
Planning Statement

35 Templewood Avenue NW3





Contents

1.	Introduction	1
2.	Site and Surroundings	2
3.	Planning History and Pre-Application Discussions	6
4.	Proposed Development	9
5.	Planning Policy Framework	11
6.	Planning Considerations	15
7.	Conclusion	40

1. Introduction

- 1.1. This Planning Statement has been prepared on behalf of the applicant, Mr. Bryan Coyne in support of an application for planning permission and listed building consent at 35 Templewood Avenue for the following development:

“Demolition of existing dwelling house excluding the existing statutorily Listed swimming pool building and roof structure. Refurbishment of retained listed swimming pool Replacement of dwelling house comprising basement, ground, first and second floors. Creation of a new vehicular access to proposed basement level via West Heath Road. Associated landscaping including reinstatement of earth mound around retained swimming pool building”

- 1.2. This statement provides the background information relating to the site and a detailed assessment of the proposals in relation to relevant planning policy. Specifically, it sets out that the proposals will result in a development that responds appropriately to the specific characteristics of the site context and the Development Plan.

- 1.3. This document is divided into the following sections:

- **Section 2** describes the existing site and surrounding area;
- **Section 3** outlines the planning history of the site and pre-application discussions;
- **Section 4** provides a description of the proposed development;
- **Section 5** outlines the relevant Planning Policy Framework;
- **Section 6** analyses the main planning and design considerations in the determination of the application; and
- **Section 7** draws together our conclusions in respect of the overall proposals.

2. Site and Surroundings

- 2.1. The property is a large detached single dwelling house (within Use Class C3) located at the junction of Templewood Avenue and West Heath Road. The site is located approximately 400m west of Whitestone Pond and approximately 800m north of the centre of Hampstead. The site lies opposite Hampstead Heath (West Heath) which is directly accessible from West Heath Road.
- 2.2. The site is located within the Redington and Frogna Conservation Area and with Sub-Area 4 'Redington Road and Templewood Avenue'. The area is characterised by large individual dwelling houses set within their own identifiable plots.
- 2.3. The existing dwelling house on the site is comprised by two integrally linked (but identifiable) elements
 - *an "L-Shaped" red brick structure*
 - *a semi subterranean swimming pool and above ground a glass domed roof*
- 2.4. The history and the origins of the existing dwelling house are well known and are set out in much greater detail within both the Design and Access Statement prepared by Lyndon Goode Architects and the Heritage Statement prepared by Bidwells.
- 2.5. In summary, the current house and its garden plot were formally (and originally) laid out as private garden space associated to the neighbouring residential dwelling house, which lies to the west of the application site, known as the Schreiber House (No.9 West Heath Road). The application site plot now forms the north-west corner of the junction of Templewood Avenue and West Heath Road. The adjacent Schreiber House sits within its own (smaller) plot fronting West Heath Road.
- 2.6. The neighbouring Schreiber House was designed in the early 1960's by architect James Gowan for furniture manufacturer Mr. SC Schreiber. Built by CP Roberts & Co, it was completed in 1964 and its subterranean swimming pool in 1968. This was a 30 ft-diameter sunken, domed swimming pool set in a turf mound with two circular rooms containing shower and WC. The grassed mound helped it blend into the landscape.
- 2.7. Over the years the owners of the Schreiber House sold parts of the garden as development plots. It was decided to remove the connection between the Schreiber House and the pool by creating a corner plot including the pool, and removing the link between pool and house and creating 35 Templewood Avenue which was completed in 1994.
- 2.8. The two elements (the main Schreiber House and the swimming pool) have been completely (and now historically) divorced from each other. Two completely separate and distinct plots and planning units were created. There is no appreciable linkage between these two plots. An existing (and high) yew hedge provides an dense boundary screen between these properties.

- 2.9. In 1994 (after the completion of No.35 Templewood Avenue) the Schreiber House and pool were given a Grade II listing. This was in the context of the modern red brick house and the fact that the swimming pool sits in a completely different plot to its original host, the Schreiber House. The retained swimming pool is linked to and forms an integral element of the main dwelling house that now sits at the plot.
- 2.10. Bizarrely, the formal Listing Description makes no mention of the dwelling house at No.35, and thus no mention of the altered context within which the swimming pool sits, as opposed to its original status. The circumstances surrounding the listing of the pool are unique and can be considered somewhat of an oddity for these reasons.
- 2.11. The pool was identified as being on English Heritage's (as was) buildings at risk register in 2002, described as being in a 'poor condition'. At present, the building is showing signs of wear and tear, with a number of tiles missing. The pool can no longer be filled due to leaks caused by inherent failures in the structural concrete.
- 2.12. The main body of the dwelling house dating from the early-mid 1990's forms an "L-shape", with the swimming pool sitting within the right angle of the "L". The existing exterior walls consist of red bricks with white aluminum window frames, beige articulated stone features, brown rainwater pipes and barrel vault roof of dark brown metal, an open heavy set metal canopy exists within the Templewood Avenue Elevations.
- 2.13. The existing dwelling is bold and it has a stark solidity to its appearance. It can be readily described as "*being of its time*". It displays clear bold Post-Modernist influences from the early 1990's. The existing dwelling house detracts from the character and appearance of the conservation area and the surrounding townscape and streetscape.
- 2.14. It appears to blend with the neighbouring flat block at No.33 creating a much larger edifice, out of keeping with the character of the Conservation Area, The detailing of the building is of poor quality, especially the heavy duty window frames and post-modern embellishments. Entrance gates are of solid stainless steel and present a stark face to the street.
- 2.15. Directly to the south of the application lies No 33 Templewood Avenue, a flatted block that also dates from a similar time. It displays a similar use of materials and form to that at No.35. Opposite the site to the east, lies Heath Park Gardens, a large and imposing block of flats rising to 5 floors in height.
- 2.16. The dwelling is arranged over 4 floors : lower ground, upper ground, 1st, and part 2nd floor. The existing building has various sub-levels within the house with many internal level changes and steps. The main entrance from the street is very poor in accessibility terms being located up steps from street level. The existing building does not meet Part M Building Regulation requirements.

Planning Statement

35 Templewood Avenue NW3

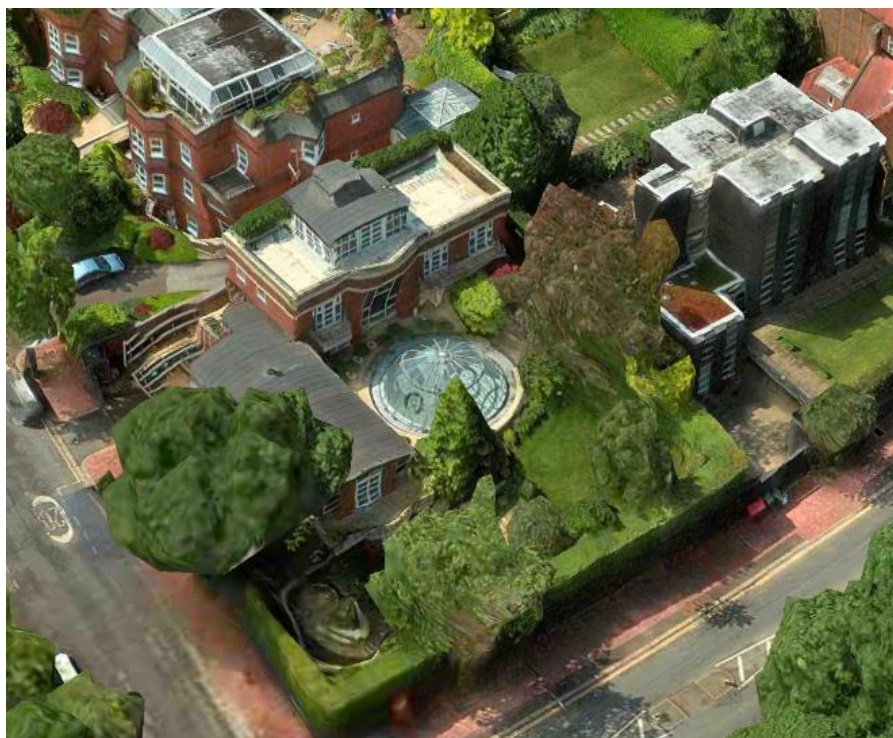


- 2.17. The “front” of the plot (i.e. the northern aspect) is laid to garden set behind substantial hedging. This hedging sits above the heavy set engineering brick boundary wall to West Heath Road. The garden level of the dwelling sits approximately 1.8m higher than grade within West Heath Road. The existing lower ground opens out to an excavated terrace that sits below the main garden level.
- 2.18. Currently vehicle access is from Templewood Avenue, with garage vehicle parking at lower ground level. This is via a steep gradient ramp way.
- 2.19. The site has a PTAL rating of 2, with Hampstead Underground being a 15minute walk from the site.



Planning Statement

35 Templewood Avenue NW3



3. Planning History and Pre-Application Discussions

Planning History

- 3.1. A review of the Council's online planning history records highlighted a number of planning and listed building applications going back to the permission for the original dwelling house in the early 1990's

<i>Application Number</i>	<i>Development Description</i>	<i>Decision</i>	<i>Decision Date</i>
1 2018/3816/L	<i>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.</i>	<i>Refused</i>	<i>04-09-19</i>
2 2018/1295/P	<i>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.</i>	<i>Refused</i>	<i>04-09-19</i>
3 2017/4549/L	<i>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.</i>	<i>Granted</i>	<i>11-06-18</i>
4 2017/4498/P	<i>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.</i>	<i>Granted Subject to a Section 106 Legal Agreement</i>	<i>11-06-18</i>
5 2004/3607/L	<i>Erection of a front extension to the proposed converted garage, 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.</i>	<i>Granted</i>	<i>07-12-04</i>
6 2004/3604/P	<i>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.</i>	<i>Granted Subject to a Section 106 Legal Agreement</i>	<i>07-12-04</i>

Planning Statement

35 Templewood Avenue NW3



7	LWX0002256	Replacement of internal tiles/pool surround, As shown on drawing numbers; 3523 L0 34A and one A4 sheet with a photograph.	Refuse Listed Building Consent	03-05-2000
8	LW9903068	Formation of new openings in the wall surrounding the pool at ground floor level, As shown on drawing numbers; 3523.DE.1BC and 5B.	Grant L B Consent with Conditions	24-02-2000
9	9210047	Approval of details of elevations and facing materials pursuant to Condition 01 of the planning permission dated 26 May 1992 (PL9200115/R1) for the erection of a single family dwelling and new means of access to the highway as shown on drawing No 2589/ DE/11 and sample materials (site on corner of West Heath Road and Templewood Avenue)	Granted	30th Jul 1992
10	PL/9200115/R1	Erection of a single family dwelling with new means of access to the highway as shown on drawing no etc, revised 3rd March 1992	Granted	31st Jan 1992
11	1170	Construction of new swimming pool with glass canopy in garden of 9 West Heath Road, Hampstead, NW3	Granted	6th Mar 1964

3.2. Item No 5 is relevant to the current planning applications. This 2004 approval allowed the creation of a vehicle access way to link to a basement level garage. This proposed vehicle access through the site boundary wall from West Heath Way, in broadly the same manner to that now proposed by this application. There has been no material change in highway conditions or the site arrangement since 2004 and as such, weight can be attached to the principles set by this permission.

3.3. Item Nos.3 and 4 are extant permissions until September 2021. These planning and listed building consents gave permission for extensions, upgrades and refurbishment to the existing building, including:

- *Excavation of an extensive basement level with car parking for 4 vehicles*
- *Two storey extension to the south eastern corner of the site*
- *New lift shaft, stairwell,*
- *Extension to the third-floor roof level*
- *Refurbishment of the listed swimming pool*
- *Associated landscaping.*
- *It also included a car lift accessed by the rear of pavement edge on Templewood Avenue*

Planning Statement

35 Templewood Avenue NW3



- 3.4. This application did not readily solve the structural or internal arrangement limitations of the property. It did however consent additional massing and form at the site. It was a more piecemeal approach to a more complicated set of issues.

Pre-Application Discussions

- 3.5. In advance of the submission of this application, formal pre-application discussions were held with planning and conservation officers from the Council. These discussion are set out in more detailed within the Design and Access Statement prepared by Lyndon Goode. A more detailed overview of the proposed development is set out in Section 4 overleaf.

4. Proposed Development

- 4.1. This application proposes the part demolition and part retention of the existing dwelling house. It broadly proposes to follow the arrangement of the existing dwelling in terms of its arrangement around the retained swimming pool complex in an “L shaped” form.
- 4.2. The proposed replacement elements have their focus and rationale based around the retention and integration of the listed swimming pool. The swimming pool room will become the new focus of the dwelling. It will provide a family space within the dwelling with the glass dome providing a dramatic feature for this room.
- 4.3. The circular form of the pool has now informed the design of the replacement building. This circular axis links to the main entrance hall and the expression of the external elevation in this zone. The replacement wings respond (for the first time) to the geometry set by the pool.
- 4.4. The application proposes the replacement of the existing accommodation wings along the southern and eastern edge of the site.
- 4.5. At present, an existing lower ground floor level sits below the existing raised ground floor. This in effect forms an existing subterranean basement level. This application proposes a single replacement basement level of between 4-5m below the main street level of Templewood Avenue (adjacent to the main front entrance). This leaves the “below ground” elements of the retained swimming pool complex intact. The basement level provides accommodation for leisure facilities including a gym, new pool and ancillary staff accommodation and plant.
- 4.6. Small lightwells serve and provide outlook for these spaces. At the northern end of the new swimming pool, a small below ground terrace is created. This sits below the main garden level above. This new terrace is in the same location (albeit smaller in size) than the existing corresponding terrace.
- 4.7. A smaller, partial second basement level is proposed for swimming pool and other plant equipment.
- 4.8. This basement arrangement contrasts to the 2018 permission which gave consent for a large new basement level, below the existing lower ground level and thus, in effect, permitted a full two storey basement level.
- 4.9. The replacement eastern wing is a single level (albeit double height space) providing living accommodation opening out onto the external garden. The southern wing comprises two floors above ground providing the bedroom accommodation.

- 4.10. Vehicular access is proposed to be moved from the existing location on Templewood Avenue as described in Section 2. Vehicles will now enter the site through the existing boundary wall along the north of the site fronting West Heath Road. This access leads to a sub-surface ramp that sits fully under the level of the garden above. It slopes down to meet the main body of the basement in the southern area of the site.
- 4.11. This arrangement was deemed acceptable by the LPA previously with the granting of a very similar access arrangement in 2004. This mirrors the position of the existing vehicle access point to the adjacent Schreiber House. The remainder of the boundary wall is retained along with the planting / vegetation that sits atop this wall. The access ramp will be entirely covered by the garden level above with no external protrusion above.
- 4.12. Cycle parking spaces are also provided at basement level, along with space for domestic refuse and recycling storage.
- 4.13. Landscaping and new planting is proposed within the main garden area.
- 4.14. For the first time, level (step free) pedestrian access will be obtained from the principal dwelling entrance which is proposed to be retained within Templewood Avenue. The ground floor of the replacement building now sits at a lower level than the existing dwelling house to ensure this level access from the street.
- 4.15. The house will be fully accessible and will meet Part M4(2) building regulations. A lift is proposed to serve all floors. It is not possible to provide full wheelchair accessibility to the swimming pool zone, given the level changes within the site and the listed status of the retained swimming pool.

The Retained Swimming Pool

- 4.16. The existing listed swimming pool will be fully retained in situ. It is in poor condition, its deterioration has led to leaking. The pool's size and shape does not lend itself to modern requirements. This application now provides the means to secure the pool's long term future.
- 4.17. A new floor level will be inserted flush with the pool surround. This will be carefully installed and secured to the retained structure to ensure the principles of reversibility are maintained. Floor detailing will demarcate the outline of the pool below. Accessible storage space will be provided below the floor level to ensure use and maintenance access.
- 4.18. Alterations will be made to the access points that sit around the drum of the pool to allow access from the main dwelling. This will ensure that the pool is now fully integrated to the dwelling house that surrounds it. another access point will be provided to the garden area via a new staircase.
- 4.19. The existing curved shower room will be converted a wine vault, ensuring this original feature and layout is preserved. The proposal will re-introduce the grass mound which provided a softer "collar" for the pool which formed part of the original design but had already been removed at the time of the listing.

Planning Statement

35 Templewood Avenue NW3



- 4.20. Externally, a roof terrace is proposed above the main entrance to Templewood Avenue. This will be circular in form and framed by vertical stone fins, following the geometry and axis of the retained swimming pool through the house.
- 4.21. In terms of proposed materials, the scheme will have a limited yet subtle and restrained palette.
- 4.22. The dwelling will be predominantly brick with red, blue, brown multi brick in English cross bond and a light grey mortar. 'Stippled' offset brickwork areas will provide a fine grain of detail, articulation and relief within the elevations. Pigmented reconstituted stone cladding and detailing will be used within the expressed framing of the elevations. Windows will be Champagne' anodised aluminium frames
- 4.23. New plant is proposed to be located at basement level. In terms of energy and sustainability, overall, the development proposes to achieve a 40% reduction in carbon emissions versus the relevant Building Regulations. This is achieved through the installation of photovoltaic panels on the flat roofs of both wings of the proposed new build elements.
- 4.24. The remaining 60% reduction will be achieved via a financial contribution calculated in accordance with the Council's published guidance. This is noted within Peter Deer Associates report and has been estimated at £22,851.
- 4.25. It is proposed that the remaining energy requirements for the house will be achieved using air source heat pumps.
- 4.26. Full details of the design rationale is set out within the accompanying Design and Access Statement prepared by Lyndon Goode Architects.

