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Dear Ms Khan

Re: 18A Frogal Gardens, London, NW3 6XA

Thank you for submitting a pre-planning application enquiry for the above property which was received on 12th June 2019 together with the payment of £432.69. I write following our meeting on 2nd July 2019.

Development description:

Demolition of existing building; erection of four storey (plus basement) single family dwellinghouse (Use Class C3).

Relevant planning and appeal history:

E6/12/3/12423 - The erection of two six room houses at No.18 Frogal Gardens, Hampstead – **Granted 29/05/1964.**

Site description:

The application site is located on the northern side of Frogal Gardens within the Hampstead Conservation Area (sub area 5), it is also within the Hampstead Neighbourhood Plan area. The surrounding area predominantly comprises large Victorian semi-detached and detached properties, and is characterised in part by its green space and mature vegetation. It is noted that a number of properties of a more contemporary design exist within the area.

The application site contains a 1960s built semi-detached single family dwellinghouse, finished in brown brick with large aspects of glazing and a lower ground floor garage. The property is set back from the street by a driveway laid to brick pavements. The property is noted within the conservation area appraisal as having a neutral impact on the conservation area. The closest listed buildings are at nos.104-110 (even) Frogal to the north-west of the site, some 38m away.

Proposed development:

- The application proposes the demolition of the existing building to be replaced with a single family dwellinghouse of an alternate design.
- The amended design would include the excavation of a basement/lower ground floor and the addition of a further storey.

- The lower ground floor would extend beyond the front building line by 6.5m with a width of 4.2m.
- The front and rear elevations would be curved at various depths, the upper ground floor curve would serve to form a two storey rear extension, measuring 4.4m (D) x 4.9m (W).
- The first floor would largely match the footprint of the upper ground floor, with the exception of the front elevation, which would curve in the opposite direction, to form a stepped style frontage.
- The second (top) floor would be set in from the front and rear elevations.
- Vehicular parking would be retained on site
- Landscaping alterations, including a large area of decking are proposed

Assessment:

The main considerations as part of the proposal are:

- Land use principle
- Demolition within a conservation area
- Design and impact on the conservation area
- Basement
- Quality of accommodation
- Impact on neighbours
- Transport
- Waste
- Access
- Sustainability
- Trees
- Crime
- S106 and CIL contributions

Comments in response to this pre-application enquiry have been received from relevant internal consultees. The proposal was also discussed with senior officers, and presented at internal design surgery. The response given here considers these comments.

Land use principle

Proposed is the demolition of an existing single family dwellinghouse, to be replaced with a single family dwellinghouse of an altered scale and design. There is no change of use or increase in the number of units on the site. As such, the proposal is considered to be acceptable in principle in land use terms.

It should be noted that as there is no increase in the number of units provided, the proposal would not be liable for an affordable housing contribution in accordance with policy H4 of the Local Plan.

Demolition within a conservation area

The property is noted within the conservation area appraisal as having a neutral impact on the conservation area. The existing property is of modern construction and is of little architectural merit. It is considered that its demolition and replacement with an appropriately scaled and designed building would not constitute harm to the character and appearance of the conservation area, and is therefore acceptable in principle.

It should be noted that there are environmental impacts arising from the demolition of the existing building. Proposals for demolition and reconstruction should be justified in terms of the optimisation

of resources and energy use in comparison with the existing building (see sustainability section of this response).

It was discussed during the meeting that any future proposal would need to be referred to full planning committee as the works comprised demolition within a conservation area. Having reviewed the 'Planning Committee Terms of Reference', I can confirm that automatic referral to committee would not be required in this instance, as the terms of reference only necessitates such when the development involves total or partial demolition of a listed building or 'positive contributor' within the conservation area. Apologies for any confusion caused. It is likely that the scheme will need to be referred to committee (given its likely controversial nature), however it would be assumed to be determined under delegated powers in the first instance.

Design and impact on the conservation area

The scale of the proposed building may be considered to be acceptable in principle subject to further work on the detailed design. It is acknowledged that an additional floor has been incorporated into the design, however the existing building is notably lower than the surrounding context. Given this arrangement and the corner location of the building, in principle the additional height may be acceptable.

It is proposed for the rear to project further than the rear of the existing property and to incorporate an outrigger style element. This would be in a similar style to the adjoining property at no.18B, and is a traditional form. This element similarly is considered to be acceptably scaled.

