
Statement of Common Ground

28 Redington Road, London, NW3 7RB

Statement of Common Ground

- 1.1 This Statement of Common Ground has been prepared to support an Appeal at 28 Redington Road, London, NW3 7RB which has been submitted on the grounds of non-determination. The description of development shown on the Local Planning Authority's validation is:

Erection of 4 storey plus basement building (with accommodation at 4th floor level within the roof) to provide 8 flats (1 x 1 bed, 5 x 2 bed, 1 x 3 bed and 1 x 4 bed) including front balcony and rear roof terraces, hard and soft landscaping and 7 basement car parking spaces with car lift, following demolition of the existing building (Class C3).

- 1.2 This document had been prepared as a draft and has been revised following discussion with the Local Planning Authority (LPA). This is the final agreed version.

Matters Agreed

- 1.3 The following matters are agreed between the Appellant, 28 Redington Road LLP, and the Local Planning Authority, the London Borough of Camden. As such, these matters should not need to be discussed in detail within the Appeal

Description of Development

- 1.4 The description of development, as recorded by the LPA on their website, is:

Erection of 4 storey plus basement building (with accommodation at 4th floor level within the roof) to provide 8 flats (1 x 1 bed, 5 x 2 bed, 1 x 3 bed and 1 x 4 bed) including front balcony and rear roof terraces, hard and soft landscaping and 7 basement car parking spaces with car lift, following demolition of the existing building (Class C3).

- 1.5 This description is agreed by both parties.

Site and Surroundings

- 1.6 A detailed assessment of the site and relevant surroundings is set out in both the Planning Statement and Appellant's Statement of Case and is taken to be agreed between both parties.

- 1.7 No comments have been raised during the course of this application by the LPA regarding the submitted Site and Surroundings.

Planning History

- 1.8 A summary of the site's planning history is provided within both the Appellant's Planning Statement and Statement of Case. This is not disputed between the Appellant and the LPA.

Plans, Drawing Numbers and Application Documents

- 1.9 A full list of all plans, drawing numbers and documents submitted with the application is included within the Appellant's Statement of Case. Subject to final confirmation from the Local Planning Authority, this list of documents is agreed.

Relevant Policy Documents and Supporting Information

- 1.10 The following are the planning policy documents and supporting planning information that are relevant to this case:
- *The London Plan (As amended, including by the Minor Alterations to the London Plan (MALP) published in March 2016);*
 - *The London Borough of Camden Local Plan (adopted June 2017);*
 - *The National Planning Policy Framework (2012);*
 - *The Redington Froggnal Conservation Area Appraisal (adopted 2003); and*
 - *Camden Planning Guidance 1,2,3,4,6,7 and 8*
- 1.11 Given the recent adoption of the new Local Plan, prior to the appeal on the basis of non-determination in December 2016 the application had been assessed in accordance with the previous development plan documents as follows:
- *The London Borough of Camden Core Strategy (adopted November 2010); and*
 - *The London Borough of Camden Development Policies (adopted November 2010).*
- 1.12 Given the timeframe since the application was originally appealed and determined, references to these previous policies remain in documents previously prepared by both the Appellant and the LPA. Relevant extracts of policies have been provided to the Inspector previously.
- 1.13 This list of documents is agreed.

Land Use

- 1.14 The site results in a net uplift of residential units in a mix of 1 x 1 bed, 5 x 2 bed, 1 x 3 bed and 1 x 4 bed and thus is in full accordance with the Development Plan and the NPPF.
- 1.15 It is agreed that the residential use and the mix of units proposed are both appropriate.

Quality of the Proposed Accommodation

- 1.16 It is agreed that in terms of internal floorspace, outlook, mitigation of noise, access to daylight and sunlight, outlook from habitable rooms and privacy for occupants the quality of the proposed accommodation meets all relevant local and national standards. As 8 units are being provided, one of the units provided should be easily adapted for occupation by a wheelchair user in accordance with Building Regulation M4(3)(2)(a). This should be secured by condition in accordance with policy H6.

Protection of Neighbouring Amenity

- 1.17 It is agreed that the amenity of neighbouring residents will be maintained in terms of noise, outlook and privacy as a result of the proposed development.

Highways and Transport

- 1.18 It is agreed that the proposal results in no net uplift in car parking spaces compared to the existing situation, as required under Policy T2. The use of the existing access and crossover is also acceptable.
- 1.19 It is also agreed that the capacity for cycle storage meets the standards set out within the London Plan.

