

6 Lindfield Gardens NW3

Planning & Heritage Statement



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1. Introduction

1.1 This Planning Application is submitted on behalf of Ehoud and Liora Zaidman who are the current owners and occupiers of the application premises.

1.2 Planning permission is sought for the following development:

Conversion and extension of existing single family dwelling house to form 9 residential flats, including rear extensions at ground, first and second floor, alterations to roof pitches and associated landscaping to existing front terrace.

1.3 This statement provides the background information relating to the site and an assessment of the proposals in relation to relevant planning policy.

1.4 The document is set out into the following sections:

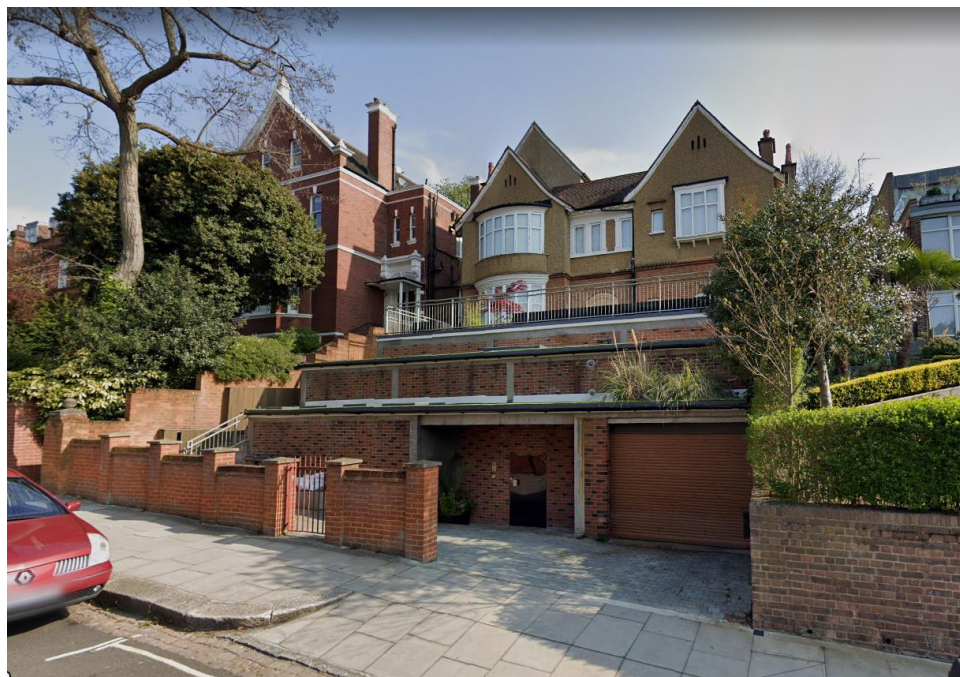
- **Section 2** describes the existing site and surrounding area;
- **Section 3** provides a description of the proposed development;
- **Section 4** outlines the relevant Planning Policy Framework;
- **Section 5** analyses the main planning considerations.
- **Section 6** sets out a series of concluding remarks

2. Site and Surroundings

- 2.1 No 6 Lindfield Gardens is an existing large single family dwelling house within Use Class C3.
- 2.2 The property is located upon the north-eastern side of the road, approximately 100m from the junction of Lindfield Gardens and Arkwright Road. The property is a substantial and large detached dwelling house with a generously sized rear garden.
- 2.3 Given the topography of the area, Lindfield Gardens rises from its junction with Arkwright Road. As a consequence, the existing dwelling sits high above street level. The land also rises very steeply from the street and through the site. The main front (ground floor) entrance to the property therefore sits approximately 4.5m above street level.



View from Arkwright Road towards site



Main Front Elevation

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- 2.4 The property has been extended in the past. To the front is an unusual and distinctive series of extensions within the topography between the street level and the main front door level. It is undeniable that this existing brick terraced arrangement is a stark and bold feature within this residential street.
- 2.5 An integral vehicle garage and forecourt parking is accessed from the highway.
- 2.6 At street level, the dwelling is entered to a double height entrance lobby. At this level (i.e. street level) is a fully enclosed indoor swimming pool and lift to the main dwelling ground floor above. Above this, within the main terrace is an intermediate mezzanine floor with a bedroom set within this terrace fronting the street.
- 2.7 This then links to the main ground floor accommodation via the internal stairs and lift (the lift only rising to ground floor). Externally, the only access from street is via an external stairway running along the north-western boundary to No.8 Lindfield Gardens, which is a former dwelling house previously converted to flats.



Stairway Access along boundary to No.8

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Ground floor upper terrace level

- 2.8 The dwelling itself comprises entrance level, lower ground, ground, first and second floor accommodation, has 6 bedrooms in total and is formed by a series of gables and roof pitches.
- 2.9 A small external roof terrace exists at roof level between the two principal gables and their ridgelines that run back into the site. A second gable end is visible within the street, sitting (higher and) behind the main front elevation gable. The principal elevation is unremarkable with a dull render at first floor, above a brick ground floor.
- 2.10 The property has been extended previously to the rear to form a large central glazed atrium and brick extensions adjacent to the rear terrace area.



Rear Elevation

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- 2.11 To the rear, a large private garden extends to approximately 35-40m from the rear elevation. This garden sits above the ground floor level, with the land continuing to rise south-west to north east through the site. The main rear grassed garden area is accessed via steps from this terrace. The land continues to rise to meet the rear gardens of properties which front Frognal to the rear (north east).
- 2.12 Internally, there are multiple level changes within the dwelling including steps down into bedrooms etc. This a product of the unusual double gable arrangement and the topography of the site, which of course has dictated the form and arrangement of dwellings along Lindfield Gardens and the Hampstead area more widely.
- 2.13 A garden room, incidental to the enjoyment of the dwelling house has been constructed within the garden area, under Class E of Schedule 2, Part 1 of the GPDO is relevant. This was confirmed as not requiring planning permission by way of a Certificate of Lawful Proposed Development granted by the LPA in July 2019.
- 2.14 The dwelling is not listed and there are no proximate listed buildings.
- 2.15 The site is located within the Redington / Frognal Conservation Area. The Conservation Area Statement notes:

*Lindfield Gardens links Arkwright Road to Langland Gardens to the north. It was named after a village on the Maryon Wilson estate in Sussex and much of its western side and part of its eastern side were developed in the 1880s. Whilst the western side is of consistent character and quality, featuring two coherent groups of two/three storey generally plain red brick late Victorian houses, the eastern side is more varied and of inconsistent quality. (Lindfield Gardens 10; Linfield Gardens 22; Linfield Gardens 13) **With the exception of Nos 8, 10 and 22 this stretch of road is probably one of the poorest in the Conservation Area due to unsympathetic alterations, dereliction, and unsightly forecourt parking areas and to a lesser extent, recent new development.** Linfield Heights at the junction with Arkwright Road is a development of 11 terraced brick and timber houses c. 1969 set behind dense vegetation. The landscaping, setting and scale contribute to the Conservation Area. To the north Nos.4 and 4a c. 1960 are set back with less care to detail with garages that detract from the streetscape.*

- 2.16 The large forecourt parking area is considered by the Council to be a negative feature within the Conservation Area. However, the property is noted as being part of a group (Nos.6-10) that makes a positive contribution to the Conservation Area. It is pertinent to note however that the Conservation Area Statement (2003) pre-dates the erection and construction of the brick terrace to the front.
- 2.17 The site has a PTAL of 6a (meaning the site is highly accessible). The site is approximately 250m from the main bus routes along Finchley Road and approximately 300m walking distance to Finchley Road and Frognal Overground Station and approximately 750m walking distance from Finchley Road Underground Station.
- 2.18 There is a mixture of dwelling size, style and from with Lindfield Gardens including large detached dwellings, converted houses and purpose built flat blocks.

3. Planning History

- 3.1. A review of the Council's online planning history highlights a number of planning records for both this site and the adjacent application site to the south; (tree work applications have been omitted)

Ref:	Description of Development	Decision	Date of Decision	Comments
2019/2630/P	Erection of a single storey building within the rear garden area of existing dwelling house, incidental to the enjoyment of the existing dwelling house (LDC application)	Granted	26-07-2019	Relating to the existing garden room. Incidental to the existing dwelling house
2008/0249/P	Erection of a front basement extension for additional accommodation and enlargement of the existing garage, formation of access and ground floor level including erection of a new front boundary wall to the front garden with associated railings and upper floor level	Granted	04-03-2008	
2006/0549/P	Erection of three ground floor rear extensions	Granted	17-03-2006	
2005/5019/P	Erection of a single-storey rear extension, and extension to the roof on the north west wing of the dwellinghouse (Class C3) including the insertion of eight roof lights to the roof slope and new windows on the north west elevation	Granted	06-02-2006	
2005/0149/P	Excavations in the front garden in connection with the erection of a front basement extension for additional habitable accommodation and enlargement of the existing garage and formation of access at ground floor level, including erection of a new front boundary wall plus a stepped wall to the front garden with associated railings at upper ground floor level	Granted	24-03-2005	
2004/0168/P	Excavations in the front garden in connection with the erection of a front basement extension to enlarge the existing garage and to create a dining room/playroom, including a roof terrace above with associated railings around the flat roof of that extension and erection of new rock walls to the front	Refused	30-03-2004	
8700750	Erection of a single-storey rear extension in connection with the refurbishment of the property as a single dwelling house as shown on drawings No.1485/WD/1A 2 3A and 4 revised on 14th May 1987	Grant Full or Outline Perm. with Condit.	20-05-1987	
8670136	Demolition of an unlisted building within a Conservation Area as shown on drawing nos. 1678/33 and 40	Refuse List.Build. or Cons Area Consent	14-08-1986	Proposed the total demolition of the existing dwelling
8600698	Erection of a five-storey block of eight residential flats with integral basement car parking as shown on drawing nos. 1678/33 and 40	Refuse Full or Outline Permission	14-08-1986	