The design presented here has evolved with the use of steps and cut outs to help add visual interest to the building as well as to respond to the surrounding context (with interesting architectural details being visible throughout the conservation area) and to reduce the overall massing of the scheme. Whilst only limited details have been presented (given that this is a pre-application enquiry), the bulk/massing and layout of the proposal is largely considered to be acceptable in its overall approach. However, further comments would be issued as the design evolves and further details (such as materials) are presented.

It is noted that the lower ground floor as proposed projects forwards of the front building line by some distance, serving to cover the majority of the front depth of the garden. Whilst it is understood the intention for this is to form a 'book end' to the street (given the corner location), it would serve to reduce any ability for planting within this area and would also have an unusual appearance on the edge of the pavement. It was discussed that the green and verdant nature of the conservation area forms part of its character and importance, and so it is advised that the depth of this front projection is halved. This would allow for further planting/landscaping and would provide a softer frontage along the edge of the pavement.

It is advised that the roof terraces are removed from the overall design or are significantly reduced in scale, this is on the grounds of neighbouring amenity (see 'Impact on neighbours' section of this response), but also on design grounds. It should be noted that front roof terraces are contrary to para. 4.13 of CPG Altering and Extending your Home. Balustrades would serve to add clutter to the roof and would be immediately prominent within the conservation area given the front facing nature (contrary to guidance). It was discussed during the meeting that green roofs could instead be incorporated; this is an approach which is strongly supported by the Council.

The side elevation should also be given the same level of consideration as the front and rear elevations. This building would be visible from all three aspects, and whilst the front and rear have interesting curved facades, the side is relatively plain. The height of this side elevation coupled with the plain appearance results in a somewhat bulky appearance. It is advised that the same 'scooped' approach is adopted to this side elevation, ideally towards the centre of the building. This would help to break down the overall massing, as well as form a more interesting appearance. This scooped

element could be emphasised further with an alternate material finish, or perhaps the use of green walls on the property either side of the scooped centre (particularly given the green and verdant nature of its surroundings). This type of approach would help to push the overall design of the building.

The site presents an opportunity to provide a property of real architectural interest and every opportunity should be taken to explore this.

It was discussed during the meeting that the scheme would benefit from being reviewed at a Design Review Panel (DRP) or Chairs Review. This holds a lot of weight in the decision making process (particularly with Councillors) and would benefit the scheme greatly. Details at the following link:

<https://www.camden.gov.uk/camden-design-review-panel2>

The proposal would benefit from ongoing discussions regarding its overall scale and design to ensure the highest possible quality of architecture and finish, and to ensure an expedient decision at application stage. It was discussed during the meeting that a Planning Performance Agreement (PPA) would be the best way to facilitate this. Provisionally I would anticipate a follow up meeting, an internal design workshop, a further follow up meeting, and presentation at the design review panel, before progressing to application stage with the likely outcome of being referred to planning committee. A PPA would allow me to assemble a team to progress the application, with dedicated design and conservation officers working on the case in order to ensure its expedition, and I would strongly recommend your client enters into a PPA at this stage. Further details can be found at the following link but please do not hesitate to contact me directly to progress this:

<https://www.camden.gov.uk/documents/20142/2247044/Planning+performance+agreement.pdf/54527b7b-f184-d34a-ae20-8902098fa555>

Basement

The formation of a lower ground floor/basement is considered to be acceptable in principle, subject to compliancy with policy A5 of the local plan.

Policy A5 of the Local Plan and CPG Basements require basement applications to demonstrate to the satisfaction of the local planning authority that the proposal would not cause harm to neighbouring properties, or the structural, ground, or water conditions of the area; this would be completed through the submission of a Basement Impact Assessment (BIA). BIAs are independently audited by the Council's auditor 'Campbell Reith' with the cost for the audit passed to the applicant. For those developments whose conditions require investigations beyond the screening stage, attention should be given to the additional steps outlined in 5.12 of the Hampstead Neighbourhood Plan.

It was discussed during the meeting that the level of excavation would be minimal given the topography of the area, and so a further plan demonstrating the land levels was provided following the meeting. This was sent to Campbell Reith who confirmed that a full BIA is required for the site. This should be submitted with any future application for planning permission in accordance with policy A5 and CPG Basements. For further information please see the following link: <https://www.camden.gov.uk/basement-developments>.

Parts i, j and l of policy A5 require that "the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Basement development should:

- j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;

- I. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building;

It is acknowledged that the proposed depth of the property (taken from the principal front and rear elevations) is 11m, thereby allowing a maximum depth of a rear basement projection of 5.5m. The proposed basement measures 6.8m beyond the principal rear elevation and therefore requires reducing by 1.3m in order to be policy compliant in this regard.