5. Planning Policy Framework

- 5.1. In addition to the specific requirements of regional and local policies, any proposal for development should also be considered in the context of national guidance.

The National Planning Policy Framework

- 5.2. The development that is the subject of this application has been considered in light of the National Planning Policy Framework (NPPF 2019), which provides a direction for planning on a national scale and the expectation that all local planning documents will be in general conformity with the NPPF and decisions made on that basis.
- 5.3. One key parameter running through the NPPF is that the purpose of the planning system is to contribute to the achievement of sustainable development. In putting this in to practice, paragraph 8 of the NPPF notes that the planning system has three overarching and interdependent objectives as follows:

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 5.4. To reach these three objectives, the NPPF details how to address these. Chapter 6 sets out how planning should support Building a Strong, Competitive Economy, with paragraph 80 stating:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

- 5.5. With regard to design, Chapter 12 of the NPPF addresses Achieving Well-Design Places. Paragraph 128 specifically notes:

Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

- 5.6. For decision-taking, paragraph 11 of the NPPF is clear that this means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 5.7. This application should therefore be assessed in this context and its ability to deliver economic, social and environmental improvements.

- 5.8. Chapter 16 deals with “Conserving and enhancing the historic environment”.

- 5.9. National Planning Policy Guidance (PPG) (Paragraph: 020 Reference ID: 18a-020-20190723 updated July 2019) sets out what are “Public Benefits”, and clearly states:

“...However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*

- *securing the optimum viable use of a heritage asset in support of its long term conservation”*

The Development Plan

- 5.10. Section 38(6) of the Planning & Compulsory Purchase Act (2004, as amended) requires that determination of any planning application must be in accordance with the development plan unless material considerations indicate otherwise.
- 5.11. In this case the Development Plan comprises:
- *The London Plan (as amended since 2011, including by the Minor Alterations to the London Plan (MALP) published in March 2016);*
 - *The London Borough of Camden Local Plan (adopted July 2017);*
 - *The London Borough of Camden Policies Map (adopted June 2017);*
- 5.12. The documents are also supported by a range of supplementary planning documents sitting alongside both the London Plan and local policies.
- 5.13. The New London Plan was considered at the EIP during early-mid 2018, with the EIP Panel Report being issued on 8 October 2019. The GLA issued an Intention to Publish the plan in December 2019. As of February 2020, the Secretary of State was still considering his response to the GLA.
- 5.14. The site lies outside of the boundary for the Hampstead Neighbourhood Plan.
- 5.15. The site does lie within the boundary of the Redington and Frognal Neighbourhood Forum area. This Forum was re-designated on 25 October 2019. No draft Neighbourhood Plans have been prepared.

6. Planning Considerations

6.1. Consideration and assessment of the proposed development with regard to local and national planning policies and guidance is set out under the following headings:

1. **Principle of Demolition**
2. **Works to the Swimming Pool & Setting of the Schreiber House**
3. **Design, Form & Massing**
4. **Overlooking / Privacy**
5. **Outlook and Enclosure**
6. **Daylight and Sunlight**
7. **Amenity of Proposed Dwelling**
8. **Arboriculture / Landscape Matters**
9. **Vehicle Access**
10. **Servicing**
11. **Car Parking**
12. **Archaeological Matters**
13. **Plant and Noise Matters**
14. **Subterranean Development**
15. **Sustainability and Energy**

6.2. Further information on a number of these matters is provided within the various supporting documents that are also submitted as part of this application. Due reference is given to relevant supporting documents and these should be considered for a more detailed assessment of relevant matters.

Principle of Demolition

- 6.3. It is proposed to demolish the majority of the existing dwelling house whilst retaining the listed pool structure and provide a replacement dwelling house with new floorspace integrated with the retained listed pool structure. The objective is to deliver a dwelling house commensurate with its location and position within this residential area of Hampstead.
- 6.4. The key planning considerations relating to demolition are straightforward:
1. *What is the heritage value of the existing dwelling and swimming pool?*
 2. *Will the proposed development (following the partial demolition of the existing dwelling house) positively enhance the character and appearance of the Conservation Area in its own right?*
 3. *Will the proposed development (following demolition of the existing dwelling house) positively enhance the character and appearance of the Conservation Area having regard to the existing dwelling?*
 4. *Will the proposed development maintain the special architectural and historic value / significance of the listed swimming pool?*
 5. *Will the demolition and replacement of the main dwelling areas be sustainable?*
- 6.5. If items 2-5 can be answered positively, then there can be no impediment to the demolition of existing elements of the dwelling, subject to the quality of its replacement. The following Section of this Statement addresses these points and will answer these questions conclusively.
- 6.6. The existing dwelling was erected at a time, when the swimming pool was NOT listed. It is fair to state that the current dwelling house did not have the fullest regard to the architecture and form of the swimming pool even in its unlisted state. The Heritage Statement prepared by Bidwells offers an Assessment of Significance of the existing pool and dwelling. This Statement assesses the potential impacts of the proposed development on the significance of the Grade II listed Schreiber House and swimming pool as well as the surrounding Conservation Area, both Designated Heritage Assets. In summary it notes:
- 1.1... *The proposals within this application seeks to resolve the existing unsympathetic setting of the pool arising from the subdivision of the original garden plot, loss of the associated landscaping and the construction of present villa immediately adjacent to the pool. The original relationship between Schreiber House and the pool has been essentially lost undermining an appreciation of the pool's original significance.*

- 1.2 *Extraordinarily, the listing of the Schreiber House and swimming pool in 1998 occurred after the subdivision of the plot and construction of the 1994 villa. In part the listing can be understood to be as a remedial measure to prevent the further erosion of the relationship between the house and the pool. The design of the later villa reflects the date of its construction, characterised by the use of glazed balustrades internally and to the parapet, late twentieth century brick with heavy detailing to the parapet. The building has an overbearing appearance on the Conservation Area and lacks the set back position within the plot seen in the older properties in the surroundings as well as a refinement in terms of decorative detail and massing. In 2003, at the time of the publication of the Conservation Area Statement, the pool was included on the Buildings At Risk Register (English Heritage, now Historic England). Although the pool is no longer on the Register, it remains in a disused state, as significant leaking*
- 6.7. The application has provided a full and detailed assessment of significance of the heritage assets in line with the Local Plan and the requirements of the NPPF.
- 6.8. The existing dwelling house was built in a postmodern style in the mid 1990's. Whilst it is noted that this building is less than 30 years old, it now looks dated and lacks refinement or subtlety. It offers a heavy set appearance within the Conservation Area. The existing dwelling presents an awkward appearance within the streetscene and the wider conservation area.
- 6.9. The Heritage Statement notes:
- 5.4 *The existing exterior walls of the 1994 house consist of red bricks with white aluminium window frames, light-brown traditional stone features albeit of an enlarged scale with brown external rainwater pipes and a glass block wall to the south of the building. The roof is characteristic of the mid-nineties period, arcing over the walls to creating a barrel vault roof of dark brown metal. This element is recessed behind the roof terrace, creating a complexity to the roof form. The roof terrace edges are protected with glass and steel balustrades. This creates a glazed character to views of the roof line at odds with the majority of the surrounding buildings within the Conservation Area. The overall design and detailing of the building is of poor quality and does not contribute to wider Conservation Area, with a lack of a strong architectural character and blocky massing with a poor relationship with the plot and proportions creating a crowded appearance from the streetfront. The approach from the street front is particularly poor, with a lowering of the external level creating a steep slope accessing the main entrance. This creates a defensive and closed main elevation, in contrast to the decorative domestic quality of the majority of the buildings in the neighbourhood. The mix of materials including red brick, glazing, steel and stone creates a messy, fragmentary palette which contrasts to the overall heaviness of the massing. Little consideration is given to the garden, with the building failing to meaningfully respond in terms of massing or through the deliberate use of a hierarchy to indicate a change in character to the rear. The overall architectural quality of the building is poor, and due to its complete infill of the plot it appears to blend with the neighbouring flat block at No.33, in effect creating a much larger edifice when seen from the street.*

- 5.5 *The internal layout of the building comprises four main levels of accommodation but includes various sub-levels, again resulting in a confused hierarchy and internal circulation. The upper ground floor contains the entrance lobby, main reception room, study, and bedroom including an en-suite and dressing room. The swimming pool is accessed via the basement floor which also includes the leisure room, plant room, garage, dining room and kitchen. The remaining bedrooms are located on the first floor, with large en-suite bathrooms. A sitting room on the second floor provides access to a large rooftop terrace again an unusual feature within the surrounding Conservation Area.*
- 5.6 *The widespread use of the glazing to the interior and exterior of the later villa combined with the glazed roof of the pool creates the misleading perception that the 1990s villa and pool were constructed at same time This dilutes the relationship between the pool and Schreiber House*
- 6.10. The existing building also has a confused internal layout, multiple level changes and internal steps and no level access to the dwelling from street. There are currently no discernible sustainability or energy efficiency measures within the existing house and no use of renewable energy sources.
- 6.11. The dwelling house itself has not been identified as a positive contributor within the Conservation Area, and has no specific heritage designation, *it is not*, for example, a non-designated heritage asset.
- 6.12. In terms of the pool itself:
- 6.9 *The significance of the listed building and pool resides in its architectural and historic value, resulting in an overall moderate interest. Unfortunately, however, numerous alterations have been undertaken to the swimming pool that have slowly eroded its significance and contribution to the interest of the complex as a whole. The majority of these works were undertaken as part of the construction of No. 35 Templewood Avenue.*
- 6.10 *Due to these changes, the pool has a moderate sensitivity.*

The 2018 Consented Scheme

- 6.13. Planning consent was granted in 2018 to construct a basement under the entire house, create a new double-volume entrance/hall, an extended 2nd floor of the east-west wing and a new car lift access to the basement car park from Templewood Avenue.

