mindful to further pursue the development.
- 6.26. Due to the varying design constraints for the application site and its location within a Conservation Area, it should be noted that the scheme would be referable to the Camden Design Review Panel were a formal application to be submitted. Further details in relation to the Camden DRP can be found on our website [here](#). For a scheme of this size, a Chair's Review would usually be appropriate.

Nature Conservation and Biodiversity

Ecology

- 6.27. Previously it had been advised that due to the verdant character of the site and the level of surrounding mature vegetation, the Council would not support any development unless it was demonstrated that there would be no detrimental impact upon protected species or biodiversity.
- 6.28. Submitted alongside this advice request is an Ecological Survey which concludes that the site supports habitats that are common / widespread in the local area and have a negligible ecological value. The report also found that the site, including the

existing trees, are unsuitable for protected species such as bats although it is predicted that bats would be likely to use the site for foraging. The report also notes that the site would provide suitable habitat for nesting birds.

- 6.29. Although this report has gone some way in addressing the previous concerns, it would be expected that the findings of this report are expanded upon prior to any formal submission to include a full bat survey to identify any potential flight paths and in turn inform the design. Depending upon the outcome of further surveys, it may be the case that bird nesting boxes could be secured in order to mitigate against the loss of shrubs and ivy and a lighting schedule could be secured to alleviate potential impacts upon bat's flight paths and foraging behaviours. It is therefore recommended that further work is commissioned in this regard and the findings are used to inform proposals.
- 6.30. The proposed scheme would incorporate a significant amount of green roof space which would be welcomed. The Council would expect that these roofs are designed as extensive biodiverse living roofs in order to optimize their ecological value. Should these elements be appropriately designed they would have the potential to improve the bio-diversity value of the site alongside other landscaping measures. A copy of the Council's Biodiversity Action Plan will be issued alongside these notes to provide further guidance regarding the appropriate design of the living roofs.

Trees and Landscaping

- 6.31. It has been clearly stated that the retention of the green and open feel to the site would be considered a prerequisite for any development to be considered acceptable on the site.
- 6.32. As outlined above, it is considered that the extent to the site coverage would need to be reduced in order to allow for a greater degree of soft landscaping and for the incorporation of additional replacement trees as part of the scheme. The reduction of the plot depth has meant that the mature Hawthorn/Hornbeam hedge to the rear of no.29 is now outside the development site. This is considered a positive step as the hedge (if retained) would create visual separation between the new dwelling and no.29 as well as giving the development a more established feel.
- 6.33. As previously advised, the loss of the trees as outlined within the submitted Arboricultural report may be considered acceptable subject to the submission of a fully detailed landscaping scheme which includes adequate mitigation measures to ensure that the overall 'green feel' of the site is maintained and that lost trees are replanted elsewhere on the site. This would be expected to be submitted up front as part of any formal submission.

Standard of accommodation

- 6.34. The proposed dwellings have all been design to meet London Plan (2016) and Nationally Described Space Standards (2015) standards in terms of size and layout. The units would all be dual aspect and would feature a good level of fenestration. Notwithstanding this the submission of a daylight report would be requested due to the

proposed density of development in order to demonstrate that the Average Daylight Factor to habitable rooms would remain in accordance with BRE guidelines for new dwellings. No further comment is therefore raised in this regard and you are referred back to the previous advice note for further guidance in this respect.

Impact on the amenity of adjoining occupiers

- 6.35. The impact upon neighbouring occupiers as a result of the proposed development was raised as a particular concern within the previous advice report, particularly in terms of loss of outlook, privacy and disruption from the construction phase of development.
- 6.36. The revised scheme has attempted to address these concerns by reducing the level of massing at 1st floor level as well as repositioning 1st floor fenestration so that no direct views would be afforded towards neighbouring properties and gardens. These alterations are considered to have greatly improved the scheme in this respect, however it should be noted that concern is still maintained in reference to the potential impact upon outlook from habitable room windows to no. 25a and 25e Frognaal, as well as the visual impact caused by the additional height within close proximity to these neighbouring boundaries. It is also noted that the proposed rear terraces would give rise to overlooking issues unless appropriately screened. As this screening may in turn give rise to concerns in terms of outlook, question is raised in regard to the appropriateness of these elements.
- 6.37. As previously advised, considering the saturated local traffic conditions and difficult site access, any proposed development at the site would need to be accompanied by a draft construction management plan for the assessment by transport and planning officers which would be secured as a planning obligation were the scheme to be otherwise acceptable.

