



AUGUST 2020

# Planning Statement

Land between Gondar House and South Mansions,  
West Hampstead

Iceni Projects Limited on behalf of  
ANX Developments

August 2020

ICENI PROJECTS LIMITED  
ON BEHALF OF ANX  
DEVELOPMENTS

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Planning Statement  
LAND BETWEEN GONDAR HOUSE AND SOUTH  
MANSIONS, WEST HAMPSTEAD

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# 1. INTRODUCTION

1.1 This Planning Statement is submitted to the London Borough of Camden ('the Council') on behalf of ANX Developments ('the Applicant') in support of an application for full planning permission for residential development at land between Gondar House and South Mansions, West Hampstead, NW6 1QD ('the Site').

1.2 The application seeks full planning permission for:

*"The construction of a new part three, part four storey plus basement residential building to deliver 6 x residential (Class C3) dwellings, together with associated landscape, cycle parking, refuse and recycling storage"*

1.3 This Planning Statement has been prepared by Icen Projects Ltd and provides the planning case in support of the proposed development. It assesses the development in the context of relevant adopted and emerging planning policy and guidance at national, regional and local levels, together with other material considerations.

1.4 The proposed development is situated on an end of terrace site and would front Gondar Gardens. It would provide 6 x residential apartments (Class C3) within a new part three, part four storey (plus basement) building, complimented by a comprehensive scheme of landscaping. The new homes would provide a mix of dwellings sizes and layouts, including 2 x 1-bed, 2 x 2-bed and 2 x 3-bed dwellings, in order to appeal to a range of end users.

1.5 The overarching objective of the scheme is to deliver new high-quality homes through a development that responds to the surrounding context and character of the area, utilising high quality materials and finishes and ensuring a high standard of residential amenity to surrounding properties is maintained.

1.6 The Applicant and the design team have sought to work closely and proactively with the Council and the local community, with the application proposals evolving over many months of pre-application consultation with officers, as well as through engagement with surrounding residents, local groups and local councillors.

## **The Submission**

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1.7 This Planning Statement should be read in conjunction with the other documents submitted in support of this planning application. These documents comprise:

- Planning Application Forms, Covering letter, and Certificate of Ownership, prepared by Icení Projects;
- CIL Form, prepared by Icení Projects;
- Planning Statement, prepared by Icení Projects;
- Site Location Plan, prepared by Emrys Architects;
- Existing and Proposed Plans, Sections and Elevations, prepared by Emrys Architects;
- Design and Access Statement, prepared by Emrys Architects;
- Statement of Community Involvement, prepared by Quattro;
- Daylight and Sunlight Assessment, prepared by Development and Light Consultancy;
- Energy Statement and Sustainability Statement, prepared by Doherty Energy;
- Flood Risk Assessment, prepared by Hydrock;
- Basement Impact Assessment, prepared by CGL;
- Structural Report, prepared by SD Structures;
- Drainage Strategy, prepared by SD Structures;
- Arboricultural Impact Assessment and Method Statement, prepared by Keen Consulting; and
- Draft Construction Management Plan.

## 2. THE SITE AND SURROUNDING AREA

2.1 The application site is located at land between Gondar House and South Mansions, West Hampstead. It is located within the Fortune Green ward within the London Borough of Camden. The site is a 328 sqm plot of land, comprising a concrete hardstanding and landscaped areas. It has direct frontage and access via Gondar Gardens. A Site Location Plan is provided at Figure 2.1.

Figure 2.1 Site Location Plan



2.2 The site is not located within a conservation area and it does not contain any listed buildings. There are no listed buildings within the immediate vicinity of the site.

2.3 The site has a public transport accessibility level (PTAL) rating of 4, with regular bus services available from Mill Lane to the south of the site and underground and national rail services available from West Hampstead Station, approximately 750m from the site.

2.4 The site and surrounding area is residential in character and appearance. Surrounding development includes three to four storey terraced properties along Hillfield Road (including Gondar House) to the

south and east, a three-storey mansion block known as South Mansions to the north of the site and a mixture of garages and recent infill development to the west of the site fronting Gondar Gardens.

- 2.5 The architectural character of Gondar Gardens is diverse, including Victorian mansion blocks and terraces, brick garages and modern brick infill development.
- 2.6 The diversity in architectural character along Gondar Gardens is linked to the historic development pattern in the area. Whereas Hillfield Road, Sarre Road, Agamemnon Road and Gondar Gardens further to the north of the site were planned Victorian terraces, this section of Gondar Gardens was not. For many years, this section of Gondar Gardens was an access route to the Gondar Gardens Reservoir, with garages serving properties on Sarre Road fronting the western side of the road. This has resulted in this section of Gondar Gardens having a 'back of house' feel, with number of gaps in the Gondar Gardens street frontage, serving as the catalyst for a number of recent infill developments. This historic development pattern is illustrated in an extract from a 1915 OS map at Figure 2.2.

**Figure 2.2** Extract from 1915 OS Map (site shown in red)



- 2.7 These infill developments include schemes that have redeveloped former garages opposite the site and, most notably, a series of development proposals for the Gondar Gardens Reservoir. While the Reservoir schemes have not been built out, the Council has acknowledged that the site is suitable for the delivery of self-contained housing in the emerging draft Site Allocations Local Plan (2019). Under the draft allocation, any new housing development shall need to fill in the existing gap in the streetscape as a way to improve the overall Gondar Gardens street frontage.
- 2.8 The principles from these recent infill developments and applications along Gondar Gardens are directly relevant to the subject site, and have helped inform the development proposals.

## Planning History

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- 2.9 There is limited planning history for the site. An application to redevelop the site in 1988 (LPA ref. 8703320) was refused, however given the time that has passed since this application, the recent changes in the area described above, and the acknowledgement of how small sites such as this can contribute to housing delivery in the borough, this is no longer a relevant material consideration.
- 2.10 Surrounding the site, there are a number of applications that are under assessment or have been recently approved and completed, highlighting change in the immediate area.
- 2.11 These applications include planning application reference 2019/3109/P at 1 Hillfield Road, which seeks to extend the existing residential building and create 1 x additional self-contained dwelling. This site adjoins the application site to the south and the S106 agreement is currently being finalised following the application receiving resolution to grant from the Council's Planning Committee.
- 2.12 Surrounding the site, additional applications of note are the redevelopment of former garages along the west of Gondar Gardens. This includes application reference 2007/4353/P that granted planning permission for the delivery of 3 x new dwelling houses opposite the site, which have now been completed.
- 2.13 There have also been a number of planning applications associated with the former Gondar Gardens Reservoir. A number of schemes have been proposed for the site, including an 82-bed extra care housing and 15-bed nursing home development (LPA ref. 2017/6045/P). This scheme was dismissed at appeal in June 2019 due to ecological, amenity and affordable housing related issues. Prior to this, planning application reference 2013/7585/P was allowed at appeal on 16 December 2015 for a total of 28 residential dwellings.
- 2.14 It is noted that despite the Council's objections to both of the Gondar Gardens Reservoir schemes, the principle of infilling the Gondar Gardens street frontage was considered appropriate. This development principle has informed the site's allocation in the Council's draft Site Allocations Local Plan (2019).

### 3. PRE-APPLICATION CONSULTATION

3.1 As part of the proposed building's design development process, the applicant has engaged in pre-application discussions with officers at the Council, as well as consultation with local stakeholders. This has seen the design evolve through an iterative process and an overview of this scheme evolution is provided below.

#### **Pre-Application Consultation with the Council**

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3.2 Pre-application consultation with the Council occurred between August 2019 and February 2020, and comprised a site visit as well as two separate meetings.

3.3 Throughout the pre-application process, the size, scale and quantum of the proposed development reduced. This saw initial 9-unit proposals reduce in size to an 8-unit, 7-unit and ultimately to the 6-unit proposals forming part of the application. This iterative design process saw officers provide the design team with feedback regarding the need to ensure the building sat more comfortably in the prevailing character of the street and to ensure an appropriate relationship with adjoining properties was maintained.

3.4 As part of the pre-application process, the following land use and design principles were established:

- The principle of residential development on site was deemed acceptable.
- The height, scale and mass of the proposals should respond to the character of surrounding buildings, with the height of the new buildings needing to be set below the eaves height of South Mansions, and then fall down the hill towards Gondar House.
- The building should be stepped, in order to respond to the topography of the site.
- Separation distances between South Mansions and Gondar House should ensure adequate outlook through the site can be maintained, as well as considering daylight and sunlight levels to neighbouring properties.
- The principle of providing a basement on site was deemed acceptable.
- The development should ensure the existing street tree is retained. It was established through discussions with tree officers that the extent of the basement excavation should avoid the root protection area of the tree. It was also agreed that the use of mini piles or other similar construction solutions was acceptable to ensure the areas of the building above the root protection area would ensure the development would not harm the tree.

- 3.5 Further details of the design evolution throughout the pre-application consultation process is provided within the Design and Access Statement.

### **Engagement with Local Stakeholders**

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- 3.6 As part of the pre-application consultation process with officers, the applicant also engaged with local stakeholders to discuss the emerging proposals. This engagement saw further design modifications to the scheme in order to respond to the feedback gained.
- 3.7 This engagement occurred through the provision of newsletters to surrounding properties, local amenity societies, neighbourhood forums and local ward councillors in February 2020. This was followed by a meeting with local residents from surrounding properties, the West Hampstead Neighbourhood Forum, the Gondar and Agamemnon Residents Association (GARA) and a local ward councillor.
- 3.8 This meeting was a productive and positive meeting and resulted in the discussion around a number of suggestions on how the scheme could be improved and modified. The design changes made following this meeting included further reductions in height of the development, the loss of one unit, increased separation distance to South Mansions, the introduction of bays into the elevational design, the use of London stock brick, as well as an increased setback from the rear boundary.
- 3.9 Further details of this community engagement and how it has informed the development proposals is provided within the Statement of Community Involvement prepared by Quatro PR.

## 4. THE PROPOSED DEVELOPMENT

4.1 This application seeks full planning permission for the construction of a new residential building providing 6 x self-contained dwellings. The proposed development would see an underutilised site optimised and infilled with a high-quality residential development that would provide much needed housing for the local area.

4.2 The proposed development seeks to achieve the following development objectives:

- Redevelop and regenerate the site.
- Provide much needed new homes in a sustainable, readily accessible location.
- Optimise the capacity and potential of the site, whilst being compatible to the local context.
- Enhance the local townscape and streetscape through the delivery of excellent architecture and the use of high-quality materials.
- Introduce a new building that would complete and reinforce the built form and building lines along Gondar Gardens in a complimentary manner.
- To provide a mix of 1, 2- and 3-bedroom homes that are modern, energy efficient and meet an identified local need.
- To provide residential accommodation with good natural daylight and high standards of residential amenity.
- To provide a sustainable, car-free development with policy compliant cycle parking spaces for residents within secured enclosed areas.
- To deliver additional street tree planting to Gondar Gardens to improve the overall streetscape quality.

4.3 The proposed description of development is as follows:

*“The construction of a new part three, part four storey plus basement residential building to deliver 6 x residential (Class C3) dwellings, together with associated landscape, cycle parking, refuse and recycling storage”*

4.4 Further information regarding the development proposals is provided below.

### **Residential housing**

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4.5 The proposals would deliver a total of 479 sqm of new residential floorspace across a total of 6 x self-contained dwellings. The dwellings are a range of sizes in order to respond to the housing priorities for the London borough of Camden. The mix of the proposed development includes 2 x 1-bed, 2 x 2-bed and 2 x 3-bed dwellings.

4.6 The design of each dwelling has sought to meet and exceed the residential development standards contained within relevant planning policy and guidance, with specific focus on the delivery of high-quality amenity space for future occupants.

### **Design**

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4.7 The design of the proposed development follows an established urban design principle of infilling gaps in streetscapes, a development pattern that has occurred and is planned to occur along Gondar Gardens.

4.8 The design approach adopted by the project team is to deliver a new building that responds to the surrounding height and character of Gondar Gardens. The proposed building would be part three and part four storeys in height, and includes stepped floorplates, ensuring the building steps down the site to respond to its topography.

4.9 The building would see separation distances to South Mansions and Gondar House provided that are comparable with other end of terrace locations in the local area. This includes an 8.5m separation distance to South Mansions and an 8m separation distance to Gondar House. This would ensure adequate outlook and views through the site would be maintained and the proposed building would sit comfortably in the streetscape.

4.10 The architecture of the proposed building has responded to the diverse character of the immediate area. This has seen the provision of bays on the front elevation to respond to South Mansions, as well as the use of London stock brick and white brick to respond to the Victorian and modern features in the locality.

### **Boundary Treatment**

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4.11 The proposed development would see the delivery of brick boundary walls to the northern, eastern and southern boundaries. This would contribute to the high quality design of the proposed development and its relationship with surrounding properties.

## **Sustainability**

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- 4.12 The proposed development seeks to achieve high standards of sustainable design and construction, including the use of high-performance building materials and finishes, the use of green roofs, photo voltaic (PV) panels and through sustainable urban design measures.
- 4.13 The development also seeks to ensure it achieves a high level of green coverage on site, with green roofs provided to all roofs on the proposals and large gardens areas provided at ground floor level.

## **Landscaping and Amenity**

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- 4.14 The proposed development incorporates a comprehensive soft and hard landscaping scheme to ensure high standards of amenity space is provided for future occupants. Each dwelling would have access to at least one private amenity space, each of which exceeds the minimum space requirement.
- 4.15 The existing street tree at the frontage of the site has been retained and incorporated into the design of the development. Upper levels of the development have been setback to avoid the canopy spread of the tree and bespoke construction methods have been incorporated into the development on the advice of the project team's arboriculturist. Further details are provided in the Arboricultural Impact Assessment.

## **Additional Street Tree Planting**

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- 4.16 As part of the objectives to deliver a green and sustainable development, along with improving the overall quality of the Gondar Gardens streetscape, the applicant is proposed to plant 2 x additional trees along Gondar Gardens. This would increase the greenness of the street and its overall visual appearance.
- 4.17 An indicative street tree planting plan is provided within the Design and Access Statement.

## **Basement Construction**

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- 4.18 The proposed basement has been informed through structural and geotechnical engineers. The Basement Impact Assessment that accompanies this application demonstrates that the construction of the basement would have no impact on surrounding properties.

## **Parking and Refuse**

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- 4.19 The proposed development is to be car-free, reflecting the good public transport accessibility of the site, and to encourage future residents to use active and public transport means.

4.20 A secure area for cycle parking, refuse and recycling storage is provided as part of the proposals, with direct access to Gondar Gardens. This dedicated store also makes provision for the cycle parking and bin requirements of 1 Hillfield Road, who currently use the hardstanding area of the site for these purposes.

## 5. PLANNING POLICY CONSIDERATIONS

5.1 This section of the Planning Statement defines the Development Plan and assesses the proposed development against the relevant adopted and emerging planning policy and guidance at national, regional and local level.

### **The Development Plan**

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5.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

5.3 The statutory development plan for the proposed development consists of:

- The London Plan (2016)
- Camden Local Plan (2017)
- Fortune Green and West Hampstead Neighbourhood Plan (2015).

5.4 Camden Council also has a number of supplementary planning documents (SPDs) known as Camden Planning Guidance (CPG). These are also relevant material considerations for the application.

5.5 The Revised National Planning Policy Framework (NPPF) was published in February 2019 and sets out the Government's economic, environmental and social planning policies. The NPPF outlines a presumption in favour of sustainable development as being at the heart of the planning system.

5.6 Additionally, the Mayor of London is in the process of preparing the New London Plan, which was subject to Examination in Public (EiP) from January to May 2019. The Inspectors Report has since been received and published in October 2019 with the Mayor publishing his Intend to Publish in December 2019. The intend to public version of the draft London Plan holds material weight in the determination of this planning application.

5.7 An assessment of the key planning considerations for the proposed development is provided below.

### **Principle of Development**

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5.8 Paragraph 68 of the NPPF encourages a significant increase in the housing supply and recognises the importance of small sites contributing to meeting the housing requirement of an area. Additionally,

both the London Plan and the Camden Local Plan identifies the pressing need for more homes to be delivered and to make the best use of land.

- 5.9 The land use priority within the London borough of Camden is new residential housing, with the Camden Local Plan (2017) supporting the delivery of housing on infill sites where appropriate to help the Council achieve its target to deliver 16,800 new homes by 2031.
- 5.10 Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015) also supports infill development provided that it is in character and proportion with its setting, including the relationship with adjoining properties.
- 5.11 The delivery of infill housing developments to help fill gaps in the streetscape is an established urban design principle and it is one that has occurred on a number of sites within the London Borough of Camden in recent times. This includes 1 Mill Lane and 33 Mill Lane, West Hampstead, 143 Adelaide Road, Swiss Cottage, 3 Malden Road, Kentish Town and the former Village Close Garages, Belsize Park.
- 5.12 The principle of intensifying development along Gondar Gardens is also an established principle in the immediate context of the site. This has been seen through the redevelopment of garages opposite the site for new dwellings, as well as the planned future redevelopment at the Gondar Gardens Reservoir, which would see a large section of the streetscape infilled.
- 5.13 With the site currently detracting from the streetscene due to its use as concrete hardstanding and car parking, along with an unsightly and overgrown fence, the delivery of a high quality residential development that responds to the character and setting of the site provides an opportunity to improve the local area.
- 5.14 The principle of providing infill residential accommodation is therefore considered acceptable.

## **Design**

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- 5.15 Paragraph 124 of the NPPF states the creation of high-quality buildings and places is fundamental to what planning and development should achieve. It acknowledges that good design is a key aspect of sustainable development.
- 5.16 Good design is a central objective of the London Plan (2016). Policy 3.5 sets out the general design principles expected for housing developments in London. The policy seeks to ensure that proposals for housing developments are of the highest quality internally, externally and in relation to their context and to the wider environment.

