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| Delegated Report | | Analysis sheet | Expiry Date: | 01/10/2018 |
| | | N/A / attached | Consultation Expiry Date: | 02/09/2018 |
| Officer | | | Application Number(s) | |
| Laura Hazelton | | | (i) 2018/1295/P (ii) 2018/3816/L | |
| Application Address | | | Drawing Numbers | |
| Boncara 35 Templewood Avenue London NW3 7UY | | | Please refer to decision notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
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| Proposals | | | | |
| Demolition and relocation of the Grade II listed swimming pool to the north west of the garden, associated excavation of the garden level and ground floor/basement infill extension to the house. | | | | |
| Recommendations: | | (i) Refuse planning permission (ii) Refuse listed building consent | | |
| Application Types: | | (i) Householder Application (ii) Listed building consent | | |

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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | | | No. of responses | 05 | No. of objections | 05 |
| Summary of consultation responses: | The applications were advertised in the local press on 09/08/2018 and site notices were displayed on 08/08/2019. | | | | | |
| | 5 Objections were received from the owners/occupiers of 9 West Heath Road NW3, 4 Holly Hill NW3, 41 Sarre Road NW2, 2 Leverton Street NW5, and 6 Offley Road SW9. | | | | | |
| | Their objections are summarised as follows: | | | | | |
| | <u>Design and Heritage</u> | | | | | |
| | <ul style="list-style-type: none">• The dismantling and relocating of the pool would be classified as 'demolition'. This means the structure will no longer be listed and as such, will be without protection in its new location.• The NPPF criteria for Demolition of a Listed Building have not been met.• If the pool is relocated, Gowan's geometric plan will be permanently altered and no longer legible – it was positioned to create a link between the House and Pool. Relocation and the proposed 45 degree rotation will not only further increase the severance of the pools relationship to the Schreiber House, misaligning Gowan's planned geometry, but also decrease the likelihood of the buildings being reunited in future.• Demolition and reconstruction of the pool would be an irreversible erosion of the pools authenticity.• When the property at 35 Templewood Avenue was built, planning permission was granted on the basis that any building would need to circumnavigate the Grade II listed pool and that the pool would be restored and maintained in good original condition. If the pool's condition has deteriorated since then it is surely the responsibility of the current owners to restore it to its original state in its original (current) position.• I am writing to oppose the proposed demolition of the structure. The pool has suffered from the unsympathetic development that has been allowed to take place in its immediate vicinity but I believe the re-siting of the proposed facsimile threatens to do equal damage to its relationship to the Schreiber House. I am also concerned about the fact that demolition will effectively represent an act of delisting, risking opening the structure to future modifications at a later date. The proposals involve lowering the wall along the front of the site which is an integral feature of James Gowan's design. | | | | | |

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| | <ul style="list-style-type: none">• No specialist hired by the applicant has mentioned the need for a relocation and lowering of the pool - this has only been suggested by the developer. The latest letter from the BA engineer's dated 9th October, merely reiterates what was stated in their initial report: a complete reconstruction would be more effective and less costly than a forensic examination and repair. |
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Trees and landscaping

Object to the removal of the hedge which runs along the top of the wall. The wall and hedges combined height are well over 20 foot - their presence obscure the 'Boncara' development from the road and Heath. Removal of the hedge would have a significant negative visual impact on this pristine stretch of West Heath Road, damaging the character and green aspect enjoyed by the public of the Conservation Area.

Other issues

Should the previously granted vehicle access from West Heath Road be implemented (14-Feb05 2004/3604/P), according to Camden Planning Guidance the new basement may classify as a Ground Floor. This opens the opportunity to apply for a basement.

**CAAC/Local groups
comments:**

The Redington Frognal Association objected to the application on the following grounds:

- Neglect of earlier planning conditions, agreed as part of an earlier consent (2017/4549/L) to extend the property, eg:
 - a. repairs, restoration and reinstatement of the grassy mound;
 - b. an undertaking to maintain the pool in its original state;
- Demolition of a well-used heritage asset within the Redington Frognal Conservation Area. We note that, if the pool is demolished and rebuilt, this will constitute a total loss of significance of the heritage asset and it will therefore lose its listed status. Moreover, the pool's re-siting (and de-listing) would most certainly not constitute a "substantial public benefit".
- Destruction of the area's topography, by levelling the garden;
- Proposed felling of a mature hedge with a high value to biodiversity and to the streetscape. A photograph of this important mature hedgerow, with hedgerow trees, is shown below (with the domed listed swimming pool behind);
- Failure to incorporate any biodiversity-enhancing measures);
- Failure to consider re-purposing some of three garages associated with the single dwelling.

The Heath and Hampstead Society objected to the application on the following grounds:

- This group of buildings is one of Hampstead's iconic architectural gems, and is listed accordingly. The pool stands alone as part of the original architectural composition. We are told that it has been allowed to decay, with some evidence of structural leakage, making it unsuitable for swimming use. A somewhat ambiguous structural engineer's report describes the leakage, but with no indication on whether or how the damage can be repaired.
- No evidence is offered on the issues arising from a repair/refurb option.
- It is clear to us that rebuilding the pool in the new location would harm the important relationship between it and the original house, damaging the listing criteria.

Twentieth Century Society objected to the application:

- The Society wishes to reiterate that the relocation of the pool must be treated as demolition. As stated by Historic England in their pre-application advice, this decision must consider whether public benefit can only be brought about by demolition of the heritage asset. We agree with Historic England that the reinstatement of landscaping and the principle of bringing the pool back into use would be positive alterations.
- Our pre-application recommendation for the advice of a conservation

specialist has been met with the consultation of a structural engineer. Despite this, we remain unconvinced that sufficient investigation has been carried out to ascertain the cause of the leak to the pool, and we are not confident that the deconstruction and relocation can be carried out without damage to the original fabric. The engineer's view that alterations amounting to demolition are required to assess whether the pool can be brought back into use does not constitute public benefit. In order to support the application, we require definite reassurance that proper safeguards will be put in place to protect the original fabric in dismantling and storing, and to guarantee that the reconstruction of the pool be carried out without damage or harmful alteration to the original design. The current application does not provide this reassurance, and we are therefore unable to support it.

The Greater London Archaeological Advisory Service (GLAAS) advised that the development could cause harm to the archaeological interest of the building(s) and recommended a pre-commencement condition requiring no demolition to take place until a written scheme of historic building investigation (WSI) has been submitted to and approved by the local planning authority in writing.

Historic England provided the following comments:

- The removal and relocation of the swimming pool at 35 Templewood Avenue would cause harm to the significance of the Grade II listed Schreiber House by eroding its authenticity and relationship between the house and pool, and by reducing the legibility of James Gowan's carefully conceived geometric plan.
- Pre-application advice from Historic England advised that whilst we did not consider the level of harm to be substantial, we recommended that the future application should be supported by clear and convincing justification for the proposed work to comply with Paragraph 194 of the National Planning Policy Framework (NPPF, July 2018). This should include reassurances that a large percentage of original fabric can and will be salvaged and reinstated as part of the works. We also stressed that the harm we identified should be outweighed by the delivery of public benefits in accordance with Paragraph 196 of the NPPF.
- We note that it has not been concluded in the submitted reports that the proposed works are necessary in order to bring the pool back into use, and it will be for your Council to consider whether the justification provided is sufficient to satisfy Paragraph 194 of the NPPF.
- Regarding the associated heritage-related public benefits, we consider that these can include the replacement of the existing non-original laminated glass and modern tiles with materials to match the original design, as well as the proposed reinstatement of the historic landscaping based on historic records. Again, it is for your Council to be satisfied that sufficient public benefits are offered to outweigh the harm identified in accordance with Paragraph 196 of the NPPF.