Sustainability

- 6.38. The substantive requirements previously outlined by policy DP22 have been carried over within the adopted Local Plan. The requirement to incorporate sustainable design and construction measures into developments is therefore maintained as previously advised for scheme which would include 500sqm or more of added floorspace. Depending upon the scale of the revised scheme, the development may therefore fall below the threshold for the submission of a full energy statement in line with policy CC1. The provisions of policies CC2 in terms of the inclusion of climate change adaptation measures and policy CC3 in terms of water saving and flood mitigation measures would however apply.
- 6.39. Further information regarding the Council's requirements regarding Climate Change mitigation measures are outlined within CPG3 (Sustainability). Guidance relating to the design of living walls and roofs will be issued alongside these notes.

Accessibility

- 6.40. Previous advice highlighted the need for the new dwellings to meet Building Regulations Part M4 (2) and be an accessible and adaptable dwelling unless it was demonstrated that this was not possible. This requirement is maintained by policies C6 (Access for all) and D1 (Design)
- 6.41. As previously discussed, it is noted that the site features varying levels and that this provision may be difficult. This would be expected to be fully discussed in any submitted design and access statement. Further details regarding these requirements can be found [here](#).

Transport /Planning Obligations

- 6.42. The advice in relation to these considerations remain unaltered as the previous policy requirements have been upheld by the Local Plan. It is however noted that a affordable housing contribution would be sought as a planning obligation as discussed above.

7. Consultation

- 7.1. You are strongly encouraged to engage with neighbouring occupiers at an early stage in the process, given the likely concerns residents will have with the comings and goings of construction / delivery vehicles particularly if a demolition and excavation of basements construction proposed. Although adjoining occupiers will be notified of any application by us, initial consultation is strongly encouraged before any application is submitted. The Redington Froggnal Conservation Area Committee can be contacted via the following email address:
- Chair of CAAC: Mr John Malet-Bates
 - Email: john.jmba@talktalk.net

8. Conclusion

- 8.1. In terms of design, it is considered that the proposed development would be unacceptable by virtue of the scale of development / site coverage and the resulting impact upon the character of the local area. It is advised that the scheme is amended to allow for a greater retention of open landscaping, likely requiring the omission of 1 dwelling.
- 8.2. Further investigations and justifications would be expected in terms of the potential impacts and mitigation measures in relation to ecology, trees and (if substantial excavations are proposed), ground water, surface water and slope stabilities.
- 8.3. The proposed dwellings have been designed to provide a standard of accommodation in accordance with the outlined national requirements although it was advised that this provision would likely need redesigning to address other issues raised.
- 8.4. In terms of residential amenities; the proposed scheme would need to include a full discussion / justification in terms of the potential impacts of the erected dwellings upon

the amenities of surrounding occupiers. The main concern is however with regard to the implementation of any development on the site, which features very limited access. As such a construction management plan would be necessary for any development on the site.

8.5. In accordance with local polices, any new dwellings should be justified in sustainability terms. It is also expected that the units would need to be car free and feature the highest possible standard of accessibility.

9. Planning application information

9.1. If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following additional documents alongside those usually required for a valid planning application:

- Full ecology report (including bat survey)
- Arboricultural Report
- Landscaping report
- Draft CMP including full Transport Assessment
- Design and Access Statement
- Planning statement (including a full assessment of impact to outlook and privacy of neighbouring properties)
- If the scheme were to include excavations;
 - Basement Impact Assessment
 - SUDS (sustainable urban drainage) scheme
 - Daylight Report for any subterranean habitable rooms
 - Noise Impact Assessment (if any plant equipment is proposed)
- Please see [supporting information for planning applications](#) for more information.

9.2. We are legally required to consult on applications with individuals who may be affected by the proposals. We would notify neighbours by sending out E-Alerts, putting up notices on or near the site and, advertising in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

9.3. It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers. For more details click [here](#).

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

If you have any queries about the above letter or the attached document please do not hesitate to contact me direct.

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

Yours sincerely,

John Diver

Planning Officer

Regeneration and Planning

Supporting Communities

London Borough of Camden

Telephone: 02079746368

Web: camden.gov.uk

2016 advice

(2016/4565/PRE)



Planning Solutions Team
Planning and Regeneration
 Culture & Environment
 Directorate
 London Borough of Camden
 2nd Floor
 5 Pancras Square
 London
 N1C 4AG

www.camden.gov.uk/planning

Date: 30/11/2016
Our ref: 2016/4565/PRE
Contact: John Diver
Direct line: 020 7974 6368
Email: john.diver@camden.gov.uk

Anna Saldi
 8a Baynes Mews
 London
 NW3 5BH
By email

Dear Anna,

Re: Land to the rear of 29-33 Arkwright Road, London, NW3 6BJ

Thank you for submitting a pre-planning application enquiry for the above property which was received on the 15 August 2016 together with the required fee of £3,600. These notes were informed via site visits completed by planning and trees officers on the 05 October and 01 November 2016 as well as a pre-app meeting held on the 11 November 2016.