8570224	<i>Demolition of unlisted building within a Conservation Area as revised on 22nd August 1985. Appeal received against refusal of Listed Building consent</i>	<i>Refuse List.Build. or Cons Area Consent</i>	29-10-1985	<i>Proposed the total demolition of the existing dwelling</i>
8500981	<i>Erection of a five-storey block of flats with integral basement car parking as shown on drawing nos. 1678/23B 24D 27A 29A 30A and 31 and revised on 22nd August 1985</i>	<i>Refuse Full or Outline Permission</i>	29-10-1985	

Pre Application Consultation with the LPA : 2020

- 3.2. Pre-Application documents were submitted to the LPA in February 2020. A site meeting was held at the property on 12 March 2020 with the LPA's written response issued on 14 May 2020.
- 3.3. In summary, the officer response was as follows:
- The land use principle of new residential units by conversion of the existing dwelling is supported, subject to all other planning matters*
 - The proposed mix of units is supported*
 - Front landscape alterations could potentially be an improvement*
 - Scope to extend at ground floor level to the rear*
 - The repair and replacement of the windows are welcomed and would contribute to enhancing character and appearance of the subject property and wider conservation area*

Concerns were raised by officers about:

- Further upper floor extensions not recommended*
 - Alterations to front roof pitch and new roof lights*
 - Size and visibility and amenity issues relating to roof terrace*
 - The low quality of some of the internal amenity levels of flats, including outlook and aspect at second floor flats and reliance on roof lights.*
- 3.4. Officers also addressed, inter alia, matters relating SUDS, Energy and Sustainability, Cycle Parking, residential amenity to neighbouring properties, car free policies, tree protection.
- 3.5. The applicant has sought to address these comments and a number of key amendments have been made between the pre-application plans and this formal planning application submission to overcome and mitigate some of these issues. This has resulted in a reduction in the size of rearward extensions for example. We will set these matters out more fully in Section 6 of this statement.

4. The Proposals

- 4.1. There are several elements to the proposals. By way of conversion and extension to the existing dwelling house, 9 flats are proposed in total. This is a net gain of 8 flats at the site.
- 4.2. It is NOT proposed to demolish the existing building. The proposals seek to retain almost all of the existing built fabric. These proposals represent the conversion and limited extension of the existing dwelling house to create new residential units.
- 4.3. Access to the main body of the dwelling will be from the side passage along the north-western boundary to enable access to the main existing internal stair core. All units will access the property from this point except for the large ground / lower ground floor 3bed unit.
- 4.4. A total of 9 units are proposed;

Floor	Unit	Total sqm GIA	bedrooms	persons
LG and G	Flat 1	243	3b	6p
G	Flat 2	98	3b	5p
G	Flat 3	38	studio	1p
1st	Flat 4	61	2b	3p
1st	Flat 5	63.6	2b	3p
1st	Flat 6	61	2b	3p
2nd	Flat 7	37	studio	1p
2nd	Flat 8	37	studio	1p
2nd	Flat 9	63	2b	3p
Total				
1bed Studio		x3		
2bed		x4		
3bed		x2		

This is a large unit due to the incorporation of the ground floor lobby and swimming pool

- 4.5. Access to the main body of the dwelling will be from the side passage along the north-western boundary to enable access to the main existing internal stair core. All units will access the property from this point except for the large ground / lower ground floor 3bed unit.
- 4.6. This 3bed triplex unit will have its private entrance by way of the existing dwelling entrance at street level at the base of the terrace. It will include the large existing entrance lobby, swimming pool, lower ground floor bedroom within the terrace and approximately 40% of the ground floor space. This 3 bed unit retains the existing lift access.
- 4.7. It is fully intended that this unit will be retained and occupied by the existing owner and occupier of the dwelling house and, on this basis, the single car parking space shown at street level adjacent to the main entrance to this flat will be demised to this flat/ occupier alone.

Extensions / Additions / Alterations

- 4.8. **To the ground floor rear**, a small timber extension is proposed for demolition to create a full external access route along the north-west side of the dwelling to the rear garden area. This removes existing mass and bulk from sitting hard up to the side boundary to No.8
- 4.9. The existing double height, glazed cat slide atrium will be removed.
- 4.10. The existing rear patio area will be extended further into the garden at the same level to allow for the erection of new ground floor extensions at ground level. This would extend across the width of the rear of the property to the same depth as the existing wooden extension described at 4.8 above (albeit with a recessed central element).



Rear Elevation including timber extension for demolition

- 4.11. **At first floor level**, (and sitting above the ground floor extensions) extensions are proposed to the rear elevation with small step out terraces above the ground floor extension roofs to serve the rear facing flats. These first floor extensions are modest and have been reduced in depth from the pre-application submissions. Previously proposed bay projections have been removed to reduce massing and depth and the southernmost rearward extension has been reduced in depth adjacent to No.4a Lindfield Gardens.
- 4.12. **At second floor level** a roof extension is proposed to the rear to form a new gable wing along the south-eastern side of the property (adjacent to No.4a). This allows for the creation of habitable space within the roof form. These elements have also been reduced in depth since the pre-application discussions
- 4.13. **In terms of the Front Elevation** : The form of the front elevation will remain largely as existing. However, the application gives the opportunity to repair and enhance the overall appearance of the dwelling in terms of new windows and new rendering. The application will ensure that the main dwelling typology remains. This ensures that the principal merit of the house (such as there may be) is continued within the flattened scheme. New windows are proposed at second floor within the gable eaves to serve the flats at this level
- 4.14. It is proposed to deliver **a new landscaping / planting scheme** to soften the stark and exposed nature of the main front terrace. Details of this are provided within the application documents.

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- 4.15. At present, a single roof pitch links between two front facing gable ends. This pitch is in effect “false”. It rises to a ridge, behind which a steep internal facing roof pitch then falls away to create an external roof terrace space within the valleys of the roof form. This ridge line will remain the same. **Behind this (and set back) a new sloping pitch will rise to create an extension behind this front pitch to infill the valley formed by the two gables**, in order that additional accommodation can be provided at a new second floor level which will sit within the roof form. This is capped by a flat roof linking these two features, but being clear to sit below the ridge line of the two wings. On the advice of officers, rooflights are now omitted from this front ridge.
- 4.16. **A smaller dormer window is proposed** with the side south eastern roof slope replacing existing rooflights.
- 4.17. The principal gable ends and ridge lines within the front elevation will remain unchanged.
- 4.18. There are no further extensions proposed to the side or front of the dwelling house.
- 4.19. **In terms of external amenity space**, a range of provision is made for all flats. Ample external amenity space is provide for all units in a variety of locations and types.

	Ground			First			Second		
	Flat 1	Flat 2	Flat 3	Flat 4	Flat 5	Flat 6	Flat 7	Flat 8	Flat 9
Direct access to rear terrace area.	✓	✓							
Defined private garden space to include the garden room, to be used as incidental to the dwelling house and only by the occupiers of Flat 1	✓								
Access to front terrace area adjacent to front elevation	✓		✓						
Indoor swimming pool	✓								
Access to communal garden space in rear garden area		✓	✓	✓	✓	✓	✓	✓	✓
Access to communal roof terrace		✓	✓	✓	✓	✓	✓	✓	✓
Small step out rear terrace				✓	✓				

- 4.20. Small step out terraces at second floor level have been deleted from the proposals as shown at pre-application stage

Retained Garden Room

- 4.21. The retained structure will provide accommodation for use only by residents of the 3 bed triplex dwelling, incidental to their enjoyment of the existing dwelling house. It will not be used as self-contained residential accommodation and will therefore be wholly incidental to the enjoyment of the 3bed triplex. No other residents or units will have access. This garden room will sit within a private garden area separated from the remainder of the rear garden which will be used as a communal space by the remaining 8 flats.

Car / Cycle Parking

- 4.22. No car parking is proposed save for a retained space within the existing front courtyard area to serve the returning owner/ applicant. It is expected that the 8 additional residential units would be fully car-free in terms of off street parking and the inability to obtain on-street residents parking permits.

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- 4.23. Cycle parking is provided within the retained garage space, which will no longer be accessible by vehicles (15 spaces are to be provided with further 2 external visitor spaces) in line with draft London Plan Standards.

Refuse and Recycling

- 4.24. A external refuse / recycling store is proposed at street level within the existing forecourt area.

Central Roof Terrace

- 4.25. A communal roof terrace is proposed at roof level. This is set back well within the site / roof form and will not be visible from within the street. This feature has been reduced in size (almost halved in size) since the pre-application proposal.

5. Planning Policy Framework

- 5.1 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.

The Development Plan

- 5.2 In this case the development plan comprises:

The London Borough of Camden Local Plan (adopted July 2017);
The London Borough of Camden Policies Map (adopted June 2017);

- 5.3 The documents are also supported by a range of supplementary planning documents sitting alongside both the London Plan and local policies.
- 5.4 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, namely the NPPF and the PPG
- 5.5 The Draft 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.
- 5.6 Further to the intervention of the Secretary of State in March 2020, there is, as yet, no date for the proposed adoption of the London plan, with the Mayor of London, now acknowledging that further changes are required to the Draft Plan.

6. Planning Policy 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. Land Use Principles**
- 2. Mix of Units**
- 3. Affordable Housing**
- 4. Front Terrace Landscaping**
- 5. Rear Extensions and Heritage Matters**
- 6. Quality of Residential Accommodation**
 - External Amenity Space Provision
 - Internal Space Standards
 - Relationship Between Proposed Units
 - Outlook and Aspect
 - Accessibility
- 7. Neighbouring Residential Amenity**
 - Overlooking
 - Daylight and Sunlight
 - Outlook
 - Noise
- 8. Cycle Parking**
- 9. Car Parking**
- 10. Refuse and Recycling Management**
- 11. Trees**
- 12. SuDS and FRA**
- 13. Sustainability / Energy / BREEAM / Overheating**

1 *Land Use Principles*

- 6.2 The principle of residential use at this site is set by the existing lawful use as a single dwelling house. The need for all forms of housing across London is well established and the provision of new residential accommodation is recognised at the national, regional and local level as a key planning objective.
- 6.3 The proposed development will deliver 9 residential units (uplift of 8) in a highly accessible location (PTAL 6A). This will contribute to the Borough's housing stock and count towards achieving the provision of 16,800 additional homes by 2031 in line with Policies G1 and H1.
- 6.4 The development will be of a high quality, compatible with the local context and will make an efficient use of the site also in line with Policies G1 and H1. The proposed development will bring forward the Borough's priority land use – self-contained housing – in line with Policy H1.
- 6.5 The draft London Plan states that small sites should play a much greater role in the delivery of additional housing, particularly in accessible areas and where land supply is constrained. The NPPF also recognises the need to make more effective use of land and optimise development and specifically encourages upwards extensions of existing buildings to provide new homes.
- 6.6 Policy H1 of the Local Plan seeks to maximise housing supply, stating that self-contained housing is the priority land use of the Local Plan. The draft London Plan proposes to increase Camden's housing target by 17% and therefore making effective use of land on small sites such as this will be vital to meeting the identified need.
- 6.7 This application offers a clear opportunity to deliver new homes from a small site regardless of the current discussion around this matter within the proposed new London Plan. Regardless of this, it does not change the situation of the current housing crisis and the severe shortfall in the delivery of new homes, which is particularly acute in London.
- 6.8 Government guidance encourages both applicants and LPAs to be more ambitious when considering development proposals in order to optimise the potential of land, in particular brownfield sites. In addition, there has been a significant increase in the recognition of the contribution of small sites to the delivery of housing. This is clearly reflected within national and regional guidance which has been published over the past two years.
- 6.9 NPPF, Paragraph 117 states that planning "decisions should promote an effective use of land in meeting the need for homes and other uses.
- 6.10 Paragraph 118 goes on to state that decisions should: "give substantial weight to the value of using suitable brownfield land within settlements for homes" and "promote and support the development of underutilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

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- 6.11 The NPPF also highlights the importance of small sites in meeting housing delivery, stating at Paragraph 68 that “small and medium sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.”
- 6.12 Paragraph 68 goes on to state that LPAs should “identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirements on sites no larger than 1ha ”; “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”; and give “great weight to the benefits of using suitable sites within existing settlements for homes.”
- 6.13 The site location and the scale of development is exactly what is being promoted by government guidance and the Mayor’s strategies in order to deliver much needed new homes
- 6.14 We are therefore of the opinion that this site can sustainably accommodate new residential units and this is supported by the NPPF, London Plan and Local Plan. The provision of additional housing is therefore considered to be acceptable in principle and should be supported. The delivery of 9 residential units in a location that is already residential in character has to be considered as a significant public benefit of the proposals and responds to the expectation of all parts of the Development Plan

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2 Mix of Units

6.15 A total of 9 units are proposed;

Floor	Unit	Total sqm GIA	bedrooms	persons
LG and G	Flat 1	243	3b	6p
G	Flat 2	98	3b	5p
G	Flat 3	38	studio	1p
1st	Flat 4	61	2b	3p
1st	Flat 5	63.6	2b	3p
1st	Flat 6	61	2b	3p
2nd	Flat 7	37	studio	1p
2nd	Flat 8	37	studio	1p
2nd	Flat 9	63	2b	3p
Total				
1bed Studio		x3		
2bed		x4		
3bed		x2		

This is a large unit due to the incorporation of the ground floor lobby and swimming pool

- 6.16 This mix of units responds to the Local Plan Dwelling Size Priorities which sets out a high priority for 2 and 3 bedroom units. Therefore, 2 and 3 bed units represent 6 of the 9 units (66%).
- 6.17 In considering the mix of units, it is essential that the swimming pool and lower ground bedroom are linked to the ground floor to provide a fully self-contained 3 bed triplex unit for the retuning occupier.
- 6.18 We propose 3 x1bed units. These are single person studio units. One will be provided at ground floor to occupy the front bay area, behind the main internal stairway and allowing the 2 x3 bed units to be provided at ground floor level and to enable these larger units to have direct access to the rear amenity space / private terrace areas.
- 6.19 A further 2x1b studios are proposed at second floor level. At this level, this arrangement has shifted so that these studios face the pleasant and quiet aspect of the rear garden. This reconfiguration has been made to improve the internal amenity of all flats at this level which fits within the roof form and gables. These improvements are discussed at paragraph 6.66 of this Statement.
- 6.20 This is a development that converts an existing building and as such must work within the parameters set by the existing building and this mix of units is a direct response the site specific layout of this particular dwelling house.
- 6.21 Notwithstanding, this application accords with Local Plan Policy H7: 'Large and small homes' and The Dwelling Size Priorities Table at Local Plan paragraph 3.189. Officers noted support for this mix within their pre-application response.

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3. *Affordable Housing*

- 6.22 The applicant acknowledges the provisions of Local Plan Policy H4. The uplift in floorspace for the development is 189.3sqm. The application proposes 8 units and less than 1000sqm of new floorspace. Any contribution will be made as a payment in lieu of on-site affordable provision in line with Policy H4.

4 *Rear Extensions and Heritage Matters*

6.23 Officers have advised that they consider the existing premises to be a positive contributor to the character and appearance of the Conservation Area. The building does NOT appear on the formal Camden “*Local List*”, meaning that it has not been seen to have and notable merit in this context.

6.24 The adopted Conservation Area of 2003 does not speak highly at all about the eastern side of Lindfield Gardens. Quite the opposite, it speaks in obviously negative tones;

“the eastern side is more varied and of inconsistent quality. With the exception of Nos 8, 10 and 22 this stretch of road is probably one of the poorest in the Conservation Area due to unsympathetic alterations, dereliction, and unsightly forecourt parking areas and to a lesser extent, recent new development”

6.25 This assessment sets the context for development at this site. The LPA consider that this very stretch of Lindfield Gardens is “probably one of the poorest in the Conservation Area”.

6.26 This is a very negative assessment of the stretch of Lindfield Gardens which contains the application site. This is not what one might consider to be a typical Hampstead streetscape.

6.27 Given the above LPA assessment, nobody could realistically claim that this part of the Conservation Area makes a significant or positive contribution to the character and appearance of the Conservation Area as a whole. The LPA have made such an assessment themselves, although the Audit is seems to be inconsistent, as the property is then noted as being part of a group (Nos.6-10) that makes a positive contribution to the Conservation Area (page 26 of the Audit).

6.28 The large forecourt parking area is considered by the Council to be a negative feature within the Conservation Area. It is also pertinent to note that the Conservation Area Statement (2003) pre-dates the erection and construction of the brick terrace to the front. Officers have expressed the following comments about the terrace within the pre-application response:

“To the front is an unsympathetic and uncharacteristic series of extensions within the topography between the street level and the main front door level”

6.29 It is only the front elevation that has any level of visibility or role within the wider Conservation Area as a whole, and in light of the above, the overall value of this part of Lindfield Gardens and the existing dwelling house, can only be, at best, very limited.

6.30 The existing building is unremarkable. It has an unattractive visual condition. The insertion of UPVC windows, the drab and stark pebble dash render all give rise to a building that does not make a significant contribution to the Conservation Area. It does not display the more obvious character of some of the more traditionally “Hampstead” dwellings and flats adjacent.

6.31 The property is defined by the multiple gable ends and its general massing within the plot. The terrace detracts from the character and appearance of the property. Its strong and engineered appearance provides little relief and the absence of planting or garden areas creates a hard edge to the height changes at the site.

6.32 The building is also not particularly visible in long views along the street, given that it is set a considerable distance back into the site and above the road level.

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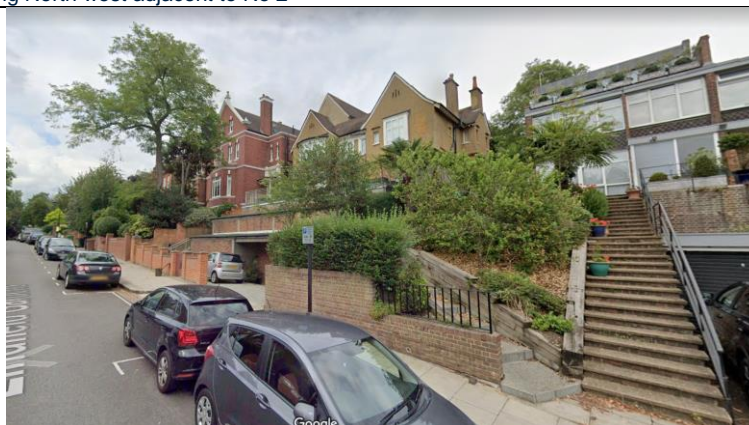
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Looking south east adjacent to No.10



Looking North west adjacent to No 2



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- 6.33 To the rear the building has been heavily altered, in both design and form. Again the range of form and design including the pebble dashed render is uninspiring. The varying size of the gable ends and roof forms behind remain identifiable, but the changes to fenestration (including the large and somehow oversized bay box window) and the cat slide glass central link, means that the rear cannot be seen to display positive characteristics.
- 6.34 It is an altered mix of style, extension, and does not provide a cohesive composition. It is a cluttered juxtaposition of the varying accretions and alterations. It does not, (apart from the gable ends, being tied into the frontage) make an obviously positive contribution to the conservation area.



- 6.35 The rear elevation of the dwelling house cannot be seen from any public aspect. Whilst private views within Conservation Areas are material, the rear of the dwelling cannot be viewed in long distance and cannot be viewed from the properties to the rear in Frognal. Views can be obtained from the rear gardens of No4a and No.8, but these are fleeting and marginal at best, due to planting, trees and the fact that the dwelling house sits down lower in the topography, than the associated rear gardens. There are no direct views of the rear elevation from neighbouring dwelling houses, given that their windows all look along the gardens (thus away from the rear elevation of No.6).
- 6.36 Given the critical terms in which the Conservation Area Audit describes this run of the street, (notwithstanding that the building was identified as being a positive contributor before the construction of the terrace), the current appearance of the building and the terrace, it is our assessment that the building makes at best a neutral contribution to the character appearance to the Conservation Area. It is questionable that the building can be seen to make a positive contribution
- 6.37 That said, it is known that this is the position of the LPA. Whilst the applicant may disagree, the applicant appreciates that the LPA have previously stated that complete demolition of the dwelling house is not acceptable for this reason at this site and as such this application seeks to work with the existing dwelling to provide upgrades and enhancements to the host building itself and to the wider conservation area.

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- 6.38 These are not fundamental, radical or large extensions to the dwelling but a series of careful additions and amendments to allow this dwelling to make a fuller contribution to meeting housing needs on a small site within the urban area
- 6.39 The proposals to landscape and plant the front terrace are described in more detail in this statement. These elements will provide a clear enhancement to the terrace and are to be welcomed.
- 6.40 The works of upgrade to the main front elevation are notable and will positively enhance the appearance of the building itself and as such the character and appearance of the Conservation Area.
- 6.41 The removal of the UPVC windows and the replacement with timber windows is a clear positive benefit, as is the removal of bland and dull pebble dash render, Works of repointing and repainting, new gable barge boards etc. along with the planting described above, will undoubtedly give rise to a development that will positively enhance the character and appearance of the conservation area.
- 6.42 The works to extend the central roof pitch will take place behind the main existing front facing pitch. This element has been amended from the pre-application proposals, which sought to extend the existing roof plane upwards and back into the site. The application now proposes to pitch this behind the main front roof plane, creating a smaller roof plane behind, to a new height of approximately 1m.
- 6.43 Given the height of the dwelling above street level (i.e. the level of human activity within the Conservation Area), this new set back and subsidiary roof slope would not create a prominent or obvious change to what already is a roofscape operating in many dimensions and planes. The three existing gable ends and the resulting roof slopes will remain the dominant features of the front elevation, and this roofscape will continue to provide visual interest to the conservation area.
- 6.44 Equally the proposed roof terrace is set back a considerable distance (4.5m from the front elevation) into the roofscape behind the front pitches and will not be seen from street level. The roof terrace is set back a full 17 m from the back of pavement edge.
- 6.45 A new side dormer window is proposed within the south eastern roof pitch. There are numerous examples of front and side dormer windows within the street. This dormer replaces existing roof lights in this slope and provides amenity to accommodation set within the roof form. The dormer would be appropriate scaled and detailed and would provide further visual interest at roof level.
- 6.46 The property already has side dormers: these cap the expressed bay windows that sit within both of the side elevations. These roof pitches sit comfortably into the main roof slopes.

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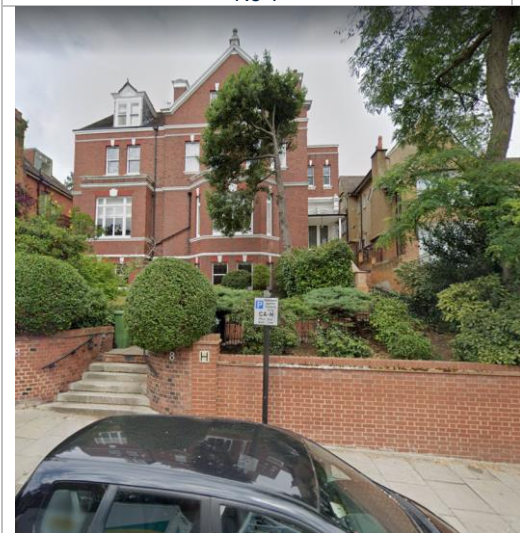
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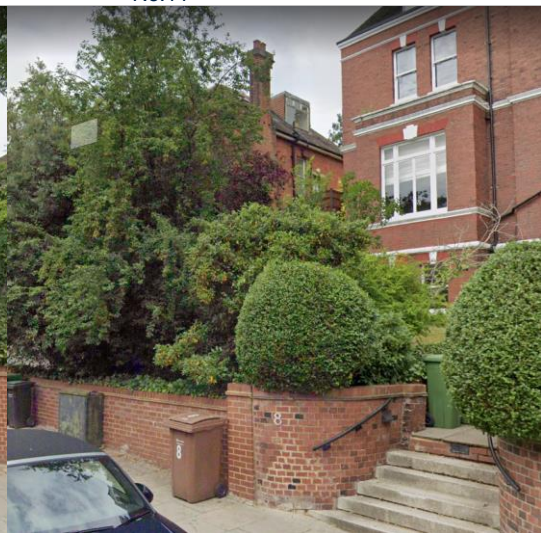
No. 1



No.11



No.8



No.10



No.10



No.12

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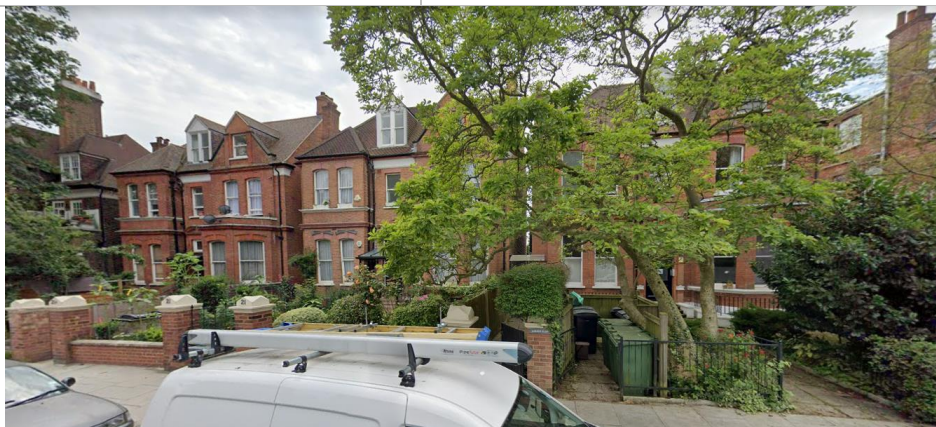
No.22



