



**4b Hampstead Hill Gardens**

**Planning Statement**

May 2019

**DP9 Limited**

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## 1. INTRODUCTION

1.1 This Planning Statement has been prepared by DP9 Ltd ('DP9') on behalf of Mr and Mrs Brearley ('the Applicant'), in support of a planning application for the proposed demolition of the existing dwelling and the construction of a new dwelling ('the Proposed Development') at 4b Hampstead Hill Gardens, London, NW3 2PL ('the Site').

1.2 This Planning Statement has been completed in order to explain the nature of the Proposed Development and fully assess the Proposed Development against relevant planning policy and demonstrate its acceptability.

### **The Scheme**

1.3 The application seeks Planning Permission for the demolition of the outdated existing dwelling at 4b Hampstead Hill Gardens, and the construction of a new 3-storey with basement C3 residential dwelling totalling 259 sqm in GEA, and the retention of one of two on-site car parking spaces.

1.4 The existing dwelling at the Site is in use as a family home and is considered to be dilapidated and unsuitable for continued use. It is at the end of its design life and has become susceptible to leaking.

1.5 The Site lies within the Hampstead Conservation Area and has been noted as being in contrast to the built form of the Conservation Area. At present the Site makes a neutral at best contribution to the Hampstead Conservation Area.

1.6 Hence, the redevelopment proposals seek to replace the existing dwelling with one that will make a positive contribution to the character and appearance of the Conservation Area through exceptional design, better responding to the context of the Hampstead Hill Gardens area and the Grade II dwellings in close proximity. Importantly, the proposals will also deliver a high-quality and well-planned family home for the Brearley family replacing the currently compromised accommodation.

### **The Planning Application**

1.7 The planning application has been submitted to London Borough of Camden Council ('LB Camden') in full and seeks planning permission for the following development:

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*“Demolition of the existing 2-storey residential dwelling (Class C3), and construction of a new 3-storey residential dwelling with basement (Class C3)”*

1.8 The Planning Application comprises the following:

- Application Forms and Ownership Certificates, prepared by DP9;
- CIL forms, prepared by DP9;
- Site Location Plan, prepared by GRID Architects;
- Existing and Proposed Plans, Drawings, and Sections, prepared by GRID Architects;
- Design and Access Statement, prepared by GRID Architects;
- Planning Statement, prepared by DP9;
- Daylight and Sunlight Report, prepared by Point2 Surveyors;
- Preliminary Structural Engineering Assessment & drawings, prepared by Mason Navarro Pledge;
- Basement Impact Assessment & Ground Movement Assessment, prepared by RPS;
- Heritage Statement, prepared by Prentice Moore;
- Arboricultural Impact Assessment, prepared by Lockhart Garratt;
- Construction Management Plan, prepared by Knight Build Ltd.

1.9 This Statement provides an overview of all aspects of the proposed development and an assessment of its appropriateness against the Development Plan and other material considerations. The scope of this Statement is as follows:

- Section 2 describes the Site, the main features of the surrounding area and the Site’s planning history.
- Section 3 describes the main components and features of the Proposed Development.
- Section 4 outlines the relevant planning policy context of the Site and the Proposed Development.
- Section 5 sets out a planning assessment of the proposed development against policy requirements.
- Section 6 provides a summary and our conclusions on the Proposed Development.

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## 2. SITE CONTEXT

### The Site and Surrounding Area

- 2.1. The Site currently accommodates a 2-storey residential dwelling constructed in 1966 through the extension of the former garage associated with the property at 4a Hampstead Hill Gardens. The building is constructed from red brick and is part clad in a grey zinc material and part clad in white weatherboarding, inconsistent with the materiality of the Hampstead Hill Gardens area and the Hampstead Conservation area. The Site adjoins the dwelling at 4a Hampstead Hill Gardens to the west, which is built in a similar architectural style and has consistent materiality with the Site.
- 2.2. The Site is situated midway along the southern aspect of Hampstead Hill Gardens, a quiet residential street located in the Hampstead Ward, within the northern part of the London Borough of Camden. The Site is in very close proximity to the highway A502 Rosslyn Hill and is a short walking distance from both Hampstead Heath London Overground station and Belsize Park London Underground station which is serviced by the Northern Line. The Site has a PTAL rating of 4, indicating a good level of public transport accessibility.
- 2.3. The Site is bounded to the north by Hampstead Hill Gardens road, number 6 Hampstead Hill Gardens to the east, and 4a Hampstead Hill Gardens to the west. The Site has two off-street parking spaces to the north of the dwelling outside the front façade.
- 2.4. The immediate built context of the Site is characterised by large detached residential dwellings dating from the 19<sup>th</sup> century, the majority of which are deemed to be of some architectural value. Many neighbouring properties are Grade II listed including numbers 2, 3, 4, 5, 7, 9 and 11. In addition, many neighbouring dwellings are designated as 'buildings which make a positive contribution to the area'. These residential buildings are grand red brick detached houses, typically 3 to 4 storeys in height with basement. Further information relating to the Site and its surroundings is contained in detail within the DAS.
- 2.5. A short distance to the south-east of the Site sits the Royal Free Hospital and the Royal Free Hospital School of Medicine, and the St Stephen's Rosslyn Hill church. Around ½ a kilometre to the west of the site is the Hampstead District Town Centre, as demarcated in the draft London Plan.

- 2.6. The Site is located within the Hampstead Conservation area, specifically within Sub Area Three: Willoughby Road/Downshire Hill and within the Hampstead Hill Gardens character zone of this designation. The Hampstead Hill Gardens area is described within the Hampstead Conservation Area Statement (2001) as ‘an area with larger detached and semi-detached houses’. This statement is not applicable to the Site however, as it is a markedly smaller dwelling in terms of height, bulk and mass, as well as aesthetic and materiality, to that of its neighbouring dwellings.

### Site Planning History

- 2.7. Planning history available on Camden’s planning application register is sparse and relates solely to TPO’s. The full planning history for the Site can be observed below.

| Reference Number | Description of Development   | Registration Date | Outcome                                |
|------------------|--|-------------------|--|
| 2015/3497/T      | (TPO REF 12H) FRONT GARDEN: 1 x Hornbeam - Remove  | 24-06-2015        | Refuse Works (TPO). Allowed at Appeal. |
| 2014/7467/T      | TPO REF 12H) FRONT GARDEN: 1 x Hornbeam - Reduce to previous points & thin by 20%                                    | 10-12-2014        | Approve Works (TPO)                    |
| 2010/5270/T      | (TPO Ref: 12H-T103) FRONT GARDEN: 1 x Hornbeam - Reduce to previous points and thin by 20%.                          | 04-10-2010        | Approve Works (TPO)                    |
| 2004/1835/T      | (TPO Ref:12H) FRONT GARDEN 1 x Hornbeam - reduce crown 20% back to previous points, thin remaining crown 15%, shape. | 12-05-2004        | Approve Works (TPO)                    |

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### 3. APPLICATION PROPOSALS

3.1 The proposed development relates to the demolition of the existing 2-storey dwelling and includes the construction of a high-quality 3-storey with basement residential dwelling, totalling 259 sqm in GEA. The description of development is as follows:

*“Demolition of the existing 2-storey residential dwelling (Class C3), and construction of a new 3-storey residential dwelling with basement (Class C3)”*

3.2 The proposals would create a high-quality residential dwelling, increasing the residential floorspace of the site from 127 sqm GEA to 259 sqm GEA, representing an uplift of 132 sqm GEA. In addition, the Proposed Development provides a dwelling with exceptional levels of sustainability, substantially better than the existing dwelling on the Site.

3.3 The proposals would include the construction of a basement at lower-ground floor level. Further details of this are set out within the DAS, the structural design information and Basement Impact Assessment submitted as part of this application.

3.4 The proposals would include the retention of one of two existing off-street car parking spaces, that are within the demise of 4b Hampstead Hill Gardens. Further details of this arrangement are included within the DAS.