- Finally, we are pleased to see that, following our advice, measured drawings have now been provided which should assist with the like-for-like rebuilding of the pool should your Council be minded to approve the scheme. However, we note that no trials appear to have been undertaken to determine whether the fabric to be reused can be removed without damage. We continue to recommend that these trials are undertaken prior to determining the applications.

The **Twentieth Century Society** provided the following additional comments after the applicant queried whether the submitted Fabric assessment & reinstatement methodology report prepared by Purcell had been considered in their response:

- We understand that Purcell have been instructed to provide heritage advice supporting this application. This involves an assessment of the historic significance of various elements of the Grade II listed Schreiber pool, and sets out a plan for the careful dismantling of some of the fittings and structural elements. We are satisfied that the methods suggested for this dismantling will be effective. Our objection lies with the principle of relocation, and the demolition of original fabric that cannot be relocated, rather than the methods proposed.
- We are opposed to the demolition and reconstruction of the reinforced concrete walls, as described in the Purcell report. As stated by Purcell, the original tiling, glazing and many of the fittings of the pool have been replaced, meaning the reinforced concrete walls constitute a major proportion of the listed building's original fabric. We recognise that structural issues have resulted in the pool leaking, however the structural investigation does not show that these issues cannot be addressed with the pool remaining in its original position.
- We do not consider the cost of repair of the existing listed concrete structure to justify its demolition. The structural report does not say that further investigation and repair work to the listed concrete structure is impossible, and we therefore do not consider our pre-app recommendation that "it is necessary that the option of repairing the structure in-situ is exhaustively investigated" has been fulfilled.
- The relocation of the pool will cause significant harm to the listed pool building, and the heritage benefits as proposed can be implemented without moving the pool. This was made clear in Camden's pre-application advice. We are therefore unconvinced that the harmful relocation of the pool is necessary, and recommend that repair work and sensitive enhancements to the listed structure be carried out.

Site Description

The site is located at the corner of West Heath Road and Templewood Avenue, facing the western part of Hampstead Heath which sits directly to the north. The site is located within the Redington and Frogna Conservation Area within sub-area 4 (Redington Road and Templewood Avenue).

The existing house on the site (no.35 Templewood Avenue) is a 3-storey house plus basement, of modern design in red brick with stone banding, which was built in the 1990's. This modern house was constructed in the eastern part of the former garden of the Grade II listed Schreiber House (no.9 West Heath Road), which was built in 1962-4 to designs by the architect James Gowan for the furniture designer Chaim Schreiber. In 1968 an external sunken and domed swimming pool, also designed by Gowan, was constructed to the east of the house on land that now comes under the ownership of no.35 Templewood Avenue but which forms part of the statutory listing of the Schreiber House. The modern house at no.35 Templewood Avenue surrounds the listed swimming pool on the south and east sides and the basement level is built out under the garden and encloses the pool, which opens into the basement rooms.

Relevant History

2017/4498/P & 2017/4549/L - Excavation of new basement level; Erection of 2 storey extension to south east corner of the site to join the south and east wings; erection of new lift/stairwell to the eastern elevation of the south wing up to third floor level, extension of south wing 3rd floor level; installation of car lift to east elevation; refurbishment of listed swimming pool and associated landscaping. Granted subject to S106 agreement 11/06/2018 – Not implemented.

2004/3604/P & 2004/3607/L - Conversion of existing garage into an additional habitable room, erection of a front extension to this habitable room, infilling of existing vehicular opening and crossover, plus excavation and construction of an underground garage involving the formation of a new vehicular access and crossover on West Heath Road. Granted subject to S106 Legal Agreement 14/02/2005 – Not implemented.

LW9903068 - Formation of new openings in the wall surrounding the pool at ground floor level. Listed building consent granted 24/02/2000.

LWX0002256 - Replacement of internal tiles/pool surround. Listed building consent refused 30/05/2000.

PL/9200115/R1 – Erection of a single family dwelling with new means of access to the highway. Granted 31/01/1992.

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy A2 Open Space
Policy A5 Basement
Policy D1 Design
Policy D2 Heritage
Policy T2 Parking and car-free development
Policy T4 Sustainable movement of goods and materials

Camden Planning Guidance

CPG Design (2019)
CPG Amenity (2018)
CPG Altering and extending your home (2019)
CPG Basements (2018)
CPG Transport (2019)

Redington and Frognal Conservation Area Statement 2000

Assessment

1.0 Proposal

- 1.1 Planning permission and listed building consent are sought for the demolition and relocation of the Grade II Listed Schreiber Swimming pool to the north west of garden of 35 Templewood Avenue, the lowering of the swimming pool and garden level, the erection of a ground floor infill extension to 35 Templewood Avenue and the excavation of a new basement level.
- 1.2 The application follows a previously consented scheme (reference 2017/4498/P & 2017/4549/L) for the excavation of a new basement level beneath no.35, the erection of a two storey extension to the south east corner of the building to join the south and east wings, the extension of the south wing at third floor level and the refurbishment of the listed swimming pool and associated landscaping. These works have not been implemented.

2.0 Assessment

2.1 The material planning considerations in the determination of this application are:

- Design (impact of the proposals on the architectural character and significance of the Grade II listed Schreiber swimming pool and Schreiber House, the character and appearance of 35 Templewood Avenue and the Redington and Frognal Conservation Area);
- Amenity (impact of the proposals on the amenity of neighbouring residents in terms of daylight, outlook and privacy);
- Basement excavation;
- Trees and landscaping; and
- Transport considerations.

3.0 Design

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which

improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Camden's Local Plan is supported by CPG (Design) and CPG (Altering and extending your home).

- 3.2 Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") are relevant.
- 3.3 Section 16(2) provides that in considering whether to grant listed building consent for any works to a Listed Building special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.4 Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.
- 3.5 The effect of these sections of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

Significance of the Schreiber House and associated swimming pool

- 3.6 The Schreiber House (no.9 West Heath Road) is a detached house of 3-storeys plus basement of a striking design of vertical piers of blue rustic Staffordshire engineering bricks separated by continuous vertical strips of glazing defining internal spaces. The garden wall to the original garden of the Schreiber house is also in blue engineering bricks which continues around the application site. The swimming pool was added by Gowan in 1968 when he completed the external landscaping of the house. The house and swimming pool were listed at Grade II in 1998, the listing entry describing it as 'one of the most significant town houses of the post-war period' and was Gowan's first solo project following his split with his former partner James Stirling.
- 3.7 The swimming pool is 30 foot in diameter and was constructed out of reinforced concrete set into a turf mound, reminiscent of Gowan's designs for the Brunswick Park Primary School. Two asymmetric circular changing / shower and WC rooms are located either side of the sunken stairs to the west, both top-lit by small domed rooflights. The pool is topped with a striking dome of tubular steel. Internally, the pool is finished with a white Sicilian marble surround and base, which has two rings of black Nero Marquina marble, with blue and white glazed tiles to other surfaces. Access to the swimming pool from the Schreiber House was originally via a recessed side door in line with the stairs down to the sunken pool.
- 3.8 The existing pool structure has experienced various changes to its original design that has to some extent eroded its significance. This is primarily as a result of the physical separation with the Schreiber House and the impact of the construction of 35 Templewood Avenue, with which the pool is directly linked through openings at basement level. While the planted boundary between the two plots has resulted in some severance between the swimming pool and Schreiber House, and some harm to the building's settings, the legibility of their original relationship can still

be appreciated. The original turf mound has been lost and replaced with a masonry wall. Some changes have also occurred to the external brickwork around the circular shower room.

3.9 While the swimming pool has experienced a number of changes, it does retain a large amount of its original character and fabric, and is still considered to hold a high level of significance.

Re-location of swimming pool

3.10 The proposals relate to the relocation of the existing listed swimming pool further to the north of the site within the garden of 35 Templewood Avenue, orientated at a 45 degree angle to the Schreiber House. It is proposed to reintroduce the turf mound and to salvage and re-use the existing steel domed structure and to replace the original Georgian wired glass. Other original elements of the swimming pool structure are proposed to be rebuilt in facsimile.

3.11 The application submission outlines the reason for the proposed re-location of the pool as being a result of significant leakage when it is filled, rendering it unusable. An Existing Fabric Assessment/Reinstatement Methodology by Purcell and Structural Assessment by Barrett Mahony have been submitted in support of the application. The structural Assessment identified two issues with the pool – a slight leak from the main drain which is likely caused by tree roots, and extensive leakage into the garden and house when the pool is filled.

3.12 The report reviewed original construction drawings and carried out chemical testing on the concrete. It was found that the concrete did not contain high alumina cement or chlorides in the cement, nor does it show any obvious signs of carbonation and alkali-silicate reactions. It is therefore unlikely that the pool leaking is caused by defective concrete mix design. The original reinforcement concrete drawings suggest that the pool structure appears to have been adequately detailed with a reinforcement design broadly in line with today's standards. The report suggests that the main drain leak is likely caused by tree root activity, and suggests that the drain can be burst and re-lined without excavation internally, and that the internal drain will need to be exposed and replaced internally which can be done without causing any permanent damage to the structural slab. However, the report does not conclusively establish the cause of the extensive leakage when the pool is filled. It may be that although the slab and walls joints are detailed correctly on the drawings, the pool was not constructed that way and may have leaked from the outset. Alternatively, the construction of 35 Templewood Avenue and excavation of its foundations may have caused structural settlement cracks in the concrete. The report concludes that the level of intervention required to ensure the pool structure is robust and fit for purpose will likely require that all existing finishes are removed as well some of the concrete structure, and consequently, it likely that complete reconstruction of the pool concrete structure will be significantly more economical than forensic examination and repair of the existing concrete structure.

3.13 The Existing Fabric Assessment/Reinstatement Methodology by Purcell goes on to outline the proposed methodology for dismantling and reinstatement of the swimming pool. As the existing concrete cannot be dismantled and reinstated, new reinforced concrete walls would be constructed to the same dimensions as the original and associated membranes installed to the external face of the concrete prior to reinstatement of the grass mound. The existing skylights over the WC and shower area, external door, stone steps, blue engineering brickwork and coping stones would be removed and reinstated. The metal work of the glazed dome would be removed and reinstated, with new clear Georgian wired panels installed to replace the non-original existing

glazing. Internally, the fixtures and fitting and existing wall tiling are not original and would be replaced with new glazed ceramic tiles to match the original colour scheme and arrangement. The existing marble would be lifted and reinstated.

3.14 Although it is acknowledged that 35 Templewood Avenue has a poor relationship with the swimming pool, the proposed relocation would result in significant harm to the listed swimming pool through the loss of original fabric and further severance of its relationship with the Schreiber House. The NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para. 193). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings should be exceptional (para. 194).

3.15 In this instance, although the proposals would retain elements of original fabric such as the metal framework of the domed roof, the development would amount to demolition and rebuilding of the listed building. The existing concrete structure constitutes a significant proportion of the pool's original historic fabric, meaning that the proposals would result in almost total loss of surviving historic fabric. Likewise, the pool's significant axial relationship to the Schreiber House would be removed. As such, the level of harm to the significance of the building is considered to be substantial. Likewise, the proposed demolition and relocation of the pool is considered to cause less than substantial harm to the character and appearance of this part of the conservation area by way of the loss of the axial relationship with the Schreiber House and the harm caused to the significance of the listed building.

3.16 Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use

3.17 The Heritage Assessment submitted in support of the application has suggested that the new location of the pool would provide a number of heritage benefits, namely:

- It will allow for a more appropriate relationship with No. 35 Templewood Avenue and the swimming pool, providing it with a more open setting as it once had;
- The reintroduction of its original Georgian wired glass roofing material;
- The reintroduction of its original mound, an integral design feature;
- The reintroduction of its original floor plan as a result of the removal of inappropriate openings connecting it to No. 35 Templewood Avenue.