1. Drawings and documents

1.1. The following documentation was submitted in support of the pre-application request:

- 1514-L-001_Location-Plan
- 1514-L-002_Existing-Site-Photos
- 1514-L-003_Existing-Site-Plan
- 1514-L-005_REV-A_Proposed-Site-Plan
- 1514-L-006_Proposed-Site-Diagram
- 1514-L-030_Existing-Tree-Plan
- 1514-L-031_Proposed-Tree-Plan
- 1514-L-032_Existing-Site-Plan
- 1514-L-038_Existing-Site-Section-AA
- 1514-L-039_Existing-Site-Section-BB
- 1514-L-041_REV-A_Proposed-Site-Plan
- 1514-L-046_REV-A_Proposed-Ground-Floor-Plan
- 1514-L-047_REV-A_Proposed-First-Floor-Plan
- 1514-L-048_REV-A_Proposed-Site-Section-AA
- 1514-L-049_REV-A_Proposed-Site-Section-BB
- 1514-L-050_REV-A_Proposed-Front-Elevation
- 1514-L-051_REV-A_Proposed-Driveway-Elevation
- 1514-L-052_REV-A_Proposed-Elevations
- 1514-L-053_REV-A_Proposed-Elevations
- 1514-L-054_REV-A_Proposed-Elevations

- Pre-Planning Application Design and Access Statement dated Aug 2016
- Arboricultural impact analysis report

2. Proposal

2.1. Advice is requested in relation to the proposed erection of 2x two storey (including habitable roof space) detached dwellinghouses (1x 2bed 4person; 1 x 1bed 2 person) to the rear of the application site. The dwellings would be of modern design, featuring timber cladding and would be accessed via a private driveway off Frognaal.

3. Site description

3.1. The application site relates to a section of rear garden area to the rear of both nos. 29 & 33 Arkwright Road – two large detached mansion houses which have subsequently been subdivided into self-contained units with large rear gardens.

3.2. The application site is located within the Redington/Frognaal Conservation Area, with the Redington/Frognaal Conservation Area Statement (2003) classifying both properties as making a positive contribution to the character of the Conservation Area. The properties are not however statutorily or locally listed.

3.3. Arkwright Road is subject to a fairly significant downwards gradient which falls away towards the South West. This means that the level of the rear garden of no.29 is above that of no.33. Furthermore within the sites levels additionally fall away from the front towards the rear, with the lane to the South off Frognaal being at a considerably lower level than the garden level of both properties.

3.4. The rear gardens of both 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 width-ways by a large Hornbeam / Hawthorn hedge. Within the garden on no.33, two large storage containers have however been installed in the centre of the garden. There are no Tree Preservation Orders covering the site, however the mature trees within the site are protected by virtue of their location within a Conservation Area. The site is identified as featuring a number of underground development constraints including Subterranean Groundwater flows; Surface water flow / flooding; and Slope stability issues.

4. Relevant planning history

4.1. The following planning history is relevant to this proposal:

Nos. 29-33 Arkwright Road:

2015/6218/P – Application for the erection of three residential dwellings to the rear of 29 & 33 Arkwright Road was withdrawn on the 09/02/16 prior to a formal determination.

No. 33 Arkwright Road:

9883 – Planning permission was granted for the ‘Conversion into two flats of ground and first floors’ on the 09/09/1958

2006/3915/P – Planning permission was granted for the ‘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 of the ground floor flat’ on the 27/10/2006

2007/1433/P – Planning permission was granted for the ‘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’ on the 11/05/2007

2012/0223/P – Planning permission granted at the Ground and Part Lower Ground Floor flat for the ‘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’ on the 26/03/2015.

No. 29 Arkwright Road:

17755 – Planning permission granted for the ‘alterations and the conversion of the top floor of the existing dwelling house into two flats’ on the 21/12/1962

2008/0678/P – Planning permission was refused at Flat 4, 29 Arkwright Road for the ‘erection of a first floor extension to the front and a roof extension at second floor level to the rear to create an additional 3 bedrooms for flat 4’ on the 24/04/2008

2014/5132/P - Planning permission was refused for the ‘conversion of 4-bed flat at ground and first floor into 1 studio & 2 x 2-bed flats’ on the 08/04/2015.

Other pertinent applications at nearby sites:

T/APP/X5210/A/86/060384/P5 – Non determination appeal of application ref. **8601727** at 25E Froggnal was allowed for the ‘Erection of dwellinghouse’ on the 15/06/1987.