6.14. This approach for the site has limitations;

- *The approved scheme does not address the listed pool and incorporate it into the 'living' composition of the house.*
- *The internal layout remains complex with inadequate light to many rooms, especially the ground floor bedrooms.*
- *The car-lift service to the car park is very tight and its immediate discharge onto the public highway, unsatisfactory and not a user-friendly arrangement.*
- *The proposed basement requires underpinning the whole house, in close proximity to the listed pool.*
- *The completed product will look essentially the same, a rather unattractive and poor quality, post-modern building, which will make no contribution to the Conservation Area.*
- *The proposal to move the pool raises many issues that arise from the separation of the pool from the Schreiber house and the subsequent listing four years after the construction of 35 Templewood Avenue, which had already altered the setting of the pool.*

6.15. There has been a subsequent listed building application to move the pool to a new location within the grounds of the existing plot, however this has been refused due to the loss of the axial relationship with the Schreiber House, as well as impact of the substantial alteration to the material of the pool following its razing and reconstruction.

6.16. As can be seen, there have been attempts to find a long term solution to what is a unique situation at this site. Both of these approaches have failings as well as the failings of the existing dwelling highlighted above. As a consequence, the Design and Access Statement states:

"It has therefore been resolved to keep the pool in its current position, demolish the surrounding house and rebuild the property largely following the footprint and volume of the consented scheme. The new building incorporates the pool into the geometry of the house, producing a design that will contribute to the Conservation Area and make sense of the retention of the pool, albeit within a separate envelope from the original 1964/68 design.

The proposed layout clearly illustrates how the logistics of the house work. The accommodation is well organised and balanced, clearly demonstrating the benefits of going back to first principles in dealing with the anomalies of this site since its development."

- 6.17. It is the act of demolition that will enable a more suitable response for the site, the listed pool and the Conservation Area to be provided by a new dwelling house at this site, following demolition

The Proposed Development

- 6.18. By contrast to the existing situation and past permissions, the proposed replacement dwelling offers an architectural form of exceptional quality and appearance. It offers a new form of subtlety responding to its context in terms of its design and materiality. The Design and Access Statement sets out the proposal in detail. The Heritage Statement offers an assessment of the proposal in terms of its;

- *Plan Form*
- *Swimming pool conversion*
- *Elevations*
- *Massing and Height*

...and notes that the proposal has a moderate beneficial impact to the site and the conservation area.

“The overall impact of the proposals in heritage terms has been found to be moderate beneficial, improving the present overdeveloped, crowded appearance of the site. While a change of use within the pool area is proposed, all existing finishes will remain in situ ensuring the proposed alterations are lightweight and reversible. This is in line with guidance from Historic England Advice Note 12, which notes harmful impacts can be mitigated through the use of a reversible design. These works improve the legibility of the relationship between the Schreiber House and Pool. This relationship is at the heart of the significance of the pool structure, and this improvement is considered to therefore have important weight. The design of the proposed new house utilises a responsive aesthetic, drawing on the material pallet of Schreiber House to create a sense of identity to the area presently lacking. The massing and height have been carefully considered to create an appropriate addition, resulting in an improvement to the character and appearance of the Conservation Area and setting of the listed buildings”

- 6.19. In terms of the NPPF, there is no harm to the designated heritage assets arising from the demolition of the existing building and there is identifiable benefit and improvements arising from replacement in the manner proposed. On this basis the application fully accords with provisions of the NPPF and Policy D2.

Sustainability

- 6.20. Given that the existing building dates from the early-mid 1990's there are currently no discernible sustainability or energy efficiency measures within the existing house and no use of renewable energy sources. The range of sustainable benefits and the use of renewables are set out at paragraphs 6.122- 6.126 of this Statement.

6.21. The provisions of Policy CC1 are acknowledged, specifically Policy C2(e) which states:

e. require all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building;

6.22. These proposals do not represent the total redevelopment of the site. It is a partial retention and partial demolition of the existing dwelling.

6.23. The limitations and negative features of the existing dwelling are highlighted throughout this report. The 2018 consent is implementable but will not deliver the range of planning benefits described in this Statement.

6.24. The demolition of the existing wings and the retention of the pool allows for these clear and demonstrable benefits (including the public benefits relating to the listed pool noted below) to come forward. This will not be the case if the house is to be retained and refurbished. It is not possible to secure the future of the listed pool (and the improvements to its setting) in the manner proposed with the retention of the existing wings.

6.25. In this case, the 2018 extant permission offers an appropriate comparison with the current proposal. That implementable proposal included a number of extensions but also retention of some parts of the existing house which would instead be upgraded in regard to improving sustainability and energy performance. This can be compared to the current proposal or part retention part demolition.

6.26. Using these options, a carbon Life Cycle Analysis exercise has been completed by Peter Deer Associates and their report is submitted as a part of this application.

6.27. This assessment concludes that, over a normal 60 year life cycle, the current proposal for full demolition will result in a 31% improvement in terms of carbon dioxide emissions versus the extant proposal for refurbishment of the existing property. Although the current proposal would require additional raw materials during construction, this is offset and exceeded by the greater efficiency that is achieved through the building's fabric and energy sources being provided to full modern standards.

6.28. To this can be added that the majority of materials demolished can be used on-site as part of ground works and will not need to be disposed of elsewhere.

6.29. Therefore, over a full life cycle a full new build property will lead to a 31% improvement compared to the implementable alternative of refurbishing and extending the existing building. This is the more sustainable and efficient approach to the modernisation of the property on the site and the wider benefits that can be achieved.

6.30. Combined with the improvements in general energy consumption on-site, the proposed development will meet the expectations of Local Plan Policy CC1 and the London Plan Policy 5.2.

Works to the Swimming Pool & Setting of the Schreiber House

- 6.31. The development allows for the integration and refurbishment of the retained listed pool and to provide a meaningful and permanent context for its continued permanent usage as part of its residential context. This context has dramatically changed since it was originally built to serve the Schreiber House.
- 6.32. These proposals will be the first time since the listing of the pool in 1998, that a bespoke strategy has been formulated for the pool. Certainly they offer a significant advancement in consideration of the asset over the 2018 permission and the failed attempts to re-locate the pool refused by the LPA in early 2020. The pool was formally on the English Heritage At Risk Register, and its future must be assured, given that it has been divorced completely from its host building. This application provides this opportunity.
- 6.33. The Design and Access Statement sets out how the proposals respond to the geometry and radial axis created by the pool. The Design and Access Statements notes:

“The listed pool building, with its striking glass dome is a powerful architectural form, which is set to be the centrepiece of the new house. Its use will change to become the principal family room/conservatory and a new pool will located in the basement and designed to be more suited for exercise.”

“The existing swimming pool is in poor condition, its deterioration has led to leaking. The pool’s size and shape does not lend itself to the modern requirements of a pool, therefore, the decision has been taken to create a new pool within the new proposed building and to convert the existing pool into a family room / conservatory at the heart of the building. It is proposed that a raised floor be introduced into the pool to create a single level within the room. This would be carefully installed to allow for removal at a later date to convert the space back into a swimming pool, if so required.”

- 6.34. This use of the pool ensures that a viable and meaningful use can be provided and will help preserve the pool structure from further deterioration. The works are fully reversible and will retain the sunken “wet” area of the pool form. Storage space will be provide below this false floor, to enable access and maintenance to this area.

“It is intended that the dome structure will be fully restored. As the room will no longer be used as a swimming pool, it is proposed that the shower room will be converted into a wine vault, allowing for reconversion. The proposal will re-introduce the grass mound which formed part of the original design but had already been removed at the time of the listing”.

In plan the ‘pool’ will form part of a geometric composition on an axis the with entrance hall, between two equal wings

6.35. It will reinforce the circular nature of the structure. The new dwelling responds to the pool by the use of a circular surround within the “L shape” formed by the two new dwelling wings. The Design and Access Statement notes:

“...it provides a complimentary setting to the Schreiber pool and a functional roof over the new entrance while creating an axial view of the Schreiber pool upon entering the house through a window in the curved wall. The curved wall also defines a clear link along the axis of the circular elements of the building; the Schreiber pool, roof terrace and interior of the entrance hall.”

6.36. There are other benefits too: the distinctive curved shower room and entrance will now be exposed above ground (as it originally was) for the first time in 26 years since the dwelling at the site was created.

6.37. The two elements (the main Schreiber House and the swimming pool) have been completely (and now historically) divorced from each other.

- *the plot at No.35 was hived off from the Schreiber House garden. Two completely separate and distinct plots and planning units were created. There is no appreciable linkage (either physically or visually) between these two separate plots*
- *One cannot even see or view the pool from the rooms within the Schreiber, nor can it be seen from the garden area.*
- *Given the presence of No.35, (which in itself is a large dwelling now surrounding the pool) There is little appreciation from the public realm (given the radically different style of dwelling and the plot width fronting West Heath Road) that this was once one larger plot.*
- *The physical and immediate proximity of No.35 to the pool structure renders the physical association very difficult to determine or perceive.*
- *At the time of listing the Schreiber House and the pool sat within highly obvious and separate plots. The pool is now only associated to the Schreiber House in past historic terms.*

Within the private realm;

- *there is no physical link between the two*
- *there is no functional link or relationship*
- *there is no visible link between the two structures across or through the garden boundaries between the two properties.*

- *the house and the pool are not appreciated together as a whole, from either of the private dwellings or their grounds*

6.38. The Heritage Statement assesses the pool and the adjacent Schreiber Building as having a moderate architectural value and a low historic value. The pool has a moderate sensitivity. The works to the pool have been described as neutral.

4.12 *“Significantly the raised bank around the pool as well as the expansive surrounding lawn is now been lost following the construction of the villa within the Site in 1994 and prior to the listing. The development of this house resulted in a rather cumbersome external appearance as well creating a degree of instability which has been identified as a contributing factor to the present failures in the current structure causing leaking. In 1998 Schreiber House as well as the pool were listed. It should be noted that the listed description makes no mention of the later 1990s villa as contributing to its significance”.*

6.39. That being said, the rationale behind this application has been to driven by the desire to respond to the pool in a more sympathetic way. The Heritage Statement concludes that the new dwelling in terms of its massing and height, plan form and elevational treatment and works to the pool will bring about benefits to the pool.

6.40. A schedule of works for the pool accompanies this application setting out works of repair and refurbishment including the repairs to the glass dome. These too are a befit of the proposals.

6.41. The preservation and enhancement of Heritage Assets is a wider public benefit. We do not suggest or consider that there would be any harm to any the designated Heritage Assets; Only positive effects will arise. It is important to note that public benefits must be weighed positively whether or not any “harm” is found to exist. The NPPG has been updated to clarify this point and to remove any suggestion that private listed buildings cannot give rise public benefit.

PPG Para 20

What is meant by the term public benefits?

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*

- *securing the optimum viable use of a heritage asset in support of its long term conservation*

Paragraph: 020 Reference ID: 18a-020-20190723

6.42. All of these public benefits to the Designated Heritage Assets can only arise if the main body of the dwelling is removed via demolition, and the pool becomes the focus or the fulcrum of the replacement building, at the heart of the design rationale. This is sustainable development in its own right.

6.43. The principle of demolition works have been justified against policy in that:

1. *The heritage value of the existing dwelling and swimming pool has been fully assessed.*
2. *The proposed development (following the partial demolition of the existing dwelling house) will positively enhance the character and appearance of the Conservation Area in its own right.*
3. *The proposed development (following demolition of the existing dwelling house) will positively enhance the character and appearance of the Conservation Area having regard to the existing dwelling.*
4. *The proposed development will maintain the special architectural and historic value / significance of the listed swimming pool.*
5. *The demolition and replacement of the main dwelling areas will be sustainable in terms of the positive effects upon the Designated Heritage Assets and having regard to the positive Life Cycle Analysis.*

6.44. On this basis, the application accords with Local Plan Policy D2. With reference to parts (i-j) of this policy, the proposals would not cause any harm to the special architectural and historic interest of the building nor would they cause harm to significance of a listed building (i.e. the Schreiber Building) through an effect on its setting. The relationship between the two listed buildings is well documented within the application submission as a whole. The proposals accord with Policy CC1 as described above.

Design Massing and Form

6.45. The Design and Access Statement sets out the architectural rationale in detail.

6.46. With the exception of the Heath, the area is residential. There is no change proposed to the use of the site. The proposal of one large family dwelling is in keeping with the existing mix of detached houses running along both West Heath Road and Templewood Avenue

6.47. In broad terms the proposed dwelling follows the parameters set by the existing dwelling and also the

massing and form permitted by the 2018 planning permission. The listed pool naturally governs the form and layout of development at the site. The new dwelling must respond positively to its presence and to take the lead form of this unique structure. The footprint of the development is broadly the same as existing, to maintain similar massing relationships to its surroundings.

- 6.48. The pool has now directly influenced the surrounding house. In plan form, the circular pool layout will form part of a geometric composition on an axis with the entrance hall, between two equal wings. The circular upper floor terrace area provides a direct architectural linkage to the pool. For the first time, development at the site, will have a full and proper regard to the pool and to create a much greater sense of synergy and integration. This is important to secure the long term daily usage of the pool structure.
- 6.49. Below ground areas will be removed to provide a greater sense and appreciation of the circular plan form. This exposes the curved entrance to the pool and allows the reinstatement of the original grass mound.
- 6.50. The dwelling is contemporary in nature and form. Hampstead has a rich tradition of such buildings, but these are also buildings that successfully draw on the prevailing Hampstead context. The proposal does just that. The Design and Access Statement notes:

“The appearance of the house has developed with the aim to create a sophisticated and contemporary piece of Architecture, that enhances and compliments the local character of the area. The proposed form and material palette has been chosen to sit confidently between the blue engineering brick of the Schreiber house and the red brick buildings of Templewood Avenue, whilst being sympathetic to them in both scale and texture. The materiality of the new building works in conjunction with the building forms, creating a considered and unified appearance that celebrates an honest massing and striking openings. A combination of buff brick and Reconstituted Stone is proposed as the principle materials, situating the new building comfortably between its neighbours while allowing it an individual character.

The buildings entrance hall is detailed with patterned brickwork, giving it a striking presence upon arrival. The second floor master suite takes on a contrasting language of the thin reconstituted stone colonnade with set back glazing, presenting the appearance of a lightweight structure sitting on top of the heavy base below. Likewise the master suite terrace is formed of deep vertical fins, creating an external space which is private while appearing lightweight and unimposing from the street.

The design development has drawn on the local context without seeking to replicate or imitate and takes a contemporary approach that celebrates the unique setting of the large houses in this part of the borough. Attention to detail, high quality materials and a crafted finish will give this proposal the refinement needed for this corner plot opposite the Heath.

The architectural appearance of the three new building elements will be in brickwork with windows 'punched' deep set from the surface. The top storey of the bedroom wing will a lighter form of glass set back from the external surface with stone detailing in the form of an attic storey."

6.51. The Heritage Statement notes:

7.14 ...The design of the proposed new house utilises a responsive aesthetic, drawing on the material pallet of Schreiber House to create a sense of identity to the area presently lacking. The massing and height have been carefully considered to create an appropriate addition, resulting in an improvement to the character and appearance of the Conservation Area and setting of the listed buildings.

6.52. On this basis, the application will deliver clear enhancements to the character and appearance of the Conservation Area, and the streetscene both on its own merits and also when considered against the poorly performing existing dwelling house.

6.53. The application proposes a very high quality building and architectural detailing, all underpinned by a compelling rationale based upon the integration the listed pool. For these reasons the application fully accords with all aspects of Policy D1 relating to design, including

- *respects local context and character;*
- *preserves or enhances the historic environment and heritage assets in;*
- *is of sustainable and durable construction and adaptable to different activities and land uses;*
- *comprises details and materials that are of high quality and complement the local character;*
- *integrates well with the surrounding streets and open spaces,*
- *is inclusive and accessible for all*
- *responds to natural features and preserves gardens and other open space;*
- *incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping*
- *incorporates outdoor amenity space*
- *preserves strategic and local views*
- *provides a high standard of accommodation*
- *carefully integrates building services equipment*
-

6.54. The application accords with the provisions of Policy D2 Heritage in respect of the identified and assessed Designated Heritage Assets, Conservation Areas and Listed Buildings.

Overlooking / Privacy

6.55. The dwelling will not give rise to any potential for overlooking to any neighbouring property.

To the north:	<i>lies West Heath Road and the Heath</i>
To the east:	<i>lies the generous width of Templewood Road. (it is over 35m from the eastern boundary of the application site to the closest residential window at Heath Park Gardens (the large flatted block to the east))</i>
To the south:	<p><i>lies 33 Templewood Avenue. This flatted block has a small oriel window at first floor to serve a bedroom and a number of small secondary windows serving kitchens</i></p> <p><i>A number of window are proposed at ground floor There are no corresponding ground floor windows within the facing elevation of No.33. This zone is for the ramp access to the basement car park to this block. In any event ground floor will be concealed by the retained boundary wall between the two properties</i></p> <p><i>There are no habitable windows proposed at first or second floor other than small and narrow slot windows within the oriel window feature which look east / west and not onto the facing north elevation of No.33 Templewood Avenue This outlook does not clash with the outlook from the first floor oriel window within No.33</i></p> <p><i>In 2019, permission was granted for the replacement of the existing roof structure at No.33, which increases the level of glazing now facing No.35. There are no proposed windows at first or second floor level that could cause any overlooking issues to this proposed replacement roof structure.</i></p>
To the west	<i>lies the Schreiber House. There are no facing windows either existing or proposed that could be affected. There are no windows within the closest part of the proposed western elevation. The existing dense planted boundary remains.</i>

6.56. On this basis, no material or demonstrable harm will occur by way of overlooking or loss of privacy to any neighbouring property and as such the application accords with Policy A1.

Outlook and Enclosure

6.57. The dwelling will not give rise to any adverse effects relating to a loss of outlook or enclosure to any neighbouring property. It is pertinent to note the existing form and massing that exists at the site. It is also pertinent to note the massing scale and form of the alterations and extensions to the dwelling already approved by the LPA.

6.58. The southern and western elevations (adjacent to No.33 Templewood Avenue and the Schreiber House respectively) are not moving significantly from their current positions.

6.59. On this basis there is no material or significant change to the arrangement of the proposed new build elements when compared to the existing and the consented scheme in terms of massing and form. The table prepared above in respect of overlooking and privacy sets out the current relationships and these are relevant to these comments in respect of outlook and enclosure.

6.60. No material or demonstrable harm will occur by way of an undue sense of enclosure or loss of outlook to any

neighbouring property and as such the application accords with Policy A1.

Daylight and Sunlight

- 6.61. A full daylight and sunlight assessment has been prepared by eb7 and forms part of the application documentation. The report sets out that the proposed development will not cause any material or demonstrable harm to the daylight and sunlight to any neighbouring residential property. Given the arrangement of the site, the only accommodation to be tested are the flats located to the south of the site at No.33 Templewood Avenue. The windows and room layouts within the north facing elevation have been assessed, as has the upper floor roof structure (including the 2019 planning permission for increased glazing at this level).
- 6.62. In terms of sunlight, as the proposed development lies to north of No.33 and as such there will be no material effect upon daylight and the development is fully consistent with the BRE guidance.
- 6.63. In terms of daylight, two of the windows assessed within No.33 fall marginally below the recommended BRE guidance, but for the reasons noted in the report, this will not be noticeable to the occupants of No.33
- 6.64. Given the description of the premises noted above, and the current existing massing along the northern boundary of this site the application accords with the BRE guidance and Policy A1.

Amenity of Proposed Dwelling

- 6.65. Given the size and scale of the existing dwelling and the proposed partial replacement, the dwelling will comply in all respects with the Nationally Described Space Standards and thus the London Plan and the Local Plan in these respects.
- 6.66. The various habitable living spaces are of a scale and distribution within the dwelling such that they will all receive acceptable levels of daylighting and sunlighting. There are several key habitable reception areas / rooms within the dwelling that all provide a high level of outlook and glazed elements.
- 6.67. The house will provide lift access to all floors and will have (for the first time) a level threshold from the street.
- 6.68. Due to the levels between the replacement building and the retained swimming pool, level threshold to this access is not possible. Grab rails or indeed a small stair chair could be incorporated if required by an occupant at a later date. It is not possible to provide internal ramps to this swimming pool level, due to the geometry and gradients involved between the two main elements of the dwelling house.
- 6.69. The dwelling is therefore accessible to all and is compliant with Policy C6.

Arboriculture / Landscaping Matters

- 6.70. A detailed Arboriculture Impact Assessment has been prepared by Landmark Trees and forms part of the application documents. A full arboriculture survey had been undertaken of the trees within the site and those street trees that sit just outside the boundary of the site within the footways along the northern and eastern boundaries to the site. Trial pits have also been examined in order to provide the most accurate assessment. The location of the RPA's has been assessed having regard to the proposed basement excavation
- 6.71. The report concludes that the proposals will have *"no, or very limited impact on the existing trees and is acceptable"*
- 6.72. The report has assessed the impacts of the development proposals and concludes there would be at most a low impact on the resource: a small portion of trees will be removed or pruned to facilitate construction. Those removed have more collective than individual specimen value, such that their loss could be mitigated with new planting, bringing its own benefits to a relatively unmanaged resource. Similarly, though pruning here is to serve development, if undertaken to best practice, the scale envisaged should not be altogether untoward in an occupied site
- 6.73. A number of trees within the garden area are proposed for removal. These are identified within the Arboriculture report. Regard has also been had to the terms of previous planning permissions which permitted to remove of a number of trees and which also permitted an extensive basement level.
- 6.74. The removal of the large eucalyptus trees above the proposed vehicle access route, will ensure that there is a greater degree of reference to the Schreiber House, by allowing the Schreiber House to be viewed more readily without these dense crown and foliage of these trees.
- 6.75. The garden areas will be fully landscaped including the replacement of the grass bund around the swimming pool. A mixture of terrace areas and grass will be provided along with new specimen planting. This will enhance the setting of the replacement dwelling and the swimming pool itself. In common with the 2018 planning permission, light wells are proposed to serve the pool area and the staff and guest suite located at lower ground level.
- 6.76. The removal of the large existing lower ground terrace (into which the new pool basement will push) will allow a larger area of at grade (to ground floor) garden pace to be created than existing. This will be of benefit to the purity of the architecture and its relationship to its plot/garden and to the spatial relationship to the pool. The area surrounding the pool will be surfaced in way that accentuates the new grass mound and thus the striking nature of the dome, as it raised into the sky from its grassed base.
- 6.77. Replacement planting can be controlled by condition. The Assessment sets out a number of suitable species. A proposed landscaping and replacement tree planting condition can readily be proposed to ensure that the LPA has the control and management of the final layout and appearance of the garden area. This will need to have regard to the new landscaping feature formed by the replacement bunding that is proposed to be re-introduced around the base of the retained swimming pool. The Assessment notes:

“The replanting scheme will offer considerable enhancement and replaces mainly young/semi-mature trees. Replacement trees will have the advantage of being specifically selected for the proposed site, healthy and fit-for-purpose. Design can provide for a diverse range of native and ornamental species that will compliment rather than conflict with the proposals, so providing a more sustainable long-term resource for the future. A selection of tree species and cultivars for open and constricted sites is provided in Appendix 4”

6.78. The report concludes that;

“The trees that are recommended for felling are of little individual significance, such that their loss will not affect the visual character of the area”.

“Therefore, the proposals will not have any significant impact on either the retained trees or wider landscape thereby complying with Policy 7.21 of the London Plan 2016 and Policies A3, A5, D1 and D2 of the Camden Local Plan (adopted 3rd July 2017). Thus, with suitable mitigation and supervision the scheme is recommended to planning.”

Vehicle Access

- 6.79. At present the dwelling is served by a vehicle access within Templewood Avenue. Immediately behind this access point is a very steep vehicle ramp to basement parking level. This ramp does not comply with any recognised or acceptable gradient and this arrangement is sub-optimal. Furthermore, the 2018 permission allowed for the insertion of a new car lift from Templewood Avenue which sat immediately behind the pavement edge.
- 6.80. This current application seeks permission to create a fully enclosed access from West Heath Road beneath the retained garden level to meet the proposed basement level beneath the house. This arrangement replicates that which was granted planning permission by the LPA in 2004. There has been little or no change in the circumstances of the site or the highway conditions since this arrangement was previously deemed acceptable.
- 6.81. The proposed opening to the vehicle access sits comfortably adjacent to the existing opening to the neighbouring Schreiber House.
- 6.82. Caneparo Transport Consultants have assessed this arrangement and have undertaken a “*Stage 1 Road Safety Audit*”. It is recognised that traffic flow will be very low and that exits speed are also likely to be low from the site. However, in order to provide additional safety to pedestrians the following is recommended:
- *an audio and visual warning should accompany the proposed vehicle entrance opening*
 - *the access ramp dwell area before entry on to the footway should be levelled so that the driver has maximum visibility of pedestrians,*

- *This could take the form of small traffic lights affixed to the wall, along with a discrete warning alarm when the “garage” access doors are open*

6.83. Trip generation will remain unchanged from the existing dwelling house and thus there will be no additional trips placed upon the surrounding highway network as a consequence of the proposed development.

Servicing

6.84. Adequate space for refuse storage and recycling bins will be provided at basement level, and there is sufficient under counter space within the kitchen for refuse. Refuse will be brought to street in the normal manner for weekly collection by the Council. A further refuse store will be provided at street level adjacent to the main entrance behind the boundary wall to Templewood Avenue

A draft Construction Management Plan accompanies this application.

Car Parking

6.85. This is a large grand existing dwelling located in residential area where such properties are the norm. This is an area characterised by large, higher value dwellings in private plots all with off-street car parking. The existing dwelling has car parking space within the site for 3-4 vehicles. The dwelling also has the right to on-street residents parking permits in the normal manner.

6.86. The genesis of this current application has been derived from the 2018 extant planning permission. As discussed, this scheme has a number of limitations and would not be a holistic approach to improving the role and status of the pool at the dwelling. The dated nature of the architecture would also remain and the scheme did not provide an optimum solution for the future of the silted pool.

6.87. Nevertheless, this 2018 consent is an extant permission capable of implementation and does have some merit in terms of upgrading and extending the accommodation at the house, although the benefits are clearly some way below that proposed by this current application.

6.88. Some of these challenges, led to the approach of seeking to re-locate the pool itself to try and make greater sense of the site in a more holistic and integrated fashion. This was an approach that found little favour both in reality and from the LPA.

6.89. Previously the listed pool was an inconvenience to the proposals. In short, there are more preferable ways to deal with the unique set of circumstances this site presents. Now, this application provides a central focus for the dwelling. This can only come about via the removal of the two wings and the replacement of the accommodation in broadly the same form and positioning. The combination of the meaningful fall-back of the 2018 permission and the desire to deliver a high quality dwelling has led to these new proposals. This approach provides obvious and clear benefits over the 2018 scheme.

6.90. The existing arrangement allows off street parking via the steep access ramp noted previously. The 2018

planning permission allows for up to 4 vehicles via a car lift. Whilst this was a householder application, it was nevertheless a comprehensive scheme involving substantial basement excavation and the provision of replacement car parking to serve a dwelling of this scale in Hampstead. An implemented 2018 permission would give the ability to maintain 4 spaces.

- 6.91. It is within this context that this application proposes a total of 3 car parking spaces. A vehicle turntable is proposed to enable vehicles to enter and leave the site in forward gear.
- 6.92. This application does not propose the intensification of the use of the site. In contrast we are proposing less car parking than that already approved (and which can be implemented) and less than the current existing arrangement. We provide a safer and more appropriate parking arrangement. At present vehicles cannot leave the site in forward gear and must reverse back up a steep (non-compliant) gradient
- 6.93. Space for secure cycle parking is provided at basement level as well as adjacent to the main front entrance area.
- 6.94. The proposals do not represent the full comprehensive redevelopment of this site, the central fulcrum of the site is being retained and requires new accommodation to be built around it. This retained structure in terms of scale and form is a significant and important element of the existing dwelling. There is no justification to demolish the pool nor would its loss be countenanced by the LPA. The proposals represent an alternative means of re-providing the two wings and enabling the key retained element to be fully integrated to the new wings.
- 6.95. This application does not, in the truest sense of the words, represent "*new residential developments*". This is part demolition and part retention of an existing long established dwelling house. Not all of the site is being redeveloped and elements of the proposed development will be less intrusive and less complex in development terms than the 2018 scheme (the full 2 basement below and existing lower ground that requires the full underpinning of the house).
- 6.96. The applicant is cognisant of Policy T2 in respect of these matters, however for the reasons noted above, this application (along with the material considerations of the 2018 permission) means that it would not be reasonable or appropriate to consider the new residential wings of development at this site (alongside the retained structure) to trigger a fully car free scheme.

Archaeological Matters

6.97. The Camden Local Plan 2017 appears to identify the site as lying within an Archeological Priority Area. However, this is not now the case. A review of Camden's Archeological Priority Areas was undertaken by Historic England in October 2018 "*London Borough of Camden Archaeological Priority Areas Appraisal*" and this now notes that the site no longer lies within such an Area. Nevertheless, the applicant has commissioned an "Archaeological Desk Based Assessment" prepared by RPS. This report concludes that:

5.9 *The site at 35 Templewood Avenue, London, NW3 7UY has been reviewed for its below ground archaeological potential.*

5.10 *No designated archaeological assets as defined in the NPPF are recorded on or in close proximity to the study site. The site does not lie within an Archaeological Priority Area as defined by the Local Planning Authority.*

5.11 *This assessment has identified a low archaeological potential at the study site for all past periods of human activity.*

5.12 *The proposed development involves the demolition of the existing property and the retention of an existing swimming pool to incorporate it into a new conservatory within a proposed new dwelling.*

5.13 *The archaeological potential of the site is limited, and proposed development impacts are generally restricted to those areas of the site which are within the footprint of existing or previous development.*

5.14 *Therefore, it is considered unlikely that the proposed redevelopment of the site would have either a significant or widespread below ground archaeological impact. No further archaeological works are suggested in this particular instance.*

6.98. The 2018 planning permission proposes a full basement level below the existing lower ground level with a greater extent of excavation than that proposed by this current planning application. No condition was imposed upon that consent relating to archaeological matters.

6.99. On this basis of the above, there will no effect upon archaeological potential at the site (which is limited in any event) and the application therefore accords with Policy D2.

Plant and Noise Matters

6.100. Policy A4 sets out the Council will control development to ensure that it does not lead to inappropriate levels of noise to either new or existing residents. Maximum noise levels are provided and all new development will be assessed against these.

6.101. This application does not propose any form of noisy development. This will be a replacement residential use in an area that is predominantly residential in character. At present, a range of plant is present at the site and has been positioned externally, alongside the existing western boundary to the Schreiber House. This plant

is not acoustically treated nor enclosed.

- 6.102. The proposed development will require a range of plant machinery to support the facilities within the building. It is proposed to locate these within the enclosed basement levels. This location responds to advice set out within *CPG6 Amenity* to separate noise producing sources from main habitable areas and use attenuation (including the form of the proposed building) to reduce any noise effects.
- 6.103. An acoustic report has been prepared by Emtec and which accompanies this planning application. A background noise survey has been undertaken to establish the minimum and maximum prevailing background noise conditions in order to set the parameters below which the proposed plant must operate. The report also addresses the effect of the proposed new plant upon prevailing background noise levels and neighbouring residential amenity.
- 6.104. It is proposed to install plant at basement level to serve the pool and dwelling house. Plant will be located in a dedicated plant room below the main basement level and also within a new condenser pit accessed from the subterranean vehicle access route. This sits below garden level behind the boundary wall within the main garden area. This would be covered by an external grill and form part of the landscaping to the garden area.
- 6.105. The plant is therefore located in a well ordered manner within the envelope of the building. The Emtec report demonstrates that the proposed plant will operate at noise levels consistent with Camden's standards subject to the installation of adequate mitigation silencing equipment. The application will therefore comply with Policy A4 and Appendix 3 of the Local Plan.

Subterranean Development

- 6.106. The existing dwelling has an extensive lower ground level of which substantial elements are fully subterranean. In terms of the Local Plan, this is considered to be a basement level. There are a number of lightwells and excavated areas that exist around the edge of the site.
- 6.107. The 2018 permission effectively proposed a full entire new basement level below the existing lower ground floor level, such that it would effectively form (in part), a full 2 level basement. This new basement sat (in the main) below the footprint of the building above. This 2018 scheme is capable of implementation until September 2021 and is therefore a material planning consideration which must be given weight in the determination of this current planning application.
- 6.108. Adjacent to Templewood Avenue (in the southern area of this frontage) an existing lightwell is present, along with the very steep vehicle access ramp to the existing lower ground level. This area is therefore part open and excavated already below street / ground level.
- 6.109. This current application (in effect) proposes to lower the main ground floor level of the house to create a level access from Templewood Avenue, whereas the existing ground floor level is in a raised position. There are no subterranean elements to the proposed ground floor level. In effect, the existing lower ground floor is

simply being removed and replaced by a single basement level.