3.18 It is considered that the majority of the heritage benefits set out above could be delivered without relocation, and that repairs to rather than complete replacement of the structure should be carried out. The removal of the modern retaining wall and replacement of the turf mound could be reintroduced to the exposed half of the pool. The blocking of later openings, reinstatement of original lighting scheme and replacement of glazing could be addressed with the pool in its current location. As such, the benefits identified are not considered to be sufficient justification to outweigh the harm caused to the significance of the listed building and the character and appearance of the conservation area, and as a result the proposed relocation is not supported. As such, the proposed relocation of the grade II listed swimming pool would be contrary to policies D1 and D2 of the Camden Local Plan, and forms a reason for refusal of the applications.

Infill and Basement Extension

3.19 The proposals also include the erection of an infill extension at ground floor level to fill the area left by the relocated swimming pool, and the excavation of a new basement floor of the same footprint beneath which would measure approximately 344sqm and 3.7m deep and would cover the footprint of the existing building. The ground floor extension would be finished in matching brickwork to the existing house with matching fenestration to the floors above. Notwithstanding the harm identified to the significance of the swimming pool resulting from its relocation, the proposed extensions, in themselves, are considered to preserve the character of 35 Templewood Avenue, the setting of the Schreiber House, and the wider Redington and Frognaal Conservation Area.

Other works

3.20 The proposed drawings include development previously approved under references 2017/4498/P and 2017/4549/L, including the addition of a 2-storey extension in between the two existing wings and the erection of a roof extension above the southern block.

3.21 As considered previously, the existing building is not considered to contribute positively to the character and appearance of the wider conservation area nor to the setting of the listed swimming pool. The southern wing already features a lift overrun and glazed extension at roof level which would be demolished and a new roof extension erected. It would not be taller than the existing structure but would have a larger footprint, measuring 14.4m long x 5.6m wide, set in from each elevation by approximately 0.9m. The proposed extension would be largely glazed with grey metal framed windows which would be sympathetic to the existing building. The roof extension would sit lower than the large roof extension at no. 33 Templewood Avenue to the south of the site, and would not seem excessively large or out of place in this context.

3.22 The proposal includes the demolition of the existing curved canopy to the south east corner of the site and the erection of a two storey infill extension in its place of the same height and similar footprint. Although the development would increase the bulk of the property in this prominent location, given the fact that it would extend no higher and only 0.3m wider than the east wing, the extension is considered a subordinate addition that would be in keeping with the existing building and scale of development of the surrounding area. Above this extension, the proposed 2 storey lift and stair core would be a relatively modest extension constructed of matching materials and design to the existing building. It would be curved, projecting a maximum of 2m from the east elevation of the southern block.

3.23 The proposed extensions are set back and away from the swimming pool and are not considered to cause any additional harm to its setting or special character given the existing arrangement. Overall, the proposals are considered acceptable and would not cause harm to the character and appearance of the host building or wider Redington Frogna Conservation Area. As such, these elements of the works are considered acceptable.

4.0 Amenity

4.1 Policies A1 and A4 of the Local Plan seek to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.

4.2 The nearest residential properties are the Schreiber House to the west of the site and 33 Templewood Avenue to the south. The proposed relocation of the pool would not cause harm to the amenity of occupants of these properties, as the views from the new pool location would still be shielded by the existing house on site and the boundary treatment between the application site and the Schreiber House.

5.0 Basement excavation

5.1 Policy A5 states that in determining applications for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement development that does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability. Developers are required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

5.2 The proposed basement would be similar to the basement extension approved under references 2017/4498/P and 2017/4549/L but would infill a small additional area in the void created by the relocation of the swimming pool. The revised basement footprint would still comply with requirements (f) to (m) of policy A5, as it would not comprise of more than one storey; would not be built under an existing basement; would not exceed 50% of each garden within the property; would be less than 1.5 times the footprint of the host building in area; would extend into the garden no further than 50% of the depth of the host building; and would be set back from neighbouring property boundaries.

5.3 The applicant has submitted a Basement Impact Assessment (BIA) which has been subject to independent verification by Campbell Reith in accordance with Policy A5 and CPG Basements. The BIA has been carried out by engineering consultants who possess suitable qualifications.

5.4 In their initial BIA audit report, Campbell Reith identified a number of areas where further details or extra clarification were required:

- Clarification is requested on the construction methodology as contradictory information is given in the BIA and structural method statement (SMS).

- A ground investigation was carried out but exploratory holes terminated short of the proposed basement level. Additional deeper intrusive investigation and groundwater monitoring is required to inform the impacts to groundwater flow and stability and, subsequently, the design of the proposed structures including the retaining pile wall.
- References in the BIA documents to the outdated standards and specifications should be replaced with the current ones.
- The presence or absence of basements beneath the neighbouring properties and the depth to the foundations should be confirmed prior to construction, particularly given that one of them (Schreiber House) is a Grade II listed building and may be impacted by the proposed development.
- Templewood Avenue, to the east of the subject site, was flooded in 2002. This together with potential impacts of the increase in hardstanding areas should be included and assessed in the BIA.
- The GMA report should be informed by deeper investigation data and should include the existing and proposed swimming pool as well as the adjacent footways and any utilities in the vicinity. The full input and output of any software used in GMA should be provided.
- A utility search should be undertaken to allow the impacts of these to be assessed. Appropriate protection and mitigation of damage to each asset should be agreed with the asset owners.
- An outline structural monitoring strategy to ensure that movements and damage impacts remain within acceptable limits is requested. The strategy should consider the proposed new swimming pool as well as the main property and all potentially affected structures and infrastructure. Trigger levels should be based on the updated GMA.
- An indicative works programme has not been provided and this is requested.

5.5 In response to the initial audit report, the applicant submitted a revised BIA and SMS. Although the revised details addressed certain queries, Campbell Reith confirmed in their second audit report that the following elements remained outstanding:

- Additional deeper intrusive investigation and groundwater monitoring is required to inform the impact assessment with respect to subterranean flows and stability and, subsequently, the design of the proposed structures including the pile retaining wall.
- The presence or absence of basements beneath the neighbouring properties and the depth to their foundations should be confirmed and taken into account in the BIA.
- The ground movement analysis (GMA) concluded 'Negligible' to 'Very Slight' damage for the neighbouring buildings at 33 Templewood Avenue and Schreiber House. The anticipated risk of damage to nearby highways was concluded to be low. However, the GMA should be informed by deeper investigation data and should include the potential impact on the boundary walls including the wall towards Schreiber House.
- Consultation with the asset owner is recommended for the potential impact presented in the GMA on Thames Water sewer under Templewood Avenue.

5.6 Following their second audit report, the applicant submitted additional information directly to Campbell Reith. Campbell Reith confirmed to the LPA that the assessments presented in the revised draft BIA report are considered reasonably conservative, based on the site investigation provided to date. However, soils at greater depths below the proposed excavations may be expected to be softer / looser and therefore further site investigation will be required to confirm the assumed ground model. Consequently, it was suggested that additional site investigation and

updated assessments should be provided within a Basement Construction Plan (BCP). The BCP would need to confirm the proposed construction methodology, sequencing and structural monitoring to be implemented.

- 5.7 However, no further information was submitted to the Council for inclusion with the application, and as a result, Campbell Reith have been unable to issue a final audit report confirming that the proposed works would comply with the requirements of Policy A5 and CPG Basements. This therefore forms an additional reason for refusal.

6.0 Trees and landscaping

- 6.1 The proposals include the removal of 4 trees and a group of 2 trees to facilitate development. The removal of these trees was previously considered acceptable and approved under reference 2017/4498/P. The trees proposed to be removed are low quality, are poor examples of their species or are growing in inappropriate locations, and as such, their removal is still considered acceptable.

7.0 Transport considerations

Relocation of existing crossover

- 7.1 The proposed site layout drawings include the relocation of the existing crossover further north along Templewood Avenue by approximately 5.5m (as previously approved under reference 2017/4498/P). As before, the relocation of the crossover would necessitate the relocation of parking bays which would require a Traffic Management Order (TMO) change. The total amount for the traffic order and the repainting of the parking bays would need to be paid by the applicant and secured by S106 if the proposals were considered acceptable. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

Highway Works Contribution

- 7.2 Policy A1 (Paragraph 6.11) of the Camden Local Plan states that the Council will repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links, road and footway surfaces. The Council would need to secure a financial contribution for highway works as a section 106 planning obligation if the proposals were considered acceptable.
- 7.3 The proposed works could lead to damage to the footways and carriageway at the junction on the public highway. Camden would need to undertake highway remedial works following completion of the proposed development and a financial contribution for highway works would need to be secured as a Section 106 planning obligation. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

Excavation in close proximity to the public highway

- 7.4 The proposal involves basement excavations within close proximity to the footway directly adjacent to the site. The council would have to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations. The applicant would be required to submit an 'Approval In Principle' (AIP) report to the Council's Highways

Structures & Bridges Team within Engineering Services as a pre-commencement obligation. This is a requirement of British Standard BD2/12. The AIP would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. An AIP assessment fee of £1,800 would be required and would need to be secured as section 106 planning obligation. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

Management of Construction Impacts

7.5 Policies A1 and T4 state that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). The policies also relate to how development is connected to the highway network. For some developments, this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).

7.6 While the development is not considered to be a major development, due to the location of the site, the scope of the works and excavation, a CMP would be required to be secured as a Section 106 planning obligation if the works were considered acceptable. A CMP Implementation Support Contribution of £3,136 would also need to be secured as a Section 106 planning obligation. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

8.0 Conclusion

8.1 The proposed demolition and rebuilding of the grade II listed Schreiber swimming pool, although retaining elements of original historic fabric, is considered to cause substantial harm to the significance of the swimming pool by way of loss of historic fabric and loss of the building's original axial relationship to the Schreiber House. Although heritage benefits have been put forward to mitigate this harm, it is considered that these could largely be delivered without necessitating the demolition and relocation of the pool. As such, the proposed development would not meet the requirements of the NPPF tests and would be contrary to policies D1 and D2 of the Local Plan. The reasons for refusal are as follows:

1. The proposed demolition, relocation and facsimile reconstruction of the Schreiber swimming pool would cause substantial harm to the significance of the swimming pool and Schreiber House by way of the loss of historic fabric and the loss of the axial relationship between the two buildings, and harm to the conservation area, contrary to policies D1 and D2 of the Camden Local Plan 2017.
2. The applicant has failed to demonstrate, by way of a suitably comprehensive Basement Impact Assessment, that the proposed basement works would not cause harm to the structural stability of the building and neighbouring properties and avoid adversely affecting drainage and run-off or causing other damage to the water environment, contrary to policy A5 (Basements) of the Camden Local Plan (2017) and Camden Planning Guidance (Basements).
3. The proposed development, in the absence of a legal agreement securing an Approval in

Principle Report and appropriate financial contribution towards an approval in principle would fail to mitigate the impact of the basement works on the adjacent public highway contrary to policies T3 (Transport Infrastructure) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

4. The proposed development, in the absence of a legal agreement to secure an appropriate financial contribution towards public highway works, would be likely to harm the Borough's transport and public realm infrastructure, contrary to policies T1 (Prioritising walking, cycling and public transport), T3 (Transport Infrastructure), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
5. The proposed development, in the absence of a legal agreement to secure a financial contribution to cover the cost of the change to the Traffic Management Order in relation to the relocated crossover would be likely to harm the Borough's transport and public realm infrastructure, contrary to policies T1 (Prioritising walking, cycling and public transport), T3 (Transport Infrastructure), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
6. The proposed development, in the absence of a legal agreement to secure a construction management plan, and an appropriate financial contribution towards implementation support, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.