No.27



No.25



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- 6.47 To the rear, the proposed extensions will maintain the form of the existing rearward projecting gables and roof pitches. The rear extensions at ground floor take advantage of the generous plot widths and depths to allow for rearward extensions.
- 6.48 At first floor (adjacent to No.4a) the extension to this gable end will project 4m beyond the existing gable end above the ground floor extension. This has been reduced by 2m from the pre-application submission to reduce massing and form in this zone.
- 6.49 At second floor, the gable end is extended to cover the first floor extension and to provide additional floorspace within the roof space at this level. This extends the gable end to the rear by 4m (a reduction of 1m at this level). This will bring the rear building line at first and second floor (within the roof pitch) in line with the rear building line of No.4a. A new roof pitch then creates a roof form to extend between the gable ends in place of the large existing glazed cat slide roof. The step out terrace at second floor proposed at pre-app has been removed here.
- 6.50 Adjacent to No.8, a modest push out of 2m is proposed at first floor to the gable. At second floor no further extensions are proposed (a second floor extension of 1m has been deleted since pre-app and this will maintain the existing roof pitch and position of the current rear facing gable end).
- 6.51 These extensions will create a more unified and cohesive form for the rear of this building, rather than the disparate accretions that exist at present. They will retain and reinforce an asymmetrical appearance to the rear, with varied rear building lines and relief. The rear roof form and gable ends remains legible and identifiable and will clearly remain linked into the gable ends within the front elevation.
- 6.52 Officers expressed concerns about rearward extensions during pre-application discussions. The applicant has responded by reducing these in scale and mass.
- 6.53 There is unquestionably scope for rearward extensions to this property at all floors given the scale of the existing dwelling and the relatively private and enclosed nature of the rear aspect of this plot. There is no doubt that the rear of the property is much less sensitive to change than the front which can be widely viewed in the public realm. The rear of the property has a much greater capacity to accommodate change and extensions. Key building lines and the relationship of the built form to the generous garden area is maintained.
- 6.54 On the basis of the following key points, there is scope at this property to sustain and accommodate limited rearward extensions to the upper floors. This is a substantial property set in a substantial plot.
- *the proposed extensions would not cause any material harm to the character and appearance of any adjacent residential amenity;*
 - *the host building retains its general composition and form;*
 - *the extensions do not harm the conservation area (in this context it would be incorrect for the decision maker to focus solely on the conservation area at the rear of the property, The statutory test is the effect upon the conservation area as a whole not just part of it)*
 - *the rearward extensions would remain subservient the resultant built form and massing would continue to sit comfortably within the site and would remain broadly consistent with adjacent rear building lines.*

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- 6.55 The proposals will undeniably maintain the typology of a large dwelling house. The character of Lindfield Gardens is mixed, with large dwelling house, terraces, converted dwellings and purpose built blocks of flats, but this street does remain an identified residential street with many detached properties. This application will ensure that this site continues to be read as a detached “dwelling” set within its own plot and addressing the street in fully contextual manner.
- 6.56 The proposals will not cause any material or demonstrable harm to;
- *the host building itself*
 - *the streetscene*
 - *the character and appearance of the Conservation Area.*
- 6.57 On the contrary, the proposals have clear and demonstrable benefits to all three items noted above in terms of visual and architectural amenity. Clear visual and architectural benefits would be delivered within the public and private realm. The Conservation Area and the host building will both be positively enhanced by these proposals.
- 6.58 An analysis of the prevailing character has been undertaken and the relevant Heritage Assets identified. The role of the application site within Conservation Area has been assessed.
- 6.59 This Statement has assessed the proposals in this Heritage context. In light of the assessment above, the application accords with the provisions set out at Paragraphs 184-200 of the NPPF and Local Plan Policies D1 ‘*Design*’ and Policy D2 ‘*Heritage*’.

5 **Front Terrace Landscaping and Heritage Matters**

- 6.60 There is no denying that the front terrace is a stark and bold feature within the streetscene. The large forecourt parking area is considered by the Council to be a negative feature within the Conservation Area.
- 6.61 The property is noted as being part of a group (Nos.6-10) that makes a positive contribution to the Conservation Area. It is pertinent to note however that the Conservation Area Statement (2003) pre-dates the erection and construction of the brick terrace to the front.
- 6.62 There can be no doubt, that on any reasonable assessment the terrace is a negative feature within the streetscene. However, in the absence of comprehensive redevelopment at this site the terrace will not be removed. This application offers a considerable opportunity to ameliorate and soften its current appearance to deliver wider public benefits.
- 6.63 It is proposed to deliver a new landscaping / planting scheme to soften the stark and exposed nature of the main front terrace. To this end a planting proposal for the terrace accompanies this application. Substantial new planting of varying scale, height and visual interest is proposed.
- 6.64 It will provide a significant enhancement to the appearance of the brick terrace and the dwelling as a whole. It will lessen the stark visual impact within the street and will obviously bring about significant and obvious benefits to the character and appearance of the conservation area as a whole. The application accords with Local Plan Policy A3 'Biodiversity' in these regards.
- 6.65 A small extension is proposed at the street level (within the lowest level of the terrace) to "push out" the existing recessed entrance doorway. This is a largely inconsequential addition and will not negatively add to the appearance or massing of the terrace.

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6. Quality of Residential Accommodation

Internal Space Standards

6.66 The proposed dwellings meets the Nationally Described Space Standards and thus would provide an appropriate standard of accommodation for future occupiers.

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

Floor	Unit	Total sqm GIA	Minimum space standard	bedrooms	persons	Floors	LKD	B1	B2	B3
LG and G	Flat 1	243	108	3b	6p	3	35	12 double	12 double	13.5 double
G	Flat 2	98	86	3b	5p	1	32.1	13.4 double	13 double	11.2 single
G	Flat 3	38	37	studio	1p	1				
1st	Flat 4	61	61	2b	3p	1	25.0	12.5 double	7.8 (ingle)	
1st	Flat 5	63.6	61	2b	3p	1	25.0	13.2 double	8.1 single	
1st	Flat 6	61	61	2b	3p	1		11.5 double	7.5 single	
2nd	Flat 7	37	37	studio	1p	1				
2nd	Flat 8	37	37	studio	1p	1				
2nd	Flat 9	63	61	2b	3p	1	26.3	12.3 double	7.5 single	

6.67 For bedrooms:

b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom	All flats comply
c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m ² and is at least 2.15m wide	All flats comply
d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m ²	All flats comply
e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide	All flats comply

Relationships Between Proposed Units

6.68 At pre-application stage, LPA officers also made comment about the amenity relationships between proposed units within the development site and we set out our comments below:

Officer Pre-Application Comment	Applicant and Layout Response
The front terrace which appears to serve flat 3 at ground floor level contains rooflights which look down into the swimming pool area of Flat 1 below. The applicant should consider obscuring or removing these rooflights if occupiers other than those of Flat 1 are to use this area above the swimming pool.	<i>Agreed: frosted /obscured rooflights will be inserted to address this issue.</i>
Users of the front ground floor terrace which appears to serve Flat 1 would be able to look directly into the front bay window of Flat 3. Users of the main entrance stairs would also be afforded views into Flat 3, however, it is considered unlikely users of the stairs would linger in this area. It is recommend some form of planting or screening is installed between the front terrace areas.	<i>Agreed: further planting can be provided in this location and be subject to the condition addressing landscaping.</i>
Users of the access to the rear communal garden would be able to look into the bedrooms of Flat 2, noise from passersby may also disturb occupiers of the bedrooms 2 and 3 of Flat 2.	<p><i>This is the only route to the rear garden area. There is no other option to provide access from the main entrance to the flats to the rear garden area via this route.</i></p> <p><i>Creating a route around the front elevation and along the passage adjacent to Flat 1 (south east elevation) would be a much less satisfactory solution.</i></p> <p><i>Only 1 flat sits along the proposed access route.</i></p> <p><i>Partially obscured windows are proposed here to address overlooking along the passageway. The master bedroom to Flat 2 overlooks the rear garden.</i></p> <p><i>Although all flats have access to the communal garden, the reality is that the following flats are likely to use their own private space and thus are not likely to frequently pass in front of these windows to Flat 2:</i></p> <ul style="list-style-type: none"> <i>-Flat 1 own private garden and front and rear terrace</i> <i>-Flat 3 own private front terrace</i> <i>-Flat 2 own private rear terrace area</i> <p><i>This means that it is not 9 flats, but rather 6 that are most likely to use this route. This is not a significant number: it will not be a heavily trafficked route. It is not a route for 10's of flats. Any level of pedestrian movement will be relatively light. It is no different any number of deck access housing developments being approved.</i></p> <p><i>We must be aware that this is a conversion, and we must have to work within the confines of the site, in order to deliver new homes on small sites such as this.</i></p>
Users of the terrace to the rear of Flat 1 would be able to look back into the rear windows of Flat 2. Sufficient screening should be installed between terraces.	<i>Agreed : a timber screen is proposed between the two terrace areas to create additional screening. In any event this terrace has now largely been deleted to address the root zone of a nearby tree</i>

<p>There would be a degree of overlooking between the amenities spaces of the proposed flats. The rear upper floor terraces would be set back from the rear elevations of the respective extensions they would sit above however it is unclear if this prevents direct overlooking at the terrace below. The applicant would need to demonstrate that there would be no overlooking issues caused by the rear terraces if this option were to be pursued.</p>	<p><i>The rear terrace to Flat 1 has now been removed as described above, so that the small step out balcony at first floor to Flat 5 would not overlook private rear amenity space.</i></p> <p><i>The rear terrace area to Flat 2 is not that deep, and the small step out balcony at first floor level to Flat 4 is set in from ground floor building line.</i></p> <p><i>Frosted screens are proposed to either side and planting is also proposed to add further screening here. In any event the view from the Flat 4 balcony would be over the rear terrace to Flat 2 rather than immediately and directly downward.</i></p>
<p>The stacking of similar room types is poor which could result in significant noise and disturbance to occupiers of the proposed flats. Officers note that uniform stacking would be difficult to achieve given that the units are to be created through conversion and the existing stair cores are to be retained. It is recommended enhanced sound insulation measures are implemented between all floors, walls and ceilings between adjoining units.</p>	<p><i>Agreed: uniform stacking would be difficult to achieve given that the units are to be created through conversion and the existing stair cores are to be retained.</i></p> <p><i>The applicant will provide noise insulation details as part of an appropriately worded condition addressing this matter.</i></p>

- 6.69 On this basis, there would be no adverse or materially harmful relationships between the proposed units in terms of creating acceptable living conditions for the units.

External Amenity Space

- 6.70 With reference to the table at paragraph 4.19 of this statement, it is clear that there is a wide range of external amenity spaces provided for residents.
- 6.71 Even without the private and defensible terrace areas to the front, rear (including the small step out terraces at first floor) and the roof terrace, the large area of open communal garden space would be more than sufficient to meeting the needs of all residents of the 8 flats that have access to it). This is approximately 200sqm, which is larger in area than a standard tennis court.
- 6.72 On this basis, the application fully accords with Local Plan Policy D1 “*Design*” and the development provides a high level of external amenity space for the wellbeing and amenity of residents.

Outlook and Aspect

- 6.73 During pre-application discussions, officers raised a number of concerns about the internal amenity of a number of flats, notably those located within the roof space at second floor level. Concerns included the over reliance of rooflights to provide internal light, the lack of (or low quality) outlook to the flats. The second floor site within the roofscape and within the gable ends of the property. As a consequence the floorspace must work with and fit into the forms available. Nevertheless, the applicant has worked to reorganise this level of accommodation to address officer comments, many of which were reasonable and correct. The table below sets out the applicant response to each point:

Officer Pre-Application Comment	Applicant and Layout Response
<p>The ground and first floor level flats (and lower floors of Flat 1) appear to receive acceptable levels of light and outlook, and all of which are dual aspect, with the exception of Flat 6 on the first floor.</p>	<p><i>Agreed : these flats all have a pleasant and open outlook, affording good aspect, sky views and daylight and sunlight</i></p>
<p>Flat 6 (first floor 2-bed), while single aspect, would appear to receive acceptable levels of light and outlook with all habitable rooms having access to numerous and large south-western facing windows.</p>	
<p>It is also noted that Flat 3's (ground floor studio) flank window would be a small bathroom window, however, it appears the main living/sleeping space would receive good levels of light and outlook from the large south-west facing bay window.</p>	<p><i>Agreed, this studio has a large south western facing bay window. It has an expansive and wide outlook across the front terrace and the street. It has the benefit of an outlook over private defensible terrace space.</i></p>
<p>Concern is raised regarding the second floor flats particularly Flats 8 and 9, both of which rely heavily on rooflights for light and outlook. Rooflights may offer sufficient levels of light but do not replicate the outlook offered by a window. The main windows to the front of the property for these flats have been allocated to small bathrooms.</p>	<p><i>Agreed: there were issues with the layout at pre-application stage.</i></p> <p><i>The applicant has worked hard to resolve these within this submission to ensure satisfactory levels of internal amenity to each unit.</i></p> <p><i>For this reason, the second floor accommodation has been completely redesigned, such that the 2bed flat now sits across the full front elevation and the 2 studios have been moved to the rear.</i></p> <p><i>In terms of the 2bed unit, this now benefits from 2 new windows inserted into the gable eaves of the front elevation this removes the need for reliance on rooflights and provides clear south western aspect to the living space and also to the master bedroom.</i></p> <p><i>In addition, a new small dormer window is proposed within the existing south western roof slope replacing an existing rooflight to a bathroom. This provides a further source of daylight to the room, as well as alternative aspect. Half of this window will be obscured, but sky views will be obtained. This dormer is tucked away behind an existing chimney stove. A further roof light provides additional light to this open plan room</i></p> <p><i>The master bedroom here also has a new dormer proposed within the within the south eastern roof slope. This also provides an additional aspect. Bedroom 2, which is a single room has rooflights to provide light and a sky view. This is considered acceptable in the context of the master bedroom having good aspect and outlook and this being the obviously second bedroom.</i></p> <p><i>To the rear, the two studios benefit from generously sized windows looking along the rear garden in a north-east direction. Flat 8 benefits from a further 4 roof lights to provide significant light as well as the window aspect.</i></p> <p><i>Flat 7 also benefits from the existing side dormer window facing No.8: this need not be obscured given this window already exists and that it does not directly face into the bedroom window facing the site in No.8 Additonal rooflights also provide further lighting.</i></p>
<p>In the case of Flat 9 (studio), the main living sleeping area is completely reliant on 3 rooflights for light and outlook. Concern has already been raised regarding the visual harm caused by these rooflights in the design section of this letter.</p>	
<p>For Flat 8 both bedrooms would be solely reliant on rooflights for light and outlook. It is recommended the plan form of this flat is reconsidered, as there appears to be scope for the front window to be allocated to a bedroom as opposed to a bathroom.</p>	

Accessibility

- 6.74 The existing property possesses no level access. This is due to the dramatic topographical level changes from street to main principal front door. This is a common place arrangement along this side of Lindfield Gardens. There are level changes with the floors of the property as a result of the double gable ends and the land continuing to rise through the dwelling house to the rear. There is a level change across the width of the internal ground floor for example as well as level changes within the upper floors. The street level access to the lower ground pool lobby also has a step down. There is a passenger car lift that rises from lower ground pool lobby level to ground floor only.
- 6.75 In its current layout and arrangement the existing dwelling does not meet the building regulations relating to accessibility that could be expected for a new build single dwelling house. It does not provide for step free access in its current form.
- 6.76 This proposed development is not for new build dwellings. The new dwelling arise from the conversion of an existing dwelling house that the LPA have previously required be retained and not demolished due to the LPA's concern for the character and appearance of the conservation area. This current application is therefore a direct response to the LPA's stance in respect of such matters.
- 6.77 The proposal will now create a level access to the street level pool lobby, although now internalises the level change rather than this being an external step down. The largest unit in the property (the 3bed triplex) retains the use of the small passenger lift to the lower ground mezzanine and the main ground floor. It is not proposed to alter the existing lift shaft as a part of this conversion. It is not viable to require a full new passenger lift shaft within the centre of this retained building.
- 6.78 Given the dramatic nature of the level change and the existence of the existing front brick terrace it is simply not practical to create step free access from the street to the front door of the converted building
- 6.79 In line with Local Plan Policy H6, the development will deliver units that meet the nationally described standards and will provide functional and adaptable spaces. It is not possible to meet Part M4(2) and neither does planning policy require this.
- 6.80 Local Plan Paragraph 3.152 states
- "Compliance with Optional Building Regulations can only be required by planning condition where Part M of the Building Regulations applies. Part M applies to new-build dwellings, but does not apply to dwellings created by changes of use or conversions of an existing building".*
- 6.81 The circumstances of this site mean that it is not possible to provide step free access to the property, nor can we provide step free accommodation within the building; This is conversion of the existing, and it is not a façade retention scheme where new floors can be inserted to address these. This application provides liveable new residential new within the constraints presented by the existing building.

7. *Neighbouring Residential Amenity*

6.82 Local Plan Policies A1 and A4 seek to protect the living conditions and amenity of adjacent and nearby residents is acknowledged. This includes matters such as overlooking and privacy, outlook, daylight and sunlight, noise amongst other considerations

Overlooking

6.83 In terms of the various relationship to neighbouring properties:

To the north west : No 8 Lindfield Gardens		
<i>Large grand detached house converted into multiple flat units</i>		
Existing Window Relationships		Proposed Relationship and Assessment
Within the existing side facing flank of No.8	<p>-a non-Habitable window is present at ground floor serving an entrance hall.</p> <p>-At first floor level, a central window serves a bedroom.</p>	<p>Some of the proposed windows (where they relate to the first floor bedroom window within the side elevation of No.8) will be frosted to half height to limit any possibility for direct overlooking.</p> <p>On this basis, no overlooking will occur into the facing bedroom at first floor within No.8.</p>
Within the existing side facing elevation of No.6	<p>-Windows at ground floor serving the existing kitchen</p> <p>-First floor windows serving the stair and a bedroom</p> <p>-At second floor level an obscured glazed bathroom dormer window</p>	
Within the existing rear elevation of No.8	All existing windows look directly along the length of rear garden of No 8.	<p>Existing windows on both properties look along the length of their respective gardens with no possibility of overlooking, given that none of these windows face each other.</p> <p>This relationship (looking along the garden) continues within the proposed development and no overlooking will occur from the proposed rear extensions at first floor (there is no extension at second floor adjacent to No.8)</p>
Within the existing rear elevation of No.6	All existing windows look directly along length rear garden of No 6	<p>In any event, the position of the extension at first floor is set way beyond the rear building line of No.8 and as such no overlooking could occur between the two rear elevations.</p> <p>Similarly, the proposed step out terrace at first floor level is set beyond the rear of No.8. A frosted glass screen will be installed here to prevent any marginal views of the rear communal garden of No.8.</p> <p>In terms of the proposed communal roof terrace, there is no possibility of any overlooking to No.8 given that the terrace sits a considerable way below the ridge line of the dual pitched roof that runs along the north west side of the dwelling facing the boundary to No.8. The roof terrace could not be visible from No.8</p>

To the south east <i>No 4a Lindfield Gardens</i>		
<i>Semi-detached single dwelling house</i>		
Existing Window Relationships		Proposed Relationship and Assessment
Within the existing side facing flank of No.4a	<p>-No windows at ground floor (and boundary fence exists anyway)</p> <p>-Non habitable windows at first floor serving bathrooms and dressing room</p> <p>-No windows at second floor.</p>	<p>There are no new windows proposed within the side facing elevation of No.6 at ground floor. Existing window are used.</p> <p>At first floor, 3 New windows to serve bedroom and living area to Flat 5. These windows will look and face onto the blank flank facing elevation of No.4a</p> <p>There are no windows within the main blank side facing elevation of No.4a that could be overlooked by the proposed development.</p>
Within the existing side facing elevation of No.6	<p>-Multiple windows at ground floor serving the existing living area but fence running along boundary in any event.</p> <p>-First floor windows serving bedroom within bay dormer window form.</p> <p>-At second floor existing roof lights facing No.4a serving bathrooms in side existing roof pitch</p>	<p>A new small dormer window is proposed within the existing south east roof pitch facing No.4a. This is to provide additional light to the proposed bedroom within the roof pitch at second floor level. This is a secondary window as the room will also have a new window inserted within the front gable eaves. This dormer will be half obscured, so as to avoid overlooking the front facing roof terrace within No.4a. This will allow a sky view for occupants whilst protecting the amenity of No.4a.</p>
Within the front elevation of No 4a	<p>-A roof terrace fronts the street</p> <p>-A high level (above eye level and above head height) clerestory window facing the street to serve second floor below</p>	
Within the existing rear elevation of No.4a	<p>-All windows look directly along the length of rear garden of No.4a</p>	<p>Existing windows on both properties look along their respective gardens with no possibility of overlooking given that none of these windows face each other</p> <p>This relationship continues within the proposed development and no overlooking will occur from the proposed rear extensions at first floor and the marginal extension to the rear gable at second floor in any event, these extensions do not project beyond the rear building line of No.4a</p>
Within the existing rear elevation of No.6	<p>-All windows look directly along length rear garden of No 6</p> <p>-Including glazed box bay window to rear elevation with glass side panes adjacent to No.4a</p>	<p>The proposed step out terrace at first floor level is set well within the site and away from the boundary to No.4a. It would not directly overlook any window within No.4a . A frosted glass screen will be installed here to prevent any marginal views of the rear garden of No.4a in any event.</p> <p>In terms of the proposed communal roof terrace, this sits within the site behind the ridge line adjacent to No.4a. It is not sat close to the boundary to No.4a. The glass balustrade prevents residents coming close to the ridge line.</p> <p>In any event the roof terrace sits above the height of the front roof terrace to No.4a. This relationship as well as the dormer window and chimney arrangements would not permit overlooking from the roof terrace.</p>

Daylight and Sunlight

- 6.84 Obviously, given the orientation of the dwelling and the neighbouring buildings, none of the proposed extensions would obstruct any of the neighbouring windows all of which look along their respective gardens
- 6.85 On this basis there are no proposed buildings/ structures/ extensions that would subtend an angle of more than 25 degrees from the centre of any neighbouring habitable window. On this, basis the first test of the BRE guidance is passed and there is no need for further assessment.
- 6.86 To the side adjoining No. 4a, the ground floor rear extension would extend 4m beyond existing, however this would not project beyond the existing rear building line of No.4a. Similarly the first and second floor extensions would not pass the rear building line of No.4a. Therefore these extensions will not therefore infringe a 45 degree line taken from the nearest habitable ground floor window of No. 4a (or indeed any other window within the rear elevation of No.4a, given that there are no habitable windows within the facing side elevation of No.4).
- 6.87 The application site sits to the north west of No.4a, meaning this property lies to the south east of the application site. This therefore means that No.4a has an open aspect within the southern sky and the sun path and these extensions could not impinge upon this.
- 6.88 In terms of No.8, proposed the rear ground floor extension would not extend beyond what has been established by the existing timber extension. The extension at second floor level is set well away from the boundary and could not have a negative effect upon rear facing windows for the reason set out above and would not infringe a 45 degree line taken from the nearest habitable windows.

Outlook

- 6.89 Given the orientation of the neighbouring properties and the position and location of the proposed rear extensions, there is no obstruction to any existing outlook from any neighbouring habitable window and as such there could be no change to neighbours by way of a change to outlook or aspect from neighbouring properties.

Noise

- 6.90 The property is characterised by range of external amenity spaces. There are only 9 flats proposed here. This is not an excessive number of households or people within the site. There are a range of different external amenity spaces. The small step out terraces to the rear, are very modest, and will not afford the opportunity for large gatherings. Equally, the private defensible front and rear terraces are small in scale for use by individual flats. The communal garden spaces to the rear are common place. The reality is perhaps very few households will use the rear garden space at any one time. There is nothing to suggest this will give rise to anything other than normal domestic usage or normal domestic noise levels.
- 6.91 The upper communal roof terrace has been reduced in size by nearly half since the pre-application proposals and is set within the roof form, and set back from within the site. Again, given the extensive range of amenity spaces, the reality is perhaps very few households will use the terrace at any one time. There is nothing to suggest this will give rise to anything other than normal domestic usage.

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6.92 On this basis, there would no material harm to the living conditions any adjacent residential property by way of the following and the application will accord with the BRE Guidance in respect of Daylight and Sunlight and Local Plan Policies A1 and A4 more generally.

- *Overlooking*
- *Daylight and Sunlight*
- *Outlook*
- *Noise*

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8 Cycle Parking

6.93 A fully covered secured and enclosed cycle parking area is provided within the former garage area at grade to street level with no intervening steps.

6.94 A total of 15 space are provided, having regard to draft London Plan Standards, along with 2 external secure visitor spaces.

3x studios	1 space required per dwelling	3	Short Stay : 2 spaces required
4x 2 bed flats	2 spaces required per dwelling	8	
2x 3 bed flats	2 spaces required per dwelling	4	
Total		15	

6.95 On this basis, the application accords with Local Plan Policies CC1 '*Climate Change Mitigation*' and T1 '*Prioritising walking, cycling and public transport*'

9 Car Parking

6.96 At present the site has capacity for at least 3 (and possibly 4) car parking spaces, within the double length integral garage and the front forecourt area. The existing garage area will become the enclosed cycle store and the forecourt area will provide refuse storage and 1 car parking space. This is a net reduction of at least 2 spaces (possibly 3).

6.97 This retained car parking space will be for the sole use of the occupiers of the 3 bed triplex unit. This space is located adjacent to the access to this dwelling which is the only one accessed from street level. This unit will be retained and occupied by the existing owner and occupier of the dwelling house who will retain this flat for their own private use. This occupier also has on street residents permits and will wish to retain these permits for that flat.

6.98 All other units (i.e. the net gain of 8) will be car free: There are no parking spaces provided and these will be permit free also in the normal manner.

6.99 On this basis, the application complies with Local Plan Policy T2 '*Parking and car-free development*' and the advice given at Local Plan paragraph 10.20

10. *Refuse and Recycling Management*

- 6.100 Individual flats will have below kitchen counter storage in the normal manner. The accompanying Design and Access Statement and drawings sets out the capacity of the proposed refused store which will be provided at street level within the front forecourt area, which is the existing location for refuse bins. This is adjacent to the steps up to the main access point and as such is conveniently located for residents to drop off refuse into the bins.
- 6.101 There are no other locations within the site where this can be accommodated. Wheelie bins cannot be located / stored at the top of these steps as they would have to be brought down to street level: given the dramatic topographical changes this is simply not an option and also that this is not a comprehensive redevelopment but a conversion of an existing dwelling house.
- 6.102 Refuse and recycling bins will be placed at the kerbside for domestic collection in the normal manner.

11. *Trees*

- 6.103 An arboricultural report prepared by ACS consulting accompanies this application. There are no trees within the site that would be affected by these proposals. There are, however two existing trees just within the rear garden of No.4a that would be adjacent to the proposed rear extensions. The trees in question include a maturing Ash tree and a Sycamore. Both the Ash and the Sycamore are growing with normal vitality.
- 6.104 Currently, part of the application site rear garden is retained by a low garden wall. Roots from the nearest tree T1 Ash, will have been restricted from growing beyond this structure, where most roots will doubtless be in the retained soil immediately behind the wall.
- 6.105 In order to ensure that there can be no possibility of affecting these adjacent tree roots, the extended rear patio area, will NOT extend adjacent to this tree and soil will not be removed. This is a change to the scheme from the pre-application proposals that proposed to extend the rear patio adjacent to the boundary to No.4a.
- 6.106 On this basis, there will no harm to any tree and the application accords with Local Plan Policy A3 'Biodiversity'.