Trees and Landscaping

- 1.20 It is agreed that all relevant trees will be protected and not harmed by the proposed development. It is also agreed that the principles of the proposed landscaping of the site are acceptable with further details secured through the use of appropriately worded conditions.

Legal Agreement Heads of Terms

- 1.21 The Appellant and the LPA agree to the following heads of terms which will be secured via an appropriate legal agreement:
- Construction Management Plan;
 - Basement Construction Plan;
 - Car-Capping;

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- Highways Contribution;
- Sustainability Plan; and
- Energy Efficiency Plan.

1.22 An appropriate legal agreement will be completed prior to the determination of this Appeal.

Matters Not Yet Agreed

Principle of Demolition of the Existing Building

- 1.23 The Appellant maintains the position that the existing property's contribution is more limited than that of other buildings in the area and makes only a limited contribution to the value of the Redington Frogna Conservation Area. Historic alterations have impacted upon its design integrity and its architecture is not of as high a quality as other properties found nearby.
- 1.24 As such, the demolition of this property will not be harmful to the Conservation Area. Further, the proposed replacement building is of higher quality and more in-keeping with the Arts and Crafts style prevalent in the local area.
- 1.25 On this basis, the Appellant contends that the demolition of the property is acceptable in principle, subject to the LPA agreeing to a suitable replacement, in accordance with Policy D2.
- 1.26 The LPA maintain a position that the demolition of a positive contributor (a non-designated heritage asset) is harmful to the Redington Frogna Conservation Area.

Replacement Building

- 1.27 The Appellant maintains the position that the replacement building would offer a positive contribution to the appearance of the Redington Frogna Conservation Area.
- 1.28 The LPA maintain the position that the replacement building would not preserve or enhance the character and appearance of the Conservation Area. In addition the size of the basement does not accord with policy A5f and A5l.

Detail of the Structural Assessment of the Proposed Basement Level

- 1.29 Though the principle of a basement development is acceptable, the LPA have maintained the view that additional technical details of the structural impacts of the proposed development need to be agreed prior to the granting of any planning permission.

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- 1.30 The Appellant contends that a full and detailed Basement Impact Assessment (BIA) has been prepared by a suitably qualified engineer and been subjected to independent assessment by the LPA's independent auditor, Campbell Reith.
- 1.31 The assessment has not questioned the validity of the information provided but instead requested further information.
- 1.32 It is the Appellant's position that the BIA confirms the technical feasibility of the basement to be constructed without causing structural harm to the proposed building or neighbouring properties and that the Application can be approved on the basis of the information submitted.
- 1.33 Further information on the structural aspects of the basement development has been submitted and assessed by the LPA's independent assessor. It is the Appellant's position that where further information is still required, this will be submitted and agreed prior to the commencement of development through the discharging of appropriate S106 legal obligations.
- 1.34 The LPA maintain their position that additional information as identified by the Council's independent auditors must be provided at the pre-determination stage in order for the risk and impacts of the basement proposals to be fully assessed. A ground movement assessment has not been provided. Policy A5 states the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to neighbouring properties. Without a ground movement assessment the LPA maintains the appellant has not demonstrated the proposal would not cause harm to neighbouring properties. Paragraph 3.25 of Camden Planning Guidance CPG4 states the engineering interpretation will require calculations of predicted ground movements and structural impact to be provided. In addition, policy A5n of the Local Plan requires applicants to demonstrate that proposals for basements do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight'. The submitted BIA anticipates that any damage to neighbouring properties will be limited to Category 2 of the Burland Scale. The LPA maintains this would not be in accordance with Policy A5 (part n). Finally, the Council requires BIAs to be carried out by appropriately qualified professionals. The LPA maintains the BIA has not been carried out by a Chartered geologist as required by Policy A5 and CPG4.

Harm to Daylight and Sunlight of 30 Redington Road

- 1.35 It is the Appellant's position that the daylight and sunlight of all neighbouring properties would be maintained as a result of the proposed development.
- 1.36 The LPA maintain the position the daylight and sunlight of the ground floor flat at 30 Redington Road would be noticeably reduced by the proposed development. While a revised Daylight, Sunlight & Overshadowing Report dated August 2017 has been prepared by the Appellant's consultant Syntegra, the results of this do not accord with the report prepared by AA dated 16 May 2017 submitted on behalf of neighbouring occupiers.

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Signed:

On Behalf of 28 Redington Road LLP (The Appellant)

Date:

Signed:

On Behalf of the London Borough of Camden (The Local Planning Authority)

Date: