

Town & Country Planning Act 1990

Section 78 Appeal by LifeCare Residences

Gondar Gardens Reservoir Site, Gondar Gardens
West Hampstead W6 1QF

Statement of Common Ground

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PINS: APP/X5210/W/18/3198746

Gondar Gardens Reservoir Site, Gondar Gardens West
Hampstead W6 1QF

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1. Introduction

- 1.1. Based on a review of the Council's decision notice and the accompanying Officers' Delegated Report, the Appellant and the Council agree on the following matters.
- 1.2. The application which is the subject of the appeal was submitted to the Council on 26 October 2017 and was registered as 'valid' (Council Ref: 2017/6045/P) from 31 October 2017.
- 1.3. Six site notices were erected around the local area on 10 November 2017 (expiring 01/12/17). The development was also advertised in the local press on 16 November 2018 (expiring 07/12/17). In total, 188 responses (with 7 letters of support) were received from third parties. Written notification of the application was also sent to Fortune Green and West Hampstead Neighbourhood Development Forum; Gondar and Agamemnon Residents Association; Greater London Authority; Hillfield and Aldred Roads Residents' Association; Natural England; Thames Water; the Environment Agency; and Transport for London. The responses of all parties have been forwarded with the Council's questionnaire and were summarised in the Council's Delegated Report.
- 1.4. The application was subsequently refused under delegated authority and a decision notice was issued on 30 January 2018, with a total of sixteen reasons for refusal:
 - RfR1: Open space;
 - RfR 2: Ecology;
 - RfR 3: Affordable housing;
 - RfR 4: Active frontage;
 - RfR 5: Character of area;
 - RfR 6: Inclusive design;
 - RfR 7: Overlooking;
 - RfR 8: Lighting;
 - RfR 9: Cycle parking;
 - RfR 10: Energy, SuDS and sustainability
 - RfR 11: Noise and vibration;
 - RfR 12: Construction management;

- RfR 13: Highways / pedestrian improvements contribution;
 - RfR 14: Car-free development;
 - RfR 15: Travel plan; and
 - RfR 16: Energy efficiency, Renewables Plan and BREEAM
- 1.5. The parties have continued their discussions to seek to resolve the following reasons for refusal ('RfR'):
- RfR 2 – Ecology
 - RfR 3 – Affordable housing
 - RfR 8 – Lighting
 - RfR 9 – Cycle parking
 - RfR 10 - Energy, SuDS and Sustainability
 - RfR 11 – Noise and vibration
- 1.6. At the time of writing, reasons 9 and 11 have been resolved and will be withdrawn formally by the Council, subject to details provided within this SoCG, suggested planning conditions and the completion of a satisfactory s. 106 planning obligation.
- 1.7. Discussions are ongoing in relation to reasons for refusal 2, 8 and 10. A separate Statement of Common Ground is being prepared in respect of reason for refusal 3.
- 1.8. In addition to the above, the Appellant is seeking to agree a s. 106 obligation with the Council which would address the following reasons for refusal; 12, 13, 14, 15 and 16. Both parties are aiming to sign any s. 106 agreement at least 10 working days prior to the inquiry i.e. 1 January 2019 or earlier.
- 1.9. Attached as agreed appendices are:
- Appendix 1: Documents to be considered as part of the appeal; and
 - Appendix 2: Plans and Areas Schedule.
- 1.10. The two main parties will work together to prepare a comprehensive set of Core Documents for the inquiry.

2. Site and Surroundings

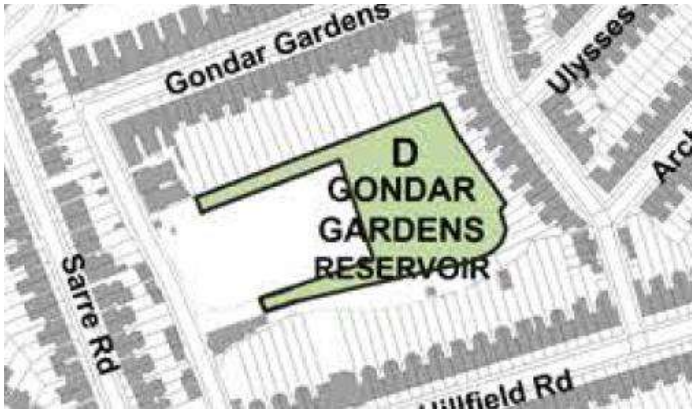
- 2.1. The description of the site and surroundings in the Officers' Report on the application is accurate. It is set out below for convenience.
- 2.2. The site is located in West Hampstead and was formally known as Shoot-Up Hill Reservoir. The reservoir was built for the Grand Junction Water Works in 1874 and comprises a vaulted brickwork structure supported on brick piers and perimeter walls, mostly buried in the ground or contained within a grassed embankment. The reservoir was decommissioned in 2002.
- 2.3. The site frontage is bounded immediately to the North and South by three-storey deep mansion blocks with deep rear extensions. To the North, where Gondar Gardens turns east, the street is largely comprised of early 20th century three-storey red-brick terraced houses and mansion blocks with decorative two-storey bays and short front gardens.
- 2.4. The dwellings on Agamemnon Road, which also back onto the site, are a combination of two-storey and two-storey-with-attic accommodation, in bricks from an era to match the dwellings on Gondar Gardens. To the south along Hillfield Road, the dwellings are also two-storey brick from around the same era. Throughout the area the local properties are divided into flats, whilst others are in use as dwellinghouses. In general, the terraced dwellings are not uniform and have a variety of richness in their detailing.
- 2.5. The site faces the street to the West. On the opposite side of the road are single-storey garages at the rear of the properties along Sarre Road. Further to the south at 1 Gondar Gardens, two-storey contemporary dwellings in brick have been constructed.

Site Designations

- 2.6. With the exception of a circa 60m 'frontage' parcel of land running along Gondar Gardens (narrowing from approximately 21m deep in the north to circa 13m in the south) the site is subject to various designations.

Local Green Space

- 2.7. A section of the site was designated as Local Green Space when the Fortune Green and West Hampstead Neighbourhood Plan was made by the Council on 16 September 2015 (see Policy 16). This Local Green Space does not include the area comprising the frontage parcel, the remainder of the frontage of the site and the footprint of the reservoir structure.



Extract from Neighbourhood Plan (Map 8: Local Green Space)

- 2.8. During the preparation of the Neighbourhood Plan, representations were made on behalf of a previous owner of the site that the delineation of the Local Green Space should be consistent with an extant planning permission granted on appeal for the redevelopment of the reservoir. The inspector who examined the Neighbourhood Plan agreed that this area should be excluded from the Local Green Space. This resulted in the area of the site coloured blue below (also labelled “C2”) being identified as “developable land” in Policy 16 of the Neighbourhood Plan:



Extract from Neighbourhood Plan (Map 5: Other Sites)

Private open space

- 2.9. The latest version of the Camden Local Plan Policies Map (June 2018) reflects the boundaries of the Local Green Space in the Fortune Green and West Hampstead Neighbourhood Plan. Two parcels of Private Open Space, coterminous with that Local Green Space, as set out within the Policies Map, numbered 188 ('Gondar Gardens') and 189 ('Gondar Gardens Reservoir'):



(Extract from Camden Policies Map: Printable Version)

- 2.10. Previously, in Camden's Local Development Framework Proposals Map 2010 prepared for the Local Plan process, parcel 189 had included the reservoir structure within the Private Open Space designation, but the Policies Map now excludes it to ensure consistency with the Neighbourhood Plan.

SINC

- 2.11. The Camden Local Plan Policies Map also designates the area marked as site 189 above a Site of Nature Conservation Importance ("**SNIC**") of Borough Importance II.
- 2.12. During the preparation of the Local Plan, the Council commissioned the London Wildlife Trust ("**LWT**") to undertake a review of the Sites of Importance for Nature Conservation (SINC) in the Borough. Each surveyed site was reviewed for potential boundary changes (loss or gain of SINC valued habitat) and against the GLA Open Space and Habitat Survey for Greater London SINC Status Criteria to form a part of the evidence base for the plan. The subsequent 'Camden

Review of Sites of Importance for Nature Conservation (SINC)' was published in 2014 and contained the following updated description of the SNIC on the appeal site:

*"This undisturbed covered reservoir is vegetated mostly with neutral grassland dominated by false oat-grass (*Arrhen atherum elatius*), with a moderate diversity of common wild flowers. Spiked sedge (*Carex spicata*), which is uncommon in Camden, is present in reasonable quantity. Typical grassland butterflies, including common blue and meadow brown, are present, as well as nests of yellow meadow-ant. The site is the only known location in Camden for slow-worms. Pipistrelle bats have been recorded flying over the site. There are small areas of woodland, mostly of sycamore (*Acer pseudoplatanus*) and ash (*Fraxinus excelsior*), with hawthorn (*Crataegus monogyna*) and plum (*Prunus domestica*) below, on the slopes at the eastern and western ends. This provides habitat for common birds. Part of the site is subject to a development proposal, with remainder to be managed as a nature reserve. There is no access to the general public but it can be seen from adjacent roads" (SINCB2 ref.CaBII10)".*

- 2.13. Within the Local Plan Consultation Statement (2016) issued in support of the Local Plan, the Council accepted that once development has been built out at the appeal site, the boundary of the SNIC would be amended accordingly.

Local List

- 2.14. The entire site is designated as a locally listed space (ref.418) and is immediately adjacent to mansion blocks which are also designated within the local list (ref.602). The listing descriptions for these two non-designated assets are provided in full below:

'Gondar Gardens Covered Reservoir site ref.418

Significance: Historical and Social Significance

Type: Natural Features or Landscape

Description: Covered reservoir, built in 1874 by Grand Junction Water Works and decommissioned when the ring main was built around London. Its site has been cherished as a "green lung" by the people of the area, as well as for the views it allows right across to Hampstead Parish Church and beyond. It has been designated as an SNIC and Open Space by Camden Council'.

'Mansions of Gondar Gardens Ref.602

Significance: Architectural and Townscape Significance

Type: Building or group of buildings

Description: Group of 12 mansion blocks set behind small front gardens dating to the turn of the 19th & 20th centuries. Full height projecting bays and particularly fine detailing in the fenestration which replicates that in the earlier houses to the east. Stock brick with red brick detailing to windows and slate roofs. Grand entrances at raised ground floor with the mansion's name painted on the top light, and decorative tiling to the entrance path. Form an impressive and unified group, and visually relate well to the houses further east'.

- 2.15. The Camden Local List was adopted on 21 January 2015, following a period of public consultation inviting nominations.

3. Planning History

- 3.1. The summary of the site's planning history in the Officers' Report on the application is accurate. It is set out below for convenience.
- 3.2. The site has been the subject of three previous planning applications, each initially refused by the Council and then the subject of an appeal. The three previous applications were, in chronological order: the 'Reservoir Scheme', the 'First Frontage Scheme' and the 'Second Frontage Scheme'.

The Reservoir Scheme

- 3.3. In June 2011, the Council refused application 2011/0395/P for "Redevelopment of the covered reservoir structure to provide 16 x 4-bedroom residential units (Class C3) with associated parking, refuse storage and landscaping, following substantial demolition of the roof and internal structure (application is accompanied by an Environmental Impact Assessment)" ("**the Reservoir Scheme**").
- 3.4. The primary reasons for refusal were:
1. The proposed development, by virtue of the development on designated Open Space, would result in the loss of land protected because of its local amenity, habitat and biodiversity importance.
 2. The proposed development, without the provision of sufficient affordable housing either on-site or off-site, secured by a S.106 Legal Agreement, would fail to maximise the contribution of the site to the supply of affordable housing in the borough.
 3. The proposed development, by reason of the low number of residential units per hectare, would fail to maximise the contribution of the site to providing additional homes in the borough.
 4. The proposed development, by virtue of its failure to provide an active street frontage, its disconnection from the local streetscene and the surrounding community, results in an inward-looking enclave which fails to contribute to community safety and security or to promote social cohesion.
 5. The proposed development, by virtue of its failure to provide a mix of large and small homes, would fail to contribute to the creation of mixed and inclusive communities.
 6. The applicant has failed to demonstrate, by way of a Basement Impact Assessment, that the works of demolition and construction would not result in an unacceptable impact on the structural stability of adjacent properties.

- 3.5. Further reasons related to the failure to secure adequate mitigation measures by way of a s. 106 legal agreement as regards these matters:
7. On-site renewable resources including a CHP plant;
 8. Environmental sustainability measures including compliance with Level 5 of the Code for Sustainable Homes and a contribution to off-site allowable solutions;
 9. Car-capping;
 10. Demolition and Construction Management Plan;
 11. Measures to support local labour and procurement;
 12. Highways works;
 13. Education contribution;
 14. The long term maintenance, protection and management of the retained area of open space;
 15. A compensatory off-site area of habitat;
 16. Contributions towards community facilities.
- 3.6. The Council's decision was contested at a public inquiry, which sat for six days on 22-24 May, 27, 28 September and 1 October 2012 (Appeal Ref: APP/X5210/A/11/2167190). Before the inquiry, the Council withdrew the objections expressed in refusal reasons 6, 8, 9, 10, 11, 12, 13, 14 and 16 as they were resolved by a s. 106 legal agreement. The Council's objection as expressed in reason 7, relating to basement works and policy DP27, was also withdrawn following the submission of an acceptable Basement Impact Assessment.
- 3.7. The Inspectorate allowed the appeal on 1 November 2012.

The First Frontage Scheme

- 3.8. In May 2012, the Council refused application 2012/0521/P for 'Redevelopment of the reservoir street frontage to provide 28 residential units (Class C3 use) in two blocks from lower ground to third floors with basement parking, following substantial demolition of the roof and internal structure of the reservoir and its subsequent re-landscaping (application is accompanied by an Environmental Impact Assessment)' ("**the First Frontage Scheme**"). The substantive reasons for refusal were:
1. The proposed development, by virtue of the development on designated Open Space, would result in the loss of land protected because of its local amenity, habitat and biodiversity importance and would be detrimental to the open nature of the site as viewed from the public realm.

2. The proposed development, by reason of its detailed design, would be detrimental to the streetscape and the character and appearance of the wider area.
- 3.9. Further reasons related to the failure to secure adequate mitigation measures by way of a s. 106 legal agreement as regards these matters:
3. On-site affordable housing
 4. Car-capping
 5. Education contribution
 6. The long term maintenance, protection and management of the retained area of Open Space
 7. Community facilities contribution
 8. Construction Management Plan
 9. Ecology and Habitat Plan, including measures to secure the transfer of the retained protected land to a third party in perpetuity with a financial contribution towards long term management and maintenance
 10. Local labour and procurement
 11. Highways works
 12. Contributions towards pedestrian and environmental improvements in the area
 13. Sustainability measures and Code for Sustainable Homes
 14. Wheelchair-accessible affordable housing
- 3.10. The Council's decision was contested at a public inquiry, which sat for three days on 9-11 April 2013 (Appeal Ref: APP/X5210/A/12/2188091). Before the inquiry, the Council withdrew objections to the scheme as expressed in refusal reasons 3-14, as these had been overcome by entering into an appropriate s106 agreement.
- 3.11. The Inspectorate dismissed the appeal on 3 June 2013. However, only the 'detailed design' reason was upheld. The development on designated Open Space and the height, scale, massing and location of the buildings was fully accepted by the Inspectorate.

The Second Frontage Scheme

- 3.12. In March 2014, the Council refused application 2013/7585/P for 'Redevelopment of reservoir street frontage to provide 28 residential units in 2 blocks from lower ground to 3rd floors with basement parking, following substantial demolition of roof and internal structure of reservoir and subsequent re-landscaping' ("**the Second Frontage Scheme**").
- 3.13. The primary reason for refusal was:

1. The proposed development, by reason of its detailed design, would be detrimental to the streetscape and the character and appearance of the wider area, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.
- 3.14. Further reasons related to the failure to secure adequate mitigation measures by way of a s. 106 legal agreement as regards these matters:
2. On-site affordable housing in addition to a contribution in lieu
 3. Car-capping
 4. Educational contribution
 5. Public open space contribution
 6. Community facilities contribution
 7. Demolition and Construction Management Plan
 8. Ecology and Habitat Plan, including measures to secure the transfer of the retained protected land to a third party in perpetuity with a financial contribution towards long term management and maintenance.
 9. Local labour and procurement
 10. Highway works
 11. Contributions towards pedestrian and environmental improvements in the area
 12. Sustainability measures and compliance with Code for Sustainable Homes
 13. Wheelchair-accessible affordable housing.
- 3.15. The Council's decision was contested at an appeal hearing on 23 June 2015 (Appeal Ref APP/X5210/W/14/2218052). The appeal was recovered for the Secretary of State's determination on 8 September 2015 because the proposal involved residential development of over 10 dwellings in an area where a qualifying body had submitted a neighbourhood plan proposal (s. 79, and Schedule 6, para. 3 of the Town and Country Planning Act 1990).
- 3.16. The Inspector recommended that the appeal be allowed and planning permission granted subject to conditions. The Secretary of State agreed with this recommendation in a decision dated 16 December 2015.

The Third Frontage Scheme

- 3.17. On 20 August 2018 under LPA ref. 2018/3692/P, the Council registered the Appellant's application for the 'Third Frontage Scheme' proposed by the Appellant for:

“redevelopment of reservoir street frontage to provide 28 residential units in 2 blocks from lower ground to 3^d floors with basement to accommodate associated ancillary development including gym, following substantial demolition of roof and internal structure of reservoir and subsequent re-landscaping.”

- 3.18. This aligns with the Second Frontage Scheme. At the time of writing no determination has been made.

4. Planning Policies

4.1. The following Local Plan, Neighbourhood Plan and London Plan policies are the relevant development plan policies against which the appeal proposal should be assessed.

Local Plan 2017

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H4 Maximising supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- H8 Housing for older people, homeless people and vulnerable people
- C1 Health and wellbeing
- C5 Safety and Security
- C6 Access for all
- E1 Economic development
- A1 Managing the impact of development
- A2 Open Space
- A3 Biodiversity
- A4 Noise and Vibration
- A5 Basements
- 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
- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials
- DM1 Delivery and monitoring

Fortune Green and West Hampstead Neighbourhood Plan 2015

- Policy 1 Housing
- Policy 2 Design and Character
- Policy 3 Safeguarding and enhancing Conservation Areas and Heritage assets
- Policy 5 Public Transport
- Policy 7 Sustainable Transport
- Policy 8 Cycling
- Policy 9 Pavements and Pedestrians
- Policy 16 Local Green Space
- Policy 17 Green/Open Space
- Policy 18 Trees

The Appellant considers that Policy 4 (West Hampstead Growth Area and Other Sites) is also relevant.

The London Plan (2016)

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.7 Large residential developments
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 Affordable housing thresholds
- Policy 3.17 Health and social care facilities
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.4A Electricity and gas supply
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy

- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.18 Construction, excavation and demolition waste
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.18 Protecting open space and addressing deficiency
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

The Council states that Policy 7.16 ('Green Belt') is also relevant

Supplementary Planning Policies

- 4.2. Other supplementary planning guidance produced by the GLA and the Council are material considerations and particular consideration has been given to the following:

GLA supplementary planning guidance

- Housing SPG (2016)
- Accessible London SPG (2014)
- Character and Context (2014)

- Sustainable Design and Construction SPG (2014)
- Affordable Housing and Viability SPG (2017)

The Council's supplementary planning guidance

- Camden Sites of Nature Conservation Importance SPD (Draft, 2009)
- Camden Planning Guidance 1: Design (updated March 2018)
- Camden Planning Guidance 2: Housing (updated March 2018)
- Camden Planning Guidance 3: Sustainability (updated March 2018)
- Camden Planning Guidance 6: Amenity (updated 2018)
- Camden Planning Guidance 7: Transport (2011)
- Camden Planning Guidance 8: Planning Obligations (updated March 2018)
- Camden Planning Guidance: Amenity CPG (2018)
- Camden Planning Guidance: Biodiversity (2018)
- Camden Planning Guidance: Housing CPG (interim) (2018)
- Camden Planning Guidance: Planning for health and wellbeing CPG (March 2018)
- Camden Planning Guidance: Public open space CPG (March 2018)

5. Reasons for Refusal

- 5.1. As stated in section 1 above, reasons for refusal 9 (Cycle Parking Provision) and 11 (Noise and Vibration) have now been overcome.
- 5.2. Reason for refusals 10 and 16 might be overcome in advance of the appeal through the submission of more comprehensive assessments and agreement in respect of suitably worded conditions and planning obligations.
- 5.3. Reasons for refusal 12 to 15 could also be overcome through the Appellant and the Council entering into a section 106 legal agreement. Both parties will work pro-actively to reach agreement on these issues prior to the appeal being heard.

6. Planning Issues

- 6.1. The extent of demolition proposed to the existing reservoir structure is acceptable subject to appropriate landscaping mitigation measures being secured.
- 6.2. The subject site offers a suitable location for housing for older people in accordance with Policy H8 of the Local Plan.
- 6.3. The proposal will make a contribution to the Borough's housing supply in accordance with Policy H1 of the Local Plan.
- 6.4. There is a need across the Borough for new accommodation which is suitable to meet the needs of older people, including a need for market-led developments.
- 6.5. When considering the appropriate level of contribution towards affordable housing, the Council accepts that the nursing home element may be discounted from the relevant calculations in this instance.
- 6.6. The site has a PTL rating of between 1b and 3.
- 6.7. The proposed level of tree loss and pruning is acceptable subject to appropriate landscaping mitigation measures being secured.
- 6.8. The servicing and refuse arrangements for the use are acceptable and will not give rise to the need for a Service Management Plan.
- 6.9. The individual units will meet and exceed the minimum nationally prescribed space standards.
- 6.10. The scale and proportion of the proposed basement is in accordance with the Council's Basement Policy A5.
- 6.11. The proposals would not have an unacceptable impact on the daylight and sunlight levels of neighbouring properties. The internal daylight and sunlight levels of units within the scheme would also be acceptable.

7. Matters Disputed

- 7.1. At the time of writing, the main parties disagree on the matters that are the subject of reasons for refusal 1 to 8 (inclusive), 10, and 16 (inclusive) as set out in the Council's decision notice. Parties agree to the principal of planning obligations relating to reasons 12 to 15 (inclusive) though agreement of final wording is yet to have been reached.
- 7.2. Following the submission of additional reporting in November 2018, officers also accept that the scope of outstanding matters within reason for refusal 10 have been narrowed as officers are now comfortable resolving certain elements via condition/s106 on the basis of the information provided. This reason may now be revised as follows (areas where conditions could reasonably address concerns are shown as struck through):
- ~~The proposed development, in the absence of details regarding the feasibility of providing a CHP unit on the site, opportunities to reduce water consumption, drainage calculations and details relating to SuDs, [due to] along with the failure to reach C02 reduction targets, and due to the absence of a legal agreement to secure any of the above, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate Change mitigation) and CC3 (Water and Flooding) of London Borough of Camden Local Plan 2017 and Policies 5.2, 5.12 and 5.13 of the London Plan 2016~~
- 7.3. Finally, the main parties are treating this SoCG as a 'live document' and are seeking to work together to narrow down the issues between the respective parties.. Reason for refusal 3, relating to affordable housing and viability, is dealt with in a separate SoCG.

Appendices

Appendix 1 Documents to be considered as part of the appeal

The planning application subject to this appeal was determined on the basis of the following documents (documents superseded are show struck through):

- Planning application form, including completed ownership certificate;
- Site location plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of north;
- CIL forms;
- Application drawings prepared by Robin Partington & Partners (now Apt):
 - A_PL_D_010;
 - A_PL_P_010;
 - A_PL_P_098;
 - A_PL_P_099;
 - ~~- A_PL_P_100 Rev P01;~~
 - A_PL_P_101;
 - A_PL_P_102;
 - A_PL_P_103;
 - A_PL_P_104;
 - A_PL_P_200;
 - A_PL_P_201;
 - A_PL_P_202;
 - A_PL_P_203;
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 - A_PL_P_300;
 - A_PL_P_301;
 - A_PL_P_302;
 - A_PL_P_303 Rev P01;
 - PL_E_010;
 - PL_E_011;
 - PL_E_012;
 - PL_E_013;
 - PL_E_020;
 - PL_E_021;
 - P-00-010 Tree Removal Plan Sheet 1 of 2 PL01;
 - P-00-011 Tree Removal Plan Sheet 2 of 2 PL01;
 - P-0-002 Proposed Site Habitats Plan PL01;
 - P-XX-100 PL01 Landscape General Arrangement;
 - S-00 002 Proposed Section Elevation PL01;
 - S-00-001 PL01 Proposed Section Elevation;
- Supporting reports, as follows:
 - Access Statement 13 November 2017;
 - ~~- Acoustic Planning Report 19th October 2017;~~
 - Air Quality Assessment July 2017;
 - Arboricultural Report 170202-PD-11a May 2017;
 - AVR/VVM Report;

- AVR/VVM Methodology Statement;
 - Baseline Lighting Assessment July 2017;
 - Basement Impact Assessment Appendix A- F;
 - Basement Impact Assessment Report July 2017;
 - Bat Activity Survey Rev A December 2016;
 - BREEAM Pre- assessment Report Ver 6 18/10/2017;
 - Breeding Bird Survey August 2016;
 - Construction Management Plan Proforma v2.1 July 2017;
 - Daylight and Sunlight Report V3 June 2017;
 - Design and Access Statement October 2017;
 - Ecology Executive Summary June 2017;
 - Energy Statement Ver 6 18/10/2017;
 - ~~External Lighting Assessment revision P02 18/10/2017;~~
 - Financial Viability Assessment Report for LCR Developments Ltd 27 July 2017;
 - Flood Risk Assessment 371487R1(03)-FRA October 2017; Heritage Statement October 2017;
 - Headline planning need assessment Updated July 2017;
 - Landscape and Ecological Mitigation Review July 2017;
 - London Wildlife Trust Proposed 10 Year Management Plan 2019-2028;
 - Phase 1 Habitat Survey August 2016 Rev.G;
 - Planning Policy Statement October 2017;
 - Reptile Mitigation Strategy October 2017;
 - Reptile Survey September 2016;
 - Servicing and Management Plan July 2017;
 - Statement of Community Involvement Addendum October 2017;
 - Statement of Community Involvement July 2017;
 - SUDS Report 29th June 2017;
 - Sustainability Statement Ver 5 18/10/2017;
 - Technical Note - 14th November Prepared by Cudd Bentley;
 - Townscape Study October 2017;
 - Transport Statement October 2017;
 - Travel Plan October 2017;
- The following third party reviews also formed part of the Council's assessment of the case:
 - Salix Ecology Planning Application Review December 2017; and
 - Basement Impact Assessment Audit revision D1 January 2018.

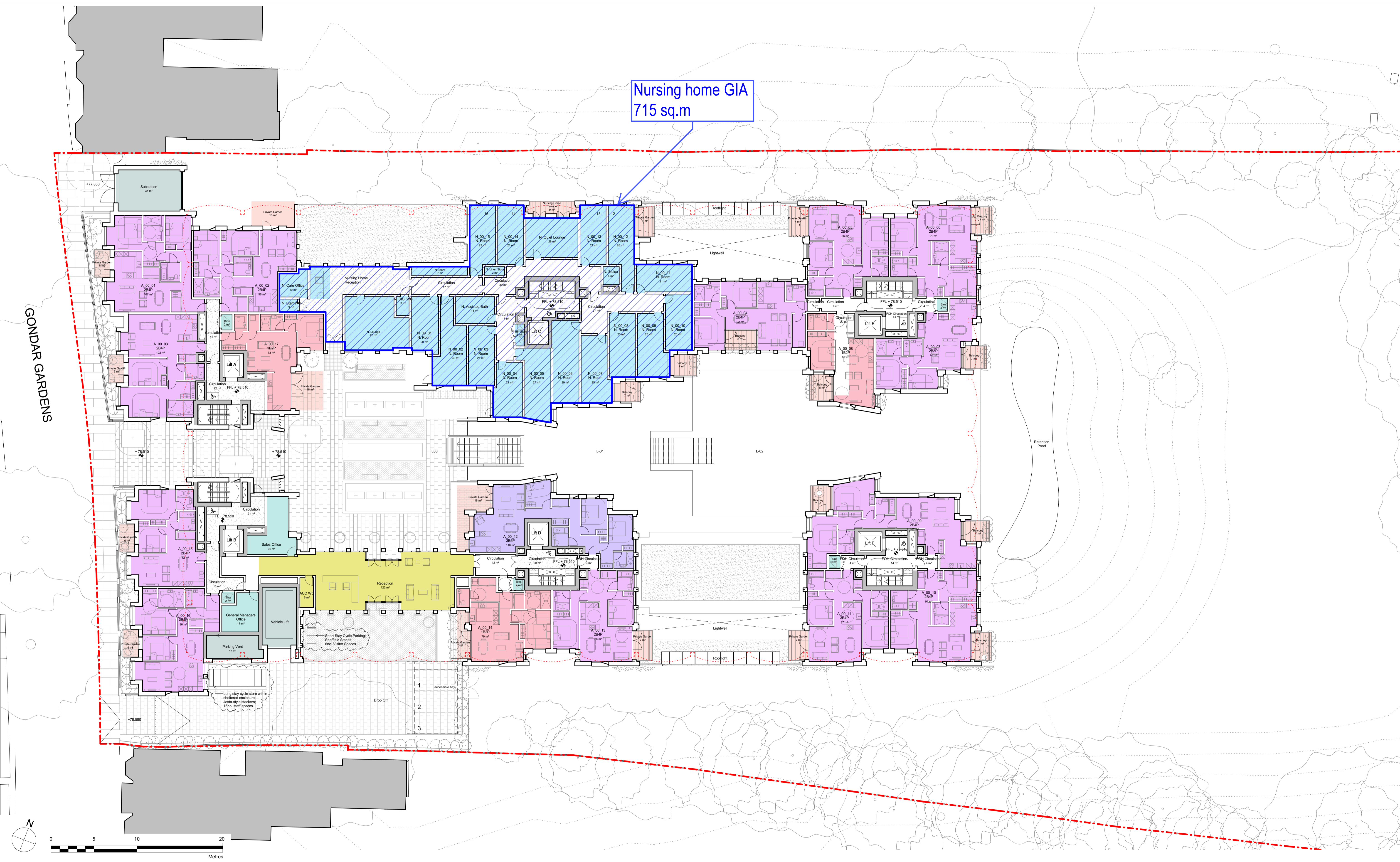
During the course of the appeal, the following additional / updated plans and documents have been received and form part of the appeal case:

- Acoustic Planning Report (Extended Version) prepared by Sharps Redmore dated 18/10/2018;
- Artificial Lighting Review of Gondar Gardens in Relation to Conservation Environment and Commuting Bats, prepared by Cudd Bentley (dated 25th October 2018);
- Gondar Gardens Briefing Note – Sustainability prepared by Cudd Bentley (dated 29th October 2018);
- Revised Plan: A_PL_P_100 Rev P02 dated 19/10/2018 (revised level 00 masterplan showing cycle parking provision);

- Revised Plan: A_SK_181019_001 received 22/10/2018 (Level B1 Extract Plan - Vehicle Lift Machine Room Location);
- Construction and Environmental Management Plan, October 2018 (JBA)
- Addendum letter to Proposed 10 Year Management Plan for Persephone Gardens Landscape Environmental Management Plan, 2nd November 2018 (JBA).
- Updated Phase 1 Habitat Survey (including Biodiversity survey and report), James Blake Associates (July 2018);
- Reptile Survey Interim Letter Prepared by James Blake Associates (20 July 2018); and
- Progress of Ecological Works letter (27 July 2018).
- Updated Reptile Survey, Land at Covered Reservoir, James Blake Associates (September 2018);
- Breeding Bird Survey, James Blake Associates (October 2018);
- Updated Bat Activity Survey, The Covered Reservoir (Rev. A), James Blake Associates (November 2018);
- Updated Reptile Mitigation Strategy and Method Statement, James Blake Associates (November 2018);
- Updated Ecological Action Plan (November 2018);
- Submission of details letter (issues 8, 10 & 16) prepared by Strutt & Parker dated 01/11/2018;
- Submission of details letter (issues 9 & 11) prepared by Strutt & Parker dated 22/10/2018;
- Submission of details letter, dated 6 November 2018 Issue 2 – Ecology and Issue 12 – Construction Management) (Strutt & Parker); and
- Submission of details letter, dated 21 November 2018 Ecology (Strutt & Parker)

Appendix 2: Area Schedules

Nursing home GIA
715 sq.m



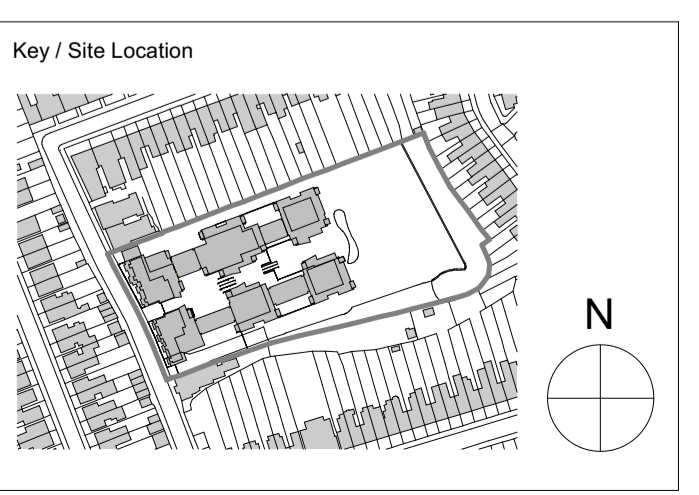
Disclaimer
Do not scale from this drawing.
Check all dimensions on site before fabrication or setting out.
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Notes

Rev	Reason for Issue	Date	Iss
P00	OLA Issue	30.06.17	RPP
P01	Planning Issue	16.10.17	RPP
P02	Additional Cycle Spaces	19.10.18	RPP

Key	Description
- - - - -	Application site boundary
.....	Inside face of existing reservoir

- Consultants**
- Accessibility: Cudd Bentley
 - Acoustics, BREEM, M&E Engineer: Quantem
 - Cost Consultant: James Blake Associates
 - Ecology: KPM
 - Fire Engineering: Montagu Evans
 - Heritage: Andy Sturgeon Design
 - Landscape Designer: Strutt & Parker
 - Planning Consultant: Point 2
 - RoL, Daylight & Sunlight Analysis: Waterman Structures
 - Structural & Civil Engineer: AR Urbanism
 - Townscape Consultant: Cannon Consulting Engineers
 - Transport:



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Client
LifeCare Residences Limited

Project Persephone Gardens		
Drawing Title Level 00		
Scale 1 : 200 @ A1	Drawn By RPP	Issued By RPP
Planning		
Project No. 16069	Drawing No. A_PL_P_100	Revision P02