12 *SuDS and FRA*

- 6.107 Eight Associates have undertaken a sustainable drainage systems (SuDS) strategy and a Flood Risk Assessment (FRA). Their summary of matters is set out below.
- 6.108 The overall flood risk of the site has been confirmed as low. The flood risk has been identified as low from the following sources:
- *Rivers and sea – very low flood risk;*
 - *Pluvial (surface water) – very low flood risk;*
 - *Groundwater – very low flood risk;*
 - *Artificial sources – very low flood risk.*

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- 6.109 This, of course, is not unexpected given that the site is located on a hill and in Flood Zone 1
- 6.110 A SuDS strategy has been proposed for the development and the suitability of specific SuDS components has been evaluated based on the site and development proposals. A number of SuDS components are proposed as part of a surface water drainage strategy has been for the site, specifically:
- *Pervious paving*
 - *Attenuation storage*
 - *Flow control device to limit rate of discharge from site*
- 6.111 The preliminary hydraulic modelling demonstrates that the proposed SuDS components would be viable for the surface water drainage strategy for the site, in order to achieve the targeted discharge rates, whilst mitigating flood risk to the site and surrounding area. Targeted discharge rates are subject to change, following the review and verification by a structural/drainage engineer during the detailed design stages.
- 6.112 The proposed SuDS components will allow the development to meet surface water management requirements for water quantity, whilst also providing a range of additional benefits for water quality, biodiversity and ecological value, amenity value, and health and wellbeing of residents. An outline management plan has been developed for the proposed SuDS components, providing indicative schedules of monitoring, management and maintenance activities to be implemented after handover of the development.
- 6.113 It is to be noted that this is not a new build development: it is the conversion of an existing building sat above a large built terrace to the front, and a grassed rear garden. There is no increase in the level or area of hard surfaces proposed. There are opportunities for certain surface areas to increase levels of permeability. On this basis, the application accords with the principles of Local Plan Policy CC3 '*Water and flooding*'.

13 Energy / Sustainability / BREEAM / Overheating

6.114 In terms of BREEAM, Eight Associates have carried out an assessment of the proposed development. This assessment is under BREEAM 2014 Domestic Refurbishment (DR) Methodology. The development reviewed currently achieves a score of 72.9%, which equates to an 'EXCELLENT' rating, (70% is required for this rating). There may be some scope to increase this slightly and these measures as set out within the accompanying report.

6.115 The submitted Sustainability Statement summarises the contribution that the design will make to create a more sustainable development, drawing on information provided by specialist consultants and design reports and identifying key features intrinsic to achieving low carbon developments. Key sustainability features within the development will include:

- *The development will reduce total carbon emissions by 4.2% and 3.5% over Building Regulations using SAP 2012 and draft SAP 10.0 carbon dioxide emission factors, respectively;*
- *A water consumption target of 105 litres/person/day plus an additional 5 litres for external use, through the implementation of water efficiency measures;*
- *The inclusion of sustainable transport options such as safe cycle storage;*
- *A sustainable materials procurement policy and an efficient waste strategy on site;*
- *The implementation of health and wellbeing measures through design and operational procedures, including daylight, optimum indoor air quality and thermal comfort; and*
- *Protection of ecology on site during construction and biodiversity enhancement measures.*

6.116 In summary, the key measures incorporated to meet planning requirements and to achieve a low carbon development address the following key areas of sustainable design and construction:

- *Energy and CO2*
- *Adaptation to climate change*
- *Flood risk mitigation and SuDS*
- *Waste*
- *Water efficiency*
- *Transport and connectivity*
- *Materials*
- *Health and wellbeing*
- *Land use and ecology*

6.117 The energy strategy for the site is dictated by the following influencing factors and parameters:

- *The conversion and limited extension of an existing dwelling building*
- *The limited changes to the front elevation, including the retention of the existing fenestration patterns and openings.*
- *Constrained by the dramatic height changes*
- *The presence of the existing terrace to the front of the site*
- *The fact that there are no opportunities for PV the roof scape given that the building is located within a conservation area, and the roof scape is visible within the streetscene*

6.118 The Energy Statement sets out that All flats have been modelled for the purposes of the energy assessment. The scheme complies with the 2013 Building Regulations Part L and the minimum energy efficiency targets in the following documents have been followed:

- *Refurbishment (Part L1B) – Consequential improvements to refurbished areas have been made to ensure that the building complies with Part L, to the extent that such improvements are technically, functionally, and economically feasible.*
- *In addition, the CO2 emissions of the scheme have been calculated using the SAP 10.0 carbon emission factors, and the scheme can achieve:*
- *An on-site CO2 reduction of 3.5% beyond Building Regulations through energy efficiency measures.*
- *The design team has maximised the passive design measure, however, the existing wall cannot be further insulated due to interstitial condensation risk. Therefore, no further CO2 improvement can be achieved.*
- *No renewable technologies have been specified for the project due to site constraints and conservation criteria.*

6.119 The energy statement has assessed the potential for renewable sources, including;

- *Wind*
- *Solar Thermal*
- *PVs*
- *Air source heat pump*
- *Ground source heat pump*
- *Biomass and Biofuel*

- 6.120 However, all have had to be rejected because of technical limitations of the site (including the creation of condensation within an existing building), the effect on visual amenity on term of the conservation area (PV's on the roof would be undesirable) and in some cases the sheer lack of a cost effective solution. These matters are discussed in full within the Energy Statement prepared by Eight Associates.
- 6.121 An Overheating analysis has also been submitted. The conversion of the dwelling house, does not propose and significant new window openings : the window patterns is largely staying the same, albeit with new windows to the rear elevation and small windows within the front gable ends. That said, it is important that all flats receive adequate daylight and sunlight. Equally it is not appropriate to include features such as moveable blinds/ screens or brise soliel to this building, given its location within a conservation area and that the application is proposing the sensitive conversion and extension rather than a purpose built comprehensive redevelopment.
- 6.122 This report has assessed the proposed scheme in accordance with CIBSE Guide A, CIBSE TM52 and TM59 requirements relating to overheating. Results are provided which show how the occupied spaces perform against the thermal comfort standards for overheating. The scheme has implemented passive design measures and the modelling results indicate that the scheme is compliant with the overheating requirements for DSY1 weather file. The proposal maximises passive design measures by responding to the local context in the following ways:
- *Energy efficient lighting and appliances have been recommended to reduce internal heat gains;*
 - *The new building fabric will be insulated over and above the standards set out by Building Regulations and reduced solar gains from a glazing solar factor of 0.50 (for new windows and rooflights) will help to keep heat out of the building;*
 - *Internal shading devices to further limit solar gains;*
 - *Natural ventilation to supply fresh air to the building through openable windows (as per ventilation rates section of this report).*
- 6.123 On this basis the application has addressed the requirements of the Local Plan in terms of Policies CC1 'Climate Change Mitigation', Policy CC2 'Adapting to Climate Change' and Policy D1 'Design'.

7. Conclusions

- 7.1 This development provides a range of clear planning benefits in line with adopted policy
- 7.2 The proposed development will deliver 9 residential units (uplift of 8) in a highly accessible location (PTAL 6A). This will contribute to the Borough's housing stock and count towards achieving the provision of 16,800 additional homes by 2031 in line with Policies G1 and H1. New self-contained housing is the priority land use of the Council
- 7.3 This site represents the sustainable and optimum use of this urban site which can comfortably accept an increase in units without causing harm to neighbours and the wider locality.
- 7.4 The adopted Conservation Area appraisal sets out that:
- this stretch of road is probably one of the poorest in the Conservation Area due to unsympathetic alterations, dereliction, and unsightly forecourt parking areas and to a lesser extent, recent new development*
- 7.5 This development provides a range of clear planning benefits in line with adopted policy.
- 7.6 It is within this stark context, as set out by the LPA, that this application will deliver significant and demonstrable benefits to the character and appearance of the Conservation Area.
- 7.7 Retention and refurbishment of the existing building as a response to the LPA's stance as to the status of the building within the Conservation Area.
- 7.8 Works of repair and refurbishment to the principal front elevation including replacement windows will significantly enhance the appearance of this drab and uninspiring property. This will have a direct and positive effect upon the character and appearance of the Conservation Area as well as the host building.
- 7.9 Retentions and reinforcement of the single dwelling typology. The building will retain the visual appearance of a single large dwelling house, sitting comfortably within its plot. This maintains the urban grain, but also sits comfortably within the street where many of the dwellings have successfully been converted to flats.
- 7.10 New landscaping and planting to the front of the dwelling will soften and enhance the appearance of the hard terrace creating clear and obvious benefits to the character and appearance of the Conservation Area and the host building.
- 7.11 A reduction in off-street car parking permits over the existing arrangement for the single dwelling house.
- 7.12 Secure enclosed cycle parking to new London Plan standards.
- 7.13 Provision of a financial sum to assist the provision of affordable housing in line with planning policy.
- 7.14 Sensitive additions and alterations to the roof to optimise the use of the existing building and space within the existing roof forms.
- 7.15 Extensive areas of high quality and varied types of communal private external amenity space.

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- 7.16 Careful positioning and massing of rear extensions ensures no harm to the amenity of neighbouring properties.
- 7.17 Reduction in massing the removal of the existing timber rear elevation that sits hard against the side boundary line to No.8.
- 7.18 A mix of unit size that positively responds to the Dwelling Priority Table as well as the constraints set by arrangement and layout of the existing retained building. The unit mix includes two family sized 3 bed units, both with direct rear access to the rear external spaces.
- 7.19 This development therefore reflects the objectives of the Development Plan as a whole to deliver the economic, social and environmental objectives that taken together will contribute to achieving sustainable development.