

**Date: 29<sup>th</sup> December 2017**  
**Our Ref: 2017/5662/PRE**  
**Contact: Rob Tulloch: 020 7974 2516**

**Email: [rob.tulloch@camden.gov.uk](mailto:rob.tulloch@camden.gov.uk)**

Tim Miles  
Montague Evans  
5 Bolton Street  
London  
W1J 8BA

Dear Mr Miles,

### **Planning Pre-application Advice: 77 Avenue Road, London, NW8 6JD**

Thank you for submitting a pre-planning application enquiry for the above properties. This document represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

#### **Proposal**

Demolition of the existing house and redevelopment to provide a three-storey detached family home with double basement in line with the implemented scheme (2013/2043/P).

#### **Site description**

The application relates to a substantial two-storey dwellinghouse on the western side of Avenue Road. The house sits within a large plot and is set well back from the street. In common with many of the houses in the vicinity, the site has two vehicular entrances, the front garden has little soft landscaping, but does include two mature plane trees that are protected by tree preservation orders (TPOs).

Avenue Road (B525) runs from Regents Park in the south to Swiss Cottage in the north. The northern section is characterised by large neo-classical and neo-Georgian detached houses, with mature plane trees lining the full length of the road. The site is not within a conservation area, however Elsworth Conservation Area is 35m to the east and St John's Wood Conservation Area is 20m to the west.

The site is within constraints for slope stability and groundwater flow.

#### **Planning History**

Planning permission was granted for the demolition of the existing house and the erection of a modern dwelling with two storey basement in 2010. This development

has lawfully commenced, by virtue of minor piling work and trenches, so could be completed at any time, but the original house still stands.

2010/0351/P Erection of a new three-storey single family dwellinghouse (Class C3), following demolition of existing three-storey single family dwellinghouse. Granted 06/05/2010

2013/2043/P Renewal of permission 2010/0351/P dated 06/05/2010 (Erection of a new three-storey single family dwellinghouse (Class C3), following demolition of existing three-storey single family dwellinghouse). Granted 30/05/2014

2017/2612/P Commencement of works in accordance with condition 1 (within three years from the date of decision) of planning permission (ref:2013/2043/P) dated 30/05/2014 and (ref: 2016/2581/P) for the Variation of condition 2 (approved plans) dated 21/11/2016 in relation to the erection of a new three storey dwelling house (class C3). Certificate of Lawfulness Granted 14/06/2017

### 73 - 75 Avenue Road

2015/1928/P Demolition of existing building and pool house to provide two new detached single-family dwelling houses with 2x basement storeys, formation of new access and hard and soft landscaping. Granted 02/11/2016

2016/1808/P Demolition of existing building and pool house to provide two new detached single-family dwelling houses with subterranean basement storeys, formation of new access and hard and soft landscaping (Class use C3). Granted 16/05/2017

### **Relevant policies**

[National Planning Policy Framework 2012](#)

[The London Plan 2016](#)

[Camden Local Plan 2017](#)

### **Other Planning Policies / Guidance**

[Camden Planning Guidance](#)

CPG1 Design (2015)

CPG2 Housing (2016)

CPG3 Sustainability (2015)

CPG4 Basements and lightwells (2015)

CPG6 Amenity (2011)

CPG7 Transport (2011)

CPG8 Planning Obligations (2011)

The Council is reviewing and updating its Camden Planning Guidance documents to support the delivery of the Local Plan following its adoption in summer 2017 and to

ensure that the relevant revised CPG documents take into account the emerging London Plan and changes to national planning policy due in early 2018. Please refer to our website for further information [Camden Planning Guidance](#)

## **Assessment**

The main issues of consideration are

- Design
- Housing standards
- Amenity
- Basement impact
- Sustainability
- Transport
- Planning obligations

## **Design**

The existing building is not within a conservation area, and as planning permission for the erection of a new dwelling has lawfully commenced, the existing building could be demolished at any stage in the future.

Whilst the site is not within a conservation area, Avenue Road does have a strong character, and the proposed building would be experienced within a suburban context with clear and consistent landscape and architectural qualities which should be respected and complemented. St John's Wood Conservation Area (dominated by stucco villas) and Elsworth Conservation Area (mainly composed of Arts and Crafts and Queen Anne Revival red-brick mansions) are both nearby, and their styles are very much reflected in the prevailing mix in the private houses on Avenue Road.