Similarly it is advised that the proposed basement is pulled in from neighbouring boundaries in order to be policy compliant.

It should also be noted that para. 2.7 of CPG Basements states: "Where a basement extension under part of the front or rear garden is considered acceptable, the inclusion of skylights designed within the landscaping of a garden will not usually be acceptable, as illumination and light spill from a skylight can harm the appearance of a garden setting". Whilst a skylight in principle may not be objectionable, the large skylight presented within this design should be reconsidered.

Quality of accommodation

The proposed single family dwellinghouse would provide a very good quality of accommodation in terms of space standards, access to daylight/sunlight, outlook and amenity space.

Impact on neighbours

Given the footprint of the proposal and distance from neighbouring properties, it is unlikely that the proposal would result in undue harm to neighbouring amenity in terms of daylight/sunlight and outlook. Nevertheless, a daylight and sunlight assessment should be submitted with any future application.

Some possible overlooking may incur as a result of the first floor side facing window which would serve to overlook no.18B. Whilst it is acknowledged that by their nature as semi-detached houses, the properties currently overlook one another, you should avoid direct overlooking such as this.

As mentioned within the design section of this report, concerns arise from the current roof terraces proposed, both in terms of the potential for noise (particularly given their scale and elevated nature) as well as directly overlooking towards no.18B.

Transport

As this is the proposed redevelopment of the site, we would seek to remove car parking in accordance with policies T1 and T2 of the Local Plan. The proposed plans should be revised to remove the two off street parking spaces. The frontage could then be allocated to landscaping giving the green and verdant nature of the conservation area which is so important to its character and interest.

A S106 would also be sought for the development to be car free, thereby restricting future occupiers from applying for parking permits.

The Council would not however wish to seek to restrict the rights already enjoyed by returning occupants and therefore if it can be evidenced that the applicant is the current occupier of the building and wishes to return post construction, a clause could be written into the S106 allowing the occupiers to apply for parking permits, with the development being car free thereafter should they vacate the property.

Internal cycle storage is provided at a level access close to the front door of the property. This is considered to be sufficient and convenient for occupiers of the property and is considered to be acceptable in compliance with CPG Transport.

A Demolition and Construction Management Plan (CMP) and support implementation fee would be required for the proposed development. This would be secured via S106 agreement.

Highways contribution for damage to highway and to remove the existing dropped kerb would be required. Again, this would be secured by S106 agreement.

Waste

An internal waste store is proposed which appears sufficient for the occupiers of the proposed unit. This is provided at the front of the property with level access – there are no concerns with this arrangement.

Access

Policy 3.8 of the London Plan recognises that a genuine choice of homes should be provided in terms of both tenure and size, and provision should be made for affordable family housing, wheelchair accessible housing, and ensuring all new housing is built to Building Regulations Part M.

Level access is provided to the property, and an internal lift provides access to all floors. This is considered to be acceptable and appears to comply with the requirements of policy H6 of the Local Plan.

Consideration should be given to the design of the internal lift and the possible impacts this may have (such as a lift overrun at a roof level). Any lift overrun would need to be shown on the plans and would likely harm the design of the proposed building.

Sustainability

For sustainability purposes, the proposal is considered to fit into the following category: Minor residential new build up to 4 units or 500m² floor space (and deep refurbishments) assessed under part L2A.

Applicants are expected to submit a sustainability statement either as a dedicated section of the DAS or in a separate statement - the detail of which to be commensurate with the scale of the development.

Demolition/policy CC1

Policy CC1 part e requires “all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building”. It is advised that any future application is supplemented with information addressing this.

Energy/policy CC1

- A minimum 19% reduction in regulated CO₂ emissions below the maximum threshold allowed under Part L 2013.
- CPG Efficiency and Adaptation should be consulted and GLA guidance on preparing energy assessments may be followed.
- All developments to incorporate renewables wherever feasible.

Sustainability/policy CC2

- Implement the sustainable design principles as noted in policy CC2 and CPG Efficiency and Adaptation.

Trees

An arboricultural report should be issued with any future application detailing works to be undertaken to trees as part of the proposal. I would also advise submitting details of tree protection measures at application stage to prevent this being required by pre-commencement condition.