3.5 The proposals have been carefully designed to respond to the built context of Hampstead Hill Gardens, to create a residential dwelling more in-keeping architectural style of the neighbouring listed buildings and unlisted buildings of merit as well as better mediating between the styles of numbers 4a and 6. This is achieved through the height and massing of the proposals being consistent with the height and massing of its surrounding buildings, with the design of the proposals respecting neighbouring buildings in a contemporary style. Additionally, the proposed Development better responds to its surrounding context through materiality, with the proposed red brickwork being notably more consistent with the neighbouring dwellings.

3.6. The proposed dwelling has been sensitively designed so that it has a minimal impact on the immediate surrounding dwellings and their amenities. Additionally, a Daylight and Sunlight report is submitted to accompany the application.

3.7. As aforementioned, the existing poorly built dwelling located on the Site is in need of extensive repair work, has a lack of insulation, and has a leaking roof. As such,

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it is no longer suitable for the Brearley family to live in with their young children. The proposals would create a 4-bedroom family home suitable for the continued use by the Brearley family and future residents of the Site.

3.8. To date, extensive consultation with the neighbours and local Councillors has taken place to inform them of the proposals and the subsequent planning application. The feedback received throughout this process has been carefully considered and has helped inform the proposals further through addressing the concerns raised by neighbours. A summary of the consultation responses can be found within the DAS, prepared by GRID Architects.



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## 4. PLANNING POLICY FRAMEWORK AND OVERVIEW

4.1 This section provides a brief summary of the key planning policies relevant to the Site and its redevelopment.

4.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that the determination of planning applications should be in accordance with the development plan unless material considerations indicate otherwise.

4.3. The statutory development plan for the Application Site comprises:

- The London Plan (Consolidated with Alterations since 2011);
- Camden Local Plan (July 2017) and Policies Map (June 2017).

4.4. There are also a number of supplementary guidance documents published by both the Greater London Authority and LBC which have been taken into account during the course of design development and the preparation of the planning application. Of particular relevance to this application is the Camden Planning Guidance 2 (CPG2) Housing (as amended March 2018) and Camden Planning Guidance Basements (March 2018).

4.5. The Draft New London Plan was published in November 2017 and details the way London will be shaped over the next 20-25 years; the Plan is set to replace the existing London Plan 2016 once adopted. The Draft London Plan was consulted upon from 1 December 2017 to 2 March 2018 and is anticipated to be adopted in winter 2019/2020 following an EiP in November 2018 to March 2019. The Draft London Plan is also a material consideration.

4.6. The Proposed Development has been assessed against relevant national and development plan policies, grouped into key topic areas as set out in section 5 of this document.

4.7. The National Planning Policy Framework (NPPF) was adopted in February 2019 and provides planning policy at a national level. The Planning Practice Guidance (PPG), which was first published on 6 March 2013, provide accompanying guidance and is regularly updated. Both the NPPF and PPG are material considerations in the determination of planning applications, and are referenced in the section below where relevant. In October 2018, the Government updated the National Planning Practice

Guidance (NPPG). The NPPG replaces a number of previous circulars and guidance to provide a simplified single source of guidance at the national level.

## 5. PLANNING POLICY ASSESSMENT

### Land Use and Principle of Development

5.1. At the heart of the NPPF is a presumption in favour of sustainable development, as set out in paragraph 14. As such, local planning authorities should positively seek opportunities to meet the development needs of their area and approve development proposals that accord with the development plan without delay. The NPPF is underpinned by 12 core principles as outlined in paragraph 17. These include proactively driving and supporting sustainable economic development to deliver the homes that the country needs, where every effort should be made objectively to identify and meet the housing needs of an area.

5.2. To deliver a wide choice of suitable homes, housing applications should be considered in the context of the presumption in favour of sustainable development. As such, local planning authorities must identify the size and type of housing that is required, reflecting local demand. There is a recognised demand for larger 3 and 4-bedroom family sized units within London and the LBC, as such, the proposals would aid in addressing this demand.

5.3. Policy 3.14 of the adopted London Plan and emerging Policy H10 of the Draft London Plan state that the loss of housing should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace. The proposals seek to increase the quantum of residential floorspace located at the Site, by replacing a dwelling of 127 sqm GEA with a dwelling of 259 sqm GEA. As such, the proposals fully accord with this policy.