The scheme allowed at appeal at 25E was subsequently amended via application **9200578** which included ‘alterations to the roof design and revised ground floor layout’ and was granted on the 15/10/1992

2008/0183/P - Permission was allowed at appeal at the Land to rear of 202-204 Finchley Road for the ‘erection of a building comprising lower/upper ground and first floor level accessed off Finchley Road, for use as offices (Class B1) with green roof and plant at roof level, green wall, provision of 8 cycle and 3 motorcycle spaces at ground floor level, and associated landscaping (following demolition of existing single-storey porter's lodge) on the 27/01/09.

An amendment/extend to this permission was subsequently granted via application **2011/4963/P** which was granted on the 07/02/2012

2012/3265/P – Planning permission granted subject to conditions and s106 agreement at the 25B Frognal for the ‘Erection of two-storey building as extension to existing retained structure (following substantial demolition of existing dwellinghouse), alterations to all elevations including fenestration and facing materials all in connection with use as a dwellinghouse (Class C3)’ on the 14/12/12

2015/6231/P – Planning permission granted subject to conditions and s106 agreement at the Garages Adjacent, 25B & 25E Frognal & Rear of Meridian House (Finchley Road) for the ‘Demolition of two garages and erection of 3 bedroom house’. At the time of writing the decision had not been finalised as the s106 was not yet completed.

5. Relevant policies and guidance

5.1. The following policies will be taken into consideration:

- **National Planning Policy Framework (2012)**
- **London Plan (2016)**
- **Local Development Framework**
- **Core Strategy (2010)**
 - CS1 - Distribution of growth
 - CS4 - Areas of more limited change
 - CS5 – Managing the impact of growth and development
 - CS6 – Providing quality homes
 - CS11 - Promoting sustainable and efficient travel
 - CS13 - Tackling climate change through promoting higher environmental standards
 - CS14 – Promoting high quality places and conserving our heritage
- **Development Policies (2010)**
 - DP2 – Making full use of Camden’s capacity for housing
 - DP5 - Homes of different sizes
 - DP6 - Lifetime homes and wheelchair housing
 - DP16 – The transport implications of development
 - DP17 – Walking, cycling and public transport
 - DP18 - Parking standards and limiting the availability of car parking
 - DP19 - Managing the impact of parking
 - DP20 - Movement of goods and materials
 - DP22 - Promoting sustainable design and construction
 - DP23 - Water
 - DP24 – Securing high quality design
 - DP25 – Conserving Camden's heritage
 - DP26 – Managing the impact of development on occupiers and neighbours
 - DP28 - Noise and vibration

- **Supplementary Guidance**

- CPG 1 – Design
- CPG 2 – Housing
- CPG 3 - Sustainability
- CPG 6 – Amenity
- CPG 7 – Transport
- CPG 8 – Planning Obligations

- **Redington/Frogna Conservation Area Statement (2003)**

- **Emerging Policy (2016 / 2017):**

It should be noted that the Camden Local Plan will replace the Core Strategy and Development Policies in 2016/17. The submission draft has now been approved by Cabinet and Full Council after a period of public consultation. The Local Plan and associated documents were formally submitted to the Secretary of State for public examination along with copies of all representations received on 24 June. In accordance with Section 20 of the Planning & Compulsory Purchase Act 2004, Inspector Katie Child, BSc (Hons) MA MRTPI, was appointed to conduct an examination to determine whether the Plan is sound. The public hearings for the Examination were held at the Camden Town Hall during October 2016.

The submission draft is a material consideration in planning decisions. At this stage the Plan has weight in decision making and is a statement of the Council's emerging thinking. Emerging policy is therefore a relevant consideration to this pre-app advice. A copy of the draft Local Plan can be found on our website [here](#).

6. Assessment

6.1. The main issues to consider in this case are as follows:

- Principle of the development;
- Design and heritage;
- Standard of accommodation;
- Impact on the amenity of adjoining occupiers;
- Transport;
- Sustainability;
- Accessibility;
- Planning Obligations.

Principle of the development

Provision of housing

6.2. In principle, the provision of new dwellings is encouraged and would provide additional housing within the Borough in accordance with policies CS6 and DP2 of Camden's LDF. The proposed development would lead to the creation of 1x 2bed, 4person dwelling and 1 x 1bed, 2 person dwelling.

- 6.3. The Dwelling Size Priority Table accompanying Policy DP5 identifies two bedroom market units as being of 'Very High Priority' and one bedroom market units as 'Lower' propriety. While the principle of the provision of no.2 new dwellings would thus be encouraged (subject to the other elements of the assessment), it is advised that the provision of these units could be better justified if they were both either two or three bedroom units (i.e. high or medium priority for market sale).
- 6.4. The principle of development is considered to be acceptable, subject to the detailed considerations below.

Design and heritage

- 6.5. Policy 3.5 of the London Plan promotes high quality design of housing development that takes into account its physical context, local character, density, tenure and land use mix and relationship with, and provision for public, communal and open spaces taking account the needs of children and older people.
- 6.6. The overarching aim of Policies CS5, CS14 and DP24 are to secure high quality design that considers the character, setting, context and form of neighbouring buildings. Policy DP24 notes that development should respect the character, setting, context and form and scale of neighbouring buildings. Supporting paragraph 24.5 notes that the design of development should take into account the pattern and size of blocks, gardens and streets in the surrounding area. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance. CPG1 also provides detailed advice on acceptable forms of development.

Back land development / urban grain

- 6.7. As the application site is currently an area of two private rear gardens, in order for the development to be considered acceptable in principle the impact upon this setting in townscape terms must be first addressed.
- 6.8. The original/historic urban grain of the locality was that of Victorian large detached / semi-detached properties with large rear gardens and regular plots and the retention of this historic townscape is a considerable policy requirement, as evidenced by guideline RF1 of the Redington / Frognal Conservation Area Statement (CAS) (2003) which states that "Rear gardens contribute to the townscape of the Conservation Area and provide significant amenity to residents and habitat for wildlife. Development within gardens is likely to be unacceptable" (pg 28).
- 6.9. When considering the proposed development in the context of the surrounding area, it is however noted that this historic urban grain of the immediate area has become somewhat fragmented and disrupted. The rear garden areas of no.39 – 27 Arkwright Road (excluding the application site), as well as between 29a- 23 Frognal have all been sub-divided/ altered due to developments at 202-204 Finchley Road as well as the erection of new/more modern dwellings at 25a, b, c, d, and e Frognal. Although within the wider Conservation Area back garden development is not common; in this instance the plots of adjacent properties have all been divided to accommodate rear

development and the urban grain no longer appears to be uniform. Because of the pattern of nearby development and the loss of regular plot layouts; the Council would not retain an in principle objection to the subdivision of the rear gardens for development (subject to other criteria outlined in this letter) provided it was fully justified in terms of its impacts upon the townscape, plot forms, biodiversity and overall green feel of the site.

- 6.10. It should, however, be noted that a strong objection is raised to the size of the currently proposed plots in comparison to the host dwellings and that at present, it is considered that the proposed development fails to take account of the context of the host and neighbouring buildings. For instance, the proposed subdivision of the rear gardens would result in no.29 retaining a garden with a depth of approximately 17.5m, and the new dwelling behind featuring a plot with a depth of 20.4m. The plot of any new dwelling would be expected to be sub-ordinate to the host dwelling, in a similar fashion to a mews-like relationship between the main house and coach house. A relationship of this kind would not be uncommon for Victorian mansion houses such as these and this would be considered much more appropriate in townscape terms. In this instance the depth of the plots needs to be reduced considerably in order to better reflect the established townscape as well as the significance of the host dwellings.

Form and scale

- 6.11. The proposed dwellings would be of two storeys including pitched roofs with a maximum height of 7.3m and would have footprints of approximately 60 and 66sqm. As noted, any built form to the rear of the host dwellings would need to clearly demonstrate a fully sub-ordinate relationship to that host dwelling in order to ensure that the significance of these positive contributors are not undermined. This would not only include the plot size (as discussed above) but also the height, form and foot print of any proposed structure.
- 6.12. Although the form represents an interesting modern reinterpretation of the traditional gable ended, dual pitched dwelling; this would not reflect the surrounding context in any way and would thus be considered contrary to the Council's design guidance. It is advised that were the principle of the development to be fully justified against the above raised concerns, any proposed development would need to be of much lower height in order to maintain the appearance of a small domestic, subsidiary building within the grounds of the host dwelling, rather than as a two storey dwelling with little respect for its context. Overall it is considered that, the proposed dwellings would be of a height and form which would detract from the main buildings dwellings as well as the openness of the site, reducing the significance of both main buildings and their setting. This, combined with the fact the dwellings would be at a level elevated above that of the rear lane as well as due to the comparatively low heights of the development in surrounding plots; the proposed dwellings would overwhelm the character of the site and the surroundings and are unlikely to be considered acceptable. It is recommended that any formal submission includes fully surveyed existing and proposed levels drawings and section drawings through the entire site so that the scale can be fully understood and properly considered.
- 6.13. If the applicant is mindful to attempt to address this issue by means of excavation in order to reduce the height of the new buildings particular concern is raised regarding

the impacts that this might cause by virtue of the underground development constraints outlined in the site description section, as well as the additional disruption to local residents and traffic throughout the construction period. If the scheme were to involve excavations, a full basement impact assessment produced in accordance with the criteria set out in CPG4 would be required. Due to the underground constraints within the site, any submitted BIA would need to be audited by a third party prior to any formal decision. Further details of how the Council assesses subterranean development process can be found [here](#).