In general, groups of larger neo-Classical or neo-Georgian twentieth-century houses that give large, flat facades to the road behind solid boundary treatments, alternate on Avenue Road with groups of smaller, slightly more irregular, Classically or Georgian-influenced brick houses set deeper in their plots and behind softer boundary treatments. Some of the latter are quite quietly and simply detailed, with elements of a more modern style, and the existing building at no. 77 is one of these. The existing building at no. 75 sits squarer to the road in a manner which reflects its position on a corner, but is not typical of the character of the rest of the street.

The existing building is not considered to be a non-designated heritage asset as the quality of its materials and composition make little contribution of character or aesthetic quality to the street; however it does contribute a quietness and modesty to the relatively spacious and loosely defined section of the road north of the junction with Queen's Grove, and the manner in which it occupies its plot sets a benchmark in this respect for local character and distinctiveness which a replacement building must observe to meet the terms of Local Plan policy D1 (Design).

The proposed building would have an entirely rendered façade, evoking the nineteenth-century villas of St John's Wood, but applied to a two-storey detached mansion with basement and roof-level accommodation in dormers and windows breaking the eaves line. The switch to stucco would be in keeping with some of the recent neighbouring planning permissions, and with other houses in the nearby area,

but would mark a break with the existing character of this stretch of the road where sparser and less formal brick compositions make for a softer and more spacious stretch of the street. Consideration should be given to the introduction of facing brick into the design, perhaps at upper levels, which would help to retain some of the existing mixed material character, break-up a threatening predominance of stucco, and would not seem incompatible with the chosen style of the proposed design.

With the existing quietness of this part of the street in mind, the degree of architectural detail proposed – the detail and regularity of the fenestration for instance, and the use of decorative ironwork around the front façade – would create a more formal but also less visually restrained house than the existing, and while this reflects something of a similar shift in style in recent planning permissions, it nonetheless intrudes into the locally characterful and distinctive space and calmness which should be respected. The proposed design should be revisited with the aim of refining and softening some of the proposed richness of detailing.

The proposed building lines and massing reasonably reflect the precedent contained in the existing building, but with the new formality of composition at the front would nonetheless create a different quality of enclosure to Avenue Road which should be addressed through architectural design, as noted above. At the rear, the larger proposed footprint at ground-floor level, if treated in a manner sympathetic to but distinctive from the upper portions of the rear elevations, need not compromise the character of the overall composition. However, the proposed footprint at the rear would encroach deeper into the characteristically large rear gardens of the houses along Avenue Road, risking an overbearing development along the rear building lines which could compromise the amenity of these spaces. A reduced footprint at the rear would help to safeguard against this.

### Trees and landscaping

Boundary treatment and landscaping will be critical to the success of the proposals, particularly in the forecourt to Avenue Road. The redevelopment of the site provides an opportunity for the re-introduction of soft landscaping which has noticeably been lost to parking in many of the sites in the vicinity to the detriment of the appearance of the street. Thorough details of a strongly contextual proposal for the design of these elements should accompany the planning application.

The site includes two mature plane trees in the front garden. At our meeting the possibility of removing these was raised. Rich, mature and verdant planting is critical to the character and quality of the whole of Avenue Road, and the two trees on site are protected by Tree Preservation Orders. These trees could only potentially be removed if there was robust justification, such as they were diseased or structurally unsound and dangerous to public safety, even then the Council would require replacement specimens to maintain the amenity of the local area. Minor nuisance is not considered to be sufficient justification for the removal of such trees and the Council would not countenance their removal on such grounds.

### **Housing standards**

The proposal would provide a generously sized and well proportioned dwelling house with good access to natural light and ventilation which would comfortably meet the

nationally described space standards and provide a high standard of residential accommodation.

Local Plan policy H6 (Housing choice and mix) seeks to secure high quality accessible homes. It encourages the design of all housing to provide functional, adaptable and accessible spaces, and expects all self-contained homes to meet the nationally described space standards.

A requirement to comply with optional Building Regulations was formally incorporated into the London Plan in March in 2016, and equivalent measures are also included in policy H6. The Optional Building Regulations in approved document Part M4 include Category 2 for “accessible and adaptable dwellings”. This is known as M4(2), and is broadly equivalent to satisfying the former Lifetime Homes criteria. Part M applies to new-build dwellings. Compliance with the Optional Building Regulations will normally be required by planning condition where Part M of the Building Regulations applies.