- 5.17 London Plan (2016) Policy 7.4 requires new development to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. In addition to this, Policy 7.6 states that buildings should make a positive contribution to a coherent public realm and streetscape and should incorporate the highest quality materials and design appropriate to their context.
- 5.18 Policy D1 of Camden's Local Plan (2017) states that all development needs to, amongst others, respect local context and character, comprise materials and details that complement local character, integrate well with the surrounding streetscene, incorporate outdoor amenity space and provides a high standard of residential accommodation.
- 5.19 Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015) sets specific design requirements for infill development, noting that development should be: to the same scale as the terrace, including the roofline; similar in form, materials and details; replication of particular exterior details is strongly recommended where such details are consistent in streets; houses should be set back from the pavement and match or fit the building lines of existing properties, with front garden areas remaining unpaved.
- 5.20 Collectively, these various policies require infill development to be based on a thorough understanding of the site's context, constraints and opportunities, in order to ensure proposals would become a complimentary addition into the streetscape.
- 5.21 The design of the proposed development has been informed through an iterative design process with officers and local stakeholders, where issues such as height, setbacks, materials, architect and amenity space have been considered.
- 5.22 The proposed development has been designed to respond to site's topography and the prevailing heights along Gondar Gardens. The proposed building steps down the hill, with its height staying beneath a height plane drawn from the eaves height of South Mansions to the ridge height of Gondar House.
- 5.23 Separation distances provided between the proposed building and South Mansions and Gondar House are 8m or larger, leading to an appropriate relationship between buildings that is consistent in the surrounding area. These side setbacks would also ensure views through the site would be maintained and there would be no adverse daylight, sunlight or overshadowing impacts to surrounding properties.
- 5.24 The frontage of the building has responded to the front building lines and bays of Gondar House and South Mansions, in order to create a consistent front building line in this section of Gondar Gardens.

It has also been setback at upper floors to ensure the building responds to the canopy spread of the mature street tree at the frontage of the site.

- 5.25 The proposed materials uses respond to the London stock brick seen in many properties in the area, including South Mansions, as well as the use of white brick at upper levels to reference to more contemporary architecture that defines the diverse architectural character of Gondar Gardens.
- 5.26 While the site does contain some existing landscaped area to the rear of 1 Hillfield Road, it also contains a significant portion of hardstanding that is used for informal car parking. The site is therefore not a garden and, with the principal of infill residential development being acceptable, it should be categorised as previously developed land. Notwithstanding, the design of the scheme has been able to retain and re-provide as much green space on site as possible. This includes large garden space at ground floor level and the provision of green roofs on all roofs to see the site have a high level of green coverage, supporting the objectives of Policy 17 of the Fortune Green and West Hampstead Neighbourhood Plan (2015). The scheme is also proposing the provision of additional street trees on Gondar Gardens, which would serve to improve the overall appearance of the street.
- 5.27 Overall, the proposed development is considered to achieve a high quality design outcome, respecting the prevailing height and architectural character of Gondar Gardens, protecting the amenity of surrounding properties, and ensuring garden space and green coverage on site is provided in a manner that is appropriate for an infill development in this location.
- 5.28 As such, the design of the proposed development is considered to align with the design policies within the London Plan (2016), the Local Plan (2017) and the Fortune Green and West Hampstead Neighbourhood Plan (2015).

#### **Quality of residential accommodation and unit mix**

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- 5.29 The proposed residential apartments have been designed to deliver a high-quality residential environment for future residents in accordance with Policy 3.5 of the London Plan (2016), Policy D1 and H7 of the Local Plan (2017) and the Mayors Housing SPG (2016). This includes exceeding minimum internal space standards, delivering dual aspect units, providing generous floor to ceiling heights and providing amenity space above and beyond the minimum standards.
- 5.30 Policy D1 of the Local Plan (2017) requires housing development to provide a high standard of accommodation including adherence to the government's nationally described space standard and the Mayor's Housing SPG (2016).

5.31 All of the proposed dwellings would meet or exceed the relevant space standards and would provide adequate levels of private amenity space for residents through the provision of gardens, terraces and balconies.

5.32 In terms of unit mix, Policy H7 of the Local Plan notes the following dwelling size priorities:

	<b>1-bedroom (or studio)</b>	<b>2-bedroom</b>	<b>3-bedroom</b>	<b>4-bedroom (or more)</b>
<b>Social-affordable rented</b>	lower	high	high	medium
<b>Intermediate affordable</b>	high	medium	lower	lower
<b>Market</b>	lower	high	high	lower

5.33 The unit mix of the proposals includes 2 x 1 bedroom, 2 x 2 bedroom, 2 x 3 bedroom apartments. This unit mix is considered appropriate and in line with the Council’s Dwelling Size Priorities Table within the Local Plan, which identifies that there is a high priority for 2- and 3-bedroom market apartments.

5.34 The proposed residential apartments are therefore considered to be high quality and their mix of sizes would ensure the new housing would meet local housing need. For these reasons, the proposed development is considered to comply with the standards within Policy 3.5 of the London Plan (2016), Policy D1 and H7 of the Local Plan (2017) and the Mayors Housing SPG (2016).

**Affordable housing contribution**

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5.35 Policy H4 of the Local Plan (2017) requires a contribution towards affordable housing from all developments that delivery one or more additional dwellings and involve the net increase in residential floorspace of more than 100 sqm GIA. Where developments have capacity for fewer than 10 additional dwellings, Policy H4 sets out that the Council shall accept a financial payment-in-lieu of affordable housing. The formula for the payment-in-lieu is set out within the Council’s Interim Housing CPG (2019).