Detailed design and conclusion

- 6.14. The use of timber cladding, combined with the aforementioned form would result in an aesthetic that, whilst interesting, would appear more suited to a rural setting than within a predominantly Victorian suburb. Due to a combination of this atypical materials palette, their substantial height and their elevation above the lane off Frognal, the proposed dwellings would appear dominant and incongruous in numerous private views as well as views from the lane off Frognal. Furthermore, as the dwellings would be set back away from the Southern boundary wall, they would appear defensive and would not contribute to the formation of a building line or streetscene along the lane.
- 6.15. Whilst the Council does not object to high quality, contemporary design the hereby proposed scheme would fail to reflect the special nature of the surrounding conservation area making little reference to the character of the surrounding area which is predominantly comprised of brick built Victorian dwellings. The development is therefore not considered to preserve or enhance the special character of the Redington / Frognal Conservation Area, contrary to the requirements of Policies DP24 and DP25. In light of the above it is advised that the current scheme would be unlikely to be supported by planning officers in terms of its design.

Standard of accommodation

- 6.16. Policy DP26 requires that developments provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space. Developments are also required to provide facilities for waste storage, bicycle storage and outdoor amenity space.
- 6.17. Since the introduction of the Nationally Described Space Standards in 2015; all new residential units are expected to be in accordance with these minimum standards. These standards state that in order to provide two bed spaces, a double (or twin bedroom) must feature a floor area of at least 11.5sqm and for a single bed space, 7.5sqm. On this basis, the minimum space standards for new development, as set out within the nationally described space standards (GIA), alongside those proposed (outlined in submitted documents) are set out in the table below:

Unit No.	Unit Type	Proposed Size (sqm)	Minimum requirement (sqm)
1	2 bed 4person	123	79
2	1 bed 2person	97.5	58

- 6.18. As the table above indicates, each of the proposed units would exceed the minimum gross internal areas required by National Technical Standards. (It should be noted that, if the size of the dwellings is reduced then they would still need to accord with National Standards).
- 6.19. In terms of light and outlook, it is noted that both units would be dual aspect and would feature a good level of glazing. Outlook or natural light is therefore not anticipated to be an issue for future occupants of the proposed units. It should be noted that were any habitable rooms to be provided at subterranean level, it would be expected that a day/sun light report is commissioned to demonstrate that adequate levels would be received.
- 6.20. Noise and disturbance is similarly not considered to present any issue for future occupants and each dwelling would feature a generous amount of private amenity space. Some concern is raised in relation to the ability for the occupants at no.25b to look into the private spaces of the new dwellings, however due the distances involved as well as the variations in levels it is not considered that this would result in substantial harm. As noted above, any formal submission should be accompanied by section drawings to show the difference in levels across the site. Overall the proposed dwellings would be considered to provide for an adequate standard of accommodation for future occupants.

Impact on the amenity of adjoining occupiers

- 6.21. Policy DP26 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Factors to consider, and which is particularly relevant to this case, include sunlight, daylight, artificial light levels, outlook and visual privacy and overlooking.
- 6.22. The proposed dwellings are in close proximity to a number of residential dwellings / units in the subdivided dwellings along Arkwright road. In its current form concerns are raised in relation to the impact upon outlook and privacy caused upon the occupiers of no.29 and 33 Arkwright road, as well as views from no.25a and 25b Frognaal. Notwithstanding the raised objection to heights, it would be expected that fully analysis was completed within a design and access statement terms of the impact upon privacy and outlook to these particularly sensitive neighbours. Due to their setting and the orientation of the site, it is not considered likely that the development would lead to the loss of day or sunlight to any neighbouring occupier. As outlined in para.6.7, careful attention would need to be paid to the situation and design of lighting and windows to avoid light spill both for local ecology and neighbouring residents.
- 6.23. Considering the saturated local traffic conditions and difficult site access, the prime concern in relation to the proposed development would however be regarding the disruption formed by the implementation any the proposed development. As such any proposed development at the site would need to be accompanied by a full draft construction management plan for the assessment by transport and planning officers. Further details of this requirement will be set out in the planning obligations section of the report.