Applications for development that includes housing should be supported by a Design and Access Statement showing how the proposal performs against the policy H6 requirements relating to space standards and accessibility.

### **Amenity**

The proposed building would be 8m deeper than the approved scheme at ground floor level and 5m deeper at first floor level, and approximately 2.5m higher. The increased depth at the rear would not appear to encroach a 45° angle in plan and elevation when measured from the adjacent ground floor window of no. 73, so there may not be a significant impact on daylight, but there may be an impact on sunlight, as such it is recommended that a sunlight/daylight report be submitted to evaluate the impact of the proposal on sunlight and daylight to adjoining properties.

It is not clear from the submitted plans whether windows to the flank elevations would directly face neighbouring windows. If this is the case, measures should be taken to prevent overlooking.

Plant areas are shown at basement and sub-basement levels and an acoustic report should accompany the application to demonstrate that all plant complies with the Council’s noise standards.

### **Basement impact**

The proposal includes a two storey basement comprising swimming pool, media room, staff accommodation, underground parking and associated plant. Whilst the scale of the basement is contrary to our current basement policy (A5 – Basements), it is accepted that implementation of the approved scheme has lawfully commenced and therefore a two storey basement could be constructed under that permission. As such it is considered that as the basement is similar in size to the approved scheme, save for the pool box at sub-basement level, a two storey basement is acceptable in this instance.

In line with policy A5 and Camden Planning Guidance (CPG4 – Basements and lightwells) you will be required to submit a Basement impact Assessment (BIA) to

demonstrate that the proposal will not cause harm to the built or natural environment. The BIA needs to be compiled by a relevantly qualified engineer and address the criteria laid out in Camden Planning Guidance (CPG4 - Basements and lightwells). The site is within an area of constraint for land stability and groundwater flow and the BIA will also have to specifically address these issues. BIAs are also required to be independently assessed, with the cost of the assessment met by the applicant. In some circumstances, such as when a particularly complex construction methodology has been identified by the BIA, the independent review may recommend a Basement Construction Plan be submitted, this would be secured as part of a section 106 agreement.

## **Sustainability**

Local Plan 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 that are financially viable during construction and occupation. The Council promotes zero carbon development and will require all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy. Policy CC1 also requires all proposals that involve substantial or total demolition to demonstrate that it is not possible to retain and improve the existing building. All proposals for substantial demolition and reconstruction should be fully justified in terms of the optimisation of resources and energy use, in comparison with the existing building. Where the demolition of a building cannot be avoided, we will expect developments to divert 85% of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either re-use materials on-site or salvage appropriate materials to enable their reuse off-site. We will also require developments to consider the specification of materials and construction processes with low embodied carbon content.

We will expect all developments, whether for refurbishment or redevelopment, to optimise resource efficiency by:

- reducing waste;
- reducing energy and water use during construction;
- minimising materials required;
- using materials with low embodied carbon content; and
- enabling low energy and water demands once the building is in use

Local Plan policy CC2 (Adapting to climate change) states that the Council will require development to be resilient to climate change. All development should adopt appropriate climate change adaptation measures and the applicant is advised to explore sustainable design and construction methods, specifically with regards to drainage and renewables. Surface water runoff should be reduced by increasing permeable surfaces and the use of Sustainable Drainage Systems (SuDS), this is particularly relevant due to the size of the basement and the site's location within an area of constraint for groundwater flow. The proposal should also explore the inclusion of bio-diverse roofs, combination green and blue roofs, photovoltaics, and solar water heating.

Any development involving 500sqm or more of any type of floorspace should address sustainable development principles in an Energy and Sustainability Statement, and

sustainability plan demonstrating how the development will be implemented in accordance with the submitted statement, along with a renewable energy/energy efficiency plan will be secured as part of a section 106 agreement. Policy CC2 also encourages new build residential development to use the Home Quality Mark and Passivhaus design standards.

Further information on sustainability can be found in our supplementary planning document (CPG 3: Sustainability).

## **Transport**

### Car-free

The existing house benefits from off-street parking and the approved scheme included underground parking. The proposed scheme would also incorporate underground parking. Local Plan policy T2 (Parking and car-free development) advises that all new development should be car-free. However, there is an exception for redevelopment schemes where the policy advises that the Council will consider retaining or re-providing existing parking provision where it can be demonstrated that the existing occupiers are to return to the address when the development is completed (para. 10.20). The applicant has indicated that existing occupier will be returning as the proposal is to build a new family home on the site of the existing family home. Transport officers have advised that to retain on-site parking the Council would require a formal declaration that the existing occupier will be returning to the new dwelling in the form of an affidavit.