5.36 The proposed development would meet the requirement for a payment-in-lieu and would therefore make an affordable housing contribution in accordance with the Council’s criteria. This payment would be secured via Section 106 planning obligation.

**Accessibility**

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5.37 Both the London Plan (2016) and the Camden Local Plan (2017) seek to ensure the highest levels of accessibility are provided to new residential dwellings. Under these policies, 90% of new units should be designed to meet Part M4 (2) of the Building Regulations, with the remaining 10% of the

units needing to be designed to meet Part M4 (3) of the Building Regulations. This is also reiterated in the Council's supporting Interim Housing CPG, dated March 2018, and the Mayors Housing SPG (2016).

- 5.38 Due to the site-specific constraints of the site, these standards are unable to be met in this particular instance. The main reason is associated with the specific design response that is necessary for the proposed development, as agreed during pre-application consultation, where it is necessary for the scheme to 'step down the hill'. This has therefore resulted in the need for the scheme to have split floor plates, with a number of different levels provided to the proposed building.
- 5.39 Additionally, due to the small-scale nature of the proposals, a lift is not provided. This is linked to the requirement for the development to step down the hill and how this has manifested in a design that introduces a number of different levels, meaning that in order to provide step free access to the entire building would require multiple lifts.
- 5.40 Applying flexibility in accessibility standards is set out in paragraph 2.3.11 of the Mayors Housing SPG (2016), which notes:

*that local planning authorities can apply the accessible housing policies flexibly in certain instances, particularly for buildings of four storeys or less when the delivery of a lift would have implications for the viability of a development and for ongoing service charge costs for residents.*

- 5.41 For the reasons set out above, a departure from the accessibility standards in the Local Plan and the London Plan are considered justified in this particular, site specific instance. Meeting the accessibility standards would require multiple lifts, creating an inefficient and overly expensive building that would be unfeasible to deliver.

#### **Relationship with surrounding properties**

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- 5.42 Policy A1 of the Local Plan (2017) and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015) seeks to manage the impact of development of neighbouring occupiers. The aspects of amenity that it considers include visual privacy, outlook, sunlight, daylight and overshadowing. Policy A1 is supported by the guidance contained within the Council's Amenity CPG (2018).

#### **Daylight, sunlight and overshadowing**

- 5.43 Daylight, sunlight and overshadowing analysis has informed the design development of the proposed development, ensuring adequate levels of daylight and sunlight are provided to surrounding properties. A detailed Daylight and Sunlight report is provided with this planning application.

- 5.44 Given that the site does not contain any buildings on site at present, any new building would see changes in the current levels of daylight and sunlight. Notwithstanding this, the analysis carried out confirms that the proposed development would result in a general level of compliance with the Building Research Establishment (BRE) Guidance, with surrounding properties all receiving good levels of daylight and sunlight following the construction of the proposed development.
- 5.45 There are four windows in surrounding properties which would see a net reduction in daylight levels, exceeding 20% reductions on the Vertical Sky Component (VSC) test. This includes a window serving a galley kitchen in Gondar House, a ground floor window to South Mansions and two windows to the approved development at 1 Hillfield Road. All surrounding properties would see each window pass both the No Sky Line (NSL) test and the Annual Probable Sunlight Hours (APSH) tests.
- 5.46 With respect to the VSC failure to the window at Gondar House, this window serves a small galley kitchen. The Mayors Housing SPG (2016) states that galley kitchens should not be considered habitable rooms for the purposes of daylight and sunlight analysis and for this reason this result is considered justifiable.
- 5.47 The ground floor window at South Mansions that does not pass the VSC test is a bedroom at ground floor level. The percentage reduction is 25%, marginally above the threshold of 20% set out within the BRE Guidance. It is important to note that due to there being no development on site at present, this windows experiences a significant amount of daylight that is well above typical levels for a site in this location. The resultant VSC levels to this window following the development would still ensure an overall level of daylight that is considered acceptable and appropriate in a location such as this. It is also important to note that this window passes the NSL and APSH tests.
- 5.48 The overshadowing analysis carried out also confirms that sufficient sun on ground would be provided to surrounding amenity areas and gardens of adjoining properties on March 21, meeting the BRE Guidance.
- 5.49 Overall, the high level of BRE compliance of the proposed development and the resultant daylight and sunlight levels enjoyed by neighbouring properties is considered acceptable. Further information and analysis is provided within the Daylight and Sunlight Report accompanying this application.

#### **Overlooking, privacy and outlook**

- 5.50 The design of the proposed development has sought to ensure there would be no overlooking or privacy issues for neighbouring properties. These specific design measures have included the provision of separation distances of 8m or more, not providing any windows or balconies on flank elevations that would directly overlook South Mansions or Gondar House, and ensuring the proposed outlook of the new dwellings would be orientated to the street or to the east.

- 5.51 The orientation of the proposed apartments has remained unaltered as part of the re-design, ensuring there would be no direct overlooking to South Mansions to the north and Gondar House and 1 Hillfield Road to the south.
- 5.52 The proposed development has also sought to ensure outlook for neighbouring properties is maintained, through the provision of setbacks at upper levels to avoid any sense of enclosure, the use of large separation distances to ensure views through the site are retained and through the delivery of improved boundary treatment and landscaping.
- 5.53 These design features of the proposals would therefore see the proposed development not give rise to a loss of privacy or outlook to neighbouring properties, and would be compliant with Policy A1 of the Local Plan (2017), Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015) and the Council's Amenity CPG (2018).

### **Energy and Sustainability**

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- 5.54 Policy CC1 of the Local Plan (2017) requires all developments to minimise the effects of climate change through improved energy efficiency measures and incorporation of renewable energy measures where possible to reduce carbon dioxide emissions. Policy CC2 of the Local Plan (2017) encourages sustainable design to require development to be resilient to climate change.
- 5.55 The proposals are committed to minimising the effects of climate change through the be lean, be clean, be green strategies as outlined in the accompanying Energy and Sustainability Statements.
- 5.56 The proposed development would utilise a number of energy efficient and sustainable design measures including the use of PV and solar hot water systems, green roofs, sustainable drainage solutions and sustainable building materials and finishes.
- 5.57 Collectively, these measures would see the proposed development achieve a 28.5% reduction over Part L Building Regulations.
- 5.58 The proposed development would therefore exhibit high standards and sustainable design and construction and is in accordance with Policy CC1 and CC2 of the Local Plan (2017).

### **Flood Risk**

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- 5.59 While the site is not located in Flood Zone 2 or 3, historical evidence has indicated that properties to the south on Hillfield Road are at risk of surface water flooding due to historical rainfall events. As such, a Flood Risk Assessment (FRA) has been prepared for the proposed development to identify whether any specific mitigation measures are needed to ensure future occupants would not be susceptible to flooding, in accordance with Policy CC3 of the Local Plan (2015).

- 5.60 The FRA concluded that the site is at low risk of flooding and no specific flood resistance and/or resilience measures are required to protect the future occupants. The FRA also notes that the basement level of the proposed development would be constructed to Grade 3 waterproof standards, in line with BS8102.
- 5.61 Additionally, the assessment concludes that thanks to the Drainage Strategy, the proposed development would not result in any surrounding properties at increased risk of flooding through the loss of floodplain storage or impedance of flood flows.
- 5.62 As such, the provision of habitable floorspace within the lower ground floor level of the development is considered appropriate, in line with the conclusions in the FRA and in accordance with Policy CC3 of the Local Plan (2015).

### **Basement construction**

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- 5.63 Basement construction within the London borough of Camden is controlled through Policy A5 of the Local Plan (2017) and in line with the detailed requirements contained within the Council's Basements CPG (2018). Both the policy and guidance seeks to ensure that all basement development must meet detailed criteria in order to avoid impacts to surrounding properties.
- 5.64 Policy A5 of the Local Plan (2017) lists a number of requirements for basement development to meet, stating, amongst others, that basements must not comprise more than one storey, and must not require the removal of mature trees. A key driver of the proposed development has been to ensure the proposed basement does not impact the mature tree, and this has informed the design and extent of the basement.
- 5.65 All planning applications incorporating basement developments require the preparation and submission of a detailed Basement Impact Assessment (BIA). A BIA has been prepared and submitted with this application and details the investigation, analysis and construction methods proposed to ensure the basement would not result in any impacts to surrounding properties, require the removal of the exiting mature tree within the public highway, and why the proposed basement would comply with Policy A5 of the Local Plan (2017) and the Basements CPG (2018).

### **Trees**

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- 5.66 The protection of trees that contribute to the character and amenity of an area forms a key priority in Policy A3 of the Local Plan (2017) and Policy 18 of the Fortune Green and West Hampstead Neighbourhood Plan (2015). These policies also encourage the provision of additional planting where appropriate.

5.67 A key objective of the proposed development has been to ensure the existing mature tree within the footway at the frontage of the site is retained. The applicant and the design team have worked with an experienced arboriculturist to define the root protection area (RPA) and canopy spread of this tree, ensuring that the development has been designed to avoid any harm to this tree. This has formed a key part of pre-application consultation with officers prior to the submission of the application.

5.68 The design measures that have been adopted to avoid impacting the tree include ensuring the basement excavation avoids the RPA in its entirety, utilising setbacks at upper levels to ensure the canopy of the tree is not impacted, as well as through the use of mini piling construction methods for the portion of the building that is situated above the RPA.