- 6.110. Below this lowered ground floor level, a new single basement level is proposed. Thus, the proposed new basement slab level below the main ground floor, will sit at a lower depth than the current lower ground level. The proposed excavation is therefore only half a level greater than the existing lower ground floor slab, and is therefore to a demonstrably overall shallower depth than the consented scheme. Less excavation is required for this proposal compared to the 2018 permission.
- 6.111. The proposed basement level will sit below the footprint of the dwelling above, and around the base of the retained listed swimming pool. The footprint of the proposed building very closely follows the footprint of the existing dwelling and existing excavated areas
- 6.112. The new pool, has a greater depth below the water surface line and a new plant room level to serve the pool and dwelling which sit below the new main basement level (in part area only).
- 6.113. Alongside Templewood Avenue, the proposed basement level follows the outline of that approved by the earlier 2018 permission (which made provision of a car lift and external terraces). In place of this arrangement, a guest room and a staff bedroom is proposed as well as retaining a lightwell in broadly the same area as existing.
- 6.114. The proposals result in a smaller lightwell at basement level at the northern end of the new pool. In this zone, the proposed basement (and new lightwell) pushes into an area of already excavated lower ground terrace area.
- 6.115. The proposed vehicle access route rises from basement level below the garden level to meet the grade street level at West Heath Road. A very similar arrangement was previously approved by the LPA.
- 6.116. Proposals for subterranean development will be considered in the context of Policy A5 (and also the material parameters of the 2018 permission) which requires an application to satisfactorily demonstrate that the development will not cause harm to the following:
- - *Neighbouring properties;*
 - *Structural, ground or water conditions in the local area;*
 - *The character and amenity of the area;*
 - *The architectural character of the building subject to the development; and*
 - *The significance of heritage assets.*

6.117. Policy A5 also sets out a series of physical parameters which most basement development is required to adhere to. This proposal addresses each of these parameters as follows:

- *not comprise of more than one storey;*
 - The basement will only be a single storey. A lower basement plant room is proposed solely for plant to serve the house and pool.
- *not be built under an existing basement;*
 - The basement accommodation will not be built under an existing basement level
- *not exceed 50% of each garden within the property;*
 - There is only one garden area, with a number of existing excavated lower ground areas. The vehicle access route and the pool room push out below the garden area. These areas amount to less than 50% of the total garden area.
 - In any event, it must be noted that the proposals seek to increase the area of garden space at ground level by reducing the area of the main central lower ground terrace and steps (i.e. the basement below supported new garden level at grade above).
 - The area of at grade garden space surrounding the building and the pool, directly increased as a result of these proposals and the creation of level ground floor slab.
- *be less than 1.5 times the footprint of the host building in area;*
 - the proposed ground floor and retained pool have an area of 353sqm. The basement (in total) is 516sqm, which is less than 1.5 times the footprint of the new host building.
 - In any event, elements of the basement are being accommodated within areas that are already excavated at the existing lower ground level.
- *extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;*
 - the unique arrangement of this site means that we do not project beyond any rear elevation
- *not extend into or underneath the garden further than 50% of the depth of the garden;*
- In effect, the existing lower ground floor is simply being removed and replaced by a single basement level. Elements of the basement are being accommodated within areas that are already excavated at the existing lower ground level.

- *be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and*
 - The basement is set in from the southern boundary to No.33 Templewood Avenue. The basement sits within the site boundary adjacent to the Schreiber House.
 - basement will not extend beyond the footprint of the host building. Regardless of this, the basement has also been set in from the boundaries to the neighbouring properties.
 - *avoid the loss of garden space or trees of townscape or amenity value.*
 - The proposals will enable a full landscaping scheme to be delivered within the garden. Areas of at grade garden space will increase as a consequence of this proposal. All elements of the vehicle access route will sit below garden level.
 - New hard and soft landscaping is proposed around the drum of the pool. All of these features are enhancements to the setting of the building and its garden area.
 - Matters relating to trees are assessment within the Arboriculture report and elsewhere within this statement.
- 6.118. In addition to working within the required physical parameters, in order to address the potential cumulative impacts of this development a Basement Impact Assessment has been prepared by Jomas Associates, which also incorporates a Ground Movement Assessment and Ground Investigation report, and has been submitted as part of this application. The BIA assesses all of the key matters set out above as required and should also be read in conjunction with the Structural Engineering Report, incorporating Construction Methodology, prepared by Price & Myers.
- 6.119. The submitted documents should be read fully to consider the technical assessment of the proposed basement level. However, the detail provided based upon the testing on-site that has already taken place and the desk-based analysis concludes that this subterranean development can be undertaken without impacting upon either the host building or neighbouring properties.
- 6.120. This is most clearly demonstrated by the findings of the Ground Movement Assessment which confirms that the risk of damage to neighbouring buildings as a result of this development will be at most 'very slight' (Level 1) as measured using the Burland Scale.
- 6.121. As such, the proposed subterranean extension is an appropriate form of development in the context of both the context of the property and the surrounding area. The BIA and other structural documents confirm that all relevant geotechnical and structural matters will be achieved to ensure the protection of drainage, groundwater and stability matters in accordance with the requirements of Policy A5.

Sustainability and Energy

- 6.122. Both Local Plan Policy CC1 and the London Plan Policy 5.2 promote a zero carbon position in regard to the impacts of new development. This is furthered through the commitment to reducing emissions via the energy hierarchy of 'be lean, be clean, be green'.
- 6.123. In real terms, the commitment to zero carbon development is represented by a target to reduce carbon emissions on-site by 35% versus the latest Building Regulations with the remainder of the off-set to achieve zero addressed via a financial contribution. This has therefore been targeted and a full assessment is set out within the Energy and Sustainability Statement prepared by Peter Deer Associates that forms part of this submission.
- 6.124. Overall, the development proposes to achieve a 40% reduction in carbon emissions versus the relevant Building Regulations. This is achieved through the installation of photovoltaic panels on the flat roofs of both wings of the proposed new build elements.
- 6.125. The remaining 60% reduction will be achieved via a financial contribution calculated in accordance with the Council's published guidance. This is noted within Peter Deer Associates report and has been estimated at £22,851.
- 6.126. It is proposed that the remaining energy requirements for the house will be achieved using air source heat pumps. The site is not in proximity to an existing or proposed district heating system and thus in line with policy expectations a contribution of £8,600 will be made to the Borough's district heating fund.
- 6.127. A Life Cycle Analysis has been completed this matter is considered at paragraphs 6.20 – 6.30.

7. Conclusions

- 7.1 The existing dwelling is of poor architectural quality. The proposal represent a clear and obvious enhancement to the character and appearance of the Conservation Area and the general street scene. The application will allow the removal of a tired and dated looking building. T
- 7.3 The principle of partial demolition with the retention of the listed pool has been full justified in terms of heritage and sustainability considerations.
- 7.2 The proposed replacement buildings will finally deliver an appropriate setting for the retained listed swimming pool. The pool becomes the fulcrum of the site, off which the geometry and the design of the replacement building follows.
- 7.3 This application represents a scheme of exceptional architectural detail and quality. It will provide a new contemporary building but draws upon the architectural cues of Hampstead, the Schreiber Building and the area as a whole. The materiality and use of appropriately coloured brick will provide a far more contextual relationship to the surroundings.
- 7.4 The extant 2018 permission is a material planning consideration in the determination of this application and must be given weight. It is capable of implementation (subject to conditions). Whilst this scheme has its limitations in terms of the response to the pool (and does not offer the benefits to the listed pool that this current planning application will), it does sets a series of parameters for the site, that can applied to this current proposal.
- 7.5 The application will secure the long term future of unique listed swimming pool. The proposals represent a holistic and cohesive approach to development at this site in contrast to past proposals which did little to remedy the relationship to the pool.
- 7.6 For the first time a dwelling at this site will be able to comply with Part M(4)2. A far more suitable relationship to the street will be obtained by lowering the main ground floor level and providing full level access within the dwelling.
- 7.7 The proposal offers less basement excavation to a shallower depth than consented. The 2018 application requires the unpinning of property with the associated construction works that would entail.
- 7.8 There will be no material or demonstrable harm to the living conditions of any adjacent neighbour. Matters relating to noise, daylight / sunlight, outlook and enclosure have all been considered fully and assessed appropriate in line with the recognised standards and policies.
- 7.9 Plant and services will be enclosed and acoustically treated in contrast to the plant which sits externally to the Schreiber House.

- 7.10 The replacement vehicle access to West Heath Road, (which was previously approved by the LPA some time ago) represents an improvement over the existing steep ramp and the car lift which sat directly from the pavement edge. It corresponds to the adjacent vehicle access to the Schreiber House. The Transport Statement has assessed the acceptability of this approach.
- 7.11 The landscaping of the garden area, including the reinstatement of the grass mound and the exposing of the circular entrance route within the garden represent clear benefit and enhancement to the listed structure and its immediate setting. This application will increase areas of at grade garden level to the main ground floor level.
- 7.12 The application accords with the provisions of the development plan and planning permission and listed building consent can therefore be granted on this basis.