5.4. Policy H3 of the Camden Local Plan aims to ensure that existing housing continues to meet the needs of existing and future households. The redevelopment proposals aim to maximise the quantum of residential floorspace located on the Site and provide a well-equipped and highly sustainable 4-bedroom family home, hence according with Policy H3.

5.5. Policy H6 of the Camden Local Plan seeks a diverse choice and mix of housing types and encourages the provision of homes suitable for families with children. The proposals seek to replace a dilapidated house unsuitable for occupation by a family, with a high-quality 4-bedroom family home that will be utilised by the Brearley family and the future residents of the Site, and as a result fully accords with Policy H6.

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### **Basement development**

5.6. The Camden Local Plan recognises that there is a shortage of land within the borough, and that basement development *'is a popular way of gaining additional space in homes'*. Local Plan Policy A5 Basements states that the Council will only permit basement development where it is demonstrated the proposal would not cause harm to; neighbouring properties, the structural ground or water conditions of the area, [and] the character and amenity of the area'. As demonstrated in the structural design information prepared by Mason Navarro Pledge and the Basement Impact Assessment prepared by RPS, the proposed basement would not give rise to a harmful level of adverse stability, groundwater or drainage issues. As such the proposed basement accords with parts a, b, c, d, and e of Policy A5.

5.7. Local Plan Policy A5 also states that the siting, scale and design of basements must have minimal impact on and be subordinate to the host building. As the proposed basement is only one storey, and is not proposed under an existing basement, the proposals accord with parts f and g of Policy A5.

5.8. Parts h and i of Policy A5 state that basement development must not exceed 50% of each garden within the property, and that basement development must be set back from neighbouring property boundaries. The Proposed Development does not fully accord with these parts of Policy A5, as the basement utilises the existing small rear garden and extends to the edge of the property boundary. However, in this instance, it is considered that the proposals are acceptable on balance. Due to the constrained nature of the Site a larger basement development is essential to unlock the full potential of the Site and provide the much-needed space for the use of the Brearley family. The basement at the rear of the property will act as a 'lowered garden' providing external amenity rather than a subterranean room, further details of this are observable within the DAS. Additionally, the structural engineering information prepared by Mason Navarro Pledge and Basement Impact Assessment by RPS concludes that the Proposed Development would cause no harm greater than Burland Scale Category 1 'Very-Slight' in terms of stability, flood risk and drainage and therefore meets parts a-e of Policy A5.

### **Design and Heritage**

5.9. Camden Local Plan Policy D1 relates to design and states that LBC will seek to secure high quality design in development. The proposals seek to replace the existing poor quality design and dilapidated dwelling that is demarcated as having a neutral

contribution to the character of the Hampstead Conservation Area, with a contemporary high-quality dwelling that better responds to its context and creates an exceptionally designed architectural building within the street scene of Hampstead Hill Gardens. As such, the proposals fully accord with Policy D1.

5.10. Camden Local Plan Policy D2 regarding heritage states that the Council will preserve and where appropriate enhance Camden's heritage assets and their settings. Heritage assets include listed buildings and conservation areas. The Site is located within the Hampstead Conservation Area and there are a number of Grade II listed buildings in close proximity to the Site, including numbers 3-11 (odd) Hampstead Hill Gardens to the north of the Site on the adjacent side of the road, and numbers 2 and 4 Hampstead Hill Gardens to the south.

5.11. At present, no mention of the Site is made in the Hampstead Conservation Area Statement (2001) that the existing building makes any form of contribution to the character of the Conservation Area, positive or otherwise. The proposals would remove a poor-quality building and replace it with a high-quality design that would better respond to the context of the neighbouring properties and those within the Hampstead Conservation Area. As a result of this, the Proposals are considered to make a positive contribution to the character of the Hampstead Conservation area and enhance the setting of the nearby Grade II listed dwellings, in particular numbers 4, 5, 9 and 11 Hampstead Hill Gardens. As such, it is considered that the proposals fully accord with Policy D2 through the enhancement of the character of the Conservation Area, and through the enhancement of the setting of the Grade II listed heritage assets within the locality.