APPENDIX E: AREA SCHEDULE

TOTAL BUILDING																																															
Level	NIA					Front of House																Total FOH	Back of House											Total BOH	Other					Total GIA	Net:Gross Efficiency %						
	1 Bed	2 Bed	3 Bed	Nursing Care Beds	Total NIA	Café	Reception	Lounge	Lounge Breakout	Library	Restaurant	Bar	Cinema	Flexible Space	Guest Suite	Hair Salon	Treatment Room	WC's	Pool and Spa	Gym	Winter Garden		Care Amenity	Changing Rooms	Administration Offices	General Manager's Office	Chef's Office	Maintenance Office	Sales Office	Training Room	Commercial Kitchen	Kitchen Store	Laundry		Store Rooms	Nurse Base	Staff Room / Changing	Bin Store	Car Park			Plant	Mobility Scooter Parking	Circulation / Lifts / Stairs	Structure / Risers / Other		
	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²						
-02	144	98	116	-	358	-	-	183	-	40	-	-	-	66	-	-	14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	119	-	-	-	4	123	-	-	-	421	125	1,330	27%	
-01	-	457	251	-	708	46	-	-	-	-	138	25	49	67	21	15	25	21	122	61	-	-	-	41	39	-	8	21	-	20	50	16	37	8	14	62	22	297	196	520	28	807	240	3,427	21%		
00	215	1,199	110	353	1,877	-	187	-	-	-	-	-	-	-	-	-	6	-	-	-	-	-	-	-	-	17	-	-	24	-	-	-	-	-	-	-	-	-	41	-	53	-	401	257	2,934	64%	
01	63	2,063	108	-	2,234	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	11	-	-	-	260	324	2,829	79%	
02	62	1,395	476	-	1,933	-	-	-	-	24	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	9	-	-	-	261	49	2,276	85%
03	-	407	539	-	946	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	9	-	-	-	206	131	1,292	73%
Total	484	5,619	1,600	353	8,056	46	187	183	-	64	138	25	49	133	21	15	25	41	122	61	-	-	112	41	39	17	8	21	24	20	50	16	37	127	14	62	55	490	196	573	28	2,356	1,126	14,088	57%		

PROPOSED (IMPERIAL)

TOTAL BUILDING																																																				
Level	NIA					Front of House																Total FOH	Back of House											Total BOH	Other					Total GIA	Net:Gross Efficiency %											
	1 Bed	2 Bed	3 Bed	Nursing Care Beds	Total NIA	Café	Reception	Lounge	Lounge Breakout	Library	Restaurant	Bar	Cinema	Flexible Space	Guest Suite	Hair Salon	Treatment Room	WC's	Pool and Spa	Gym	Winter Garden		Care Amenity	Changing Rooms	Administration Offices	General Manager's Office	Chef's Office	Maintenance Office	Sales Office	Training Room	Commercial Kitchen	Kitchen Store	Laundry		Store Rooms	Nurse Base	Staff Room and Changing	Bin Store	Car Park			Plant	Mobility Scooter Parking	Circulation / Lifts / Stairs	Structure / Risers / Other							
	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²	ft ²									
-02	1,550	1,055	1,249	-	3,853	-	-	1,970	-	431	-	-	-	710	-	-	-	151	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	43	1,324	-	-	-	4,532	1,346	14,316	27%
-01	-	4,919	2,702	-	7,621	495	-	-	-	-	1,485	269	527	721	226	157	269	226	1,313	657	-	-	-	441	420	-	86	226	-	215	538	172	398	86	151	667	237	3,197	2,110	5,597	301	8,687	2,588	36,888	21%							
00	2,314	12,906	1,184	3,800	20,204	-	2,013	-	-	-	-	-	-	-	-	-	65	-	-	-	-	-	-	-	-	183	-	-	258	-	-	-	-	-	-	-	-	-	-	-	-	-	-	441	-	570	-	4,316	2,766	31,581	64%	
01	678	22,206	1,163	-	24,047	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	118	-	-	-	2,799	3,488	30,451	79%		
02	667	15,016	5,124	-	20,807	-	-	-	-	258	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	97	-	-	-	2,809	527	24,499	85%	
03	-	4,381	5,802	-	10,183	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	97	-	-	-	2,217	1,410	13,907	73%	
Total	5,210	60,482	17,222	3,800	86,714	495	2,013	1,970	-	689	1,485	269	527	1,432	226	157	269	441	1,313	657	-	-	-	1,206	441	420	183	86	226	258	215	538	172	398	1,367	151	667	592	5,274	2,110	6,168	301	25,360	12,125	151,642	57%						

Unit Quantities

Level	Unit Quantities				
	1 Bed	2 Bed	3 Bed	Care Beds	Total
	No.	No.	No.	No.	No.
-02	2	1	1	-	4
-01	-	5	2	-	7
00	3	13	1	15	32
01	1	23	2	-	26
02	1	16	3	-	20
03	-	4	4	-	8
Total	7	62	13	15	97

Average Size (m²) 69 91 123 24

- (i) These areas have been measured from Robert Partington's Planning Issue drawings dated 30th June 2017
- (ii) The areas contained within this estimate shall not be relied upon for any other purpose other than the formulation of this estimate
- (iii) These areas have been measured in accordance with the RICS Code of measurement practice 6th edition

Signatures

A handwritten signature in black ink that reads "David C. Phillips". The letters are cursive and somewhat stylized.

Signed

Printed David Phillips

On behalf of LifeCare Residences

Date 3 December 2018

Position Director, Strutt and Parker

Signed

A handwritten signature in black ink that reads "John Diver". The signature is very stylized and cursive, with a long horizontal line extending from the end.

Printed John Diver

On behalf of The London Borough of Camden

Date 03/12/2018

Position Senior Planning Officer (Development Management)