In order to ensure the long-term maintenance and management of this tree is achieved, the applicant is proposing to secure a landscape maintenance and management plan condition, which would see the applicant and the Council agree suitable long-term management of this through, through further pollarding works (the current maintenance method employed by the Council), or through regular pruning. Further detail of this is provided within the Arboricultural Impact Assessment.

5.69 Additionally, the Applicant is proposing to plant 2 x additional street trees along Gondar Gardens. This section of Gondar Gardens has poor street tree coverage and the delivery of additional planting would help contribute to the visual appearance and amenity of the street. An indicative street planting plan is provided within the Design and Access Statement.

5.70 Collectively, the tree protection measures and the new tree planting proposed would see the proposed development comply with Policy A3 of the Local Plan (2017) and Policy 18 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

### **Transport and Waste Management**

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5.71 The proposed development would be car-free, aligning with the Council's strategic objective of minimising vehicle use in the borough, as set out in Policy T2 of the Local Plan (2017).

5.72 A dedicated cycle and refuse and recycling store is provided as part of the development, on the Gondar Gardens street frontage.

5.73 Cycle parking provision has been designed to comply with the requirements of Policy T1 of the Local Plan (2017), the intend to publish London Plan (2019) and the Council's Transport CPG. A total of 12 x cycle parking spaces are provided.

- 5.74 The dedicated store provides 9 x 240 L bins for refuse and recycling purposes, in line with the Council's waste management requirements. This provision includes allowance for the refuse and recycling requirements of 1 Hillfield Road, who utilise the hardstanding area on site at present for refuse and recycling purposes.

### **Construction Management**

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- 5.75 The construction of the proposed development has the potential to cause temporary disturbances to the surrounding area. The Applicant would enter into a legal agreement with the Council to prepare a detailed Construction Management Plan (CMP) prior to any works starting on site. This would require consultation to be carried out with the surrounding community with the appointed contractor to discuss any specific concerns and to clarify construction processes, hours of operation and the management of noise and air quality, amongst others.
- 5.76 Notwithstanding, the Applicant has produced a draft CMP as part of the planning application which identifies a number of measures that are proposed to be incorporated during the construction of the development to minimise disruption.

### **Section 106 Heads of Terms**

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- 5.77 The proposed development would require the Applicant and the Council to enter into a legal agreement to secure a number of planning obligations. The draft Section 106 Heads of Terms that the Applicant proposes are as follows:
- Affordable housing contribution
  - Car-free housing requirement that prevents residents from obtaining a residential parking permit
  - Construction Management Plan and Implementation Support Contribution
  - Highways Contribution for repaving of the footway
  - Final Sustainability and Energy Plan

- 5.78 The Applicant would be willing to progress these negotiations as and when appropriate with the Council.

### **Community Infrastructure Levy (CIL)**

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- 5.79 The proposed development would deliver more than 100 sqm of floorspace and deliver new housing and would therefore be liable to both the London Borough of Camden CIL and the Mayoral CIL.

5.80 A CIL Additional Information Form has been provided with this application.

## 6. CONCLUSION

- 6.1 This Planning Statement has been prepared on behalf of ANX Developments in support of an application for development at Land between Gondar House and South Mansions, West Hampstead. Planning permission is sought for the following development:

*“The construction of a new part three, part four storey plus basement residential building to deliver 6 x residential (Class C3) dwellings, together with associated landscape, cycle parking, refuse and recycling storage”*

- 6.2 The proposed development would deliver a number of planning and public benefits to the local area and wider London borough of Camden. These include:

- The development of an underutilised site with a residential infill development that responds to the character and context of Gondar Gardens and the amenity of surrounding properties.
- The delivery of much needed new homes in a sustainable, readily accessible location.
- The introduction of a new building that would complete and reinforce the built form and building lines along Gondar Gardens in a complimentary manner.
- The enhancement of the local townscape and streetscape through the delivery of excellent architecture and the use of high-quality materials.
- The delivery of a mix of 1, 2- and 3-bedroom homes that are modern, energy efficient and meet an identified local need.
- The provision of residential accommodation with good natural daylight and high standards of residential amenity.
- To provide a sustainable, car-free development with policy compliant cycle parking spaces for residents within secured enclosed areas.
- To deliver additional street tree planting to Gondar Gardens to improve the overall streetscape quality.
- The delivery of an affordable housing payment in lieu, supporting the Council in providing affordable housing in the local area.

- The delivery of Community Infrastructure Levy payments, contributing to the provision of local infrastructure.

6.3 Overall, the proposed scheme is considered to constitute a sustainable development that complies with the relevant planning policies of the development plan and would deliver a significant number of planning benefits. It is therefore considered that the development should be supported, and planning permission granted.