5.12 Further details of the heritage implications of the Proposed Development can be found within the Heritage Statement prepared by Prentice Moore

### **Transport**

5.13 Local Plan Policy T2 states that the Council will limit the availability of parking and require all new developments in the borough to be car free. The Proposed Development includes the infilling of one of two on-site car parking spaces, with the other being retained within the development.

5.14. Guidance in paragraph 10.20 of Policy T2 of Camden's Local Plan states 'In redevelopment schemes, the Council will consider retaining or re-providing existing parking provision where it can be demonstrated that the existing occupiers are to

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return to the address when the development is completed'. The current occupants of the property, the Brearley family, will be returning to the address following redevelopment, and therefore the proposals fully accord with Policy T2.

### **Amenity considerations**

5.15. Local Plan Policy A1 Managing the Impact of Development outlines how the Council seek to protect the quality of life for occupiers and neighbours. In regards to the Proposed Development, and due to the nature of the proposal, the primary concern revolves around sunlight and daylight impacts upon neighbouring dwellings (part f of Policy A1). As can be observed in the Daylight and Sunlight Report prepared by Point2 Surveyors, the impacts upon neighbouring properties are negligible at worst. The Point 2 report concludes that the proposed development demonstrates full compliance with BRE Guidance, with the exception of one very minor breach in VSC guidance to one window of the kitchen of the ground floor flat of 6 Hampstead Hill Gardens, which displays a maximum change of 20.39% against the suggested maximum change of 20%. This room is served by 3 windows; both other windows retain over 31% absolute VSC and are therefore BRE compliant. The combined impact on the room is not considered to be material and will likely not be noticeable to the room's occupants, particularly in respect of the fact that the room is fully NSL (daylight) compliant (retaining over 99% absolute NSL). The room is also fully APSH (sunlight) compliant. As such, it is considered that although the proposals do not fully accord with part (f) of Policy A1, they are still considered acceptable. The proposals fail by a negligible margin on a single window, hence on balance this has a minimal material impact on neighbour's amenity.

### **Arboriculture**

5.16. Local Plan Policy A3 seeks to protect and enhance biodiversity and trees and vegetation. The Proposed Development incorporates the removal of one small sapling, however this is not considered a '*significant tree*' and because of this classification is not protected under Policy A3. In addition, the Arboriculturalist Statement prepared by Lockhart Garratt confirms that there are no arboricultural reasons to prevent this scheme going forward. As such, it is considered that the Proposals fully accord with Policy A3.

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## 6. CONCLUSIONS

6.1 The proposals include the demolition of the existing delapidated 2-storey dwelling at 4b Hampstead Hill Gardens, and the construction of a new high-quality 3-storey dwelling with basement. The Proposed Development will enhance the character of the Hampstead Conservation area and the setting of the nearby adjacent Grade II listed buildings through exemplary design which better responds to the context of the area.

6.2 The provision of additional high-quality residential floorspace within the borough is well supported by all levels of planning policy. This is reinforced by the fact there is a need for 3 and 4-bedroom family sized dwellings within the borough and the wider area of London.

6.3. The Proposed Development will provide the Brearley family with a contemporary family home that will facilitate the needs of their growing family, which the existing dwelling is currently incapable of doing.

6.4. The Proposals incorporate the provision of a basement, and as demonstrated in Section 5 of this document, the basement provision is considered to be acceptable despite not fully according with parts h and I of Policy A5 regarding basement development. It is considered that the planning benefits of delivering a high-quality architectural and sustainable building that enhances the setting of the Conservation Area and nearby listed buildings outweighs the conflict with Policy A5 on balance. In addition to this, the structural engineering information prepared by Mason Navarro Pledge and Basement Impact Assessment prepared by RPS concludes that the proposed basement development would not cause any harm to the stability of adjacent dwellings or have any adverse impacts on flood risk and drainage, with damage limited to Burland Scale Category 1: 'Very Slight'.

6.5. The application is supported by a suite of technical documents as outlined in Section 1 of this document.