### Cycle storage

In order to promote cycling in the borough and ensure a safe and accessible environment for cyclists, the Council will seek to ensure that developments provide for accessible, secure cycle parking facilities exceeding the minimum standards outlined within the London Plan (Table 6.3) and design requirements outlined within our supplementary planning document (CPG 7: Transport). The minimum cycle provision for a single dwellinghouse would be 2x spaces which should be provided at ground floor level.

### Construction management

Due to the scale of the proposed development, a Construction Management Plan (CMP) would be required, in line with policy A1 (Managing the impact of development). The CMP would need to identify the potential impacts of the construction phase and indicate how any potential negative impacts will be mitigated and will be secured via a section 106 agreement.

To assist developers in providing the correct information, the Council has created a Construction Management Plan Pro-forma which is tailored towards the specific needs of the borough. The Pro-forma is available on the Council's website <https://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/construction-management-plans.en> and it is recommended that this accompany any application.

There is also an implementation support contribution for construction management plans, which is charged at £3,136 for smaller schemes (0-10 homes/0-1999sqm other uses). This would also form part of any section 106 agreement.

A financial contribution will also be required to repair any damage caused to the highway as a result of construction, in line with policy A1. This would also be secured by way of a section 106 agreement.

### **Community Infrastructure Levy (CIL)**

The Mayoral Community Infrastructure Levy applies to all development which adds one or more dwellings or more than 100sqm of floorspace (Gross Internal Area) at a rate of £50 per sqm. Camden has also introduced its own CIL which is in addition to the Mayor's CIL, the charge for Zone B (north west) is £500 per sqm for residential. The CIL contribution would only be payable on the uplift of floorspace.

Please refer to the Council's website for further information on the Borough's CIL <https://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/community-infrastructure-levy/>.

### **S106 obligations**

As per the preceding report, the S106 Legal Agreement will likely cover the following Heads of Terms:-

- Construction management plan (plus Implementation Support Contribution)
- Highways contribution
- Sustainability plan
- Energy efficiency/renewable energy plan

### **Conclusion**

There is no objection in principle to the erection of a new dwelling on site, however design officers have raised concerns about the bulk of the proposed dwelling and the detailed design: consideration should be given to the introduction of facing brick into the design, perhaps at upper levels; the proposed design should be revisited with the aim of refining and softening some of the proposed richness of detailing; the proposed footprint at the rear would encroach deeper into the characteristically large rear gardens of the houses along Avenue Road, a reduced footprint at the rear would help to safeguard against this; more detail relating to the boundary treatment and landscaping should accompany the application.

Whilst ostensibly contrary to Local Plan policies insofar as they relate to basements and car-free housing, officers consider that a two storey basement may be acceptable in this instance given the approved two storey basement could lawfully be implemented and based on an appropriately audited Basement Impact Assessment. On-site parking will be accepted if it can be demonstrated that the existing occupiers will be returning.



The proposal will need to incorporate adequate sustainability measures in design and construction, and a sustainability/energy statement will be required to demonstrate that the new building will meet the target of the London Plan and Camden's policies and guidance.

### **Planning application information**

If you submit a planning application, I would advise you to submit the following for a valid application:

- Completed form – Full planning application
- The appropriate fee (£385)
- An Ordnance Survey based location plan at 1:1250 scale denoting the application site in red
- Existing and proposed Floor plans at a scale of 1:50
- Existing and proposed Section drawings at a scale of 1:50
- Existing and proposed Elevations at a scale of 1:50
- Design and Access Statement
- Basement Impact Assessment
- Construction Management Plan
- Energy/sustainability Statement
- Acoustic Report
- Daylight/sunlight Report
- Please see [supporting information for planning applications](#) for more information.

We are legally required to consult on applications. We no longer notify neighbours by post, but we still put up a notice on or near the site and may advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

Proposals of this nature would not normally be determined by the Development Control Committee under our current scheme of delegation. 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 on 0207 974 2516.

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

Yours sincerely,

Rob Tulloch

Senior Planning Officer  
Planning Solutions Team

It is important to us to find out what our customers think about the service we provide. To help, we would be very grateful if you could take a few moments to complete our [pre application enquiry survey](#). We will use the information you give us to monitor and improve our services.