Trees and landscaping / ecology

- 6.24. The existing site features a green, open feel with a number of mature trees and hedgerows that could be a suitable habitat to a number of species. It is noted that during the public consultation process for the previous withdrawn application, objections raised to the proposed development included concerns regarding impacts to statutorily protected species such as bats. It is also noted that a key consideration in the assessment of the approved the new dwelling at 25B Frognal (2012/3265/P) was the impact upon the local ecology, with various reporting submitted to justify the scheme and the eventual permission including conditions regarding the timing of development as well as the provision of nesting boxes.
- 6.25. The application site is situated within a row of open gardens which may well act as a corridor for wildlife, including protected species. The proposed development would involve the removal of a number of trees, the erection of built form in a currently open setting and would also proposed in a use which would necessitate internal artificial lighting in the evening. As Section 40 of the Natural Environment and Rural Communities Act 2006 imposes a duty on public bodies to have regard to the conservation of biodiversity, it is advised that the Council would not support any development at the application site unless it was demonstrated that this would not result in unacceptable ecological impact. As such, it is strongly advised that prior to pursuing any further action, a qualified ecologist is instructed to complete a full habitat and ecology survey in accordance with the Council's CGP3 – Sustainability (see pg 92).
- 6.26. The overall feasibility of any development on the site will likely be strongly informed by the outcome of these surveys and if protected species are considered to be present – any impact needs to be established and mitigations proposed, prior to the application submission. The potential impact of lighting is of particular concern for this development given the suggested presence of bats and as such it is suggested that a lighting strategy, designed in collaboration with an ecologist to ensure correct specification of lighting/direction/retention of dark zones – should also be commissioned and submitted with any formal application.
- 6.27. With regard to the proposed removal of trees from an arboricultural perspective (i.e. subject to the above comments), as aforementioned a trees officer was able to visit the site as part of this pre-application advice request in order to review your submitted arboricultural report. In this instance it was considered that the Council would not object to the removal of those trees highlighted within this report by virtue of their age, siting, condition and categorisation – subject to the submission of a satisfactory landscaping scheme with includes adequate mitigation measures to ensure that the overall 'green feel' of the site is maintained and that lost trees are replanted elsewhere on the site. It was however advised that trial pits would be necessary wherever the footprint of the proposed dwellings intersect with RPAs; that the hornbeam/ hawthorn hedge would need to be retained; and that it would be encouraged to look at the management of retained trees as an enhancement (e.g. veteranisation if it is possible) to make them better suited for wildlife – this would of course need further input from a qualified arboriculturalist. Tree protection measures for the construction stage of any development would also need to be outlined in submitted in order to ensure that it would be feasible to retain those trees not proposed to be removed.

Sustainability

- 6.28. Policy DP22 requires development to incorporate sustainable design and construction measures into developments. Schemes must demonstrate how sustainable development principles have been incorporated into the design and proposed implementation; and new development must incorporate green or brown roofs and green walls, wherever suitable. You are advised to refer to Policy DP22 of the Camden Development Policies and the accompanying text, as well as CPG3 (Sustainability).
- 6.29. Policy DP23 requires developments to reduce their water consumption, pressure on the combined sewer network and the risk of flooding. The development should follow the drainage hierarchy in policy 5.13 of the London Plan.
- 6.30. Additionally, it should be noted that emerging Policy CC1 (Climate change mitigation) states that the Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards. As such all proposals for construction of new dwellings will require full justification in terms of the optimisation of resources and energy use under the emerging Local Plan via the submission of a sustainability statement in accordance with the criteria of the Council CPG3.
- 6.31. As the emerging policies represent the current attitudes of the Council, we would encourage further consideration of the carbon analysis, specification of materials and construction processes with low embodied carbon content to be applied, and for this assessment to be submitted alongside any formal submission. Further information regarding the Council's requirements regarding Sustainability Statements can be found on our website [here](#).

Transport

- 6.32. Policy DP18 seeks to ensure that developments provide the minimum necessary car parking provision and that the Council will, expect development to be car free in areas of high accessibility. The site has a PTAL rating of 6a (Excellent), being easily accessible by public transport and is within a Controlled Parking Zone (CPZ) which is pressured at 104%. As required under Development Policy DP18, the additional units created by the development would therefore need to be car free. It would thus be expected that a car free agreement was formed under a Section 106 Legal Agreement prior to a planning approval.
- 6.33. Policies CS11 and DP17 support cycle provision and the current London Plan requires 1x cycle parking space per studio or 1-bed unit and 2x cycle parking spaces for all other dwellings, in a secure and accessible location. Full details of the cycle storage shown on proposed plans as well as waste and refuse storage facilities should therefore be provided at application stage.

Accessibility

- 6.34. Policy DP29 (Improving Access) states that the Council will seek to promote fair access and remove the barriers that prevent people from accessing facilities and opportunities by expecting all buildings and places meet the highest practicable standards of access and inclusion; and securing accessible homes.
- 6.35. Any new dwelling on this site would need to meet Building Regulations Part M4 (2) and be an accessible and adaptable dwelling unless it was demonstrated that this was not possible. This includes a number of requirements, the first and foremost being that there should be step free access to the dwelling through all external doors. There are also a number of external requirements such as a level landing in front of the entrance door, lighting at the main entrance, a covered section to the landing, an accessible threshold, an 850mm clear opening width to the door and a 300mm nib on the leading edge of the door. It is noted that the site features varying levels and that this provision may be difficult, however this would be expected to be fully discussed in any submitted design and access statement. Further details regarding these requirements can be found [here](#).