Details of the proposed green roof/walls and maintenance plan, as well as details of hard and soft landscaping (and maintenance plan) should also be submitted at application stage to prevent these details being required by condition.

Crime

Policy C5 of the Camden Local Plan states that the Council will require developments to demonstrate that they have incorporated design principles which contribute to community safety and security. Should you have any questions regarding Designing Out Crime, please contact the Council's advisor Jim Cope at: jim.cope@met.police.uk.

S106 and CIL contributions

A S106 agreement is likely to be required with the below heads of terms, please note this is not an exhaustive list and may alter as the scheme progresses:

- Car free development restricting parking permits – this may have a clause allowing personal consent for returning occupiers if it can be demonstrated to the Council's satisfaction that the owners currently occupy the property
- Demolition and construction management plan and implementation fee
- Highways Contribution (this can be claimed back at the end of the development if no damage is caused to the highway, in a similar way to a deposit)
- Construction working group
- Retention of architect to oversee the development
- Sustainability plan measures
- Energy efficiency and renewable energy plan

Given the scale of the proposal, it would be CIL liable, however the applicant would be able to claim for a self-build exemption as discussed during the meeting. The CIL form can be found at the following link: https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf. For further information regarding CIL payments and liability, please contact the CIL team at: CIL@camden.gov.uk.

Further information

It was advised during the meeting that you engage with the Hampstead Conservation Area Action Committee (CAAC) and the Hampstead Neighbourhood Forum prior to the submission of the application, and respond to any concerns they may have with the scheme. I would advise doing this in a few meetings time once the scheme is more finalised and the benefits of the scheme can be properly explained (architectural quality, material finish, landscaping proposed, sustainability benefits of the new build etc). Contact details for the groups are listed below, I would also advise contacting immediate neighbours, particularly no.18B, at an early stage to prevent any additional concerns/amendments being made at application stage.

<http://cindex.camden.gov.uk/kb5/camden/cd/service.page?id=tyZRdxYKNYY>
<http://www.hampsteadforum.org/contact>

It was queried at the meeting whether a desk based archaeology report would need to be submitted with the application. The proposal incorporates a basement/excavation within Hampstead's tier 2 category archaeological priority area, thereby placing it at a medium risk. A desk based assessment with watching brief/monitoring in the event anything is found, should be submitted with any future application.

Planning application information:

The following documents should be included with the submission of a full planning application:

- Completed full planning application form
- The appropriate fee https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
- Completed CIL form
- Location Plan (scale 1:1250)
- Site Block Plan (scale 1:200)
- Floor plans and roof plan (scale 1:50) labelled 'existing' and 'proposed'
- Elevation and section drawings (scale 1:50) labelled 'existing' and 'proposed'
- Basement Impact Assessment (BIA)
- Details of cycle and waste storage provision
- Arboricultural Report (detailing tree protection measures where appropriate)
- Hard and soft landscaping plan (and maintenance plan)
- Green roof/walls plan (and maintenance plan)
- Desk based archaeological assessment with watching brief/monitoring programme
- Details drawings of windows/doors/external balustrade/privacy screen (scale 1:20)
- Details of finishing materials (with sample where applicable)
- Design and Access Statement
- Heritage Statement
- Sustainability Statement
- Construction Management Plan (required by Policy BA3: Local Requirements for Construction Management Plans (CMP) of the Hampstead Neighbourhood Plan)

Please see the following link to supporting information for planning applications

<https://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/making-an-application/supporting-documentation--requirements-/>

Conclusion:

Given the above assessment, it is considered that the proposed development (subject to details and amendments being made as requested) could be considered acceptable in principle. I strongly advise that, as the case may be heard at planning committee, your client enters into a PPA, to allow a dedicated team and framework for expedient delivery. I also advise the DRP or Chairs Review is considered, as this holds substantial weight in the decision making process.

We are legally required to consult on applications with individuals who may be affected by the proposals. We notify neighbours by displaying a notice on or near the site and placing an advert in the local press. We must allow 21 days from the consultation start date for responses to be received. We encourage you to engage with the residents of adjoining properties before any formal submission.

Non-major applications are typically determined under delegated powers. However, if we receive three or more objections from neighbours, or an objection from a local amenity group, the application will be referred to the Members Briefing Panel if officers recommend it for approval. For more details click [here](#).

Please Note: This document represents an initial informal officer view of your proposal based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

Thank you for using Camden's pre-application advice service; I trust this is of assistance in progressing your proposal.

Yours sincerely,

Ben Farrant

Senior Planning Officer
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