Planning Obligations

- 6.36. As previously outlined, as result of the extent of the proposed works significant evidence will be necessary in order to demonstrate that adequate mitigation measures have been put in place to prevent undue harm while the proposed development is implemented. Consequently a Construction Management Plan will be required as part of a Section 106 Legal Agreement in order to ensure that the works do not cause undue harm to nearby residents or impact upon nearby trees or local traffic conditions. Given the scale of development proposed and likely level of heavy vehicular movement in and from the site, this plan should be accompanied by a full and comprehensive transport assessment.
- 6.37. Furthermore, in order to ensure that the adjacent footpath and highway is protected, a highways and streetworks contribution is also likely to be required as part of a Section 106 Legal Agreement. The highways contribution can be refunded provided that, as a result of the works, the adjacent highway is left in a good state of repair.
- 6.38. For further detail on Construction Management Plans (CMPs), please refer to Camden Planning Guidance 6 (Amenity), Section 8 (pages 39 – 44). Further details of the requirements for Transport Assessments can be found on our website [here](#).
- 6.39. It should also be noted that in February 2016 Camden's Cabinet agreed to the introduction of a £60/hour formal charge to support the review and approval of submitted draft Construction Management Plans (CMPs) and verification of the operation of approved CMPs, to be secured as part of Section 106 agreements. The £60 hourly rate will allow the Council to set charges that address the specific impacts and issues of each development scheme. The CMP Implementation Support Contribution will be used to fund the specific technical inputs and sign off that are required to ensure that the obligation is complied with and ensure that the planning objectives we are seeking to secure are actually achieved.

6.40. Finally, Development Policy DP21 states that 'The Council will expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces following development'. The footway and vehicular crossover directly adjacent to the site could be damaged as a direct result of the proposed works. We may therefore need to secure a financial contribution for highway works as a section 106 planning obligation if planning permission is granted (likely to be approximately £5,000 for a development of this scale).

7. Consultation

7.1. You are strongly encouraged to engage with neighbouring occupiers at an early stage in the process, given the likely concerns residents will have with the comings and goings of construction / delivery vehicles particularly if a demolition and excavation of basements construction proposed. Although adjoining occupiers will be notified of any application by us, initial consultation is strongly encouraged before any application is submitted. The Redington Froggnal Conservation Area Committee can be contacted via the following email address:

- Chair of CAAC: Mr John Malet-Bates
- Email: john.jmba@talktalk.net

8. Conclusion

8.1. In terms of design, it is considered that the proposed dwellings would be of a height and aesthetic that would fail to respond to the local context and would appear overly dominant. It is also advised that the currently proposed rear garden sub division would result in disproportionately large plots for the new dwellings, resulting in harm to the character of the host dwellings and local townscape.

8.2. Furthermore, the Council would not support any development within the application site, unless further investigations and justifications were first presented in terms of the potential impacts and mitigation measures in relation to ecology, trees and (if excavations are proposed), ground water, surface water and slope stabilities.

8.3. The proposed dwellings have been designed to provide a standard of accommodation in accordance with the outlined national requirements although it was advised that this provision would likely need redesigning to address other issues raised.

8.4. In terms of residential amenities; the proposed scheme would need to include a full discussion / justification in terms of the potential impacts of the erected dwellings upon the amenities of surrounding occupiers. The main concern is however with regard to the implementation of any development on the site, which features very limited access. As such a construction management plan would be necessary for any development on the site.

8.5. In accordance with local polices, any new dwellings should be justified in sustainability terms via an accompanying sustainability statement. It is also expected that the units would need to be car free and feature the highest possible standard of accessibility.

9. Planning application information

9.1. If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following additional documents alongside those usually required for a valid planning application:

- Full ecology report
- Arboricultural Report
- Landscaping report
- Draft CMP including full Transport Assessment
- Sustainability Assessment Report
- Design and Access Statement including assessment of impact to outlook and privacy of neighbouring properties.
- If the scheme were to include excavations;
 - Basement Impact Assessment
 - SUDS (sustainable urban drainage) scheme
 - Daylight Report for any subterranean habitable rooms
 - Noise Impact Assessment (if any plant equipment is proposed)
- Please see [supporting information for planning applications](#) for more information.

9.2. We are legally required to consult on applications with individuals who may be affected by the proposals. We would notify neighbours by sending out E-Alerts, putting up notices on or near the site and, advertising in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

9.3. It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers. For more details click [here](#).

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

If you have any queries about the above letter or the attached document please do not hesitate to contact me direct.

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

Yours sincerely,

John Diver

Planning Officer

Regeneration and Planning

Supporting Communities

London Borough of Camden

Telephone: 02079746368

Web: camden.gov.uk